



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB5611

by Rep. Jaime M. Andrade, Jr.

#### SYNOPSIS AS INTRODUCED:

See Index

Creates the Department of Innovation and Technology Act to codify the changes made in Executive Order 2016-001. Creates the Department of Innovation and Technology. Abolishes the Information Technology Office (also known as the Office of the Chief Information Officer) within the Office of the Governor and transfers its functions, personnel, and property to Department of Innovation and Technology. Provides for the transfer of information technology functions, including related personnel and property, from specified State agencies, boards, and commissions to the Department of Innovation and Technology. Provides for the powers and responsibilities of the Department of Innovation and Technology, including specified programs and initiatives. Provides for the appointment of the Secretary and Assistant Secretary of Innovation and Technology by the Governor, with the advice and consent of the Senate. Provides that the Secretary shall serve as the Chief Information Officer of the State. Amends various Act and Codes to make conforming changes. Repeals Sections in the Department of Central Management Services Law. Effective immediately.

LRB100 20507 RJF 35882 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Department of Innovation and Technology Act.

6 Section 5. Definitions. In this Act:

7 "Bureau of Communications and Computer Services" means the  
8 Bureau of Communications and Computer Services, also known as  
9 the Bureau of Information and Communication Services, created  
10 by rule (2 Illinois Administrative Code 750.40) within the  
11 Department of Central Management Services.

12 "Client agency" means each transferring agency, or its  
13 successor. "Client agency" also includes each other public  
14 agency to which the Department provides service.

15 "Dedicated unit" means the dedicated bureau, division,  
16 office, or other unit within a transferring agency that is  
17 responsible for the information technology functions of the  
18 transferring agency. For the Office of the Governor, "dedicated  
19 unit" means the Information Technology Office, also known as  
20 the Office of the Chief Information Officer. For the Department  
21 of Central Management Services, "dedicated unit" means the  
22 Bureau of Communications and Computer Services, also known as  
23 the Bureau of Information and Communication Services.

1 "Department" means the Department of Innovation and  
2 Technology.

3 "Information technology" means technology, infrastructure,  
4 equipment, systems, software, networks, and processes used to  
5 create, send, receive, and store electronic or digital  
6 information, including, without limitation, computer systems  
7 and telecommunication services and systems. "Information  
8 technology" shall be construed broadly to incorporate future  
9 technologies (such as sensors) that change or supplant those in  
10 effect as of the effective date of this Act.

11 "Information technology functions" means the development,  
12 procurement, installation, retention, maintenance, operation,  
13 possession, storage, and related functions of all information  
14 technology.

15 "Information Technology Office" means the Information  
16 Technology Office, also known as the Office of the Chief  
17 Information Officer, within the Office of the Governor, created  
18 by Executive Order 1999-05, or its successor.

19 "Legacy information technology division" means any  
20 division, bureau, or other unit of a transferring agency which  
21 has responsibility for information technology functions for  
22 the agency prior to the transfer of those functions to the  
23 Department, including, without limitation, the Bureau of  
24 Communications and Computer Services.

25 "Secretary" means the Secretary of Innovation and  
26 Technology.

1 "State agency" means each State agency, department, board,  
2 and commission directly responsible to the Governor.

3 "Transferring agency" means the Department on Aging; the  
4 Departments of Agriculture, Central Management Services,  
5 Children and Family Services, Commerce and Economic  
6 Opportunity, Corrections, Employment Security, Financial and  
7 Professional Regulation, Healthcare and Family Services, Human  
8 Rights, Human Services, Insurance, Juvenile Justice, Labor,  
9 Lottery, Military Affairs, Natural Resources, Public Health,  
10 Revenue, State Police, Transportation, and Veterans' Affairs;  
11 the Capital Development Board; the Deaf and Hard of Hearing  
12 Commission; the Environmental Protection Agency; the  
13 Governor's Office of Management and Budget; the Guardianship  
14 and Advocacy Commission; the Historic Preservation Agency; the  
15 Illinois Arts Council; the Illinois Council on Developmental  
16 Disabilities; the Illinois Emergency Management Agency; the  
17 Illinois Gaming Board; the Illinois Health Information  
18 Exchange Authority; the Illinois Liquor Control Commission;  
19 the Illinois Student Assistance Commission; the Illinois  
20 Technology Office; the Office of the State Fire Marshal; and  
21 the Prisoner Review Board.

22 Section 10. Transfer of functions. On and after March 25,  
23 2016 (the effective date of Executive Order 2016-001):

24 (a) For each transferring agency, the dedicated unit or  
25 units within that agency responsible for information

1 technology functions together with those information  
2 technology functions outside of the dedicated unit or units  
3 within a transferring agency to which this Act applies shall be  
4 designated by the Governor.

5 (b) All powers, duties, rights, and responsibilities of  
6 those dedicated units and information technology functions  
7 designated by the Governor are transferred to the Department of  
8 Innovation and Technology.

9 (c) The personnel of each transferring agency designated by  
10 the Governor are transferred to the Department of Innovation  
11 and Technology. The status and rights of the employees and the  
12 State of Illinois or its transferring agencies under the  
13 Personnel Code, the Illinois Public Labor Relations Act, and  
14 applicable collective bargaining agreements or under any  
15 pension, retirement, or annuity plan shall not be affected by  
16 this Act. Under the direction of the Governor, the Secretary,  
17 in consultation with the transferring agencies and labor  
18 organizations representing the affected employees, shall  
19 identify each position and employee who is engaged in the  
20 performance of functions transferred to the Department, or  
21 engaged in the administration of a law the administration of  
22 which is transferred to the Department, to be transferred to  
23 the Department. An employee engaged primarily in providing  
24 administrative support to a legacy information technology  
25 division or information technology personnel may be considered  
26 engaged in the performance of functions transferred to the

1 Department.

2 (d) All books, records, papers, documents, property (real  
3 and personal), contracts, causes of action, and pending  
4 business pertaining to the powers, duties, rights, and  
5 responsibilities relating to dedicated units and information  
6 technology functions transferred under this Act to the  
7 Department of Innovation and Technology, including, but not  
8 limited to, material in electronic or magnetic format and  
9 necessary computer hardware and software, shall be transferred  
10 to the Department of Innovation and Technology.

11 (e) All unexpended appropriations and balances and other  
12 funds available for use relating to dedicated units and  
13 information technology functions transferred under this Act  
14 shall be transferred for use by the Department of Innovation  
15 and Technology at the direction of the Governor. Unexpended  
16 balances so transferred shall be expended only for the purpose  
17 for which the appropriations were originally made.

18 (f) The powers, duties, rights, and responsibilities  
19 relating to dedicated units and information technology  
20 functions transferred by this Act shall be vested in and shall  
21 be exercised by the Department of Innovation and Technology.

22 (g) Whenever reports or notices are now required to be made  
23 or given or papers or documents furnished or served by any  
24 person to or upon each dedicated unit in connection with any of  
25 the powers, duties, rights, and responsibilities relating to  
26 information technology functions transferred by this Act, the

1 same shall be made, given, furnished, or served in the same  
2 manner to or upon the Department of Innovation and Technology.

3 (h) This Act does not affect any act done, ratified, or  
4 canceled or any right occurring or established or any action or  
5 proceeding had or commenced in an administrative, civil, or  
6 criminal cause by each dedicated unit relating to information  
7 technology functions before the transfer of responsibilities  
8 under this Act; such actions or proceedings may be prosecuted  
9 and continued by the Department of Innovation and Technology.

10 (i) Any rules of a dedicated unit or a transferring agency  
11 that relate to the powers, duties, rights, and responsibilities  
12 relating to the dedicated unit or to information technology  
13 functions and are in full force on the effective date of this  
14 Act shall become the rules of the Department of Innovation and  
15 Technology. This Act does not affect the legality of any such  
16 rules in the Illinois Administrative Code.

17 (j) Any proposed rules filed with the Secretary of State by  
18 the dedicated unit or the transferring agency that are pending  
19 in the rulemaking process on March 25, 2016 (the effective date  
20 of Executive Order 2016-001) and that pertain to the powers,  
21 duties, rights, and responsibilities of the dedicated unit or  
22 the information technology functions transferred, shall be  
23 deemed to have been filed by the Department of Innovation and  
24 Technology. As soon as practicable, the Department of  
25 Innovation and Technology shall revise and clarify the rules  
26 transferred to it under this Act to reflect the reorganization

1 of powers, duties, rights, and responsibilities relating to  
2 information technology functions affected by this Act, using  
3 the procedures for recodification of rules available under the  
4 Illinois Administrative Procedure Act, except that existing  
5 title, part, and section numbering for the affected rules may  
6 be retained. The Department of Innovation and Technology may  
7 propose and adopt under the Illinois Administrative Procedure  
8 Act such other rules of each dedicated unit or transferring  
9 agency that will now be administered by the Department of  
10 Innovation and Technology.

11 Section 15. Powers and duties. The Department shall promote  
12 best-in-class innovation and technology to client agencies to  
13 foster collaboration among client agencies, empower client  
14 agencies to provide better service to residents of Illinois,  
15 and maximize the value of taxpayer resources. The Department  
16 shall be responsible for information technology functions on  
17 behalf of client agencies.

18 The Department shall provide for and coordinate  
19 information technology for State agencies and, when requested  
20 and when in the best interests of the State, for State  
21 constitutional offices, units of federal or local governments,  
22 and public and not-for-profit institutions of primary,  
23 secondary, and higher education, or other parties not  
24 associated with State government. The Department shall  
25 establish charges for information technology for State



1 agencies and, when requested, for State constitutional  
2 offices, units of federal or local government, and public and  
3 not-for-profit institutions of primary, secondary, or higher  
4 education and for use by other parties not associated with  
5 State government. Entities charged for these services shall  
6 make payment to the Department. The Department may instruct all  
7 State agencies to report their usage of information technology  
8 regularly to the Department in the manner the Secretary may  
9 prescribe.

10 The Department and each public agency shall continue to  
11 have all authority provided to them under the Intergovernmental  
12 Cooperation Act and other applicable law to enter into  
13 interagency contracts. The Department may enter into contracts  
14 to use personnel and other resources that are retained by  
15 client agencies or other public agencies, to provide services  
16 to public agencies within the State, and for other appropriate  
17 purposes to accomplish the Department's mission.

18 Section 20. Security and interoperability. The Department  
19 shall develop and implement standards, policies, and  
20 procedures to protect the security and interoperability of  
21 State data with respect to those agencies under the  
22 jurisdiction of the Governor, including in particular data that  
23 are confidential, sensitive, or protected from disclosure by  
24 privacy or other laws, while recognizing and balancing the need  
25 for collaboration and public transparency. The Department

1 shall comply with applicable federal and State laws pertaining  
2 to information technology, data, and records of the Department  
3 and the client agencies, including, without limitation, the  
4 Freedom of Information Act, the State Records Act, the Personal  
5 Information Protection Act, the federal Health Insurance  
6 Portability and Accountability Act, the federal Health  
7 Information Technology for Economic and Clinical Health Act,  
8 and the federal Gramm-Leach-Bliley Act.

9 Section 25. Charges for services; non-State funding. The  
10 Department may establish charges for services rendered by the  
11 Department to client agencies from funds provided directly to  
12 the client agency by appropriation or otherwise. In  
13 establishing charges, the Department shall consult with client  
14 agencies to make charges transparent and clear and seek to  
15 minimize or avoid charges for costs for which the Department  
16 has other funding sources available.

17 Client agencies shall continue to apply for and otherwise  
18 seek federal funds and other capital and operational resources  
19 for technology for which the agencies are eligible and, subject  
20 to compliance with applicable laws, regulations, and grant  
21 terms, make those funds available for use by the Department.  
22 The Department shall assist client agencies in identifying  
23 funding opportunities and, if funds are used by the Department,  
24 ensuring compliance with all applicable laws, regulations, and  
25 grant terms.

1 Section 30. Information technology.

2 (a) The Secretary shall be the Chief Information Officer  
3 for the State and the steward of State data with respect to  
4 those agencies under the jurisdiction of the Governor. It shall  
5 be the duty of the Department and the policy of the State of  
6 Illinois to manage or delegate the management of the  
7 procurement, retention, installation, maintenance, and  
8 operation of all information technology used by client  
9 agencies, so as to achieve maximum economy consistent with  
10 development of appropriate and timely information in a form  
11 suitable for management analysis, in a manner that provides for  
12 adequate security protection and back-up facilities for that  
13 equipment, the establishment of bonding requirements, and a  
14 code of conduct for all information technology personnel to  
15 ensure the privacy of information technology information as  
16 provided by law.

17 (b) The Department shall be responsible for providing the  
18 Governor with timely, comprehensive, and meaningful  
19 information pertinent to the formulation and execution of  
20 fiscal policy. In performing this responsibility the  
21 Department shall have the power to do the following:

22 (1) Control the procurement, retention, installation,  
23 maintenance, and operation, as specified by the  
24 Department, of information technology equipment used by  
25 client agencies in such a manner as to achieve maximum

1 economy and provide appropriate assistance in the  
2 development of information suitable for management  
3 analysis.

4 (2) Establish principles and standards of information  
5 technology-related reporting by client agencies and  
6 priorities for completion of research by those agencies in  
7 accordance with the requirements for management analysis  
8 specified by the Department.

9 (3) Establish charges for information technology and  
10 related services requested by client agencies and rendered  
11 by the Department. The Department is likewise empowered to  
12 establish prices or charges for all information technology  
13 reports purchased by agencies and individuals not  
14 connected with State government.

15 (4) Instruct all client agencies to report regularly to  
16 the Department, in the manner the Department may prescribe,  
17 their usage of information technology, the cost incurred,  
18 the information produced, and the procedures followed in  
19 obtaining the information. All client agencies shall  
20 request from the Department assistance and consultation in  
21 securing any necessary information technology to support  
22 their requirements.

23 (5) Examine the accounts and information  
24 technology-related data of any organization, body, or  
25 agency receiving appropriations from the General Assembly,  
26 except for a State constitutional office. For a State

1 constitutional office, the Department shall have the power  
2 to examine the accounts and information technology-related  
3 data of the State constitutional office when requested by  
4 that office.

5 (6) Install and operate a modern information  
6 technology system utilizing equipment adequate to satisfy  
7 the requirements for analysis and review as specified by  
8 the Department. Expenditures for information technology  
9 and related services rendered shall be reimbursed by the  
10 recipients. The reimbursement shall be determined by the  
11 Department as amounts sufficient to reimburse the  
12 Technology Management Revolving Fund for expenditures  
13 incurred in rendering the services.

14 (c) In addition to the other powers and duties listed in  
15 subsection (b), the Department shall analyze the present and  
16 future aims, needs, and requirements of information  
17 technology, research, and planning in order to provide for the  
18 formulation of overall policy relative to the use of  
19 information technology and related equipment by the State of  
20 Illinois. In making this analysis, the Department shall  
21 formulate a master plan for information technology, utilizing  
22 information technology most advantageously, and advising  
23 whether information technology should be leased or purchased by  
24 the State. The Department shall prepare and submit interim  
25 reports of meaningful developments and proposals for  
26 legislation to the Governor on or before January 30 each year.

1 The Department shall engage in a continuing analysis and  
2 evaluation of the master plan so developed, and it shall be the  
3 responsibility of the Department to recommend from time to time  
4 any needed amendments and modifications of any master plan  
5 enacted by the General Assembly.

6 (d) The Department may make information technology and the  
7 use of information technology available to units of local  
8 government, elected State officials, State educational  
9 institutions, the judicial branch, the legislative branch, and  
10 all other governmental units of the State requesting them. The  
11 Department shall establish prices and charges for the  
12 information technology so furnished and for the use of the  
13 information technology. The prices and charges shall be  
14 sufficient to reimburse the cost of furnishing the services and  
15 use of information technology.

16 (e) The Department may establish standards to provide  
17 consistency in the operation and use of information technology.

18 Section 35. Communications.

19 (a) The Department shall develop and implement a  
20 comprehensive plan to coordinate or centralize communications  
21 among State agencies with offices at different locations. The  
22 plan shall be updated based on a continuing study of  
23 communications problems of State government and shall include  
24 any information technology related equipment or service used  
25 for communication purposes including digital, analog, or

1 future transmission medium, whether for voice, data, or any  
2 combination thereof. The plan shall take into consideration  
3 systems that might effect economies, including, but not limited  
4 to, quantity discount services and may include provision of  
5 telecommunications service to local and federal government  
6 entities located within this State if State interests can be  
7 served by so doing.

8 (b) The Department shall provide for and coordinate  
9 communications services for State agencies and, when requested  
10 and when in the best interests of the State, for units of  
11 federal or local governments and public and not-for-profit  
12 institutions of primary, secondary, and higher education. The  
13 Department may make use of, or support or provide any  
14 information technology related communications equipment or  
15 services necessary and available to support the needs of  
16 interested parties not associated with State government  
17 provided that State government usage shall have first priority.  
18 For this purpose the Department shall have the power to do all  
19 of the following:

20 (1) Provide for and control the procurement,  
21 retention, installation, and maintenance of communications  
22 equipment or services used by State agencies in the  
23 interest of efficiency and economy.

24 (2) Review existing standards and, where appropriate,  
25 propose to establish new or modified standards for State  
26 agencies which shall include a minimum of one

1 telecommunication device for the deaf installed and  
2 operational within each State agency, to provide public  
3 access to agency information for those persons who are  
4 hearing or speech impaired. The Department shall consult  
5 the Department of Human Services to develop standards and  
6 implementation for this equipment.

7 (3) Establish charges for information technology for  
8 State agencies and, when requested, for units of federal or  
9 local government and public and not-for-profit  
10 institutions of primary, secondary, or higher education.  
11 Entities charged for these services shall pay the  
12 Department.

13 (4) Instruct all State agencies to report their usage  
14 of communication services regularly to the Department in  
15 the manner the Department may prescribe.

16 (5) Analyze the present and future aims and needs of  
17 all State agencies in the area of communications services  
18 and plan to serve those aims and needs in the most  
19 effective and efficient manner.

20 (6) Provide telecommunications and other  
21 communications services.

22 (7) Establish the administrative organization within  
23 the Department that is required to accomplish the purpose  
24 of this Section.

25 As used in this subsection (b) only, "State agencies" means  
26 all departments, officers, commissions, boards, institutions,



1 and bodies politic and corporate of the State except (i) the  
2 judicial branch, including, without limitation, the several  
3 courts of the State, the offices of the clerk of the supreme  
4 court and the clerks of the appellate court, and the  
5 Administrative Office of the Illinois Courts, (ii) State  
6 constitutional offices, and (iii) the General Assembly,  
7 legislative service agencies, and all officers of the General  
8 Assembly.

9 This subsection (b) does not apply to the procurement of  
10 Next Generation 9-1-1 service as governed by Section 15.6b of  
11 the Emergency Telephone System Act.

12 Section 40. Bulk long distance telephone services for  
13 military personnel in military service.

14 (a) As used in this Section only:

15 "Immediate family" means a service member's spouse  
16 residing in the service member's household, brothers and  
17 sisters of the whole or of the half blood, children, including  
18 adopted children and stepchildren, parents, and grandparents.

19 "Military service" means any full-time training or duty, no  
20 matter how described under federal or State law, for which a  
21 service member is ordered to report by the President, Governor  
22 of a state, commonwealth, or territory of the United States, or  
23 other appropriate military authority.

24 "Service member" means a resident of Illinois who is a  
25 member of any component of the United States Armed Forces or

1 the National Guard of any state, the District of Columbia, a  
2 commonwealth, or a territory of the United States.

3 (b) The Department may enter into a contract to purchase  
4 bulk long distance telephone services and make them available  
5 at cost, or may make bulk long distance telephone services  
6 available at cost under any existing contract the Department  
7 has entered into, to persons in the immediate family of service  
8 members that have entered military service so that those  
9 persons in the service members' families can communicate with  
10 the service members. If the Department enters into a contract  
11 under this Section, it shall do so in accordance with the  
12 Illinois Procurement Code and in a nondiscriminatory manner  
13 that does not place any potential vendor at a competitive  
14 disadvantage.

15 (c) In order to be eligible to use bulk long distance  
16 telephone services purchased by the Department under this  
17 Section, a service member or person in the service member's  
18 immediate family must provide the Department with a copy of the  
19 orders calling the service member to military service in excess  
20 of 29 consecutive days and of any orders further extending the  
21 service member's period of military service.

22 (d) If the Department enters into a contract under this  
23 Section, the Department shall adopt rules as necessary to  
24 implement this Section.

25 Section 45. Grants for distance learning services. The

1 Department may award grants to public community colleges and  
2 education service centers for development and implementation  
3 of telecommunications systems that provide distance learning  
4 services.

5 Section 50. Rulemaking. The Department may adopt rules  
6 under the Illinois Administrative Procedure Act necessary to  
7 carry out its responsibilities under this Act.

8 Section 55. Executive Orders.

9 (a) Executive Order 2016-001. The Department of Innovation  
10 and Technology was created by Executive Order 2016-001. This  
11 Act is the implementation of that Executive Order, together  
12 with additional provisions to ensure that the Department of  
13 Innovation and Technology is able to function as intended under  
14 that Executive Order. The intent of this Act is to ensure that  
15 the Department is able to fulfill its duties and purpose under  
16 that Executive Order. In the event of a conflict between the  
17 provisions of the Executive Order and this Act, this Act shall  
18 be controlling.

19 (b) Executive Order 1999-05. The Information Technology  
20 Office, also known as the Office of the Chief Information  
21 Officer, was created by Executive Order 1999-05. That Executive  
22 Order is superseded by this Act.

23 Section 60. Construction.

1 (a) Notwithstanding any provision of law to the contrary,  
2 on and after the effective date of this Act, references to  
3 "Bureau of Communications and Computer Services", "Bureau of  
4 Information and Communication Services", "Information  
5 Technology Office", or "Office of the Chief Information  
6 Officer" shall be construed as references to the Department of  
7 Innovation and Technology.

8 (b) Notwithstanding any provision of law to the contrary,  
9 on and after the effective date of this Act, references to  
10 "Chief Information Officer of the State" shall be construed as  
11 references to the Secretary of Innovation and Technology.

12 Section 905. The Civil Administrative Code of Illinois is  
13 amended by changing Sections 5-10, 5-15, 5-20, and 5-605 and by  
14 adding Sections 5-195 and 5-357 as follows:

15 (20 ILCS 5/5-10) (was 20 ILCS 5/2.1)

16 Sec. 5-10. "Director". As used in the Civil Administrative  
17 Code of Illinois, unless the context clearly indicates  
18 otherwise, the word "director" means the several directors of  
19 the departments of State government as designated in Section  
20 5-20 of this Law and includes the Secretary of Financial and  
21 Professional Regulation, the Secretary of Innovation and  
22 Technology, the Secretary of Human Services, and the Secretary  
23 of Transportation.

24 (Source: P.A. 91-239, eff. 1-1-00.)

1 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

2 Sec. 5-15. Departments of State government. The  
3 Departments of State government are created as follows:

4 The Department on Aging.

5 The Department of Agriculture.

6 The Department of Central Management Services.

7 The Department of Children and Family Services.

8 The Department of Commerce and Economic Opportunity.

9 The Department of Corrections.

10 The Department of Employment Security.

11 The Illinois Emergency Management Agency.

12 The Department of Financial and Professional Regulation.

13 The Department of Healthcare and Family Services.

14 The Department of Human Rights.

15 The Department of Human Services.

16 The Department of Innovation and Technology.

17 The Department of Juvenile Justice.

18 The Department of Labor.

19 The Department of the Lottery.

20 The Department of Natural Resources.

21 The Department of Public Health.

22 The Department of Revenue.

23 The Department of State Police.

24 The Department of Transportation.

25 The Department of Veterans' Affairs.

1 (Source: P.A. 96-328, eff. 8-11-09; 97-618, eff. 10-26-11.)

2 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

3 Sec. 5-20. Heads of departments. Each department shall have  
4 an officer as its head who shall be known as director or  
5 secretary and who shall, subject to the provisions of the Civil  
6 Administrative Code of Illinois, execute the powers and  
7 discharge the duties vested by law in his or her respective  
8 department.

9 The following officers are hereby created:

10 Director of Aging, for the Department on Aging.

11 Director of Agriculture, for the Department of  
12 Agriculture.

13 Director of Central Management Services, for the  
14 Department of Central Management Services.

15 Director of Children and Family Services, for the  
16 Department of Children and Family Services.

17 Director of Commerce and Economic Opportunity, for the  
18 Department of Commerce and Economic Opportunity.

19 Director of Corrections, for the Department of  
20 Corrections.

21 Director of the Illinois Emergency Management Agency, for  
22 the Illinois Emergency Management Agency.

23 Director of Employment Security, for the Department of  
24 Employment Security.

25 Secretary of Financial and Professional Regulation, for

1 the Department of Financial and Professional Regulation.

2 Director of Healthcare and Family Services, for the  
3 Department of Healthcare and Family Services.

4 Director of Human Rights, for the Department of Human  
5 Rights.

6 Secretary of Human Services, for the Department of Human  
7 Services.

8 Secretary of Innovation and Technology, for the Department  
9 of Innovation and Technology.

10 Director of Juvenile Justice, for the Department of  
11 Juvenile Justice.

12 Director of Labor, for the Department of Labor.

13 Director of the Lottery, for the Department of the Lottery.

14 Director of Natural Resources, for the Department of  
15 Natural Resources.

16 Director of Public Health, for the Department of Public  
17 Health.

18 Director of Revenue, for the Department of Revenue.

19 Director of State Police, for the Department of State  
20 Police.

21 Secretary of Transportation, for the Department of  
22 Transportation.

23 Director of Veterans' Affairs, for the Department of  
24 Veterans' Affairs.

25 (Source: P.A. 97-464, eff. 10-15-11; 97-618, eff. 10-26-11;  
26 97-813, eff. 7-13-12; 98-499, eff. 8-16-13.)

1 (20 ILCS 5/5-195 new)

2 Sec. 5-195. In the Department of Innovation and Technology.  
3 Assistant Secretary of Innovation and Technology.

4 (20 ILCS 5/5-357 new)

5 Sec. 5-357. In the Department of Innovation and Technology.  
6 The Secretary of Innovation and Technology and the Assistant  
7 Secretary of Innovation and Technology shall each receive an  
8 annual salary as set by law.

9 (20 ILCS 5/5-605) (was 20 ILCS 5/12)

10 Sec. 5-605. Appointment of officers. Each officer whose  
11 office is created by the Civil Administrative Code of Illinois  
12 or by any amendment to the Code shall be appointed by the  
13 Governor, by and with the advice and consent of the Senate. In  
14 case of vacancies in those offices during the recess of the  
15 Senate, the Governor shall make a temporary appointment until  
16 the next meeting of the Senate, when the Governor shall  
17 nominate some person to fill the office, and any person so  
18 nominated who is confirmed by the Senate shall hold office  
19 during the remainder of the term and until his or her successor  
20 is appointed and qualified. If the Senate is not in session at  
21 the time the Code or any amendments to the Code take effect,  
22 the Governor shall make a temporary appointment as in the case  
23 of a vacancy.



1           During the absence or inability to act of the director or  
2 secretary of any department, ~~or of the Secretary of Human~~  
3 ~~Services or the Secretary of Transportation,~~ or in case of a  
4 vacancy in any such office until a successor is appointed and  
5 qualified, the Governor may designate some person as acting  
6 director or acting secretary to execute the powers and  
7 discharge the duties vested by law in that director or  
8 secretary.

9           During the term of a General Assembly, the Governor may not  
10 designate a person to serve as an acting director or secretary  
11 under this Section if that person's nomination to serve as the  
12 director or secretary of that same Department was rejected by  
13 the Senate of the same General Assembly. This Section is  
14 subject to the provisions of subsection (c) of Section 3A-40 of  
15 the Illinois Governmental Ethics Act.

16           (Source: P.A. 97-582, eff. 8-26-11.)

17           Section 910. The Department of Central Management Services  
18 Law of the Civil Administrative Code of Illinois is amended by  
19 changing Sections 405-10, 405-270, and 405-410 as follows:

20           (20 ILCS 405/405-10) (was 20 ILCS 405/35.3)

21           Sec. 405-10. Director's duties; State policy. It shall be  
22 the duty of the Director and the policy of the State of  
23 Illinois to do the following:

24           (1) Place financial responsibility on State agencies

1 (as defined in subsection (b) of Section 405-5) and hold  
2 them accountable for the proper discharge of this  
3 responsibility.

4 (2) Require professional, accurate, and current  
5 accounting with the State agencies (as defined in  
6 subsection (b) of Section 405-5).

7 (3) Decentralize fiscal, procedural, and  
8 administrative operations to expedite the business of the  
9 State and to avoid expense, unwieldiness, inefficiency,  
10 and unnecessary duplication where decentralization is  
11 consistent with proper fiscal management.

12 (4) (Blank). ~~Manage or delegate the management of the~~  
13 ~~procurement, retention, installation, maintenance, and~~  
14 ~~operation of all electronic data processing equipment used~~  
15 ~~by State agencies as defined in Section 405-20, so as to~~  
16 ~~achieve maximum economy consistent with development of~~  
17 ~~adequate and timely information in a form suitable for~~  
18 ~~management analysis, in a manner that provides for adequate~~  
19 ~~security protection and back up facilities for that~~  
20 ~~equipment, the establishment of bonding requirements, and~~  
21 ~~a code of conduct for all electronic data processing~~  
22 ~~personnel to ensure the privacy of electronic data~~  
23 ~~processing information as provided by law.~~

24 (Source: P.A. 91-239, eff. 1-1-00.)

25 (20 ILCS 405/405-270) (was 20 ILCS 405/67.18)

1           Sec. 405-270. Broadcast communications ~~Communications~~  
2 services. To provide for and coordinate broadcast ~~co-ordinate~~  
3 communications services for State agencies and, when requested  
4 and when in the best interests of the State, for units of  
5 federal or local governments and public and not-for-profit  
6 institutions of primary, secondary, and higher education. The  
7 Department may make use of its satellite uplink available to  
8 interested parties not associated with State government  
9 provided that State government usage shall have first priority.  
10 For this purpose the Department shall have the power and duty  
11 to do all of the following:

12           (1) Provide for and control the procurement,  
13 retention, installation, and maintenance of video  
14 recording, satellite uplink, public information, and  
15 broadcast communications equipment or services used by  
16 State agencies in the interest of efficiency and economy.

17           (2) ~~(Blank). Establish standards by January 1, 1989 for~~  
18 ~~communications services for State agencies which shall~~  
19 ~~include a minimum of one telecommunication device for the~~  
20 ~~deaf installed and operational within each State agency, to~~  
21 ~~provide public access to agency information for those~~  
22 ~~persons who are hearing or speech impaired. The Department~~  
23 ~~shall consult the Department of Human Services to develop~~  
24 ~~standards and implementation for this equipment.~~

25           (3) Establish charges (i) for video recording,  
26 satellite uplink, public information, and broadcast

1 communication services for State agencies and, when  
2 requested, for units of federal or local government and  
3 public and not-for-profit institutions of primary,  
4 secondary, or higher education and (ii) for use of the  
5 Department's satellite uplink by parties not associated  
6 with State government. Entities charged for these services  
7 shall reimburse the Department.

8 (4) Instruct all State agencies to report their usage  
9 of video recording, satellite uplink, public information,  
10 and broadcast communication services regularly to the  
11 Department in the manner the Director may prescribe.

12 (5) Analyze the present and future aims and needs of  
13 all State agencies in the area of video recording,  
14 satellite uplink, public information, and broadcast  
15 communications services and plan to serve those aims and  
16 needs in the most effective and efficient manner.

17 (6) Provide ~~services, including, but not limited to,~~  
18 ~~telecommunications,~~ video recording, satellite uplink,  
19 public information, and broadcast ~~other~~ communications  
20 services.

21 (7) Establish the administrative organization within  
22 the Department that is required to accomplish the purpose  
23 of this Section.

24 The Department is authorized, in consultation with the  
25 Department of Innovation and Technology, to conduct a study for  
26 the purpose of determining technical, engineering, and

1 management specifications for the networking, compatible  
2 connection, or shared use of existing and future public and  
3 private owned television broadcast and reception facilities,  
4 including but not limited to terrestrial microwave, fiber  
5 optic, and satellite, for broadcast and reception of  
6 educational, governmental, and business programs, and to  
7 implement those specifications.

8 However, the Department may not control or interfere with  
9 the input of content into the broadcast communications  
10 ~~telecommunications~~ systems by the several State agencies or  
11 units of federal or local government, or public or  
12 not-for-profit institutions of primary, secondary, and higher  
13 education, or users of the Department's satellite uplink.

14 As used in this Section, the term "State agencies" means  
15 all departments, officers, commissions, boards, institutions,  
16 and bodies politic and corporate of the State except (i) the  
17 judicial branch, including, without limitation, the several  
18 courts of the State, the offices of the clerk of the supreme  
19 court and the clerks of the appellate court, and the  
20 Administrative Office of the Illinois Courts and (ii) the  
21 General Assembly, legislative service agencies, and all  
22 officers of the General Assembly.

23 This Section does not apply to the procurement of Next  
24 Generation 9-1-1 service as governed by Section 15.6b of the  
25 Emergency Telephone System Act.

26 In the event of a conflict between the provisions of this

1 Section and any provision of the Department of Innovation and  
2 Technology Act, the Department of Innovation and Technology Act  
3 shall be controlling.

4 (Source: P.A. 99-6, eff. 1-1-16.)

5 (20 ILCS 405/405-410)

6 Sec. 405-410. Transfer of Information Technology  
7 functions.

8 (a) Notwithstanding any other law to the contrary, the  
9 Secretary of Innovation and Technology ~~Director of Central~~  
10 ~~Management Services~~, working in cooperation with the Director  
11 of any other agency, department, board, or commission directly  
12 responsible to the Governor, may direct the transfer, to the  
13 Department of Innovation and Technology ~~Central Management~~  
14 ~~Services~~, of those information technology functions at that  
15 agency, department, board, or commission that are suitable for  
16 centralization.

17 Upon receipt of the written direction to transfer  
18 information technology functions to the Department of  
19 Innovation and Technology ~~Central Management Services~~, the  
20 personnel, equipment, and property (both real and personal)  
21 directly relating to the transferred functions shall be  
22 transferred to the Department of Innovation and Technology  
23 ~~Central Management Services~~, and the relevant documents,  
24 records, and correspondence shall be transferred or copied, as  
25 the Secretary ~~Director~~ may prescribe.

1           (b) Upon receiving written direction from the Secretary of  
2 Innovation and Technology ~~Director of Central Management~~  
3 ~~Services~~, the Comptroller and Treasurer are authorized to  
4 transfer the unexpended balance of any appropriations related  
5 to the information technology functions transferred to the  
6 Department of Innovation and Technology ~~Central Management~~  
7 ~~Services~~ and shall make the necessary fund transfers from any  
8 special fund in the State Treasury or from any other federal or  
9 State trust fund held by the Treasurer to the General Revenue  
10 Fund or the Technology Management Revolving Fund, as designated  
11 by the Secretary of Innovation and Technology ~~Director of~~  
12 ~~Central Management Services~~, for use by the Department of  
13 Innovation and Technology ~~Central Management Services~~ in  
14 support of information technology functions or any other  
15 related costs or expenses of the Department of Innovation and  
16 Technology ~~Central Management Services~~.

17           (c) The rights of employees and the State and its agencies  
18 under the Personnel Code and applicable collective bargaining  
19 agreements or under any pension, retirement, or annuity plan  
20 shall not be affected by any transfer under this Section.

21           (d) The functions transferred to the Department of  
22 Innovation and Technology ~~Central Management Services~~ by this  
23 Section shall be vested in and shall be exercised by the  
24 Department of Innovation and Technology ~~Central Management~~  
25 ~~Services~~. Each act done in the exercise of those functions  
26 shall have the same legal effect as if done by the agencies,

1 offices, divisions, departments, bureaus, boards and  
2 commissions from which they were transferred.

3 Every person or other entity shall be subject to the same  
4 obligations and duties and any penalties, civil or criminal,  
5 arising therefrom, and shall have the same rights arising from  
6 the exercise of such rights, powers, and duties as had been  
7 exercised by the agencies, offices, divisions, departments,  
8 bureaus, boards, and commissions from which they were  
9 transferred.

10 Whenever reports or notices are now required to be made or  
11 given or papers or documents furnished or served by any person  
12 in regards to the functions transferred to or upon the  
13 agencies, offices, divisions, departments, bureaus, boards,  
14 and commissions from which the functions were transferred, the  
15 same shall be made, given, furnished or served in the same  
16 manner to or upon the Department of Innovation and Technology  
17 ~~Central Management Services~~.

18 This Section does not affect any act done, ratified, or  
19 cancelled or any right occurring or established or any action  
20 or proceeding had or commenced in an administrative, civil, or  
21 criminal cause regarding the functions transferred, but those  
22 proceedings may be continued by the Department of Innovation  
23 and Technology ~~Central Management Services~~.

24 This Section does not affect the legality of any rules in  
25 the Illinois Administrative Code regarding the functions  
26 transferred in this Section that are in force on the effective



1 date of this Section. If necessary, however, the affected  
2 agencies shall propose, adopt, or repeal rules, rule  
3 amendments, and rule recodifications as appropriate to  
4 effectuate this Section.

5 (Source: P.A. 100-23, eff. 7-6-17.)

6 (20 ILCS 405/405-20 rep.)

7 (20 ILCS 405/405-250 rep.)

8 (20 ILCS 405/405-255 rep.)

9 (20 ILCS 405/405-260 rep.)

10 (20 ILCS 405/405-265 rep.)

11 Section 915. The Department of Central Management Services  
12 Law of the Civil Administrative Code of Illinois is amended by  
13 repealing Sections 405-20, 405-250, 405-255, 405-260, and  
14 405-265.

15 Section 920. The Department of Commerce and Economic  
16 Opportunity Law of the Civil Administrative Code of Illinois is  
17 amended by changing Sections 605-680 and 605-1007 as follows:

18 (20 ILCS 605/605-680)

19 Sec. 605-680. Illinois goods and services website.

20 (a) The Department, in consultation with the Department of  
21 Innovation and Technology, must establish and maintain an  
22 Internet website devoted to the marketing of Illinois goods and  
23 services by linking potential purchasers with producers of

1 goods and services who are located in the State.

2 (b) The Department must advertise the website to encourage  
3 inclusion of producers on the website and to encourage the use  
4 of the website by potential purchasers.

5 (Source: P.A. 93-868, eff. 1-1-05.)

6 Section 925. The Department of Commerce and Economic  
7 Opportunity Law of the Civil Administrative Code of Illinois is  
8 amended by changing Section 605-1007 as follows:

9 (20 ILCS 605/605-1007)

10 Sec. 605-1007. New business permitting portal.

11 (a) By July 1, 2017, the Department shall create and  
12 maintain, in consultation with the Department of Innovation and  
13 Technology, a website to help persons wishing to create new  
14 businesses or relocate businesses to Illinois. The Department  
15 shall consult with at least one organization representing small  
16 businesses in this State while creating the website.

17 (b) The website shall include:

18 (1) an estimate of license and permitting fees for  
19 different businesses;

20 (2) State government application forms for business  
21 licensing or registration;

22 (3) hyperlinks to websites of the responsible agency or  
23 organization responsible for accepting the application;  
24 and

1           (4) contact information for any local government  
2           permitting agencies that may be relevant.

3           (c) The Department shall contact all agencies to obtain  
4           business forms and other information for this website. Those  
5           agencies shall respond to the Department before July 1, 2016.

6           (d) The website shall also include some mechanism for the  
7           potential business owner to request more information from the  
8           Department that may be helpful in starting the business,  
9           including, but not limited to, State-based incentives that the  
10          business owner may qualify for when starting or relocating a  
11          business.

12          (e) The Department shall update the website at least once a  
13          year before July 1. The Department shall request that other  
14          State agencies report any changes in applicable application  
15          forms to the Department by June 1 of every year after 2016.

16          (Source: P.A. 99-134, eff. 1-1-16.)

17          Section 930. The State Fire Marshal Act is amended by  
18          changing Section 2.5 as follows:

19                 (20 ILCS 2905/2.5)

20                 Sec. 2.5. Equipment exchange program.

21                 (a) The Office shall create and maintain an equipment  
22                 exchange program under which fire departments, fire protection  
23                 districts, and township fire departments can donate or sell  
24                 equipment to, trade equipment with, or buy equipment from each

1 other.

2 (b) Under this program, the Office, in consultation with  
3 the Department of Innovation and Technology shall maintain a  
4 website that allows fire departments, fire protection  
5 districts, and township fire departments to post information  
6 and photographs about needed equipment and equipment that is  
7 available for trade, donation, or sale. This website must be  
8 separate from, and not a part of, the Office's main website;  
9 however, the Office must post a hyperlink on its main website  
10 that points to the website established under this subsection  
11 (b).

12 (c) The Office or a fire department, fire protection  
13 district, or township fire department that donates, trades, or  
14 sells fire protection equipment to another fire department,  
15 fire protection district, or township fire department under  
16 this Section is not liable for any damage or injury caused by  
17 the donated, traded, or sold fire protection equipment, except  
18 for damage or injury caused by its willful and wanton  
19 misconduct, if it discloses in writing to the recipient at the  
20 time of the donation, trade, or sale any known damage to or  
21 deficiencies in the equipment.

22 This Section does not relieve any fire department, fire  
23 protection district, or township fire department from  
24 liability, unless otherwise provided by law, for any damage or  
25 injury caused by donated, traded, or sold fire protection  
26 equipment that was received through the equipment exchange

1 program.

2 (d) The Office must promote the program to encourage the  
3 efficient exchange of equipment among local government  
4 entities.

5 (e) The Office must implement the changes to the equipment  
6 exchange program required under this amendatory Act of the 94th  
7 General Assembly no later than July 1, 2006.

8 (Source: P.A. 93-305, eff. 7-23-03; 94-175, eff. 7-12-05.)

9 Section 935. The Illinois Century Network Act is amended by  
10 changing Sections 5, 10, and 15 and by adding Section 7 as  
11 follows:

12 (20 ILCS 3921/5)

13 Sec. 5. Legislative findings and declarations. The General  
14 Assembly finds and declares:

15 (1) That computing and communications technologies are  
16 essential for sustaining economic competitiveness and  
17 fostering the educational vitality of this State.

18 (2) That there is an established need for a  
19 telecommunications infrastructure that will provide  
20 high-speed, reliable, and cost-effective digital  
21 connections throughout the State.

22 (3) That a network is required that will deliver  
23 educational programs, advanced training, and access to the  
24 growing global wealth of information services to citizens

1 in all parts of this State.

2 (4) That the State and communication providers shall  
3 continue to collaborate to deliver communications links to  
4 anchor institutions in Illinois.

5 (Source: P.A. 91-21, eff. 7-1-99.)

6 (20 ILCS 3921/7 new)

7 Sec. 7. Definitions. Beginning on July 1, 2018, as used in  
8 this Act, "anchor institutions" means Illinois schools,  
9 institutions of higher education, libraries, museums, research  
10 institutions, State agencies, and units of local government.

11 (20 ILCS 3921/10)

12 Sec. 10. Illinois Century Network. The Illinois Century  
13 Network shall be a service creating and maintaining high speed  
14 telecommunications networks that provide reliable  
15 communication links for wholesale connections with other  
16 registered or certified providers and the direct communication  
17 needs of various anchor institutions throughout Illinois ~~to and~~  
18 ~~among Illinois schools, institutions of higher education,~~  
19 ~~libraries, museums, research institutions, State agencies,~~  
20 ~~units of local government, and other local entities that~~  
21 ~~provide services to Illinois citizens.~~ The Illinois Century  
22 Network ~~may shall~~ build on existing investments in networking  
23 schools, colleges, and universities, and shall avoid  
24 duplication of existing communication networks if those

1 ~~networks are capable of maintaining future efforts, maintain~~  
2 sufficient capacity to meet the requirements of anchor  
3 institutions ~~the participating institutions, and stay current~~  
4 ~~with rapid developments in technology. The Illinois Century~~  
5 ~~Network shall be capable of delivering state of the art access~~  
6 ~~to education, training, and electronic information and shall~~  
7 ~~provide access to networking technologies for institutions~~  
8 ~~located in even the most remote areas of this State.~~

9 By July 1, 2019, the Department of Innovation and  
10 Technology shall perform a comprehensive review of the Illinois  
11 Century Network including, but not limited to, assets,  
12 connections, hardware, and capacity of the current network.  
13 Nothing in this amendatory Act of the 100th General Assembly  
14 shall change contractual obligations of the Illinois Century  
15 Network that are effective on or before the effective date of  
16 this amendatory Act of the 100th General Assembly.

17 (Source: P.A. 91-21, eff. 7-1-99; 92-691, eff. 7-18-02.)

18 (20 ILCS 3921/15)

19 Sec. 15. Management of the Illinois Century Network.

20 (a) The Department of Innovation and Technology shall  
21 govern the staffing and contractual services necessary to  
22 support the activities of the Illinois Century Network.  
23 ~~Staffing and contractual services necessary to support the~~  
24 ~~network's activities shall be governed by the Illinois Century~~  
25 ~~Network Policy Committee. The committee shall include:~~

1 ~~(1) 6 standing members as follows:~~

2 ~~(i) the Illinois State Library Director or~~  
3 ~~designee;~~

4 ~~(ii) the Illinois State Museum Director or~~  
5 ~~designee;~~

6 ~~(iii) the Executive Director of the Board of Higher~~  
7 ~~Education or designee;~~

8 ~~(iv) the Executive Director of the Illinois~~  
9 ~~Community College Board or designee;~~

10 ~~(v) the State Board of Education State~~  
11 ~~Superintendent or designee; and~~

12 ~~(vi) the Director of Central Management Services~~  
13 ~~or designee;~~

14 ~~(2) up to 7 members who are appointed by the Governor~~  
15 ~~and who:~~

16 ~~(i) have experience and background in private K-12~~  
17 ~~education, private higher education, or who are from~~  
18 ~~other participant constituents that are not already~~  
19 ~~represented;~~

20 ~~(ii) shall serve staggered terms up to 3 years as~~  
21 ~~designated by the Governor; and~~

22 ~~(iii) shall serve until a successor is appointed~~  
23 ~~and qualified; and~~

24 ~~(3) a Chairperson who is appointed by the Governor and~~  
25 ~~who shall serve a term of 2 years and until a successor is~~  
26 ~~appointed and qualified.~~



1 (b) (Blank). ~~Illinois Century Network Policy Committee~~  
2 ~~members shall serve without compensation but shall be entitled~~  
3 ~~to reimbursement for reasonable expenses of travel for members~~  
4 ~~who are required to travel for a distance greater than 20 miles~~  
5 ~~to participate in business of the Illinois Century Network~~  
6 ~~Policy Committee.~~

7 (Source: P.A. 98-719, eff. 1-1-15.)

8 (20 ILCS 3921/20 rep.)

9 Section 937. The Illinois Century Network Act is amended by  
10 repealing Section 20.

11 Section 940. The State Finance Act is amended by changing  
12 Sections 6p-1, 6p-2, 8.16a, and 8.16b as follows:

13 (30 ILCS 105/6p-1) (from Ch. 127, par. 142p1)

14 Sec. 6p-1. The Technology Management Revolving Fund  
15 (formerly known as the Statistical Services Revolving Fund)  
16 shall be initially financed by a transfer of funds from the  
17 General Revenue Fund. Thereafter, all fees and other monies  
18 received by the Department of Innovation and Technology ~~Central~~  
19 ~~Management Services~~ in payment for information technology and  
20 related statistical services rendered pursuant to subsection  
21 (b) of Section 30 of the Department of Innovation and  
22 Technology Act ~~Section 405-20 of the Department of Central~~  
23 ~~Management Services Law (20 ILCS 405/405-20)~~ shall be paid into

1 the Technology Management Revolving Fund. On and after July 1,  
2 2018 ~~2017~~, or after sufficient moneys have been received in the  
3 Communications Revolving Fund to pay all Fiscal Year 2018 ~~2017~~  
4 obligations payable from the Fund, whichever is later, all fees  
5 and other moneys received by the Department of Central  
6 Management Services in payment for communications services  
7 rendered pursuant to the Department of Central Management  
8 Services Law of the Civil Administrative Code of Illinois or  
9 sale of surplus State communications equipment shall be paid  
10 into the Technology Management Revolving Fund. The money in  
11 this fund shall be used by the Department of Innovation and  
12 Technology ~~Central Management Services~~ as reimbursement for  
13 expenditures incurred in rendering information technology and  
14 related ~~statistical~~ services and, beginning July 1, 2018 ~~2017~~,  
15 as reimbursement for expenditures incurred in relation to  
16 communications services.

17 (Source: P.A. 100-23, eff. 7-6-17.)

18 (30 ILCS 105/6p-2) (from Ch. 127, par. 142p2)

19 Sec. 6p-2. The Communications Revolving Fund shall be  
20 initially financed by a transfer of funds from the General  
21 Revenue Fund. Thereafter, through June 30, 2018 ~~2017~~, all fees  
22 and other monies received by the Department of Innovation and  
23 Technology ~~Central Management Services~~ in payment for  
24 communications services rendered pursuant to the Department of  
25 Innovation and Technology Act ~~Central Management Services Law~~

1 or sale of surplus State communications equipment shall be paid  
2 into the Communications Revolving Fund. Except as otherwise  
3 provided in this Section, the money in this fund shall be used  
4 by the Department of Innovation and Technology ~~Central~~  
5 ~~Management Services~~ as reimbursement for expenditures incurred  
6 in relation to communications services.

7 On the effective date of this amendatory Act of the 93rd  
8 General Assembly, or as soon as practicable thereafter, the  
9 State Comptroller shall order transferred and the State  
10 Treasurer shall transfer \$3,000,000 from the Communications  
11 Revolving Fund to the Emergency Public Health Fund to be used  
12 for the purposes specified in Section 55.6a of the  
13 Environmental Protection Act.

14 In addition to any other transfers that may be provided for  
15 by law, on July 1, 2011, or as soon thereafter as practical,  
16 the State Comptroller shall direct and the State Treasurer  
17 shall transfer the sum of \$5,000,000 from the General Revenue  
18 Fund to the Communications Revolving Fund.

19 Notwithstanding any other provision of law, in addition to  
20 any other transfers that may be provided by law, on July 1,  
21 2018 ~~2017~~, or after sufficient moneys have been received in the  
22 Communications Revolving Fund to pay all Fiscal Year 2018 ~~2017~~  
23 obligations payable from the Fund, whichever is later, the  
24 State Comptroller shall direct and the State Treasurer shall  
25 transfer the remaining balance from the Communications  
26 Revolving Fund into the Technology Management Revolving Fund.

1 Upon completion of the transfer, any future deposits due to  
2 that Fund and any outstanding obligations or liabilities of  
3 that Fund pass to the Technology Management Revolving Fund.  
4 (Source: P.A. 100-23, eff. 7-6-17.)

5 (30 ILCS 105/8.16a) (from Ch. 127, par. 144.16a)

6 Sec. 8.16a. Appropriations for the procurement,  
7 installation, retention, maintenance and operation of  
8 electronic data processing and information technology devices  
9 and software used by State ~~state~~ agencies subject to subsection  
10 (b) of Section 30 of the Department of Innovation and  
11 Technology Act ~~Section 405-20 of the Department of Central~~  
12 ~~Management Services Law (20 ILCS 405/405-20)~~, the purchase of  
13 necessary supplies and equipment and accessories thereto, and  
14 all other expenses incident to the operation and maintenance of  
15 those electronic data processing and information technology  
16 devices and software are payable from the Technology Management  
17 Revolving Fund. However, no contract shall be entered into or  
18 obligation incurred for any expenditure from the Technology  
19 Management Revolving Fund until after the purpose and amount  
20 has been approved in writing by the Secretary of Innovation and  
21 Technology ~~Director of Central Management Services~~. Until  
22 there are sufficient funds in the Technology Management  
23 Revolving Fund (formerly known as the Statistical Services  
24 Revolving Fund) to carry out the purposes of this amendatory  
25 Act of 1965, however, the State agencies subject to subsection

1 (b) of Section 30 of the Department of Innovation and  
2 Technology Act ~~that Section 405-20~~ shall, on written approval  
3 of the Secretary of Innovation and Technology ~~Director of~~  
4 ~~Central Management Services~~, pay the cost of operating and  
5 maintaining electronic data processing systems from current  
6 appropriations as classified and standardized in the State  
7 Finance Act.

8 (Source: P.A. 100-23, eff. 7-6-17.)

9 (30 ILCS 105/8.16b) (from Ch. 127, par. 144.16b)

10 Sec. 8.16b. Appropriations for expenses related to  
11 communications services pursuant to the Civil Administrative  
12 Code of Illinois are payable from the Communications Revolving  
13 Fund. However, no contract shall be entered into or obligation  
14 incurred for any expenditure from the Communications Revolving  
15 Fund until after the purpose and amount has been approved in  
16 writing by the Secretary of Innovation and Technology ~~Director~~  
17 ~~of Central Management Services~~.

18 (Source: P.A. 87-817.)

19 Section 943. The Illinois Procurement Code is amended by  
20 changing Section 20-60 as follows:

21 (30 ILCS 500/20-60)

22 Sec. 20-60. Duration of contracts.

23 (a) Maximum duration. A contract may be entered into for

1 any period of time deemed to be in the best interests of the  
2 State but not exceeding 10 years inclusive, beginning January  
3 1, 2010, of proposed contract renewals. Third parties may lease  
4 State-owned dark fiber networks for any period of time deemed  
5 to be in the best interest of the State, but not exceeding 20  
6 years. The length of a lease for real property or capital  
7 improvements shall be in accordance with the provisions of  
8 Section 40-25. The length of energy conservation program  
9 contracts or energy savings contracts or leases shall be in  
10 accordance with the provisions of Section 25-45. A contract for  
11 bond or mortgage insurance awarded by the Illinois Housing  
12 Development Authority, however, may be entered into for any  
13 period of time less than or equal to the maximum period of time  
14 that the subject bond or mortgage may remain outstanding.

15 (b) Subject to appropriation. All contracts made or entered  
16 into shall recite that they are subject to termination and  
17 cancellation in any year for which the General Assembly fails  
18 to make an appropriation to make payments under the terms of  
19 the contract.

20 (c) The chief procurement officer shall file a proposed  
21 extension or renewal of a contract with the Procurement Policy  
22 Board prior to entering into any extension or renewal if the  
23 cost associated with the extension or renewal exceeds \$249,999.  
24 The Procurement Policy Board may object to the proposed  
25 extension or renewal within 30 calendar days and require a  
26 hearing before the Board prior to entering into the extension

1 or renewal. If the Procurement Policy Board does not object  
2 within 30 calendar days or takes affirmative action to  
3 recommend the extension or renewal, the chief procurement  
4 officer may enter into the extension or renewal of a contract.  
5 This subsection does not apply to any emergency procurement,  
6 any procurement under Article 40, or any procurement exempted  
7 by Section 1-10(b) of this Code. If any State agency contract  
8 is paid for in whole or in part with federal-aid funds, grants,  
9 or loans and the provisions of this subsection would result in  
10 the loss of those federal-aid funds, grants, or loans, then the  
11 contract is exempt from the provisions of this subsection in  
12 order to remain eligible for those federal-aid funds, grants,  
13 or loans, and the State agency shall file notice of this  
14 exemption with the Procurement Policy Board prior to entering  
15 into the proposed extension or renewal. Nothing in this  
16 subsection permits a chief procurement officer to enter into an  
17 extension or renewal in violation of subsection (a). By August  
18 1 each year, the Procurement Policy Board shall file a report  
19 with the General Assembly identifying for the previous fiscal  
20 year (i) the proposed extensions or renewals that were filed  
21 with the Board and whether the Board objected and (ii) the  
22 contracts exempt from this subsection.

23 (d) Notwithstanding the provisions of subsection (a) of  
24 this Section, the Department of Innovation and Technology may  
25 enter into leases for dark fiber networks for any period of  
26 time deemed to be in the best interests of the State but not

1 exceeding 20 years inclusive. The Department of Innovation and  
2 Technology may lease dark fiber networks from third parties  
3 only for the primary purpose of providing services to (i) the  
4 offices of Governor, Lieutenant Governor, Attorney General,  
5 Secretary of State, Comptroller, or Treasurer and State  
6 agencies, as defined under Section 5-15 of the Civil  
7 Administrative Code of Illinois or (ii) for anchor  
8 institutions, as defined in Section 7 of the Illinois Century  
9 Network Act. Dark fiber network lease contracts shall be  
10 subject to all other provisions of this Code and any applicable  
11 rules or requirements, including, but not limited to,  
12 publication of lease solicitations, use of standard State  
13 contracting terms and conditions, and approval of vendor  
14 certifications and financial disclosures.

15 (e) As used in this Section, "dark fiber network" means a  
16 network of fiber optic cables laid but currently unused by a  
17 third party that the third party is leasing for use as network  
18 infrastructure.

19 (Source: P.A. 100-23, eff. 7-6-17.)

20 Section 945. The Grant Information Collection Act is  
21 amended by changing Section 10 as follows:

22 (30 ILCS 707/10)

23 Sec. 10. Grant information collection. The Secretary of  
24 Innovation and Technology ~~Chief Information Officer of the~~



1 ~~State, as designated by the Governor,~~ shall coordinate with  
2 each State agency to develop, with any existing or newly  
3 available resources and technology, appropriate systems to  
4 accurately report data containing financial information. These  
5 systems shall include a module that is specific to the  
6 management and administration of grant funds.

7 Each grantor agency that is authorized to award grant funds  
8 to an entity other than the State of Illinois shall coordinate  
9 with the Secretary of Innovation and Technology ~~Chief~~  
10 ~~Information Officer of the State~~ to provide for the  
11 publication, at data.illinois.gov or any other publicly  
12 accessible website designated by the Chief Information  
13 Officer, of data sets containing information regarding awards  
14 of grant funds that the grantor agency has made during the  
15 previous fiscal year. Data sets shall be published on at least  
16 a quarterly basis and shall include, at a minimum, the  
17 following:

- 18 (1) the name of the grantor agency;
- 19 (2) the name and postal zip code of the grantee;
- 20 (3) a short description of the purpose of the award of  
21 grant funds;
- 22 (4) the amount of each award of grant funds;
- 23 (5) the date of each award of grant funds; and
- 24 (6) the duration of each award of grant funds.

25 In addition, each grantor agency shall make best efforts,  
26 with available resources and technology, to make available in

1 the data sets any other data that is relevant to its award of  
2 grant funds.

3 Data not subject to the requirements of this Section  
4 include data to which a State agency may deny access pursuant  
5 to any provision of a federal, State, or local law, rule, or  
6 regulation.

7 (Source: P.A. 98-589, eff. 1-1-14.)

8 Section 950. The Illinois Pension Code is amended by  
9 changing Sections 1-160, 14-110, and 15-106 as follows:

10 (40 ILCS 5/1-160)

11 Sec. 1-160. Provisions applicable to new hires.

12 (a) The provisions of this Section apply to a person who,  
13 on or after January 1, 2011, first becomes a member or a  
14 participant under any reciprocal retirement system or pension  
15 fund established under this Code, other than a retirement  
16 system or pension fund established under Article 2, 3, 4, 5, 6,  
17 15 or 18 of this Code, notwithstanding any other provision of  
18 this Code to the contrary, but do not apply to any self-managed  
19 plan established under this Code, to any person with respect to  
20 service as a sheriff's law enforcement employee under Article  
21 7, or to any participant of the retirement plan established  
22 under Section 22-101. Notwithstanding anything to the contrary  
23 in this Section, for purposes of this Section, a person who  
24 participated in a retirement system under Article 15 prior to

1 January 1, 2011 shall be deemed a person who first became a  
2 member or participant prior to January 1, 2011 under any  
3 retirement system or pension fund subject to this Section. The  
4 changes made to this Section by Public Act 98-596 are a  
5 clarification of existing law and are intended to be  
6 retroactive to January 1, 2011 (the effective date of Public  
7 Act 96-889), notwithstanding the provisions of Section 1-103.1  
8 of this Code.

9 This Section does not apply to a person who first becomes a  
10 noncovered employee under Article 14 on or after the  
11 implementation date of the plan created under Section 1-161 for  
12 that Article, unless that person elects under subsection (b) of  
13 Section 1-161 to instead receive the benefits provided under  
14 this Section and the applicable provisions of that Article.

15 This Section does not apply to a person who first becomes a  
16 member or participant under Article 16 on or after the  
17 implementation date of the plan created under Section 1-161 for  
18 that Article, unless that person elects under subsection (b) of  
19 Section 1-161 to instead receive the benefits provided under  
20 this Section and the applicable provisions of that Article.

21 This Section does not apply to a person who elects under  
22 subsection (c-5) of Section 1-161 to receive the benefits under  
23 Section 1-161.

24 This Section does not apply to a person who first becomes a  
25 member or participant of an affected pension fund on or after 6  
26 months after the resolution or ordinance date, as defined in

1 Section 1-162, unless that person elects under subsection (c)  
2 of Section 1-162 to receive the benefits provided under this  
3 Section and the applicable provisions of the Article under  
4 which he or she is a member or participant.

5 (b) "Final average salary" means the average monthly (or  
6 annual) salary obtained by dividing the total salary or  
7 earnings calculated under the Article applicable to the member  
8 or participant during the 96 consecutive months (or 8  
9 consecutive years) of service within the last 120 months (or 10  
10 years) of service in which the total salary or earnings  
11 calculated under the applicable Article was the highest by the  
12 number of months (or years) of service in that period. For the  
13 purposes of a person who first becomes a member or participant  
14 of any retirement system or pension fund to which this Section  
15 applies on or after January 1, 2011, in this Code, "final  
16 average salary" shall be substituted for the following:

17 (1) In Article 7 (except for service as sheriff's law  
18 enforcement employees), "final rate of earnings".

19 (2) In Articles 8, 9, 10, 11, and 12, "highest average  
20 annual salary for any 4 consecutive years within the last  
21 10 years of service immediately preceding the date of  
22 withdrawal".

23 (3) In Article 13, "average final salary".

24 (4) In Article 14, "final average compensation".

25 (5) In Article 17, "average salary".

26 (6) In Section 22-207, "wages or salary received by him

1 at the date of retirement or discharge".

2 (b-5) Beginning on January 1, 2011, for all purposes under  
3 this Code (including without limitation the calculation of  
4 benefits and employee contributions), the annual earnings,  
5 salary, or wages (based on the plan year) of a member or  
6 participant to whom this Section applies shall not exceed  
7 \$106,800; however, that amount shall annually thereafter be  
8 increased by the lesser of (i) 3% of that amount, including all  
9 previous adjustments, or (ii) one-half the annual unadjusted  
10 percentage increase (but not less than zero) in the consumer  
11 price index-u for the 12 months ending with the September  
12 preceding each November 1, including all previous adjustments.

13 For the purposes of this Section, "consumer price index-u"  
14 means the index published by the Bureau of Labor Statistics of  
15 the United States Department of Labor that measures the average  
16 change in prices of goods and services purchased by all urban  
17 consumers, United States city average, all items, 1982-84 =  
18 100. The new amount resulting from each annual adjustment shall  
19 be determined by the Public Pension Division of the Department  
20 of Insurance and made available to the boards of the retirement  
21 systems and pension funds by November 1 of each year.

22 (c) A member or participant is entitled to a retirement  
23 annuity upon written application if he or she has attained age  
24 67 (beginning January 1, 2015, age 65 with respect to service  
25 under Article 12 of this Code that is subject to this Section)  
26 and has at least 10 years of service credit and is otherwise

1 eligible under the requirements of the applicable Article.

2 A member or participant who has attained age 62 (beginning  
3 January 1, 2015, age 60 with respect to service under Article  
4 12 of this Code that is subject to this Section) and has at  
5 least 10 years of service credit and is otherwise eligible  
6 under the requirements of the applicable Article may elect to  
7 receive the lower retirement annuity provided in subsection (d)  
8 of this Section.

9 (c-5) A person who first becomes a member or a participant  
10 under Article 8 or Article 11 of this Code on or after the  
11 effective date of this amendatory Act of the 100th General  
12 Assembly, notwithstanding any other provision of this Code to  
13 the contrary, is entitled to a retirement annuity upon written  
14 application if he or she has attained age 65 and has at least  
15 10 years of service credit under Article 8 or Article 11 of  
16 this Code and is otherwise eligible under the requirements of  
17 Article 8 or Article 11 of this Code, whichever is applicable.

18 (d) The retirement annuity of a member or participant who  
19 is retiring after attaining age 62 (beginning January 1, 2015,  
20 age 60 with respect to service under Article 12 of this Code  
21 that is subject to this Section) with at least 10 years of  
22 service credit shall be reduced by one-half of 1% for each full  
23 month that the member's age is under age 67 (beginning January  
24 1, 2015, age 65 with respect to service under Article 12 of  
25 this Code that is subject to this Section).

26 (d-5) The retirement annuity of a person who first becomes

1 a member or a participant under Article 8 or Article 11 of this  
2 Code on or after the effective date of this amendatory Act of  
3 the 100th General Assembly who is retiring at age 60 with at  
4 least 10 years of service credit under Article 8 or Article 11  
5 shall be reduced by one-half of 1% for each full month that the  
6 member's age is under age 65.

7 (d-10) Each person who first became a member or participant  
8 under Article 8 or Article 11 of this Code on or after January  
9 1, 2011 and prior to the effective date of this amendatory Act  
10 of the 100th General Assembly shall make an irrevocable  
11 election either:

12 (i) to be eligible for the reduced retirement age  
13 provided in subsections (c-5) and (d-5) of this Section,  
14 the eligibility for which is conditioned upon the member or  
15 participant agreeing to the increases in employee  
16 contributions for age and service annuities provided in  
17 subsection (a-5) of Section 8-174 of this Code (for service  
18 under Article 8) or subsection (a-5) of Section 11-170 of  
19 this Code (for service under Article 11); or

20 (ii) to not agree to item (i) of this subsection  
21 (d-10), in which case the member or participant shall  
22 continue to be subject to the retirement age provisions in  
23 subsections (c) and (d) of this Section and the employee  
24 contributions for age and service annuity as provided in  
25 subsection (a) of Section 8-174 of this Code (for service  
26 under Article 8) or subsection (a) of Section 11-170 of

1           this Code (for service under Article 11).

2           The election provided for in this subsection shall be made  
3 between October 1, 2017 and November 15, 2017. A person subject  
4 to this subsection who makes the required election shall remain  
5 bound by that election. A person subject to this subsection who  
6 fails for any reason to make the required election within the  
7 time specified in this subsection shall be deemed to have made  
8 the election under item (ii).

9           (e) Any retirement annuity or supplemental annuity shall be  
10 subject to annual increases on the January 1 occurring either  
11 on or after the attainment of age 67 (beginning January 1,  
12 2015, age 65 with respect to service under Article 12 of this  
13 Code that is subject to this Section and beginning on the  
14 effective date of this amendatory Act of the 100th General  
15 Assembly, age 65 with respect to persons who: (i) first became  
16 members or participants under Article 8 or Article 11 of this  
17 Code on or after the effective date of this amendatory Act of  
18 the 100th General Assembly; or (ii) first became members or  
19 participants under Article 8 or Article 11 of this Code on or  
20 after January 1, 2011 and before the effective date of this  
21 amendatory Act of the 100th General Assembly and made the  
22 election under item (i) of subsection (d-10) of this Section)  
23 or the first anniversary of the annuity start date, whichever  
24 is later. Each annual increase shall be calculated at 3% or  
25 one-half the annual unadjusted percentage increase (but not  
26 less than zero) in the consumer price index-u for the 12 months



1 ending with the September preceding each November 1, whichever  
2 is less, of the originally granted retirement annuity. If the  
3 annual unadjusted percentage change in the consumer price  
4 index-u for the 12 months ending with the September preceding  
5 each November 1 is zero or there is a decrease, then the  
6 annuity shall not be increased.

7 For the purposes of Section 1-103.1 of this Code, the  
8 changes made to this Section by this amendatory Act of the  
9 100th General Assembly are applicable without regard to whether  
10 the employee was in active service on or after the effective  
11 date of this amendatory Act of the 100th General Assembly.

12 (f) The initial survivor's or widow's annuity of an  
13 otherwise eligible survivor or widow of a retired member or  
14 participant who first became a member or participant on or  
15 after January 1, 2011 shall be in the amount of 66 2/3% of the  
16 retired member's or participant's retirement annuity at the  
17 date of death. In the case of the death of a member or  
18 participant who has not retired and who first became a member  
19 or participant on or after January 1, 2011, eligibility for a  
20 survivor's or widow's annuity shall be determined by the  
21 applicable Article of this Code. The initial benefit shall be  
22 66 2/3% of the earned annuity without a reduction due to age. A  
23 child's annuity of an otherwise eligible child shall be in the  
24 amount prescribed under each Article if applicable. Any  
25 survivor's or widow's annuity shall be increased (1) on each  
26 January 1 occurring on or after the commencement of the annuity

1 if the deceased member died while receiving a retirement  
2 annuity or (2) in other cases, on each January 1 occurring  
3 after the first anniversary of the commencement of the annuity.  
4 Each annual increase shall be calculated at 3% or one-half the  
5 annual unadjusted percentage increase (but not less than zero)  
6 in the consumer price index-u for the 12 months ending with the  
7 September preceding each November 1, whichever is less, of the  
8 originally granted survivor's annuity. If the annual  
9 unadjusted percentage change in the consumer price index-u for  
10 the 12 months ending with the September preceding each November  
11 1 is zero or there is a decrease, then the annuity shall not be  
12 increased.

13 (g) The benefits in Section 14-110 apply only if the person  
14 is a State policeman, a fire fighter in the fire protection  
15 service of a department, ~~or~~ a security employee of the  
16 Department of Corrections or the Department of Juvenile  
17 Justice, or a security employee of the Department of Innovation  
18 and Technology, as those terms are defined in subsection (b)  
19 and subsection (c) of Section 14-110. A person who meets the  
20 requirements of this Section is entitled to an annuity  
21 calculated under the provisions of Section 14-110, in lieu of  
22 the regular or minimum retirement annuity, only if the person  
23 has withdrawn from service with not less than 20 years of  
24 eligible creditable service and has attained age 60, regardless  
25 of whether the attainment of age 60 occurs while the person is  
26 still in service.

1           (h) If a person who first becomes a member or a participant  
2 of a retirement system or pension fund subject to this Section  
3 on or after January 1, 2011 is receiving a retirement annuity  
4 or retirement pension under that system or fund and becomes a  
5 member or participant under any other system or fund created by  
6 this Code and is employed on a full-time basis, except for  
7 those members or participants exempted from the provisions of  
8 this Section under subsection (a) of this Section, then the  
9 person's retirement annuity or retirement pension under that  
10 system or fund shall be suspended during that employment. Upon  
11 termination of that employment, the person's retirement  
12 annuity or retirement pension payments shall resume and be  
13 recalculated if recalculation is provided for under the  
14 applicable Article of this Code.

15           If a person who first becomes a member of a retirement  
16 system or pension fund subject to this Section on or after  
17 January 1, 2012 and is receiving a retirement annuity or  
18 retirement pension under that system or fund and accepts on a  
19 contractual basis a position to provide services to a  
20 governmental entity from which he or she has retired, then that  
21 person's annuity or retirement pension earned as an active  
22 employee of the employer shall be suspended during that  
23 contractual service. A person receiving an annuity or  
24 retirement pension under this Code shall notify the pension  
25 fund or retirement system from which he or she is receiving an  
26 annuity or retirement pension, as well as his or her

1 contractual employer, of his or her retirement status before  
2 accepting contractual employment. A person who fails to submit  
3 such notification shall be guilty of a Class A misdemeanor and  
4 required to pay a fine of \$1,000. Upon termination of that  
5 contractual employment, the person's retirement annuity or  
6 retirement pension payments shall resume and, if appropriate,  
7 be recalculated under the applicable provisions of this Code.

8 (i) (Blank).

9 (j) In the case of a conflict between the provisions of  
10 this Section and any other provision of this Code, the  
11 provisions of this Section shall control.

12 (Source: P.A. 100-23, eff. 7-6-17; 100-201, eff. 8-18-17;  
13 100-563, eff. 12-8-17.)

14 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

15 Sec. 14-110. Alternative retirement annuity.

16 (a) Any member who has withdrawn from service with not less  
17 than 20 years of eligible creditable service and has attained  
18 age 55, and any member who has withdrawn from service with not  
19 less than 25 years of eligible creditable service and has  
20 attained age 50, regardless of whether the attainment of either  
21 of the specified ages occurs while the member is still in  
22 service, shall be entitled to receive at the option of the  
23 member, in lieu of the regular or minimum retirement annuity, a  
24 retirement annuity computed as follows:

25 (i) for periods of service as a noncovered employee: if

1 retirement occurs on or after January 1, 2001, 3% of final  
2 average compensation for each year of creditable service;  
3 if retirement occurs before January 1, 2001, 2 1/4% of  
4 final average compensation for each of the first 10 years  
5 of creditable service, 2 1/2% for each year above 10 years  
6 to and including 20 years of creditable service, and 2 3/4%  
7 for each year of creditable service above 20 years; and

8 (ii) for periods of eligible creditable service as a  
9 covered employee: if retirement occurs on or after January  
10 1, 2001, 2.5% of final average compensation for each year  
11 of creditable service; if retirement occurs before January  
12 1, 2001, 1.67% of final average compensation for each of  
13 the first 10 years of such service, 1.90% for each of the  
14 next 10 years of such service, 2.10% for each year of such  
15 service in excess of 20 but not exceeding 30, and 2.30% for  
16 each year in excess of 30.

17 Such annuity shall be subject to a maximum of 75% of final  
18 average compensation if retirement occurs before January 1,  
19 2001 or to a maximum of 80% of final average compensation if  
20 retirement occurs on or after January 1, 2001.

21 These rates shall not be applicable to any service  
22 performed by a member as a covered employee which is not  
23 eligible creditable service. Service as a covered employee  
24 which is not eligible creditable service shall be subject to  
25 the rates and provisions of Section 14-108.

26 (b) For the purpose of this Section, "eligible creditable

1 service" means creditable service resulting from service in one  
2 or more of the following positions:

3 (1) State policeman;

4 (2) fire fighter in the fire protection service of a  
5 department;

6 (3) air pilot;

7 (4) special agent;

8 (5) investigator for the Secretary of State;

9 (6) conservation police officer;

10 (7) investigator for the Department of Revenue or the  
11 Illinois Gaming Board;

12 (8) security employee of the Department of Human  
13 Services;

14 (9) Central Management Services security police  
15 officer;

16 (10) security employee of the Department of  
17 Corrections or the Department of Juvenile Justice;

18 (11) dangerous drugs investigator;

19 (12) investigator for the Department of State Police;

20 (13) investigator for the Office of the Attorney  
21 General;

22 (14) controlled substance inspector;

23 (15) investigator for the Office of the State's  
24 Attorneys Appellate Prosecutor;

25 (16) Commerce Commission police officer;

26 (17) arson investigator;

1 (18) State highway maintenance worker;~~:-~~

2 (19) security employee of the Department of Innovation  
3 and Technology.

4 A person employed in one of the positions specified in this  
5 subsection is entitled to eligible creditable service for  
6 service credit earned under this Article while undergoing the  
7 basic police training course approved by the Illinois Law  
8 Enforcement Training Standards Board, if completion of that  
9 training is required of persons serving in that position. For  
10 the purposes of this Code, service during the required basic  
11 police training course shall be deemed performance of the  
12 duties of the specified position, even though the person is not  
13 a sworn peace officer at the time of the training.

14 (c) For the purposes of this Section:

15 (1) The term "State policeman" includes any title or  
16 position in the Department of State Police that is held by  
17 an individual employed under the State Police Act.

18 (2) The term "fire fighter in the fire protection  
19 service of a department" includes all officers in such fire  
20 protection service including fire chiefs and assistant  
21 fire chiefs.

22 (3) The term "air pilot" includes any employee whose  
23 official job description on file in the Department of  
24 Central Management Services, or in the department by which  
25 he is employed if that department is not covered by the  
26 Personnel Code, states that his principal duty is the

1 operation of aircraft, and who possesses a pilot's license;  
2 however, the change in this definition made by this  
3 amendatory Act of 1983 shall not operate to exclude any  
4 noncovered employee who was an "air pilot" for the purposes  
5 of this Section on January 1, 1984.

6 (4) The term "special agent" means any person who by  
7 reason of employment by the Division of Narcotic Control,  
8 the Bureau of Investigation or, after July 1, 1977, the  
9 Division of Criminal Investigation, the Division of  
10 Internal Investigation, the Division of Operations, or any  
11 other Division or organizational entity in the Department  
12 of State Police is vested by law with duties to maintain  
13 public order, investigate violations of the criminal law of  
14 this State, enforce the laws of this State, make arrests  
15 and recover property. The term "special agent" includes any  
16 title or position in the Department of State Police that is  
17 held by an individual employed under the State Police Act.

18 (5) The term "investigator for the Secretary of State"  
19 means any person employed by the Office of the Secretary of  
20 State and vested with such investigative duties as render  
21 him ineligible for coverage under the Social Security Act  
22 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
23 218(1)(1) of that Act.

24 A person who became employed as an investigator for the  
25 Secretary of State between January 1, 1967 and December 31,  
26 1975, and who has served as such until attainment of age



1           60, either continuously or with a single break in service  
2           of not more than 3 years duration, which break terminated  
3           before January 1, 1976, shall be entitled to have his  
4           retirement annuity calculated in accordance with  
5           subsection (a), notwithstanding that he has less than 20  
6           years of credit for such service.

7           (6) The term "Conservation Police Officer" means any  
8           person employed by the Division of Law Enforcement of the  
9           Department of Natural Resources and vested with such law  
10          enforcement duties as render him ineligible for coverage  
11          under the Social Security Act by reason of Sections  
12          218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The  
13          term "Conservation Police Officer" includes the positions  
14          of Chief Conservation Police Administrator and Assistant  
15          Conservation Police Administrator.

16          (7) The term "investigator for the Department of  
17          Revenue" means any person employed by the Department of  
18          Revenue and vested with such investigative duties as render  
19          him ineligible for coverage under the Social Security Act  
20          by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and  
21          218(1)(1) of that Act.

22          The term "investigator for the Illinois Gaming Board"  
23          means any person employed as such by the Illinois Gaming  
24          Board and vested with such peace officer duties as render  
25          the person ineligible for coverage under the Social  
26          Security Act by reason of Sections 218(d)(5)(A),

1 218(d)(8)(D), and 218(1)(1) of that Act.

2 (8) The term "security employee of the Department of  
3 Human Services" means any person employed by the Department  
4 of Human Services who (i) is employed at the Chester Mental  
5 Health Center and has daily contact with the residents  
6 thereof, (ii) is employed within a security unit at a  
7 facility operated by the Department and has daily contact  
8 with the residents of the security unit, (iii) is employed  
9 at a facility operated by the Department that includes a  
10 security unit and is regularly scheduled to work at least  
11 50% of his or her working hours within that security unit,  
12 or (iv) is a mental health police officer. "Mental health  
13 police officer" means any person employed by the Department  
14 of Human Services in a position pertaining to the  
15 Department's mental health and developmental disabilities  
16 functions who is vested with such law enforcement duties as  
17 render the person ineligible for coverage under the Social  
18 Security Act by reason of Sections 218(d)(5)(A),  
19 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"  
20 means that portion of a facility that is devoted to the  
21 care, containment, and treatment of persons committed to  
22 the Department of Human Services as sexually violent  
23 persons, persons unfit to stand trial, or persons not  
24 guilty by reason of insanity. With respect to past  
25 employment, references to the Department of Human Services  
26 include its predecessor, the Department of Mental Health

1 and Developmental Disabilities.

2 The changes made to this subdivision (c)(8) by Public  
3 Act 92-14 apply to persons who retire on or after January  
4 1, 2001, notwithstanding Section 1-103.1.

5 (9) "Central Management Services security police  
6 officer" means any person employed by the Department of  
7 Central Management Services who is vested with such law  
8 enforcement duties as render him ineligible for coverage  
9 under the Social Security Act by reason of Sections  
10 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

11 (10) For a member who first became an employee under  
12 this Article before July 1, 2005, the term "security  
13 employee of the Department of Corrections or the Department  
14 of Juvenile Justice" means any employee of the Department  
15 of Corrections or the Department of Juvenile Justice or the  
16 former Department of Personnel, and any member or employee  
17 of the Prisoner Review Board, who has daily contact with  
18 inmates or youth by working within a correctional facility  
19 or Juvenile facility operated by the Department of Juvenile  
20 Justice or who is a parole officer or an employee who has  
21 direct contact with committed persons in the performance of  
22 his or her job duties. For a member who first becomes an  
23 employee under this Article on or after July 1, 2005, the  
24 term means an employee of the Department of Corrections or  
25 the Department of Juvenile Justice who is any of the  
26 following: (i) officially headquartered at a correctional

1 facility or Juvenile facility operated by the Department of  
2 Juvenile Justice, (ii) a parole officer, (iii) a member of  
3 the apprehension unit, (iv) a member of the intelligence  
4 unit, (v) a member of the sort team, or (vi) an  
5 investigator.

6 (11) The term "dangerous drugs investigator" means any  
7 person who is employed as such by the Department of Human  
8 Services.

9 (12) The term "investigator for the Department of State  
10 Police" means a person employed by the Department of State  
11 Police who is vested under Section 4 of the Narcotic  
12 Control Division Abolition Act with such law enforcement  
13 powers as render him ineligible for coverage under the  
14 Social Security Act by reason of Sections 218(d)(5)(A),  
15 218(d)(8)(D) and 218(1)(1) of that Act.

16 (13) "Investigator for the Office of the Attorney  
17 General" means any person who is employed as such by the  
18 Office of the Attorney General and is vested with such  
19 investigative duties as render him ineligible for coverage  
20 under the Social Security Act by reason of Sections  
21 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For  
22 the period before January 1, 1989, the term includes all  
23 persons who were employed as investigators by the Office of  
24 the Attorney General, without regard to social security  
25 status.

26 (14) "Controlled substance inspector" means any person

1 who is employed as such by the Department of Professional  
2 Regulation and is vested with such law enforcement duties  
3 as render him ineligible for coverage under the Social  
4 Security Act by reason of Sections 218(d)(5)(A),  
5 218(d)(8)(D) and 218(1)(1) of that Act. The term  
6 "controlled substance inspector" includes the Program  
7 Executive of Enforcement and the Assistant Program  
8 Executive of Enforcement.

9 (15) The term "investigator for the Office of the  
10 State's Attorneys Appellate Prosecutor" means a person  
11 employed in that capacity on a full time basis under the  
12 authority of Section 7.06 of the State's Attorneys  
13 Appellate Prosecutor's Act.

14 (16) "Commerce Commission police officer" means any  
15 person employed by the Illinois Commerce Commission who is  
16 vested with such law enforcement duties as render him  
17 ineligible for coverage under the Social Security Act by  
18 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and  
19 218(1)(1) of that Act.

20 (17) "Arson investigator" means any person who is  
21 employed as such by the Office of the State Fire Marshal  
22 and is vested with such law enforcement duties as render  
23 the person ineligible for coverage under the Social  
24 Security Act by reason of Sections 218(d)(5)(A),  
25 218(d)(8)(D), and 218(1)(1) of that Act. A person who was  
26 employed as an arson investigator on January 1, 1995 and is

1 no longer in service but not yet receiving a retirement  
2 annuity may convert his or her creditable service for  
3 employment as an arson investigator into eligible  
4 creditable service by paying to the System the difference  
5 between the employee contributions actually paid for that  
6 service and the amounts that would have been contributed if  
7 the applicant were contributing at the rate applicable to  
8 persons with the same social security status earning  
9 eligible creditable service on the date of application.

10 (18) The term "State highway maintenance worker" means  
11 a person who is either of the following:

12 (i) A person employed on a full-time basis by the  
13 Illinois Department of Transportation in the position  
14 of highway maintainer, highway maintenance lead  
15 worker, highway maintenance lead/lead worker, heavy  
16 construction equipment operator, power shovel  
17 operator, or bridge mechanic; and whose principal  
18 responsibility is to perform, on the roadway, the  
19 actual maintenance necessary to keep the highways that  
20 form a part of the State highway system in serviceable  
21 condition for vehicular traffic.

22 (ii) A person employed on a full-time basis by the  
23 Illinois State Toll Highway Authority in the position  
24 of equipment operator/laborer H-4, equipment  
25 operator/laborer H-6, welder H-4, welder H-6,  
26 mechanical/electrical H-4, mechanical/electrical H-6,

1 water/sewer H-4, water/sewer H-6, sign maker/hanger  
2 H-4, sign maker/hanger H-6, roadway lighting H-4,  
3 roadway lighting H-6, structural H-4, structural H-6,  
4 painter H-4, or painter H-6; and whose principal  
5 responsibility is to perform, on the roadway, the  
6 actual maintenance necessary to keep the Authority's  
7 tollways in serviceable condition for vehicular  
8 traffic.

9 (19) The term "security employee of the Department of  
10 Innovation and Technology" means a person who was a  
11 security employee of the Department of Corrections or the  
12 Department of Juvenile Justice, was transferred to the  
13 Department of Innovation and Technology pursuant to  
14 Executive Order 2016-01, and continues to perform similar  
15 job functions under that Department.

16 (d) A security employee of the Department of Corrections or  
17 the Department of Juvenile Justice, ~~and~~ a security employee of  
18 the Department of Human Services who is not a mental health  
19 police officer, and a security employee of the Department of  
20 Innovation and Technology shall not be eligible for the  
21 alternative retirement annuity provided by this Section unless  
22 he or she meets the following minimum age and service  
23 requirements at the time of retirement:

24 (i) 25 years of eligible creditable service and age 55;

25 or

26 (ii) beginning January 1, 1987, 25 years of eligible

1           creditable service and age 54, or 24 years of eligible  
2           creditable service and age 55; or

3           (iii) beginning January 1, 1988, 25 years of eligible  
4           creditable service and age 53, or 23 years of eligible  
5           creditable service and age 55; or

6           (iv) beginning January 1, 1989, 25 years of eligible  
7           creditable service and age 52, or 22 years of eligible  
8           creditable service and age 55; or

9           (v) beginning January 1, 1990, 25 years of eligible  
10          creditable service and age 51, or 21 years of eligible  
11          creditable service and age 55; or

12          (vi) beginning January 1, 1991, 25 years of eligible  
13          creditable service and age 50, or 20 years of eligible  
14          creditable service and age 55.

15          Persons who have service credit under Article 16 of this  
16          Code for service as a security employee of the Department of  
17          Corrections or the Department of Juvenile Justice, or the  
18          Department of Human Services in a position requiring  
19          certification as a teacher may count such service toward  
20          establishing their eligibility under the service requirements  
21          of this Section; but such service may be used only for  
22          establishing such eligibility, and not for the purpose of  
23          increasing or calculating any benefit.

24          (e) If a member enters military service while working in a  
25          position in which eligible creditable service may be earned,  
26          and returns to State service in the same or another such



1 position, and fulfills in all other respects the conditions  
2 prescribed in this Article for credit for military service,  
3 such military service shall be credited as eligible creditable  
4 service for the purposes of the retirement annuity prescribed  
5 in this Section.

6 (f) For purposes of calculating retirement annuities under  
7 this Section, periods of service rendered after December 31,  
8 1968 and before October 1, 1975 as a covered employee in the  
9 position of special agent, conservation police officer, mental  
10 health police officer, or investigator for the Secretary of  
11 State, shall be deemed to have been service as a noncovered  
12 employee, provided that the employee pays to the System prior  
13 to retirement an amount equal to (1) the difference between the  
14 employee contributions that would have been required for such  
15 service as a noncovered employee, and the amount of employee  
16 contributions actually paid, plus (2) if payment is made after  
17 July 31, 1987, regular interest on the amount specified in item  
18 (1) from the date of service to the date of payment.

19 For purposes of calculating retirement annuities under  
20 this Section, periods of service rendered after December 31,  
21 1968 and before January 1, 1982 as a covered employee in the  
22 position of investigator for the Department of Revenue shall be  
23 deemed to have been service as a noncovered employee, provided  
24 that the employee pays to the System prior to retirement an  
25 amount equal to (1) the difference between the employee  
26 contributions that would have been required for such service as

1 a noncovered employee, and the amount of employee contributions  
2 actually paid, plus (2) if payment is made after January 1,  
3 1990, regular interest on the amount specified in item (1) from  
4 the date of service to the date of payment.

5 (g) A State policeman may elect, not later than January 1,  
6 1990, to establish eligible creditable service for up to 10  
7 years of his service as a policeman under Article 3, by filing  
8 a written election with the Board, accompanied by payment of an  
9 amount to be determined by the Board, equal to (i) the  
10 difference between the amount of employee and employer  
11 contributions transferred to the System under Section 3-110.5,  
12 and the amounts that would have been contributed had such  
13 contributions been made at the rates applicable to State  
14 policemen, plus (ii) interest thereon at the effective rate for  
15 each year, compounded annually, from the date of service to the  
16 date of payment.

17 Subject to the limitation in subsection (i), a State  
18 policeman may elect, not later than July 1, 1993, to establish  
19 eligible creditable service for up to 10 years of his service  
20 as a member of the County Police Department under Article 9, by  
21 filing a written election with the Board, accompanied by  
22 payment of an amount to be determined by the Board, equal to  
23 (i) the difference between the amount of employee and employer  
24 contributions transferred to the System under Section 9-121.10  
25 and the amounts that would have been contributed had those  
26 contributions been made at the rates applicable to State

1 policemen, plus (ii) interest thereon at the effective rate for  
2 each year, compounded annually, from the date of service to the  
3 date of payment.

4 (h) Subject to the limitation in subsection (i), a State  
5 policeman or investigator for the Secretary of State may elect  
6 to establish eligible creditable service for up to 12 years of  
7 his service as a policeman under Article 5, by filing a written  
8 election with the Board on or before January 31, 1992, and  
9 paying to the System by January 31, 1994 an amount to be  
10 determined by the Board, equal to (i) the difference between  
11 the amount of employee and employer contributions transferred  
12 to the System under Section 5-236, and the amounts that would  
13 have been contributed had such contributions been made at the  
14 rates applicable to State policemen, plus (ii) interest thereon  
15 at the effective rate for each year, compounded annually, from  
16 the date of service to the date of payment.

17 Subject to the limitation in subsection (i), a State  
18 policeman, conservation police officer, or investigator for  
19 the Secretary of State may elect to establish eligible  
20 creditable service for up to 10 years of service as a sheriff's  
21 law enforcement employee under Article 7, by filing a written  
22 election with the Board on or before January 31, 1993, and  
23 paying to the System by January 31, 1994 an amount to be  
24 determined by the Board, equal to (i) the difference between  
25 the amount of employee and employer contributions transferred  
26 to the System under Section 7-139.7, and the amounts that would

1 have been contributed had such contributions been made at the  
2 rates applicable to State policemen, plus (ii) interest thereon  
3 at the effective rate for each year, compounded annually, from  
4 the date of service to the date of payment.

5 Subject to the limitation in subsection (i), a State  
6 policeman, conservation police officer, or investigator for  
7 the Secretary of State may elect to establish eligible  
8 creditable service for up to 5 years of service as a police  
9 officer under Article 3, a policeman under Article 5, a  
10 sheriff's law enforcement employee under Article 7, a member of  
11 the county police department under Article 9, or a police  
12 officer under Article 15 by filing a written election with the  
13 Board and paying to the System an amount to be determined by  
14 the Board, equal to (i) the difference between the amount of  
15 employee and employer contributions transferred to the System  
16 under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or 15-134.4  
17 and the amounts that would have been contributed had such  
18 contributions been made at the rates applicable to State  
19 policemen, plus (ii) interest thereon at the effective rate for  
20 each year, compounded annually, from the date of service to the  
21 date of payment.

22 Subject to the limitation in subsection (i), an  
23 investigator for the Office of the Attorney General, or an  
24 investigator for the Department of Revenue, may elect to  
25 establish eligible creditable service for up to 5 years of  
26 service as a police officer under Article 3, a policeman under

1 Article 5, a sheriff's law enforcement employee under Article  
2 7, or a member of the county police department under Article 9  
3 by filing a written election with the Board within 6 months  
4 after August 25, 2009 (the effective date of Public Act 96-745)  
5 and paying to the System an amount to be determined by the  
6 Board, equal to (i) the difference between the amount of  
7 employee and employer contributions transferred to the System  
8 under Section 3-110.6, 5-236, 7-139.8, or 9-121.10 and the  
9 amounts that would have been contributed had such contributions  
10 been made at the rates applicable to State policemen, plus (ii)  
11 interest thereon at the actuarially assumed rate for each year,  
12 compounded annually, from the date of service to the date of  
13 payment.

14 Subject to the limitation in subsection (i), a State  
15 policeman, conservation police officer, investigator for the  
16 Office of the Attorney General, an investigator for the  
17 Department of Revenue, or investigator for the Secretary of  
18 State may elect to establish eligible creditable service for up  
19 to 5 years of service as a person employed by a participating  
20 municipality to perform police duties, or law enforcement  
21 officer employed on a full-time basis by a forest preserve  
22 district under Article 7, a county corrections officer, or a  
23 court services officer under Article 9, by filing a written  
24 election with the Board within 6 months after August 25, 2009  
25 (the effective date of Public Act 96-745) and paying to the  
26 System an amount to be determined by the Board, equal to (i)

1 the difference between the amount of employee and employer  
2 contributions transferred to the System under Sections 7-139.8  
3 and 9-121.10 and the amounts that would have been contributed  
4 had such contributions been made at the rates applicable to  
5 State policemen, plus (ii) interest thereon at the actuarially  
6 assumed rate for each year, compounded annually, from the date  
7 of service to the date of payment.

8 (i) The total amount of eligible creditable service  
9 established by any person under subsections (g), (h), (j), (k),  
10 and (l) of this Section shall not exceed 12 years.

11 (j) Subject to the limitation in subsection (i), an  
12 investigator for the Office of the State's Attorneys Appellate  
13 Prosecutor or a controlled substance inspector may elect to  
14 establish eligible creditable service for up to 10 years of his  
15 service as a policeman under Article 3 or a sheriff's law  
16 enforcement employee under Article 7, by filing a written  
17 election with the Board, accompanied by payment of an amount to  
18 be determined by the Board, equal to (1) the difference between  
19 the amount of employee and employer contributions transferred  
20 to the System under Section 3-110.6 or 7-139.8, and the amounts  
21 that would have been contributed had such contributions been  
22 made at the rates applicable to State policemen, plus (2)  
23 interest thereon at the effective rate for each year,  
24 compounded annually, from the date of service to the date of  
25 payment.

26 (k) Subject to the limitation in subsection (i) of this

1 Section, an alternative formula employee may elect to establish  
2 eligible creditable service for periods spent as a full-time  
3 law enforcement officer or full-time corrections officer  
4 employed by the federal government or by a state or local  
5 government located outside of Illinois, for which credit is not  
6 held in any other public employee pension fund or retirement  
7 system. To obtain this credit, the applicant must file a  
8 written application with the Board by March 31, 1998,  
9 accompanied by evidence of eligibility acceptable to the Board  
10 and payment of an amount to be determined by the Board, equal  
11 to (1) employee contributions for the credit being established,  
12 based upon the applicant's salary on the first day as an  
13 alternative formula employee after the employment for which  
14 credit is being established and the rates then applicable to  
15 alternative formula employees, plus (2) an amount determined by  
16 the Board to be the employer's normal cost of the benefits  
17 accrued for the credit being established, plus (3) regular  
18 interest on the amounts in items (1) and (2) from the first day  
19 as an alternative formula employee after the employment for  
20 which credit is being established to the date of payment.

21 (1) Subject to the limitation in subsection (i), a security  
22 employee of the Department of Corrections may elect, not later  
23 than July 1, 1998, to establish eligible creditable service for  
24 up to 10 years of his or her service as a policeman under  
25 Article 3, by filing a written election with the Board,  
26 accompanied by payment of an amount to be determined by the

1 Board, equal to (i) the difference between the amount of  
2 employee and employer contributions transferred to the System  
3 under Section 3-110.5, and the amounts that would have been  
4 contributed had such contributions been made at the rates  
5 applicable to security employees of the Department of  
6 Corrections, plus (ii) interest thereon at the effective rate  
7 for each year, compounded annually, from the date of service to  
8 the date of payment.

9 (m) The amendatory changes to this Section made by this  
10 amendatory Act of the 94th General Assembly apply only to: (1)  
11 security employees of the Department of Juvenile Justice  
12 employed by the Department of Corrections before the effective  
13 date of this amendatory Act of the 94th General Assembly and  
14 transferred to the Department of Juvenile Justice by this  
15 amendatory Act of the 94th General Assembly; and (2) persons  
16 employed by the Department of Juvenile Justice on or after the  
17 effective date of this amendatory Act of the 94th General  
18 Assembly who are required by subsection (b) of Section 3-2.5-15  
19 of the Unified Code of Corrections to have any bachelor's or  
20 advanced degree from an accredited college or university or, in  
21 the case of persons who provide vocational training, who are  
22 required to have adequate knowledge in the skill for which they  
23 are providing the vocational training.

24 (n) A person employed in a position under subsection (b) of  
25 this Section who has purchased service credit under subsection  
26 (j) of Section 14-104 or subsection (b) of Section 14-105 in



1 any other capacity under this Article may convert up to 5 years  
2 of that service credit into service credit covered under this  
3 Section by paying to the Fund an amount equal to (1) the  
4 additional employee contribution required under Section  
5 14-133, plus (2) the additional employer contribution required  
6 under Section 14-131, plus (3) interest on items (1) and (2) at  
7 the actuarially assumed rate from the date of the service to  
8 the date of payment.

9 (Source: P.A. 100-19, eff. 1-1-18.)

10 (40 ILCS 5/15-106) (from Ch. 108 1/2, par. 15-106)

11 Sec. 15-106. Employer. "Employer": The University of  
12 Illinois, Southern Illinois University, Chicago State  
13 University, Eastern Illinois University, Governors State  
14 University, Illinois State University, Northeastern Illinois  
15 University, Northern Illinois University, Western Illinois  
16 University, the State Board of Higher Education, the Illinois  
17 Mathematics and Science Academy, the University Civil Service  
18 Merit Board, the Board of Trustees of the State Universities  
19 Retirement System, the Illinois Community College Board,  
20 community college boards, any association of community college  
21 boards organized under Section 3-55 of the Public Community  
22 College Act, the Board of Examiners established under the  
23 Illinois Public Accounting Act, and, only during the period for  
24 which employer contributions required under Section 15-155 are  
25 paid, the following organizations: the alumni associations,

1 the foundations and the athletic associations which are  
2 affiliated with the universities and colleges included in this  
3 Section as employers. An individual who begins employment on or  
4 after the effective date of this amendatory Act of the 99th  
5 General Assembly with any association of community college  
6 boards organized under Section 3-55 of the Public Community  
7 College Act, the Association of Illinois Middle-Grade Schools,  
8 the Illinois Association of School Administrators, the  
9 Illinois Association for Supervision and Curriculum  
10 Development, the Illinois Principals Association, the Illinois  
11 Association of School Business Officials, the Illinois Special  
12 Olympics, or an entity not defined as an employer in this  
13 Section shall not be deemed an employee for the purposes of  
14 this Article with respect to that employment and shall not be  
15 eligible to participate in the System with respect to that  
16 employment; provided, however, that those individuals who are  
17 both employed by such an entity and are participating in the  
18 System with respect to that employment on the effective date of  
19 this amendatory Act of the 99th General Assembly shall be  
20 allowed to continue as participants in the System for the  
21 duration of that employment.

22 A department as defined in Section 14-103.04 is an employer  
23 for any person appointed by the Governor under the Civil  
24 Administrative Code of Illinois who is a participating employee  
25 as defined in Section 15-109. The Department of Central  
26 Management Services is an employer with respect to persons

1 employed by the State Board of Higher Education in positions  
2 with the Illinois Century Network as of June 30, 2004 who  
3 remain continuously employed after that date by the Department  
4 of Central Management Services in positions with the Illinois  
5 Century Network, the Bureau of Communication and Computer  
6 Services, or, if applicable, any successor bureau or the  
7 Department of Innovation and Technology.

8 The cities of Champaign and Urbana shall be considered  
9 employers, but only during the period for which contributions  
10 are required to be made under subsection (b-1) of Section  
11 15-155 and only with respect to individuals described in  
12 subsection (h) of Section 15-107.

13 (Source: P.A. 99-830, eff. 1-1-17; 99-897, eff. 1-1-17.)

14 Section 955. The Hydraulic Fracturing Regulatory Act is  
15 amended by changing Section 1-110 as follows:

16 (225 ILCS 732/1-110)

17 Sec. 1-110. Public information; website.

18 (a) All information submitted to the Department under this  
19 Act is deemed public information, except information deemed to  
20 constitute a trade secret under Section 1-77 of this Act and  
21 private information and personal information as defined in the  
22 Freedom of Information Act.

23 (b) To provide the public and concerned citizens with a  
24 centralized repository of information, the Department, in

1 consultation with the Department of Innovation and Technology,  
2 shall create and maintain a comprehensive website dedicated to  
3 providing information concerning high volume horizontal  
4 hydraulic fracturing operations. The website shall contain,  
5 assemble, and link the documents and information required by  
6 this Act to be posted on the Department's or other agencies'  
7 websites. The Department of Innovation and Technology, on  
8 behalf of the Department, shall also create and maintain an  
9 online searchable database that provides information related  
10 to high volume horizontal hydraulic fracturing operations on  
11 wells that, at a minimum, includes, for each well it permits,  
12 the identity of its operators, its waste disposal, its chemical  
13 disclosure information, and any complaints or violations under  
14 this Act. The website created under this Section shall allow  
15 users to search for completion reports by well name and  
16 location, dates of fracturing and drilling operations,  
17 operator, and by chemical additives.

18 (Source: P.A. 98-22, eff. 6-17-13; 99-78, eff. 7-20-15.)

19 Section 960. The Illinois Public Aid Code is amended by  
20 changing Section 12-10.10 as follows:

21 (305 ILCS 5/12-10.10)

22 Sec. 12-10.10. DHS Technology Initiative Fund.

23 (a) The DHS Technology Initiative Fund is hereby created as  
24 a trust fund within the State treasury with the State Treasurer

1 as the ex-officio custodian of the Fund.

2 (b) The Department of Human Services may accept and receive  
3 grants, awards, gifts, and bequests from any source, public or  
4 private, in support of information technology initiatives.  
5 Moneys received in support of information technology  
6 initiatives, and any interest earned thereon, shall be  
7 deposited into the DHS Technology Initiative Fund.

8 (c) Moneys in the Fund may be used by the Department of  
9 Human Services for the purpose of making grants associated with  
10 the development and implementation of information technology  
11 projects or paying for operational expenses of the Department  
12 of Human Services related to such projects.

13 (d) The Department of Human Services, in consultation with  
14 the Department of Innovation and Technology, shall use the  
15 funds deposited in the DHS Technology Fund to pay for  
16 information technology solutions either provided by Department  
17 of Innovation and Technology or arranged or coordinated by the  
18 Department of Innovation and Technology.

19 (Source: P.A. 98-24, eff. 6-19-13.)

20 Section 965. The Methamphetamine Precursor Tracking Act is  
21 amended by changing Section 20 as follows:

22 (720 ILCS 649/20)

23 Sec. 20. Secure website.

24 (a) The Illinois State Police, in consultation with the

1 Department of Innovation and Technology, shall establish a  
2 secure website for the transmission of electronic transaction  
3 records and make it available free of charge to covered  
4 pharmacies.

5 (b) The secure website shall enable covered pharmacies to  
6 transmit to the Central Repository an electronic transaction  
7 record each time the pharmacy distributes a targeted  
8 methamphetamine precursor to a recipient.

9 (c) If the secure website becomes unavailable to a covered  
10 pharmacy, the covered pharmacy may, during the period in which  
11 the secure website is not available, continue to distribute  
12 targeted methamphetamine precursor without using the secure  
13 website if, during this period, the covered pharmacy maintains  
14 and transmits handwritten logs as described in Sections 20 and  
15 25 of the Methamphetamine Precursor Control Act.

16 (Source: P.A. 97-670, eff. 1-19-12.)

17 Section 995. No acceleration or delay. Where this Act makes  
18 changes in a statute that is represented in this Act by text  
19 that is not yet or no longer in effect (for example, a Section  
20 represented by multiple versions), the use of that text does  
21 not accelerate or delay the taking effect of (i) the changes  
22 made by this Act or (ii) provisions derived from any other  
23 Public Act.

24 Section 997. Severability. The provisions of this Act are

1 severable under Section 1.31 of the Statute on Statutes.

2 Section 999. Effective date. This Act takes effect upon  
3 becoming law.

## 1 INDEX

## 2 Statutes amended in order of appearance

## 3 New Act

4	20 ILCS 5/5-10	was 20 ILCS 5/2.1
5	20 ILCS 5/5-15	was 20 ILCS 5/3
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7	20 ILCS 5/5-195 new	
8	20 ILCS 5/5-357 new	
9	20 ILCS 5/5-605	was 20 ILCS 5/12
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12	20 ILCS 405/405-410	
13	20 ILCS 405/405-20 rep.	
14	20 ILCS 405/405-250 rep.	
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21	20 ILCS 3921/5	
22	20 ILCS 3921/7 new	
23	20 ILCS 3921/10	
24	20 ILCS 3921/15	
25	20 ILCS 3921/20 rep.	



- 1 30 ILCS 105/6p-1 from Ch. 127, par. 142p1
- 2 30 ILCS 105/6p-2 from Ch. 127, par. 142p2
- 3 30 ILCS 105/8.16a from Ch. 127, par. 144.16a
- 4 30 ILCS 105/8.16b from Ch. 127, par. 144.16b
- 5 30 ILCS 500/20-60
- 6 30 ILCS 707/10
- 7 40 ILCS 5/1-160
- 8 40 ILCS 5/14-110 from Ch. 108 1/2, par. 14-110
- 9 40 ILCS 5/15-106 from Ch. 108 1/2, par. 15-106
- 10 225 ILCS 732/1-110
- 11 305 ILCS 5/12-10.10
- 12 720 ILCS 649/20