



Sen. Pamela J. Althoff

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1 AMENDMENT TO SENATE BILL 1936

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1936 by replacing  
3 everything after the enacting clause with the following:

4 "ARTICLE 5. AMENDATORY PROVISIONS

5 (20 ILCS 605/605-523 rep.)

6 Section 5-5. The Department of Commerce and Economic  
7 Opportunity Law of the Civil Administrative Code of Illinois is  
8 amended by repealing Section 605-523.

9 (20 ILCS 3930/9 rep.)

10 Section 5-10. The Illinois Criminal Justice Information  
11 Act is amended by repealing Section 9.

12 (20 ILCS 3988/35 rep.)

13 Section 5-15. The Local Legacy Act is amended by repealing  
14 Section 35.

1 (30 ILCS 105/5.102 rep.)  
2 (30 ILCS 105/5.172 rep.)  
3 (30 ILCS 105/5.325 rep.)  
4 (30 ILCS 105/5.423 rep.)  
5 (30 ILCS 105/5.493 rep.)  
6 (30 ILCS 105/5.512 rep.)  
7 (30 ILCS 105/5.541 rep.)  
8 (30 ILCS 105/5.556 rep.)  
9 (30 ILCS 105/5.591 rep.)  
10 (30 ILCS 105/5.595 rep.)  
11 (30 ILCS 105/5.625 rep.)  
12 (30 ILCS 105/5.626 rep.)  
13 (30 ILCS 105/5.627 rep.)  
14 (30 ILCS 105/5.628 rep.)  
15 (30 ILCS 105/5.649 rep.)  
16 (30 ILCS 105/5.661 rep.)  
17 (30 ILCS 105/5.779 rep.)  
18 (30 ILCS 105/5.813 rep.)  
19 (30 ILCS 105/5.818 rep.)  
20 (30 ILCS 105/6a-5 rep.)  
21 (30 ILCS 105/6z-55 rep.)  
22 (30 ILCS 105/6z-83 rep.)  
23 (30 ILCS 105/6z-93 rep.)

24 Section 5-20. The State Finance Act is amended by repealing  
25 Sections 5.102, 5.172, 5.325, 5.423, 5.493, 5.512, 5.541,

1 5.556, 5.591, 5.595, 5.625, 5.626, 5.627, 5.628, 5.649, 5.661,  
2 5.779, 5.813, 5.818, 6a-5, 6z-55, 6z-83, and 6z-93.

3 (30 ILCS 780/5-50 rep.)

4 (30 ILCS 780/5-55 rep.)

5 Section 5-25. The Eliminate the Digital Divide Law is  
6 amended by repealing Sections 5-50 and 5-55.

7 (35 ILCS 5/208.1 rep.)

8 (35 ILCS 5/507XX rep.)

9 Section 5-30. The Illinois Income Tax Act is amended by  
10 repealing Sections 208.1 and 507XX.

11 Section 5-35. The Economic Development for a Growing  
12 Economy Tax Credit Act is amended by changing Section 5-80 as  
13 follows:

14 (35 ILCS 10/5-80)

15 Sec. 5-80. Adoption of rules. The Department may adopt  
16 rules necessary to implement this Act. The rules may provide  
17 for recipients of Credits under this Act to be charged fees to  
18 cover administrative costs of the tax credit program. Fees  
19 collected shall be deposited into the General Revenue ~~Economic~~  
20 ~~Development for a Growing Economy~~ Fund.

21 (Source: P.A. 91-476, eff. 8-11-99.)

1 (35 ILCS 10/5-85 rep.)

2 Section 5-40. The Economic Development for a Growing  
3 Economy Tax Credit Act is amended by repealing Section 5-85.

4 (110 ILCS 805/2-16.03 rep.)

5 Section 5-45. The Public Community College Act is amended  
6 by repealing Section 2-16.03.

7 Section 5-50. The Higher Education Student Assistance Act  
8 is amended by changing Section 35 as follows:

9 (110 ILCS 947/35)

10 Sec. 35. Monetary award program.

11 (a) The Commission shall, each year, receive and consider  
12 applications for grant assistance under this Section. Subject  
13 to a separate appropriation for such purposes, an applicant is  
14 eligible for a grant under this Section when the Commission  
15 finds that the applicant:

16 (1) is a resident of this State and a citizen or  
17 permanent resident of the United States; and

18 (2) in the absence of grant assistance, will be  
19 deterred by financial considerations from completing an  
20 educational program at the qualified institution of his or  
21 her choice.

22 (b) The Commission shall award renewals only upon the  
23 student's application and upon the Commission's finding that

1 the applicant:

2 (1) has remained a student in good standing;

3 (2) remains a resident of this State; and

4 (3) is in a financial situation that continues to  
5 warrant assistance.

6 (c) All grants shall be applicable only to tuition and  
7 necessary fee costs. The Commission shall determine the grant  
8 amount for each student, which shall not exceed the smallest of  
9 the following amounts:

10 (1) subject to appropriation, \$5,468 for fiscal year  
11 2009, \$5,968 for fiscal year 2010, and \$6,468 for fiscal  
12 year 2011 and each fiscal year thereafter, or such lesser  
13 amount as the Commission finds to be available, during an  
14 academic year;

15 (2) the amount which equals 2 semesters or 3 quarters  
16 tuition and other necessary fees required generally by the  
17 institution of all full-time undergraduate students; or

18 (3) such amount as the Commission finds to be  
19 appropriate in view of the applicant's financial  
20 resources.

21 Subject to appropriation, the maximum grant amount for  
22 students not subject to subdivision (1) of this subsection (c)  
23 must be increased by the same percentage as any increase made  
24 by law to the maximum grant amount under subdivision (1) of  
25 this subsection (c).

26 "Tuition and other necessary fees" as used in this Section

1 include the customary charge for instruction and use of  
2 facilities in general, and the additional fixed fees charged  
3 for specified purposes, which are required generally of  
4 nongrant recipients for each academic period for which the  
5 grant applicant actually enrolls, but do not include fees  
6 payable only once or breakage fees and other contingent  
7 deposits which are refundable in whole or in part. The  
8 Commission may prescribe, by rule not inconsistent with this  
9 Section, detailed provisions concerning the computation of  
10 tuition and other necessary fees.

11 (d) No applicant, including those presently receiving  
12 scholarship assistance under this Act, is eligible for monetary  
13 award program consideration under this Act after receiving a  
14 baccalaureate degree or the equivalent of 135 semester credit  
15 hours of award payments.

16 (e) The Commission, in determining the number of grants to  
17 be offered, shall take into consideration past experience with  
18 the rate of grant funds unclaimed by recipients. The Commission  
19 shall notify applicants that grant assistance is contingent  
20 upon the availability of appropriated funds.

21 (e-5) The General Assembly finds and declares that it is an  
22 important purpose of the Monetary Award Program to facilitate  
23 access to college both for students who pursue postsecondary  
24 education immediately following high school and for those who  
25 pursue postsecondary education later in life, particularly  
26 Illinoisans who are dislocated workers with financial need and

1 who are seeking to improve their economic position through  
2 education. For the 2015-2016 and 2016-2017 academic years, the  
3 Commission shall give additional and specific consideration to  
4 the needs of dislocated workers with the intent of allowing  
5 applicants who are dislocated workers an opportunity to secure  
6 financial assistance even if applying later than the general  
7 pool of applicants. The Commission's consideration shall  
8 include, in determining the number of grants to be offered, an  
9 estimate of the resources needed to serve dislocated workers  
10 who apply after the Commission initially suspends award  
11 announcements for the upcoming regular academic year, but prior  
12 to the beginning of that academic year. For the purposes of  
13 this subsection (e-5), a dislocated worker is defined as in the  
14 federal Workforce Investment Act of 1998.

15 (f) (Blank). ~~The Commission may request appropriations for~~  
16 ~~deposit into the Monetary Award Program Reserve Fund. Monies~~  
17 ~~deposited into the Monetary Award Program Reserve Fund may be~~  
18 ~~expended exclusively for one purpose: to make Monetary Award~~  
19 ~~Program grants to eligible students. Amounts on deposit in the~~  
20 ~~Monetary Award Program Reserve Fund may not exceed 2% of the~~  
21 ~~current annual State appropriation for the Monetary Award~~  
22 ~~Program.~~

23 ~~The purpose of the Monetary Award Program Reserve Fund is~~  
24 ~~to enable the Commission each year to assure as many students~~  
25 ~~as possible of their eligibility for a Monetary Award Program~~  
26 ~~grant and to do so before commencement of the academic year.~~

1 ~~Moneys deposited in this Reserve Fund are intended to enhance~~  
2 ~~the Commission's management of the Monetary Award Program,~~  
3 ~~minimizing the necessity, magnitude, and frequency of~~  
4 ~~adjusting award amounts and ensuring that the annual Monetary~~  
5 ~~Award Program appropriation can be fully utilized.~~

6 (g) The Commission shall determine the eligibility of and  
7 make grants to applicants enrolled at qualified for-profit  
8 institutions in accordance with the criteria set forth in this  
9 Section. The eligibility of applicants enrolled at such  
10 for-profit institutions shall be limited as follows:

11 (1) Beginning with the academic year 1997, only to  
12 eligible first-time freshmen and first-time transfer  
13 students who have attained an associate degree.

14 (2) Beginning with the academic year 1998, only to  
15 eligible freshmen students, transfer students who have  
16 attained an associate degree, and students who receive a  
17 grant under paragraph (1) for the academic year 1997 and  
18 whose grants are being renewed for the academic year 1998.

19 (3) Beginning with the academic year 1999, to all  
20 eligible students.

21 (Source: P.A. 98-967, eff. 8-15-14.)

22 Section 5-55. The Alzheimer's Disease Assistance Act is  
23 amended by changing Section 7 as follows:

24 (410 ILCS 405/7) (from Ch. 111 1/2, par. 6957)



1           Sec. 7. Regional ADA center funding. Pursuant to  
2 appropriations enacted by the General Assembly, the Department  
3 shall provide funds to hospitals affiliated with each Regional  
4 ADA Center for necessary research and for the development and  
5 maintenance of services for individuals with Alzheimer's  
6 disease and related disorders and their families. For the  
7 fiscal year beginning July 1, 2003, and each year thereafter,  
8 the Department shall effect payments under this Section to  
9 hospitals affiliated with each Regional ADA Center through the  
10 Department of Healthcare and Family Services (formerly  
11 Illinois Department of Public Aid) ~~under the Excellence in~~  
12 ~~Alzheimer's Disease Center Treatment Act~~. The Department of  
13 Healthcare and Family Services shall annually report to the  
14 Advisory Committee established under this Act regarding the  
15 funding of centers under this Act. The Department shall include  
16 the annual expenditures for this purpose in the plan required  
17 by Section 5 of this Act.

18       (Source: P.A. 97-768, eff. 1-1-13.)

19           (410 ILCS 407/Act rep.)

20           Section 5-60. The Excellence in Alzheimer's Disease Center  
21 Treatment Act is repealed.

22           Section 5-65. The Food and Agriculture Research Act is  
23 amended by changing Section 25 as follows:

1 (505 ILCS 82/25)

2 Sec. 25. Administrative oversight.

3 (a) The Department of Agriculture shall provide general  
4 administrative oversight with the assistance and advice of duly  
5 elected Board of Directors of the Illinois Council on Food and  
6 Agricultural Research. Food and agricultural research  
7 administrators at each of the universities shall administer the  
8 specifics of the funded research programs. Annually the  
9 Illinois Council on Food and Agricultural Research  
10 administrators shall prepare a combined proposed budget for the  
11 research that the Director of Agriculture shall submit to the  
12 Governor for inclusion in the Executive budget and  
13 consideration by the General Assembly. The budget shall specify  
14 major categories of proposed expenditures, including salary,  
15 wages, and fringe benefits; operation and maintenance;  
16 supplies and expenses; and capital improvements.

17 (b) (Blank). ~~The Department, with the assistance of the~~  
18 ~~Illinois Council on Food and Agricultural Research, may seek~~  
19 ~~additional grants and donations for research. Additional funds~~  
20 ~~shall be used in conjunction with appropriated funds for~~  
21 ~~research. All additional grants and donations for research~~  
22 ~~shall be deposited into the Food and Agricultural Research~~  
23 ~~Fund, a special fund created in the State treasury, and used as~~  
24 ~~provided in this Act.~~

25 (Source: P.A. 97-879, eff. 8-2-12.)

1 (710 ILCS 45/Act rep.)

2 Section 5-70. The Sorry Works! Pilot Program Act is  
3 repealed.

4 (815 ILCS 402/Act rep.)

5 Section 5-75. The Restricted Call Registry Act is repealed.

6 ARTICLE 10. MANDATE RELIEF

7 Section 10-5. The State Employment Records Act is amended  
8 by changing Section 10 as follows:

9 (5 ILCS 410/10)

10 Sec. 10. Definitions. As used in this Act:

11 (a) "Agency work force" means those persons employed by a  
12 State agency who are part of the State work force.

13 (b) "Contractual services employee" means a person  
14 employed by the State, or a State supported institution of  
15 higher education, under a written contract and paid by a State  
16 system CO-2 voucher (or its administrative equivalent) whose  
17 daily duties and responsibilities are directly or indirectly  
18 supervised or managed by a person paid by a payroll warrant (or  
19 its administrative equivalent) funded by State funds or pass  
20 through funds.

21 (c) "Agency" or "State agency" means those entities  
22 included in the definition of "State agencies" in the Illinois

1 State Auditing Act, with the exception of State universities.

2 (d) "Minority" means a person who is any of the following:

3 (1) American Indian or Alaska Native (a person having  
4 origins in any of the original peoples of North and South  
5 America, including Central America, and who maintains  
6 tribal affiliation or community attachment).

7 (2) Asian (a person having origins in any of the  
8 original peoples of the Far East, Southeast Asia, or the  
9 Indian subcontinent, including, but not limited to,  
10 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,  
11 the Philippine Islands, Thailand, and Vietnam).

12 (3) Black or African American (a person having origins  
13 in any of the black racial groups of Africa). Terms such as  
14 "Haitian" or "Negro" can be used in addition to "Black or  
15 African American".

16 (4) Hispanic or Latino (a person of Cuban, Mexican,  
17 Puerto Rican, South or Central American, or other Spanish  
18 culture or origin, regardless of race).

19 (5) Native Hawaiian or Other Pacific Islander (a person  
20 having origins in any of the original peoples of Hawaii,  
21 Guam, Samoa, or other Pacific Islands).

22 (e) "Professional employee" means a person employed to  
23 perform employment duties requiring academic training,  
24 evidenced by a graduate or advanced degree from an accredited  
25 institution of higher education, and who, in the performance of  
26 those employment duties, may only engage in active practice of

1 the academic training received when licensed or certified by  
2 the State of Illinois.

3 (f) "State employee" means any person employed within the  
4 State work force.

5 (g) "State work force" means all persons employed by the  
6 State of Illinois as evidenced by:

7 (1) the total number of all payroll warrants (or their  
8 administrative equivalent) issued by the Comptroller to  
9 pay:

10 (i) persons subject to the Personnel Code; and

11 (ii) for the sole purpose of providing accurate  
12 statistical information, all persons exempt from the  
13 Personnel Code; and

14 (2) (blank); ~~the total number of payroll warrants (or~~  
15 ~~their administrative equivalent) funded by State~~  
16 ~~appropriation which are issued by educational institutions~~  
17 ~~governed by the Board of Trustees of the University of~~  
18 ~~Illinois, the Board of Trustees of Southern Illinois~~  
19 ~~University, the Board of Governors of State Colleges and~~  
20 ~~Universities, and the Board of Regents; and~~

21 (3) the total number of contractual payroll system CO-2  
22 vouchers (or their administrative equivalent) funded by  
23 State revenues and issued by:

24 (i) the State Comptroller; and

25 (ii) the issuing agents of the educational  
26 institutions listed in subdivision (2) of this

1 subsection (g).

2 "State work force" does not, however, include persons holding  
3 elective State office.

4 (Source: P.A. 97-396, eff. 1-1-12.)

5 Section 10-10. The Election Code is amended by changing  
6 Sections 4-8, 4-25, 5-7, 5-35, 6-35, and 6-71 as follows:

7 (10 ILCS 5/4-8) (from Ch. 46, par. 4-8)

8 Sec. 4-8. The county clerk shall provide a sufficient  
9 number of blank forms for the registration of electors, which  
10 shall be known as registration record cards and which shall  
11 consist of loose leaf sheets or cards, of suitable size to  
12 contain in plain writing and figures the data hereinafter  
13 required thereon or shall consist of computer cards of suitable  
14 nature to contain the data required thereon. The registration  
15 record cards, which shall include an affidavit of registration  
16 as hereinafter provided, shall be executed in duplicate.

17 The registration record card shall contain the following  
18 and such other information as the county clerk may think it  
19 proper to require for the identification of the applicant for  
20 registration:

21 Name. The name of the applicant, giving surname and first  
22 or Christian name in full, and the middle name or the initial  
23 for such middle name, if any.

24 Sex.

1 Residence. The name and number of the street, avenue, or  
2 other location of the dwelling, including the apartment, unit  
3 or room number, if any, and in the case of a mobile home the lot  
4 number, and such additional clear and definite description as  
5 may be necessary to determine the exact location of the  
6 dwelling of the applicant. Where the location cannot be  
7 determined by street and number, then the section,  
8 congressional township and range number may be used, or such  
9 other description as may be necessary, including post-office  
10 mailing address. In the case of a homeless individual, the  
11 individual's voting residence that is his or her mailing  
12 address shall be included on his or her registration record  
13 card.

14 Term of residence in the State of Illinois and precinct.  
15 This information shall be furnished by the applicant stating  
16 the place or places where he resided and the dates during which  
17 he resided in such place or places during the year next  
18 preceding the date of the next ensuing election.

19 Nativity. The state or country in which the applicant was  
20 born.

21 Citizenship. Whether the applicant is native born or  
22 naturalized. If naturalized, the court, place, and date of  
23 naturalization.

24 Date of application for registration, i.e., the day, month  
25 and year when applicant presented himself for registration.

26 Age. Date of birth, by month, day and year.

1           Physical disability of the applicant, if any, at the time  
2 of registration, which would require assistance in voting.

3           The county and state in which the applicant was last  
4 registered.

5           Electronic mail address, if any.

6           Signature of voter. The applicant, after the registration  
7 and in the presence of a deputy registrar or other officer of  
8 registration shall be required to sign his or her name in ink  
9 or digitized form to the affidavit on both the original and  
10 duplicate registration record cards.

11           Signature of deputy registrar or officer of registration.

12           In case applicant is unable to sign his name, he may affix  
13 his mark to the affidavit. In such case the officer empowered  
14 to give the registration oath shall write a detailed  
15 description of the applicant in the space provided on the back  
16 or at the bottom of the card or sheet; and shall ask the  
17 following questions and record the answers thereto:

18           Father's first name.

19           Mother's first name.

20           From what address did the applicant last register?

21           Reason for inability to sign name.

22           Each applicant for registration shall make an affidavit in  
23 substantially the following form:

24                                   AFFIDAVIT OF REGISTRATION

25           STATE OF ILLINOIS

26           COUNTY OF .....



1 I hereby swear (or affirm) that I am a citizen of the  
 2 United States; that on the date of the next election I shall  
 3 have resided in the State of Illinois and in the election  
 4 precinct in which I reside 30 days and that I intend that this  
 5 location shall be my residence; that I am fully qualified to  
 6 vote, and that the above statements are true.

7 .....

8 (His or her signature or mark)

9 Subscribed and sworn to before me on (insert date).

10 .....

11 Signature of registration officer.

12 (To be signed in presence of registrant.)

13 Space shall be provided upon the face of each registration  
 14 record card for the notation of the voting record of the person  
 15 registered thereon.

16 Each registration record card shall be numbered according  
 17 to precincts, and may be serially or otherwise marked for  
 18 identification in such manner as the county clerk may  
 19 determine.

20 The registration cards shall be deemed public records and  
 21 shall be open to inspection during regular business hours,  
 22 except during the 27 days immediately preceding any election.  
 23 On written request of any candidate or objector or any person  
 24 intending to object to a petition, the election authority shall  
 25 extend its hours for inspection of registration cards and other

1 records of the election authority during the period beginning  
2 with the filing of petitions under Sections 7-10, 8-8, 10-6 or  
3 28-3 and continuing through the termination of electoral board  
4 hearings on any objections to petitions containing signatures  
5 of registered voters in the jurisdiction of the election  
6 authority. The extension shall be for a period of hours  
7 sufficient to allow adequate opportunity for examination of the  
8 records but the election authority is not required to extend  
9 its hours beyond the period beginning at its normal opening for  
10 business and ending at midnight. If the business hours are so  
11 extended, the election authority shall post a public notice of  
12 such extended hours. Registration record cards may also be  
13 inspected, upon approval of the officer in charge of the cards,  
14 during the 27 days immediately preceding any election.  
15 Registration record cards shall also be open to inspection by  
16 certified judges and poll watchers and challengers at the  
17 polling place on election day, but only to the extent necessary  
18 to determine the question of the right of a person to vote or  
19 to serve as a judge of election. At no time shall poll watchers  
20 or challengers be allowed to physically handle the registration  
21 record cards.

22 Updated copies of computer tapes or computer discs or other  
23 electronic data processing information containing voter  
24 registration information shall be furnished by the county clerk  
25 within 10 days after December 15 and May 15 each year and  
26 within 10 days after each registration period is closed to the

1 State Board of Elections in a form prescribed by the Board. For  
2 the purposes of this Section, a registration period is closed  
3 27 days before the date of any regular or special election.  
4 Registration information shall include, but not be limited to,  
5 the following information: name, sex, residence, telephone  
6 number, if any, age, party affiliation, if applicable,  
7 precinct, ward, township, county, and representative,  
8 legislative and congressional districts. In the event of  
9 noncompliance, the State Board of Elections is directed to  
10 obtain compliance forthwith with this nondiscretionary duty of  
11 the election authority by instituting legal proceedings in the  
12 circuit court of the county in which the election authority  
13 maintains the registration information. ~~The costs of~~  
14 ~~furnishing updated copies of tapes or discs shall be paid at a~~  
15 ~~rate of \$.00034 per name of registered voters in the election~~  
16 ~~jurisdiction, but not less than \$50 per tape or disc and shall~~  
17 ~~be paid from appropriations made to the State Board of~~  
18 ~~Elections for reimbursement to the election authority for such~~  
19 ~~purpose.~~ The State Board shall furnish copies of such tapes,  
20 discs, other electronic data or compilations thereof to state  
21 political committees registered pursuant to the Illinois  
22 Campaign Finance Act or the Federal Election Campaign Act and  
23 to governmental entities, at their request and at a reasonable  
24 cost. To protect the privacy and confidentiality of voter  
25 registration information, the disclosure of electronic voter  
26 registration records to any person or entity other than to a

1 State or local political committee and other than to a  
2 governmental entity for a governmental purpose is specifically  
3 prohibited except as follows: subject to security measures  
4 adopted by the State Board of Elections which, at a minimum,  
5 shall include the keeping of a catalog or database, available  
6 for public view, including the name, address, and telephone  
7 number of the person viewing the list as well as the time of  
8 that viewing, any person may view the centralized statewide  
9 voter registration list on a computer screen at the Springfield  
10 office of the State Board of Elections, during normal business  
11 hours other than during the 27 days before an election, but the  
12 person viewing the list under this exception may not print,  
13 duplicate, transmit, or alter the list. Copies of the tapes,  
14 discs, or other electronic data shall be furnished by the  
15 county clerk to local political committees and governmental  
16 entities at their request and at a reasonable cost. Reasonable  
17 cost of the tapes, discs, et cetera for this purpose would be  
18 the cost of duplication plus 15% for administration. The  
19 individual representing a political committee requesting  
20 copies of such tapes shall make a sworn affidavit that the  
21 information shall be used only for bona fide political  
22 purposes, including by or for candidates for office or  
23 incumbent office holders. Such tapes, discs or other electronic  
24 data shall not be used under any circumstances by any political  
25 committee or individuals for purposes of commercial  
26 solicitation or other business purposes. If such tapes contain

1 information on county residents related to the operations of  
2 county government in addition to registration information,  
3 that information shall not be used under any circumstances for  
4 commercial solicitation or other business purposes. The  
5 prohibition in this Section against using the computer tapes or  
6 computer discs or other electronic data processing information  
7 containing voter registration information for purposes of  
8 commercial solicitation or other business purposes shall be  
9 prospective only from the effective date of this amended Act of  
10 1979. Any person who violates this provision shall be guilty of  
11 a Class 4 felony.

12 The State Board of Elections shall promulgate, by October  
13 1, 1987, such regulations as may be necessary to ensure  
14 uniformity throughout the State in electronic data processing  
15 of voter registration information. The regulations shall  
16 include, but need not be limited to, specifications for uniform  
17 medium, communications protocol and file structure to be  
18 employed by the election authorities of this State in the  
19 electronic data processing of voter registration information.  
20 Each election authority utilizing electronic data processing  
21 of voter registration information shall comply with such  
22 regulations on and after May 15, 1988.

23 If the applicant for registration was last registered in  
24 another county within this State, he shall also sign a  
25 certificate authorizing cancellation of the former  
26 registration. The certificate shall be in substantially the

1 following form:

2 To the County Clerk of.... County, Illinois. (or)

3 To the Election Commission of the City of ....., Illinois.

4 This is to certify that I am registered in your (county)  
5 (city) and that my residence was .....

6 Having moved out of your (county) (city), I hereby authorize  
7 you to cancel said registration in your office.

8 Dated at ....., Illinois, on (insert date).

9 .....

10 (Signature of Voter)

11 Attest: ....., County Clerk, .....

12 County, Illinois.

13 The cancellation certificate shall be mailed immediately  
14 by the County Clerk to the County Clerk (or election commission  
15 as the case may be) where the applicant was formerly  
16 registered. Receipt of such certificate shall be full authority  
17 for cancellation of any previous registration.

18 (Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

19 (10 ILCS 5/4-25) (from Ch. 46, par. 4-25)

20 Sec. 4-25. The compensation of the deputy registrars and  
21 judges of registration appointed by the county board to conduct  
22 the registrations under Section 4-6.3 and Section 4-7, shall be  
23 fixed by the county board, but in no case shall such  
24 compensation be less than \$15 nor more than \$25 per day for  
25 each day actually employed at the registration, canvass and

1 revision and such deputy registrars and judges of registration  
2 shall also be compensated at the rate of five cents per mile  
3 for each mile actually traveled in calling at the county  
4 clerk's office for registration cards and returning them to  
5 said officer.

6 ~~The State Board of Elections shall reimburse each county~~  
7 ~~for the amount of the increase in compensation under this~~  
8 ~~Section provided by this amendatory Act from funds appropriated~~  
9 ~~for that purpose.~~

10 (Source: P.A. 84-1308.)

11 (10 ILCS 5/5-7) (from Ch. 46, par. 5-7)

12 Sec. 5-7. The county clerk shall provide a sufficient  
13 number of blank forms for the registration of electors which  
14 shall be known as registration record cards and which shall  
15 consist of loose leaf sheets or cards, of suitable size to  
16 contain in plain writing and figures the data hereinafter  
17 required thereon or shall consist of computer cards of suitable  
18 nature to contain the data required thereon. The registration  
19 record cards, which shall include an affidavit of registration  
20 as hereinafter provided, shall be executed in duplicate.

21 The registration record card shall contain the following  
22 and such other information as the county clerk may think it  
23 proper to require for the identification of the applicant for  
24 registration:

25 Name. The name of the applicant, giving surname and first

1 or Christian name in full, and the middle name or the initial  
2 for such middle name, if any.

3 Sex.

4 Residence. The name and number of the street, avenue, or  
5 other location of the dwelling, including the apartment, unit  
6 or room number, if any, and in the case of a mobile home the lot  
7 number, and such additional clear and definite description as  
8 may be necessary to determine the exact location of the  
9 dwelling of the applicant, including post-office mailing  
10 address. In the case of a homeless individual, the individual's  
11 voting residence that is his or her mailing address shall be  
12 included on his or her registration record card.

13 Term of residence in the State of Illinois and the  
14 precinct. Which questions may be answered by the applicant  
15 stating, in excess of 30 days in the State and in excess of 30  
16 days in the precinct.

17 Nativity. The State or country in which the applicant was  
18 born.

19 Citizenship. Whether the applicant is native born or  
20 naturalized. If naturalized, the court, place and date of  
21 naturalization.

22 Date of application for registration, i.e., the day, month  
23 and year when applicant presented himself for registration.

24 Age. Date of birth, by month, day and year.

25 Physical disability of the applicant, if any, at the time  
26 of registration, which would require assistance in voting.



1 The county and state in which the applicant was last  
2 registered.

3 Electronic mail address, if any.

4 Signature of voter. The applicant, after the registration  
5 and in the presence of a deputy registrar or other officer of  
6 registration shall be required to sign his or her name in ink  
7 or digitized form to the affidavit on the original and  
8 duplicate registration record card.

9 Signature of Deputy Registrar.

10 In case applicant is unable to sign his name, he may affix  
11 his mark to the affidavit. In such case the officer empowered  
12 to give the registration oath shall write a detailed  
13 description of the applicant in the space provided at the  
14 bottom of the card or sheet; and shall ask the following  
15 questions and record the answers thereto:

16 Father's first name .....

17 Mother's first name .....

18 From what address did you last register?

19 Reason for inability to sign name.

20 Each applicant for registration shall make an affidavit in  
21 substantially the following form:

22 AFFIDAVIT OF REGISTRATION

23 State of Illinois)

24 )ss

25 County of )

26 I hereby swear (or affirm) that I am a citizen of the

1 United States; that on the date of the next election I shall  
 2 have resided in the State of Illinois and in the election  
 3 precinct in which I reside 30 days; that I am fully qualified  
 4 to vote. That I intend that this location shall be my residence  
 5 and that the above statements are true.

6 .....  
 7 (His or her signature or mark)

8 Subscribed and sworn to before me on (insert date).

9 .....

10 Signature of Registration Officer.

11 (To be signed in presence of Registrant.)

12 Space shall be provided upon the face of each registration  
 13 record card for the notation of the voting record of the person  
 14 registered thereon.

15 Each registration record card shall be numbered according  
 16 to towns and precincts, wards, cities and villages, as the case  
 17 may be, and may be serially or otherwise marked for  
 18 identification in such manner as the county clerk may  
 19 determine.

20 The registration cards shall be deemed public records and  
 21 shall be open to inspection during regular business hours,  
 22 except during the 27 days immediately preceding any election.  
 23 On written request of any candidate or objector or any person  
 24 intending to object to a petition, the election authority shall  
 25 extend its hours for inspection of registration cards and other

1 records of the election authority during the period beginning  
2 with the filing of petitions under Sections 7-10, 8-8, 10-6 or  
3 28-3 and continuing through the termination of electoral board  
4 hearings on any objections to petitions containing signatures  
5 of registered voters in the jurisdiction of the election  
6 authority. The extension shall be for a period of hours  
7 sufficient to allow adequate opportunity for examination of the  
8 records but the election authority is not required to extend  
9 its hours beyond the period beginning at its normal opening for  
10 business and ending at midnight. If the business hours are so  
11 extended, the election authority shall post a public notice of  
12 such extended hours. Registration record cards may also be  
13 inspected, upon approval of the officer in charge of the cards,  
14 during the 27 days immediately preceding any election.  
15 Registration record cards shall also be open to inspection by  
16 certified judges and poll watchers and challengers at the  
17 polling place on election day, but only to the extent necessary  
18 to determine the question of the right of a person to vote or  
19 to serve as a judge of election. At no time shall poll watchers  
20 or challengers be allowed to physically handle the registration  
21 record cards.

22 Updated copies of computer tapes or computer discs or other  
23 electronic data processing information containing voter  
24 registration information shall be furnished by the county clerk  
25 within 10 days after December 15 and May 15 each year and  
26 within 10 days after each registration period is closed to the

1 State Board of Elections in a form prescribed by the Board. For  
2 the purposes of this Section, a registration period is closed  
3 27 days before the date of any regular or special election.  
4 Registration information shall include, but not be limited to,  
5 the following information: name, sex, residence, telephone  
6 number, if any, age, party affiliation, if applicable,  
7 precinct, ward, township, county, and representative,  
8 legislative and congressional districts. In the event of  
9 noncompliance, the State Board of Elections is directed to  
10 obtain compliance forthwith with this nondiscretionary duty of  
11 the election authority by instituting legal proceedings in the  
12 circuit court of the county in which the election authority  
13 maintains the registration information. ~~The costs of~~  
14 ~~furnishing updated copies of tapes or discs shall be paid at a~~  
15 ~~rate of \$.00034 per name of registered voters in the election~~  
16 ~~jurisdiction, but not less than \$50 per tape or disc and shall~~  
17 ~~be paid from appropriations made to the State Board of~~  
18 ~~Elections for reimbursement to the election authority for such~~  
19 ~~purpose.~~ The State Board shall furnish copies of such tapes,  
20 discs, other electronic data or compilations thereof to state  
21 political committees registered pursuant to the Illinois  
22 Campaign Finance Act or the Federal Election Campaign Act and  
23 to governmental entities, at their request and at a reasonable  
24 cost. To protect the privacy and confidentiality of voter  
25 registration information, the disclosure of electronic voter  
26 registration records to any person or entity other than to a

1 State or local political committee and other than to a  
2 governmental entity for a governmental purpose is specifically  
3 prohibited except as follows: subject to security measures  
4 adopted by the State Board of Elections which, at a minimum,  
5 shall include the keeping of a catalog or database, available  
6 for public view, including the name, address, and telephone  
7 number of the person viewing the list as well as the time of  
8 that viewing, any person may view the centralized statewide  
9 voter registration list on a computer screen at the Springfield  
10 office of the State Board of Elections, during normal business  
11 hours other than during the 27 days before an election, but the  
12 person viewing the list under this exception may not print,  
13 duplicate, transmit, or alter the list. Copies of the tapes,  
14 discs or other electronic data shall be furnished by the county  
15 clerk to local political committees and governmental entities  
16 at their request and at a reasonable cost. Reasonable cost of  
17 the tapes, discs, et cetera for this purpose would be the cost  
18 of duplication plus 15% for administration. The individual  
19 representing a political committee requesting copies of such  
20 tapes shall make a sworn affidavit that the information shall  
21 be used only for bona fide political purposes, including by or  
22 for candidates for office or incumbent office holders. Such  
23 tapes, discs or other electronic data shall not be used under  
24 any circumstances by any political committee or individuals for  
25 purposes of commercial solicitation or other business  
26 purposes. If such tapes contain information on county residents

1 related to the operations of county government in addition to  
2 registration information, that information shall not be used  
3 under any circumstances for commercial solicitation or other  
4 business purposes. The prohibition in this Section against  
5 using the computer tapes or computer discs or other electronic  
6 data processing information containing voter registration  
7 information for purposes of commercial solicitation or other  
8 business purposes shall be prospective only from the effective  
9 date of this amended Act of 1979. Any person who violates this  
10 provision shall be guilty of a Class 4 felony.

11 The State Board of Elections shall promulgate, by October  
12 1, 1987, such regulations as may be necessary to ensure  
13 uniformity throughout the State in electronic data processing  
14 of voter registration information. The regulations shall  
15 include, but need not be limited to, specifications for uniform  
16 medium, communications protocol and file structure to be  
17 employed by the election authorities of this State in the  
18 electronic data processing of voter registration information.  
19 Each election authority utilizing electronic data processing  
20 of voter registration information shall comply with such  
21 regulations on and after May 15, 1988.

22 If the applicant for registration was last registered in  
23 another county within this State, he shall also sign a  
24 certificate authorizing cancellation of the former  
25 registration. The certificate shall be in substantially the  
26 following form:

1 To the County Clerk of .... County, Illinois. To the Election  
2 Commission of the City of ....., Illinois.

3 This is to certify that I am registered in your (county)  
4 (city) and that my residence was .....

5 Having moved out of your (county) (city), I hereby  
6 authorize you to cancel said registration in your office.

7 Dated at .... Illinois, on (insert date).

8 .....  
9 (Signature of Voter)

10 Attest ....., County Clerk, ..... County, Illinois.

11 The cancellation certificate shall be mailed immediately  
12 by the county clerk to the county clerk (or election commission  
13 as the case may be) where the applicant was formerly  
14 registered. Receipt of such certificate shall be full authority  
15 for cancellation of any previous registration.

16 (Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

17 (10 ILCS 5/5-35) (from Ch. 46, par. 5-35)

18 Sec. 5-35. The officers of registration selected to conduct  
19 registrations under Section 5-17 shall be paid at the rate set  
20 out below:

21 Registration officers selected to conduct registration and  
22 canvass under Section 5-17 shall be paid at a rate of not less  
23 than \$20 per day nor more than \$30 per day, for each day  
24 designated by the County Board for any registration and canvass  
25 provided by Section 5-17, but in no case shall any such officer

1 selected to conduct canvass be credited for less than two days'  
2 service for each canvass.

3 Officers of registration selected to conduct any  
4 registration under Section 5-17 shall be compensated at the  
5 rate of 5 cents per mile for each mile actually traveled in  
6 calling at the county clerk's office for registration cards and  
7 returning them to said officer.

8 ~~The State Board of Elections shall reimburse each county~~  
9 ~~for the amount of the increase in compensation under this~~  
10 ~~Section provided by this amendatory Act from funds appropriated~~  
11 ~~for that purpose.~~

12 (Source: P.A. 84-1308.)

13 (10 ILCS 5/6-35) (from Ch. 46, par. 6-35)

14 Sec. 6-35. The Boards of Election Commissioners shall  
15 provide a sufficient number of blank forms for the registration  
16 of electors which shall be known as registration record cards  
17 and which shall consist of loose leaf sheets or cards, of  
18 suitable size to contain in plain writing and figures the data  
19 hereinafter required thereon or shall consist of computer cards  
20 of suitable nature to contain the data required thereon. The  
21 registration record cards, which shall include an affidavit of  
22 registration as hereinafter provided, shall be executed in  
23 duplicate. The duplicate of which may be a carbon copy of the  
24 original or a copy of the original made by the use of other  
25 method or material used for making simultaneous true copies or



1 duplications.

2 The registration record card shall contain the following  
3 and such other information as the Board of Election  
4 Commissioners may think it proper to require for the  
5 identification of the applicant for registration:

6 Name. The name of the applicant, giving surname and first  
7 or Christian name in full, and the middle name or the initial  
8 for such middle name, if any.

9 Sex.

10 Residence. The name and number of the street, avenue, or  
11 other location of the dwelling, including the apartment, unit  
12 or room number, if any, and in the case of a mobile home the lot  
13 number, and such additional clear and definite description as  
14 may be necessary to determine the exact location of the  
15 dwelling of the applicant, including post-office mailing  
16 address. In the case of a homeless individual, the individual's  
17 voting residence that is his or her mailing address shall be  
18 included on his or her registration record card.

19 Term of residence in the State of Illinois and the  
20 precinct.

21 Nativity. The state or country in which the applicant was  
22 born.

23 Citizenship. Whether the applicant is native born or  
24 naturalized. If naturalized, the court, place, and date of  
25 naturalization.

26 Date of application for registration, i.e., the day, month

1 and year when the applicant presented himself for registration.

2 Age. Date of birth, by month, day and year.

3 Physical disability of the applicant, if any, at the time  
4 of registration, which would require assistance in voting.

5 The county and state in which the applicant was last  
6 registered.

7 Electronic mail address, if any.

8 Signature of voter. The applicant, after registration and  
9 in the presence of a deputy registrar or other officer of  
10 registration shall be required to sign his or her name in ink  
11 or digitized form to the affidavit on both the original and the  
12 duplicate registration record card.

13 Signature of deputy registrar.

14 In case applicant is unable to sign his name, he may affix  
15 his mark to the affidavit. In such case the registration  
16 officer shall write a detailed description of the applicant in  
17 the space provided at the bottom of the card or sheet; and  
18 shall ask the following questions and record the answers  
19 thereto:

20 Father's first name .....

21 Mother's first name .....

22 From what address did you last register? ....

23 Reason for inability to sign name .....

24 Each applicant for registration shall make an affidavit in  
25 substantially the following form:

26 AFFIDAVIT OF REGISTRATION

1 State of Illinois )  
 2 )ss  
 3 County of ..... )

4 I hereby swear (or affirm) that I am a citizen of the  
 5 United States, that on the day of the next election I shall  
 6 have resided in the State of Illinois and in the election  
 7 precinct 30 days and that I intend that this location is my  
 8 residence; that I am fully qualified to vote, and that the  
 9 above statements are true.

10 .....

11 (His or her signature or mark)

12 Subscribed and sworn to before me on (insert date).

13 .....

14 Signature of registration officer

15 (to be signed in presence of registrant).

16 Space shall be provided upon the face of each registration  
 17 record card for the notation of the voting record of the person  
 18 registered thereon.

19 Each registration record card shall be numbered according  
 20 to wards or precincts, as the case may be, and may be serially  
 21 or otherwise marked for identification in such manner as the  
 22 Board of Election Commissioners may determine.

23 The registration cards shall be deemed public records and  
 24 shall be open to inspection during regular business hours,  
 25 except during the 27 days immediately preceding any election.  
 26 On written request of any candidate or objector or any person

1 intending to object to a petition, the election authority shall  
2 extend its hours for inspection of registration cards and other  
3 records of the election authority during the period beginning  
4 with the filing of petitions under Sections 7-10, 8-8, 10-6 or  
5 28-3 and continuing through the termination of electoral board  
6 hearings on any objections to petitions containing signatures  
7 of registered voters in the jurisdiction of the election  
8 authority. The extension shall be for a period of hours  
9 sufficient to allow adequate opportunity for examination of the  
10 records but the election authority is not required to extend  
11 its hours beyond the period beginning at its normal opening for  
12 business and ending at midnight. If the business hours are so  
13 extended, the election authority shall post a public notice of  
14 such extended hours. Registration record cards may also be  
15 inspected, upon approval of the officer in charge of the cards,  
16 during the 27 days immediately preceding any election.  
17 Registration record cards shall also be open to inspection by  
18 certified judges and poll watchers and challengers at the  
19 polling place on election day, but only to the extent necessary  
20 to determine the question of the right of a person to vote or  
21 to serve as a judge of election. At no time shall poll watchers  
22 or challengers be allowed to physically handle the registration  
23 record cards.

24 Updated copies of computer tapes or computer discs or other  
25 electronic data processing information containing voter  
26 registration information shall be furnished by the Board of

1 Election Commissioners within 10 days after December 15 and May  
2 15 each year and within 10 days after each registration period  
3 is closed to the State Board of Elections in a form prescribed  
4 by the State Board. For the purposes of this Section, a  
5 registration period is closed 27 days before the date of any  
6 regular or special election. Registration information shall  
7 include, but not be limited to, the following information:  
8 name, sex, residence, telephone number, if any, age, party  
9 affiliation, if applicable, precinct, ward, township, county,  
10 and representative, legislative and congressional districts.  
11 In the event of noncompliance, the State Board of Elections is  
12 directed to obtain compliance forthwith with this  
13 nondiscretionary duty of the election authority by instituting  
14 legal proceedings in the circuit court of the county in which  
15 the election authority maintains the registration information.  
16 ~~The costs of furnishing updated copies of tapes or discs shall~~  
17 ~~be paid at a rate of \$.00034 per name of registered voters in~~  
18 ~~the election jurisdiction, but not less than \$50 per tape or~~  
19 ~~disc and shall be paid from appropriations made to the State~~  
20 ~~Board of Elections for reimbursement to the election authority~~  
21 ~~for such purpose.~~ The State Board shall furnish copies of such  
22 tapes, discs, other electronic data or compilations thereof to  
23 state political committees registered pursuant to the Illinois  
24 Campaign Finance Act or the Federal Election Campaign Act and  
25 to governmental entities, at their request and at a reasonable  
26 cost. To protect the privacy and confidentiality of voter

1 registration information, the disclosure of electronic voter  
2 registration records to any person or entity other than to a  
3 State or local political committee and other than to a  
4 governmental entity for a governmental purpose is specifically  
5 prohibited except as follows: subject to security measures  
6 adopted by the State Board of Elections which, at a minimum,  
7 shall include the keeping of a catalog or database, available  
8 for public view, including the name, address, and telephone  
9 number of the person viewing the list as well as the time of  
10 that viewing, any person may view the centralized statewide  
11 voter registration list on a computer screen at the Springfield  
12 office of the State Board of Elections, during normal business  
13 hours other than during the 27 days before an election, but the  
14 person viewing the list under this exception may not print,  
15 duplicate, transmit, or alter the list. Copies of the tapes,  
16 discs or other electronic data shall be furnished by the Board  
17 of Election Commissioners to local political committees and  
18 governmental entities at their request and at a reasonable  
19 cost. Reasonable cost of the tapes, discs, et cetera for this  
20 purpose would be the cost of duplication plus 15% for  
21 administration. The individual representing a political  
22 committee requesting copies of such tapes shall make a sworn  
23 affidavit that the information shall be used only for bona fide  
24 political purposes, including by or for candidates for office  
25 or incumbent office holders. Such tapes, discs or other  
26 electronic data shall not be used under any circumstances by

1 any political committee or individuals for purposes of  
2 commercial solicitation or other business purposes. If such  
3 tapes contain information on county residents related to the  
4 operations of county government in addition to registration  
5 information, that information shall not be used under any  
6 circumstances for commercial solicitation or other business  
7 purposes. The prohibition in this Section against using the  
8 computer tapes or computer discs or other electronic data  
9 processing information containing voter registration  
10 information for purposes of commercial solicitation or other  
11 business purposes shall be prospective only from the effective  
12 date of this amended Act of 1979. Any person who violates this  
13 provision shall be guilty of a Class 4 felony.

14 The State Board of Elections shall promulgate, by October  
15 1, 1987, such regulations as may be necessary to ensure  
16 uniformity throughout the State in electronic data processing  
17 of voter registration information. The regulations shall  
18 include, but need not be limited to, specifications for uniform  
19 medium, communications protocol and file structure to be  
20 employed by the election authorities of this State in the  
21 electronic data processing of voter registration information.  
22 Each election authority utilizing electronic data processing  
23 of voter registration information shall comply with such  
24 regulations on and after May 15, 1988.

25 If the applicant for registration was last registered in  
26 another county within this State, he shall also sign a

1 certificate authorizing cancellation of the former  
2 registration. The certificate shall be in substantially the  
3 following form:

4 To the County Clerk of .... County, Illinois.

5 To the Election Commission of the City of ....., Illinois.

6 This is to certify that I am registered in your (county)  
7 (city) and that my residence was ....., Having moved out of your  
8 (county), (city), I hereby authorize you to cancel that  
9 registration in your office.

10 Dated at ....., Illinois, on (insert date).

11 .....  
12 (Signature of Voter)

13 Attest ....., Clerk, Election Commission of the City of.....,  
14 Illinois.

15 The cancellation certificate shall be mailed immediately  
16 by the clerk of the Election Commission to the county clerk,  
17 (or Election Commission as the case may be) where the applicant  
18 was formerly registered. Receipt of such certificate shall be  
19 full authority for cancellation of any previous registration.  
20 (Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

21 (10 ILCS 5/6-71) (from Ch. 46, par. 6-71)

22 Sec. 6-71. In the cities, villages and incorporated towns  
23 in counties having a population of 500,000 or more, which are  
24 operating under this Article, the compensation of deputy  
25 registrars and judges of registration provided for the first



1 registration under this Article and officers of registration  
2 appointed in conformity with Section 6-69 of this Article for  
3 subsequent registration shall be not less than \$20 nor more  
4 than \$30 per day. In cities, villages and incorporated towns in  
5 counties having a population of less than 500,000, and  
6 operating under this Article, the compensation of the deputy  
7 registrars and judges of registration provided for the first  
8 registration under this Article, and officers of registration  
9 appointed in conformity with Section 6-69 of this Article for  
10 subsequent registrations shall be \$17.50 per day. The  
11 compensation of such deputy registrars, judges of registration  
12 and officers of registration, shall be apportioned and paid in  
13 the manner provided by Article 14 of this Act for judges of  
14 election.

15 Each judge of registration who has performed all the duties  
16 and services required for the first registration under this  
17 Article shall be credited with 2 days' service for the 2 days  
18 of general registration provided for by this Article. Each  
19 deputy registrar who has performed all the duties and services  
20 required for the first registration under this Article shall be  
21 credited with 4 days' service for the 2 days of general  
22 registration and the 2 days of canvass as provided for by this  
23 Article.

24 Officers of registration authorized by Section 6-69 of this  
25 Article for registration subsequent to the first registration  
26 under this Article shall be credited with one day's service for

1 each registration, and, with the approval of the circuit court,  
2 may be credited with an additional day for such other services  
3 as the Board of Election Commissioners may require of them, an  
4 order of the circuit court in such cases to recite such  
5 additional services and to designate the officers of  
6 registration from whom such additional services are to be  
7 received, provided that in cities, villages and incorporated  
8 towns in counties having a population of 500,000 or more, which  
9 are operating under this Article, any such officer selected to  
10 conduct canvass shall be credited with not less than 2 days'  
11 service for each canvass.

12 ~~The State Board of Elections shall reimburse each board of~~  
13 ~~election commissioners for the amount of the increase in~~  
14 ~~compensation under this Section provided by this amendatory Act~~  
15 ~~from funds appropriated for that purpose.~~

16 (Source: P.A. 81-850; 81-1149.)

17 (15 ILCS 550/Act rep.)

18 Section 10-15. The Public Education Affinity Credit Card  
19 Act is repealed.

20 Section 10-20. The Illinois Act on the Aging is amended by  
21 changing Sections 4.02 and 4.14 as follows:

22 (20 ILCS 105/4.02) (from Ch. 23, par. 6104.02)

23 Sec. 4.02. Community Care Program. The Department shall

1 establish a program of services to prevent unnecessary  
2 institutionalization of persons age 60 and older in need of  
3 long term care or who are established as persons who suffer  
4 from Alzheimer's disease or a related disorder under the  
5 Alzheimer's Disease Assistance Act, thereby enabling them to  
6 remain in their own homes or in other living arrangements. Such  
7 preventive services, which may be coordinated with other  
8 programs for the aged and monitored by area agencies on aging  
9 in cooperation with the Department, may include, but are not  
10 limited to, any or all of the following:

11 (a) (blank);

12 (b) (blank);

13 (c) home care aide services;

14 (d) personal assistant services;

15 (e) adult day services;

16 (f) home-delivered meals;

17 (g) education in self-care;

18 (h) personal care services;

19 (i) adult day health services;

20 (j) habilitation services;

21 (k) respite care;

22 (k-5) community reintegration services;

23 (k-6) flexible senior services;

24 (k-7) medication management;

25 (k-8) emergency home response;

26 (l) other nonmedical social services that may enable

1 the person to become self-supporting; or

2 (m) clearinghouse for information provided by senior  
3 citizen home owners who want to rent rooms to or share  
4 living space with other senior citizens.

5 The Department shall establish eligibility standards for  
6 such services. In determining the amount and nature of services  
7 for which a person may qualify, consideration shall not be  
8 given to the value of cash, property or other assets held in  
9 the name of the person's spouse pursuant to a written agreement  
10 dividing marital property into equal but separate shares or  
11 pursuant to a transfer of the person's interest in a home to  
12 his spouse, provided that the spouse's share of the marital  
13 property is not made available to the person seeking such  
14 services.

15 Beginning January 1, 2008, the Department shall require as  
16 a condition of eligibility that all new financially eligible  
17 applicants apply for and enroll in medical assistance under  
18 Article V of the Illinois Public Aid Code in accordance with  
19 rules promulgated by the Department.

20 The Department shall, in conjunction with the Department of  
21 Public Aid (now Department of Healthcare and Family Services),  
22 seek appropriate amendments under Sections 1915 and 1924 of the  
23 Social Security Act. The purpose of the amendments shall be to  
24 extend eligibility for home and community based services under  
25 Sections 1915 and 1924 of the Social Security Act to persons  
26 who transfer to or for the benefit of a spouse those amounts of

1 income and resources allowed under Section 1924 of the Social  
2 Security Act. Subject to the approval of such amendments, the  
3 Department shall extend the provisions of Section 5-4 of the  
4 Illinois Public Aid Code to persons who, but for the provision  
5 of home or community-based services, would require the level of  
6 care provided in an institution, as is provided for in federal  
7 law. Those persons no longer found to be eligible for receiving  
8 noninstitutional services due to changes in the eligibility  
9 criteria shall be given 45 days notice prior to actual  
10 termination. Those persons receiving notice of termination may  
11 contact the Department and request the determination be  
12 appealed at any time during the 45 day notice period. The  
13 target population identified for the purposes of this Section  
14 are persons age 60 and older with an identified service need.  
15 Priority shall be given to those who are at imminent risk of  
16 institutionalization. The services shall be provided to  
17 eligible persons age 60 and older to the extent that the cost  
18 of the services together with the other personal maintenance  
19 expenses of the persons are reasonably related to the standards  
20 established for care in a group facility appropriate to the  
21 person's condition. These non-institutional services, pilot  
22 projects or experimental facilities may be provided as part of  
23 or in addition to those authorized by federal law or those  
24 funded and administered by the Department of Human Services.  
25 The Departments of Human Services, Healthcare and Family  
26 Services, Public Health, Veterans' Affairs, and Commerce and

1 Economic Opportunity and other appropriate agencies of State,  
2 federal and local governments shall cooperate with the  
3 Department on Aging in the establishment and development of the  
4 non-institutional services. The Department shall require an  
5 annual audit from all personal assistant and home care aide  
6 vendors contracting with the Department under this Section. The  
7 annual audit shall assure that each audited vendor's procedures  
8 are in compliance with Department's financial reporting  
9 guidelines requiring an administrative and employee wage and  
10 benefits cost split as defined in administrative rules. The  
11 audit is a public record under the Freedom of Information Act.  
12 The Department shall execute, relative to the nursing home  
13 prescreening project, written inter-agency agreements with the  
14 Department of Human Services and the Department of Healthcare  
15 and Family Services, to effect the following: (1) intake  
16 procedures and common eligibility criteria for those persons  
17 who are receiving non-institutional services; and (2) the  
18 establishment and development of non-institutional services in  
19 areas of the State where they are not currently available or  
20 are undeveloped. On and after July 1, 1996, all nursing home  
21 prescreenings for individuals 60 years of age or older shall be  
22 conducted by the Department.

23 As part of the Department on Aging's routine training of  
24 case managers and case manager supervisors, the Department may  
25 include information on family futures planning for persons who  
26 are age 60 or older and who are caregivers of their adult

1 children with developmental disabilities. The content of the  
2 training shall be at the Department's discretion.

3 The Department is authorized to establish a system of  
4 recipient copayment for services provided under this Section,  
5 such copayment to be based upon the recipient's ability to pay  
6 but in no case to exceed the actual cost of the services  
7 provided. Additionally, any portion of a person's income which  
8 is equal to or less than the federal poverty standard shall not  
9 be considered by the Department in determining the copayment.  
10 The level of such copayment shall be adjusted whenever  
11 necessary to reflect any change in the officially designated  
12 federal poverty standard.

13 The Department, or the Department's authorized  
14 representative, may recover the amount of moneys expended for  
15 services provided to or in behalf of a person under this  
16 Section by a claim against the person's estate or against the  
17 estate of the person's surviving spouse, but no recovery may be  
18 had until after the death of the surviving spouse, if any, and  
19 then only at such time when there is no surviving child who is  
20 under age 21 or blind or who has a permanent and total  
21 disability. This paragraph, however, shall not bar recovery, at  
22 the death of the person, of moneys for services provided to the  
23 person or in behalf of the person under this Section to which  
24 the person was not entitled; provided that such recovery shall  
25 not be enforced against any real estate while it is occupied as  
26 a homestead by the surviving spouse or other dependent, if no

1 claims by other creditors have been filed against the estate,  
2 or, if such claims have been filed, they remain dormant for  
3 failure of prosecution or failure of the claimant to compel  
4 administration of the estate for the purpose of payment. This  
5 paragraph shall not bar recovery from the estate of a spouse,  
6 under Sections 1915 and 1924 of the Social Security Act and  
7 Section 5-4 of the Illinois Public Aid Code, who precedes a  
8 person receiving services under this Section in death. All  
9 moneys for services paid to or in behalf of the person under  
10 this Section shall be claimed for recovery from the deceased  
11 spouse's estate. "Homestead", as used in this paragraph, means  
12 the dwelling house and contiguous real estate occupied by a  
13 surviving spouse or relative, as defined by the rules and  
14 regulations of the Department of Healthcare and Family  
15 Services, regardless of the value of the property.

16 The Department shall increase the effectiveness of the  
17 existing Community Care Program by:

18 (1) ensuring that in-home services included in the care  
19 plan are available on evenings and weekends;

20 (2) ensuring that care plans contain the services that  
21 eligible participants need based on the number of days in a  
22 month, not limited to specific blocks of time, as  
23 identified by the comprehensive assessment tool selected  
24 by the Department for use statewide, not to exceed the  
25 total monthly service cost maximum allowed for each  
26 service; the Department shall develop administrative rules



1 to implement this item (2);

2 (3) ensuring that the participants have the right to  
3 choose the services contained in their care plan and to  
4 direct how those services are provided, based on  
5 administrative rules established by the Department;

6 (4) ensuring that the determination of need tool is  
7 accurate in determining the participants' level of need; to  
8 achieve this, the Department, in conjunction with the Older  
9 Adult Services Advisory Committee, shall institute a study  
10 of the relationship between the Determination of Need  
11 scores, level of need, service cost maximums, and the  
12 development and utilization of service plans no later than  
13 May 1, 2008; findings and recommendations shall be  
14 presented to the Governor and the General Assembly no later  
15 than January 1, 2009; recommendations shall include all  
16 needed changes to the service cost maximums schedule and  
17 additional covered services;

18 (5) ensuring that homemakers can provide personal care  
19 services that may or may not involve contact with clients,  
20 including but not limited to:

21 (A) bathing;

22 (B) grooming;

23 (C) toileting;

24 (D) nail care;

25 (E) transferring;

26 (F) respiratory services;

1 (G) exercise; or

2 (H) positioning;

3 (6) ensuring that homemaker program vendors are not  
4 restricted from hiring homemakers who are family members of  
5 clients or recommended by clients; the Department may not,  
6 by rule or policy, require homemakers who are family  
7 members of clients or recommended by clients to accept  
8 assignments in homes other than the client;

9 (7) ensuring that the State may access maximum federal  
10 matching funds by seeking approval for the Centers for  
11 Medicare and Medicaid Services for modifications to the  
12 State's home and community based services waiver and  
13 additional waiver opportunities, including applying for  
14 enrollment in the Balance Incentive Payment Program by May  
15 1, 2013, in order to maximize federal matching funds; this  
16 shall include, but not be limited to, modification that  
17 reflects all changes in the Community Care Program services  
18 and all increases in the services cost maximum;

19 (8) ensuring that the determination of need tool  
20 accurately reflects the service needs of individuals with  
21 Alzheimer's disease and related dementia disorders;

22 (9) ensuring that services are authorized accurately  
23 and consistently for the Community Care Program (CCP); the  
24 Department shall implement a Service Authorization policy  
25 directive; the purpose shall be to ensure that eligibility  
26 and services are authorized accurately and consistently in

1 the CCP program; the policy directive shall clarify service  
2 authorization guidelines to Care Coordination Units and  
3 Community Care Program providers no later than May 1, 2013;

4 (10) working in conjunction with Care Coordination  
5 Units, the Department of Healthcare and Family Services,  
6 the Department of Human Services, Community Care Program  
7 providers, and other stakeholders to make improvements to  
8 the Medicaid claiming processes and the Medicaid  
9 enrollment procedures or requirements as needed,  
10 including, but not limited to, specific policy changes or  
11 rules to improve the up-front enrollment of participants in  
12 the Medicaid program and specific policy changes or rules  
13 to insure more prompt submission of bills to the federal  
14 government to secure maximum federal matching dollars as  
15 promptly as possible; the Department on Aging shall have at  
16 least 3 meetings with stakeholders by January 1, 2014 in  
17 order to address these improvements;

18 (11) requiring home care service providers to comply  
19 with the rounding of hours worked provisions under the  
20 federal Fair Labor Standards Act (FLSA) and as set forth in  
21 29 CFR 785.48(b) by May 1, 2013;

22 (12) implementing any necessary policy changes or  
23 promulgating any rules, no later than January 1, 2014, to  
24 assist the Department of Healthcare and Family Services in  
25 moving as many participants as possible, consistent with  
26 federal regulations, into coordinated care plans if a care

1 coordination plan that covers long term care is available  
2 in the recipient's area; and

3 (13) maintaining fiscal year 2014 rates at the same  
4 level established on January 1, 2013.

5 By January 1, 2009 or as soon after the end of the Cash and  
6 Counseling Demonstration Project as is practicable, the  
7 Department may, based on its evaluation of the demonstration  
8 project, promulgate rules concerning personal assistant  
9 services, to include, but need not be limited to,  
10 qualifications, employment screening, rights under fair labor  
11 standards, training, fiduciary agent, and supervision  
12 requirements. All applicants shall be subject to the provisions  
13 of the Health Care Worker Background Check Act.

14 The Department shall develop procedures to enhance  
15 availability of services on evenings, weekends, and on an  
16 emergency basis to meet the respite needs of caregivers.  
17 Procedures shall be developed to permit the utilization of  
18 services in successive blocks of 24 hours up to the monthly  
19 maximum established by the Department. Workers providing these  
20 services shall be appropriately trained.

21 Beginning on the effective date of this amendatory Act of  
22 1991, no person may perform chore/housekeeping and home care  
23 aide services under a program authorized by this Section unless  
24 that person has been issued a certificate of pre-service to do  
25 so by his or her employing agency. Information gathered to  
26 effect such certification shall include (i) the person's name,

1 (ii) the date the person was hired by his or her current  
2 employer, and (iii) the training, including dates and levels.  
3 Persons engaged in the program authorized by this Section  
4 before the effective date of this amendatory Act of 1991 shall  
5 be issued a certificate of all pre- and in-service training  
6 from his or her employer upon submitting the necessary  
7 information. The employing agency shall be required to retain  
8 records of all staff pre- and in-service training, and shall  
9 provide such records to the Department upon request and upon  
10 termination of the employer's contract with the Department. In  
11 addition, the employing agency is responsible for the issuance  
12 of certifications of in-service training completed to their  
13 employees.

14 The Department is required to develop a system to ensure  
15 that persons working as home care aides and personal assistants  
16 receive increases in their wages when the federal minimum wage  
17 is increased by requiring vendors to certify that they are  
18 meeting the federal minimum wage statute for home care aides  
19 and personal assistants. An employer that cannot ensure that  
20 the minimum wage increase is being given to home care aides and  
21 personal assistants shall be denied any increase in  
22 reimbursement costs.

23 The Community Care Program Advisory Committee is created in  
24 the Department on Aging. The Director shall appoint individuals  
25 to serve in the Committee, who shall serve at their own  
26 expense. Members of the Committee must abide by all applicable

1 ethics laws. The Committee shall advise the Department on  
2 issues related to the Department's program of services to  
3 prevent unnecessary institutionalization. The Committee shall  
4 meet on a bi-monthly basis and shall serve to identify and  
5 advise the Department on present and potential issues affecting  
6 the service delivery network, the program's clients, and the  
7 Department and to recommend solution strategies. Persons  
8 appointed to the Committee shall be appointed on, but not  
9 limited to, their own and their agency's experience with the  
10 program, geographic representation, and willingness to serve.  
11 The Director shall appoint members to the Committee to  
12 represent provider, advocacy, policy research, and other  
13 constituencies committed to the delivery of high quality home  
14 and community-based services to older adults. Representatives  
15 shall be appointed to ensure representation from community care  
16 providers including, but not limited to, adult day service  
17 providers, homemaker providers, case coordination and case  
18 management units, emergency home response providers, statewide  
19 trade or labor unions that represent home care aides and direct  
20 care staff, area agencies on aging, adults over age 60,  
21 membership organizations representing older adults, and other  
22 organizational entities, providers of care, or individuals  
23 with demonstrated interest and expertise in the field of home  
24 and community care as determined by the Director.

25 Nominations may be presented from any agency or State  
26 association with interest in the program. The Director, or his

1 or her designee, shall serve as the permanent co-chair of the  
2 advisory committee. One other co-chair shall be nominated and  
3 approved by the members of the committee on an annual basis.  
4 Committee members' terms of appointment shall be for 4 years  
5 with one-quarter of the appointees' terms expiring each year. A  
6 member shall continue to serve until his or her replacement is  
7 named. The Department shall fill vacancies that have a  
8 remaining term of over one year, and this replacement shall  
9 occur through the annual replacement of expiring terms. The  
10 Director shall designate Department staff to provide technical  
11 assistance and staff support to the committee. Department  
12 representation shall not constitute membership of the  
13 committee. All Committee papers, issues, recommendations,  
14 reports, and meeting memoranda are advisory only. The Director,  
15 or his or her designee, shall make a written report, as  
16 requested by the Committee, regarding issues before the  
17 Committee.

18 The Department on Aging and the Department of Human  
19 Services shall cooperate in the development and submission of  
20 an annual report on programs and services provided under this  
21 Section. Such joint report shall be filed with the Governor and  
22 the General Assembly on or before September 30 each year.

23 The requirement for reporting to the General Assembly shall  
24 be satisfied by filing copies of the report with the Speaker,  
25 the Minority Leader and the Clerk of the House of  
26 Representatives and the President, the Minority Leader and the

1 Secretary of the Senate and the Legislative Research Unit, as  
2 required by Section 3.1 of the General Assembly Organization  
3 Act and filing such additional copies with the State Government  
4 Report Distribution Center for the General Assembly as is  
5 required under paragraph (t) of Section 7 of the State Library  
6 Act.

7 Those persons previously found eligible for receiving  
8 non-institutional services whose services were discontinued  
9 under the Emergency Budget Act of Fiscal Year 1992, and who do  
10 not meet the eligibility standards in effect on or after July  
11 1, 1992, shall remain ineligible on and after July 1, 1992.  
12 Those persons previously not required to cost-share and who  
13 were required to cost-share effective March 1, 1992, shall  
14 continue to meet cost-share requirements on and after July 1,  
15 1992. Beginning July 1, 1992, all clients will be required to  
16 meet eligibility, cost-share, and other requirements and will  
17 have services discontinued or altered when they fail to meet  
18 these requirements.

19 For the purposes of this Section, "flexible senior  
20 services" refers to services that require one-time or periodic  
21 expenditures including, but not limited to, respite care, home  
22 modification, assistive technology, housing assistance, and  
23 transportation.

24 The Department shall implement an electronic service  
25 verification based on global positioning systems or other  
26 cost-effective technology for the Community Care Program no



1 later than January 1, 2014.

2 ~~The Department shall require, as a condition of~~  
3 ~~eligibility, enrollment in the medical assistance program~~  
4 ~~under Article V of the Illinois Public Aid Code (i) beginning~~  
5 ~~August 1, 2013, if the Auditor General has reported that the~~  
6 ~~Department has failed to comply with the reporting requirements~~  
7 ~~of Section 2-27 of the Illinois State Auditing Act; or (ii)~~  
8 ~~beginning June 1, 2014, if the Auditor General has reported~~  
9 ~~that the Department has not undertaken the required actions~~  
10 ~~listed in the report required by subsection (a) of Section 2-27~~  
11 ~~of the Illinois State Auditing Act.~~

12 ~~The Department shall delay Community Care Program services~~  
13 ~~until an applicant is determined eligible for medical~~  
14 ~~assistance under Article V of the Illinois Public Aid Code (i)~~  
15 ~~beginning August 1, 2013, if the Auditor General has reported~~  
16 ~~that the Department has failed to comply with the reporting~~  
17 ~~requirements of Section 2-27 of the Illinois State Auditing~~  
18 ~~Act; or (ii) beginning June 1, 2014, if the Auditor General has~~  
19 ~~reported that the Department has not undertaken the required~~  
20 ~~actions listed in the report required by subsection (a) of~~  
21 ~~Section 2-27 of the Illinois State Auditing Act.~~

22 ~~The Department shall implement co-payments for the~~  
23 ~~Community Care Program at the federally allowable maximum level~~  
24 ~~(i) beginning August 1, 2013, if the Auditor General has~~  
25 ~~reported that the Department has failed to comply with the~~  
26 ~~reporting requirements of Section 2-27 of the Illinois State~~

1 ~~Auditing Act; or (ii) beginning June 1, 2014, if the Auditor~~  
2 ~~General has reported that the Department has not undertaken the~~  
3 ~~required actions listed in the report required by subsection~~  
4 ~~(a) of Section 2-27 of the Illinois State Auditing Act.~~

5 ~~The Department shall provide a bi monthly report on the~~  
6 ~~progress of the Community Care Program reforms set forth in~~  
7 ~~this amendatory Act of the 98th General Assembly to the~~  
8 ~~Governor, the Speaker of the House of Representatives, the~~  
9 ~~Minority Leader of the House of Representatives, the President~~  
10 ~~of the Senate, and the Minority Leader of the Senate.~~

11 ~~The Department shall conduct a quarterly review of Care~~  
12 ~~Coordination Unit performance and adherence to service~~  
13 ~~guidelines. The quarterly review shall be reported to the~~  
14 ~~Speaker of the House of Representatives, the Minority Leader of~~  
15 ~~the House of Representatives, the President of the Senate, and~~  
16 ~~the Minority Leader of the Senate. The Department shall collect~~  
17 ~~and report longitudinal data on the performance of each care~~  
18 ~~coordination unit. Nothing in this paragraph shall be construed~~  
19 ~~to require the Department to identify specific care~~  
20 ~~coordination units.~~

21 In regard to community care providers, failure to comply  
22 with Department on Aging policies shall be cause for  
23 disciplinary action, including, but not limited to,  
24 disqualification from serving Community Care Program clients.  
25 Each provider, upon submission of any bill or invoice to the  
26 Department for payment for services rendered, shall include a

1 notarized statement, under penalty of perjury pursuant to  
2 Section 1-109 of the Code of Civil Procedure, that the provider  
3 has complied with all Department policies.

4 The Director of the Department on Aging shall make  
5 information available to the State Board of Elections as may be  
6 required by an agreement the State Board of Elections has  
7 entered into with a multi-state voter registration list  
8 maintenance system.

9 (Source: P.A. 98-8, eff. 5-3-13; 98-1171, eff. 6-1-15; 99-143,  
10 eff. 7-27-15.)

11 (20 ILCS 105/4.14)

12 Sec. 4.14. Rural Senior Citizen Program.

13 (a) The General Assembly finds that it is in the best  
14 interest of the citizens of Illinois to identify and address  
15 the special challenges and needs faced by older rural  
16 residents. The General Assembly further finds that rural areas  
17 are often under-served and unserved to the detriment of older  
18 residents and their families, which may require the allocation  
19 of additional resources.

20 (b) (Blank). ~~The Department shall identify the special~~  
21 ~~needs and problems of older rural residents and evaluate the~~  
22 ~~adequacy and accessibility of existing programs and~~  
23 ~~information for older rural residents. The scope of the~~  
24 ~~Department's work shall encompass both Older American Act~~  
25 ~~services, Community Care services, and all other services~~

1 ~~targeted in whole or in part at residents 60 years of age and~~  
2 ~~elder, regardless of the setting in which the service is~~  
3 ~~provided.~~

4 (c) (Blank). ~~The Older Rural Adults Task Force is~~  
5 ~~established to gather information and make recommendations in~~  
6 ~~collaboration with the Department on Aging and the Older Adult~~  
7 ~~Services Committee. The Task Force shall be comprised of 12~~  
8 ~~voting members and 7 non voting members. The President and~~  
9 ~~Minority Leader of the Illinois Senate and the Speaker and~~  
10 ~~Minority Leader of the Illinois House of Representatives shall~~  
11 ~~each appoint 2 members of the General Assembly and one citizen~~  
12 ~~member to the Task Force. Citizen members may seek~~  
13 ~~reimbursement for actual travel expenses. Representatives of~~  
14 ~~the Department on Aging and the Departments of Healthcare and~~  
15 ~~Family Services, Human Services, Public Health, and Commerce~~  
16 ~~and Economic Opportunity, the Rural Affairs Council, and the~~  
17 ~~Illinois Housing Development Authority shall serve as~~  
18 ~~non voting members. The Department on Aging shall provide staff~~  
19 ~~support to the Task Force.~~

20 ~~Co chairs shall be selected by the Task Force at its first~~  
21 ~~meeting. Both shall be appointed voting members of the Task~~  
22 ~~Force. One co chair shall be a member of the General Assembly~~  
23 ~~and one shall be a citizen member. A simple majority of those~~  
24 ~~appointed shall constitute a quorum. The Task Force may hold~~  
25 ~~regional hearings and fact finding meetings and shall submit a~~  
26 ~~report to the General Assembly no later than January 1, 2009.~~

1 ~~The Task Force is dissolved upon submission of the report.~~

2 (Source: P.A. 95-89, eff. 8-13-07.)

3 (20 ILCS 605/605-312 rep.)

4 (20 ILCS 605/605-420 rep.)

5 (20 ILCS 605/605-817 rep.)

6 (20 ILCS 605/605-855 rep.)

7 Section 10-25. The Department of Commerce and Economic  
8 Opportunity Law of the Civil Administrative Code of Illinois is  
9 amended by repealing Sections 605-312, 605-420, 605-817, and  
10 605-855.

11 (20 ILCS 627/Act rep.)

12 Section 10-30. The Electric Vehicle Act is repealed.

13 Section 10-35. The Illinois Emergency Employment  
14 Development Act is amended by changing Section 3 as follows:

15 (20 ILCS 630/3) (from Ch. 48, par. 2403)

16 Sec. 3. Illinois Emergency Employment Development  
17 Coordinator.

18 (a) The governor shall appoint an Illinois Emergency  
19 Employment Development Coordinator to administer the  
20 provisions of this Act. The coordinator shall be within the  
21 Department of Commerce and Economic Opportunity, but shall be  
22 responsible directly to the governor. The coordinator shall

1 have the powers necessary to carry out the purpose of the  
2 program.

3 (b) The coordinator shall:

4 (1) recommend one or more Employment Administrators  
5 for each service delivery area for approval by the Advisory  
6 Committee, with recommendations based on the demonstrated  
7 ability of the Employment Administrator to identify and  
8 address local needs;

9 (2) enter into a contract with one or more Employment  
10 Administrators in each service delivery area;

11 (3) assist the Employment Administrator in developing  
12 a satisfactory plan if an Employment Administrator submits  
13 one that does not conform to program requirements;

14 (4) convene and provide staff support to the Advisory  
15 Committee;

16 (5) coordinate the program with other State agencies  
17 and services including public benefits and workforce  
18 programs for unemployed individuals; and

19 (6) perform general program marketing and monitoring  
20 functions.

21 (c) (Blank). ~~The coordinator shall administer the program~~  
22 ~~within the Department of Commerce and Economic Opportunity. The~~  
23 ~~Director of Commerce and Economic Opportunity shall provide~~  
24 ~~administrative support services to the coordinator for the~~  
25 ~~purposes of the program.~~

26 (d) The coordinator shall report to the Governor, the

1 Advisory Committee, and the General Assembly on a quarterly  
2 basis concerning (1) the number of persons employed under the  
3 program; (2) the number and type of employers under the  
4 program; (3) the amount of money spent in each service delivery  
5 area for wages for each type of employment and each type of  
6 other expenses; (4) the number of persons who have completed  
7 participation in the program and their current employment,  
8 educational or training status; (5) any information requested  
9 by the General Assembly, the Advisory Committee, or governor or  
10 deemed pertinent by the coordinator; and (6) any identified  
11 violations of this Act and actions taken. Each report shall  
12 include cumulative information, as well as information for each  
13 quarter.

14 (e) Rules. The Director of Commerce and Economic  
15 Opportunity, with the advice of the coordinator and the  
16 Advisory Committee, shall adopt rules for the administration  
17 and enforcement of this Act.

18 (Source: P.A. 96-995, eff. 1-1-11; 97-581, eff. 8-26-11.)

19 (20 ILCS 630/17 rep.)

20 Section 10-40. The Illinois Emergency Employment  
21 Development Act is amended by repealing Section 17.

22 (20 ILCS 685/Act rep.)

23 Section 10-45. The Particle Accelerator Land Acquisition  
24 Act is repealed.

1 Section 10-50. The Illinois Geographic Information Council  
2 Act is amended by changing Section 5-5 as follows:

3 (20 ILCS 1128/5-5)

4 Sec. 5-5. Council. The Illinois Geographic Information  
5 Council, hereinafter called the "Council", is created within  
6 the Department of Natural Resources.

7 The Council shall consist of 15 ~~17~~ voting members, as  
8 follows: the Illinois Secretary of State, the Illinois  
9 Secretary of Transportation, the Directors of the Illinois  
10 Departments of Agriculture, Central Management Services,  
11 ~~Commerce and Economic Opportunity, Nuclear Safety,~~ Public  
12 Health, Natural Resources, and Revenue, the Directors of the  
13 Illinois Emergency Management Agency and the Illinois  
14 Environmental Protection Agency, the President of the  
15 University of Illinois, the Chairman of the Illinois Commerce  
16 Commission, plus 4 members of the General Assembly, one each  
17 appointed by the Speaker and Minority Leader of the House and  
18 the President and Minority Leader of the Senate. An ex officio  
19 voting member may designate another person to carry out his or  
20 her duties on the Council.

21 In addition to the above members, the Governor may appoint  
22 up to 10 additional voting members, representing local,  
23 regional, and federal agencies, professional organizations,  
24 academic institutions, public utilities, and the private



1 sector.

2 Members appointed by the Governor shall serve at the  
3 pleasure of the Governor.

4 (Source: P.A. 94-793, eff. 5-19-06; 94-961, eff. 6-27-06.)

5 (20 ILCS 2335/Act rep.)

6 Section 10-55. The Community Health Worker Advisory Board  
7 Act is repealed.

8 Section 10-60. The Capital Spending Accountability Law is  
9 amended by changing Section 805 as follows:

10 (20 ILCS 3020/805)

11 Sec. 805. Reports on capital spending. On the 45th ~~first~~  
12 day following the end of each quarterly period in each fiscal  
13 year, the Governor's Office of Management and Budget shall  
14 provide to the Comptroller, the Treasurer, the President and  
15 the Minority Leader of the Senate, and the Speaker and the  
16 Minority Leader of the House of Representatives a report on the  
17 status of all capital projects in the State. The report may be  
18 provided in both written and electronic format. The report must  
19 include all of the following:

20 (1) A brief description or stated purpose of each  
21 capital project where applicable (as referred to in this  
22 Section, "project").

23 (2) The amount and source of funds (whether from bond

1 funds or other revenues) appropriated for each project,  
2 organized into categories including roads, mass transit,  
3 schools, environment, civic centers and other categories  
4 as applicable (as referred to in this Section, "category or  
5 categories"), with subtotals for each category.

6 (3) The date the appropriation bill relating to each  
7 project was signed by the Governor, organized into  
8 categories.

9 (4) The date the written release of the Governor for  
10 each project was submitted to the Comptroller or is  
11 projected to be submitted and, if a release for any project  
12 has not been submitted within 6 months after its  
13 appropriation became law, an explanation why the project  
14 has not yet been released, all organized into categories.

15 (5) The amount of expenditures to date by the State  
16 relating to each project and estimated amount of total  
17 State expenditures and proposed schedule of future State  
18 expenditures relating to each project, all organized into  
19 categories.

20 (6) A timeline for completion of each project,  
21 including the dates, if applicable, of execution by the  
22 State of any grant agreement, any required engineering or  
23 design work or environmental approvals, and the estimated  
24 or actual dates of the start and completion of  
25 construction, all organized into categories. Any  
26 substantial variances on any project from this reported

1 timeline must be explained in the next quarterly report.

2 (7) A summary report of the status of all projects,  
3 including the amount of undisbursed funds intended to be  
4 held or used in the next quarter.

5 (Source: P.A. 98-692, eff. 7-1-14.)

6 Section 10-65. The Illinois Criminal Justice Information  
7 Act is amended by changing Section 7 as follows:

8 (20 ILCS 3930/7) (from Ch. 38, par. 210-7)

9 Sec. 7. Powers and Duties. The Authority shall have the  
10 following powers, duties and responsibilities:

11 (a) To develop and operate comprehensive information  
12 systems for the improvement and coordination of all aspects  
13 of law enforcement, prosecution and corrections;

14 (b) To define, develop, evaluate and correlate State  
15 and local programs and projects associated with the  
16 improvement of law enforcement and the administration of  
17 criminal justice;

18 (c) To act as a central repository and clearing house  
19 for federal, state and local research studies, plans,  
20 projects, proposals and other information relating to all  
21 aspects of criminal justice system improvement and to  
22 encourage educational programs for citizen support of  
23 State and local efforts to make such improvements;

24 (d) To undertake research studies to aid in

1 accomplishing its purposes;

2 (e) To monitor the operation of existing criminal  
3 justice information systems in order to protect the  
4 constitutional rights and privacy of individuals about  
5 whom criminal history record information has been  
6 collected;

7 (f) To provide an effective administrative forum for  
8 the protection of the rights of individuals concerning  
9 criminal history record information;

10 (g) To issue regulations, guidelines and procedures  
11 which ensure the privacy and security of criminal history  
12 record information consistent with State and federal laws;

13 (h) To act as the sole administrative appeal body in  
14 the State of Illinois to conduct hearings and make final  
15 determinations concerning individual challenges to the  
16 completeness and accuracy of criminal history record  
17 information;

18 (i) To act as the sole, official, criminal justice body  
19 in the State of Illinois to conduct annual and periodic  
20 audits of the procedures, policies, and practices of the  
21 State central repositories for criminal history record  
22 information to verify compliance with federal and state  
23 laws and regulations governing such information;

24 (j) To advise the Authority's Statistical Analysis  
25 Center;

26 (k) To apply for, receive, establish priorities for,

1 allocate, disburse and spend grants of funds that are made  
2 available by and received on or after January 1, 1983 from  
3 private sources or from the United States pursuant to the  
4 federal Crime Control Act of 1973, as amended, and similar  
5 federal legislation, and to enter into agreements with the  
6 United States government to further the purposes of this  
7 Act, or as may be required as a condition of obtaining  
8 federal funds;

9 (l) To receive, expend and account for such funds of  
10 the State of Illinois as may be made available to further  
11 the purposes of this Act;

12 (m) To enter into contracts and to cooperate with units  
13 of general local government or combinations of such units,  
14 State agencies, and criminal justice system agencies of  
15 other states for the purpose of carrying out the duties of  
16 the Authority imposed by this Act or by the federal Crime  
17 Control Act of 1973, as amended;

18 (n) To enter into contracts and cooperate with units of  
19 general local government outside of Illinois, other  
20 states' agencies, and private organizations outside of  
21 Illinois to provide computer software or design that has  
22 been developed for the Illinois criminal justice system, or  
23 to participate in the cooperative development or design of  
24 new software or systems to be used by the Illinois criminal  
25 justice system. ~~Revenues received as a result of such~~  
26 ~~arrangements shall be deposited in the Criminal Justice~~

1 ~~Information Systems Trust Fund.~~

2 (o) To establish general policies concerning criminal  
3 justice information systems and to promulgate such rules,  
4 regulations and procedures as are necessary to the  
5 operation of the Authority and to the uniform consideration  
6 of appeals and audits;

7 (p) To advise and to make recommendations to the  
8 Governor and the General Assembly on policies relating to  
9 criminal justice information systems;

10 (q) To direct all other agencies under the jurisdiction  
11 of the Governor to provide whatever assistance and  
12 information the Authority may lawfully require to carry out  
13 its functions;

14 (r) To exercise any other powers that are reasonable  
15 and necessary to fulfill the responsibilities of the  
16 Authority under this Act and to comply with the  
17 requirements of applicable federal law or regulation;

18 (s) To exercise the rights, powers and duties which  
19 have been vested in the Authority by the "Illinois Uniform  
20 Conviction Information Act", enacted by the 85th General  
21 Assembly, as hereafter amended;

22 (t) To exercise the rights, powers and duties which  
23 have been vested in the Authority by the Illinois Motor  
24 Vehicle Theft Prevention Act;

25 (u) To exercise the rights, powers, and duties vested  
26 in the Authority by the Illinois Public Safety Agency

1 Network Act; and

2 (v) To provide technical assistance in the form of  
3 training to local governmental entities within Illinois  
4 requesting such assistance for the purposes of procuring  
5 grants for gang intervention and gang prevention programs  
6 or other criminal justice programs from the United States  
7 Department of Justice.

8 The requirement for reporting to the General Assembly shall  
9 be satisfied by filing copies of the report with the Speaker,  
10 the Minority Leader and the Clerk of the House of  
11 Representatives and the President, the Minority Leader and the  
12 Secretary of the Senate and the Legislative Research Unit, as  
13 required by Section 3.1 of "An Act to revise the law in  
14 relation to the General Assembly", approved February 25, 1874,  
15 as amended, and filing such additional copies with the State  
16 Government Report Distribution Center for the General Assembly  
17 as is required under paragraph (t) of Section 7 of the State  
18 Library Act.

19 (Source: P.A. 97-435, eff. 1-1-12.)

20 (20 ILCS 3965/Act rep.)

21 Section 10-70. The Illinois Economic Development Board Act  
22 is repealed.

23 (20 ILCS 4065/Act rep.)

24 Section 10-75. The Illinois Children's Savings Accounts

1 Act is repealed.

2 (20 ILCS 5000/Act rep.)

3 Section 10-80. The Task Force on Inventorying Employment  
4 Restrictions Act is repealed.

5 (30 ILCS 375/Act rep.)

6 Section 10-85. The Local Government Debt Offering Act is  
7 repealed.

8 (30 ILCS 577/35-20 rep.)

9 Section 10-90. The State Construction Minority and Female  
10 Building Trades Act is amended by repealing Section 35-20.

11 (30 ILCS 750/9-4.5 rep.)

12 (30 ILCS 750/11-4 rep.)

13 Section 10-95. The Build Illinois Act is amended by  
14 repealing Sections 9-4.5 and 11-4.

15 Section 10-100. The Illinois Income Tax Act is amended by  
16 changing Section 901 as follows:

17 (35 ILCS 5/901) (from Ch. 120, par. 9-901)

18 Sec. 901. Collection authority.

19 (a) In general.

20 The Department shall collect the taxes imposed by this Act.



1 The Department shall collect certified past due child support  
2 amounts under Section 2505-650 of the Department of Revenue Law  
3 (20 ILCS 2505/2505-650). Except as provided in subsections (c),  
4 (e), (f), (g), and (h) of this Section, money collected  
5 pursuant to subsections (a) and (b) of Section 201 of this Act  
6 shall be paid into the General Revenue Fund in the State  
7 treasury; money collected pursuant to subsections (c) and (d)  
8 of Section 201 of this Act shall be paid into the Personal  
9 Property Tax Replacement Fund, a special fund in the State  
10 Treasury; and money collected under Section 2505-650 of the  
11 Department of Revenue Law (20 ILCS 2505/2505-650) shall be paid  
12 into the Child Support Enforcement Trust Fund, a special fund  
13 outside the State Treasury, or to the State Disbursement Unit  
14 established under Section 10-26 of the Illinois Public Aid  
15 Code, as directed by the Department of Healthcare and Family  
16 Services.

17 (b) Local Government Distributive Fund.

18 Beginning August 1, 1969, and continuing through June 30,  
19 1994, the Treasurer shall transfer each month from the General  
20 Revenue Fund to a special fund in the State treasury, to be  
21 known as the "Local Government Distributive Fund", an amount  
22 equal to 1/12 of the net revenue realized from the tax imposed  
23 by subsections (a) and (b) of Section 201 of this Act during  
24 the preceding month. Beginning July 1, 1994, and continuing  
25 through June 30, 1995, the Treasurer shall transfer each month  
26 from the General Revenue Fund to the Local Government

1 Distributive Fund an amount equal to 1/11 of the net revenue  
2 realized from the tax imposed by subsections (a) and (b) of  
3 Section 201 of this Act during the preceding month. Beginning  
4 July 1, 1995 and continuing through January 31, 2011, the  
5 Treasurer shall transfer each month from the General Revenue  
6 Fund to the Local Government Distributive Fund an amount equal  
7 to the net of (i) 1/10 of the net revenue realized from the tax  
8 imposed by subsections (a) and (b) of Section 201 of the  
9 Illinois Income Tax Act during the preceding month (ii) minus,  
10 beginning July 1, 2003 and ending June 30, 2004, \$6,666,666,  
11 and beginning July 1, 2004, zero. Beginning February 1, 2011,  
12 and continuing through January 31, 2015, the Treasurer shall  
13 transfer each month from the General Revenue Fund to the Local  
14 Government Distributive Fund an amount equal to the sum of (i)  
15 6% (10% of the ratio of the 3% individual income tax rate prior  
16 to 2011 to the 5% individual income tax rate after 2010) of the  
17 net revenue realized from the tax imposed by subsections (a)  
18 and (b) of Section 201 of this Act upon individuals, trusts,  
19 and estates during the preceding month and (ii) 6.86% (10% of  
20 the ratio of the 4.8% corporate income tax rate prior to 2011  
21 to the 7% corporate income tax rate after 2010) of the net  
22 revenue realized from the tax imposed by subsections (a) and  
23 (b) of Section 201 of this Act upon corporations during the  
24 preceding month. Beginning February 1, 2015 and continuing  
25 through January 31, 2025, the Treasurer shall transfer each  
26 month from the General Revenue Fund to the Local Government

1 Distributive Fund an amount equal to the sum of (i) 8% (10% of  
2 the ratio of the 3% individual income tax rate prior to 2011 to  
3 the 3.75% individual income tax rate after 2014) of the net  
4 revenue realized from the tax imposed by subsections (a) and  
5 (b) of Section 201 of this Act upon individuals, trusts, and  
6 estates during the preceding month and (ii) 9.14% (10% of the  
7 ratio of the 4.8% corporate income tax rate prior to 2011 to  
8 the 5.25% corporate income tax rate after 2014) of the net  
9 revenue realized from the tax imposed by subsections (a) and  
10 (b) of Section 201 of this Act upon corporations during the  
11 preceding month. Beginning February 1, 2025, the Treasurer  
12 shall transfer each month from the General Revenue Fund to the  
13 Local Government Distributive Fund an amount equal to the sum  
14 of (i) 9.23% (10% of the ratio of the 3% individual income tax  
15 rate prior to 2011 to the 3.25% individual income tax rate  
16 after 2024) of the net revenue realized from the tax imposed by  
17 subsections (a) and (b) of Section 201 of this Act upon  
18 individuals, trusts, and estates during the preceding month and  
19 (ii) 10% of the net revenue realized from the tax imposed by  
20 subsections (a) and (b) of Section 201 of this Act upon  
21 corporations during the preceding month. Net revenue realized  
22 for a month shall be defined as the revenue from the tax  
23 imposed by subsections (a) and (b) of Section 201 of this Act  
24 which is deposited in the General Revenue Fund, the Education  
25 Assistance Fund, the Income Tax Surcharge Local Government  
26 Distributive Fund, the Fund for the Advancement of Education,

1 and the Commitment to Human Services Fund during the month  
2 minus the amount paid out of the General Revenue Fund in State  
3 warrants during that same month as refunds to taxpayers for  
4 overpayment of liability under the tax imposed by subsections  
5 (a) and (b) of Section 201 of this Act.

6 Beginning on August 26, 2014 (the effective date of Public  
7 Act 98-1052), the Comptroller shall perform the transfers  
8 required by this subsection (b) no later than 60 days after he  
9 or she receives the certification from the Treasurer as  
10 provided in Section 1 of the State Revenue Sharing Act.

11 (c) Deposits Into Income Tax Refund Fund.

12 (1) Beginning on January 1, 1989 and thereafter, the  
13 Department shall deposit a percentage of the amounts  
14 collected pursuant to subsections (a) and (b)(1), (2), and  
15 (3), of Section 201 of this Act into a fund in the State  
16 treasury known as the Income Tax Refund Fund. The  
17 Department shall deposit 6% of such amounts during the  
18 period beginning January 1, 1989 and ending on June 30,  
19 1989. Beginning with State fiscal year 1990 and for each  
20 fiscal year thereafter, the percentage deposited into the  
21 Income Tax Refund Fund during a fiscal year shall be the  
22 Annual Percentage. For fiscal years 1999 through 2001, the  
23 Annual Percentage shall be 7.1%. For fiscal year 2003, the  
24 Annual Percentage shall be 8%. For fiscal year 2004, the  
25 Annual Percentage shall be 11.7%. Upon the effective date  
26 of this amendatory Act of the 93rd General Assembly, the

1 Annual Percentage shall be 10% for fiscal year 2005. For  
2 fiscal year 2006, the Annual Percentage shall be 9.75%. For  
3 fiscal year 2007, the Annual Percentage shall be 9.75%. For  
4 fiscal year 2008, the Annual Percentage shall be 7.75%. For  
5 fiscal year 2009, the Annual Percentage shall be 9.75%. For  
6 fiscal year 2010, the Annual Percentage shall be 9.75%. For  
7 fiscal year 2011, the Annual Percentage shall be 8.75%. For  
8 fiscal year 2012, the Annual Percentage shall be 8.75%. For  
9 fiscal year 2013, the Annual Percentage shall be 9.75%. For  
10 fiscal year 2014, the Annual Percentage shall be 9.5%. For  
11 fiscal year 2015, the Annual Percentage shall be 10%. For  
12 all other fiscal years, the Annual Percentage shall be  
13 calculated as a fraction, the numerator of which shall be  
14 the amount of refunds approved for payment by the  
15 Department during the preceding fiscal year as a result of  
16 overpayment of tax liability under subsections (a) and  
17 (b) (1), (2), and (3) of Section 201 of this Act plus the  
18 amount of such refunds remaining approved but unpaid at the  
19 end of the preceding fiscal year, minus the amounts  
20 transferred into the Income Tax Refund Fund from the  
21 Tobacco Settlement Recovery Fund, and the denominator of  
22 which shall be the amounts which will be collected pursuant  
23 to subsections (a) and (b) (1), (2), and (3) of Section 201  
24 of this Act during the preceding fiscal year; except that  
25 in State fiscal year 2002, the Annual Percentage shall in  
26 no event exceed 7.6%. The Director of Revenue shall certify

1 the Annual Percentage to the Comptroller on the last  
2 business day of the fiscal year immediately preceding the  
3 fiscal year for which it is to be effective.

4 (2) Beginning on January 1, 1989 and thereafter, the  
5 Department shall deposit a percentage of the amounts  
6 collected pursuant to subsections (a) and (b) (6), (7), and  
7 (8), (c) and (d) of Section 201 of this Act into a fund in  
8 the State treasury known as the Income Tax Refund Fund. The  
9 Department shall deposit 18% of such amounts during the  
10 period beginning January 1, 1989 and ending on June 30,  
11 1989. Beginning with State fiscal year 1990 and for each  
12 fiscal year thereafter, the percentage deposited into the  
13 Income Tax Refund Fund during a fiscal year shall be the  
14 Annual Percentage. For fiscal years 1999, 2000, and 2001,  
15 the Annual Percentage shall be 19%. For fiscal year 2003,  
16 the Annual Percentage shall be 27%. For fiscal year 2004,  
17 the Annual Percentage shall be 32%. Upon the effective date  
18 of this amendatory Act of the 93rd General Assembly, the  
19 Annual Percentage shall be 24% for fiscal year 2005. For  
20 fiscal year 2006, the Annual Percentage shall be 20%. For  
21 fiscal year 2007, the Annual Percentage shall be 17.5%. For  
22 fiscal year 2008, the Annual Percentage shall be 15.5%. For  
23 fiscal year 2009, the Annual Percentage shall be 17.5%. For  
24 fiscal year 2010, the Annual Percentage shall be 17.5%. For  
25 fiscal year 2011, the Annual Percentage shall be 17.5%. For  
26 fiscal year 2012, the Annual Percentage shall be 17.5%. For

1 fiscal year 2013, the Annual Percentage shall be 14%. For  
2 fiscal year 2014, the Annual Percentage shall be 13.4%. For  
3 fiscal year 2015, the Annual Percentage shall be 14%. For  
4 all other fiscal years, the Annual Percentage shall be  
5 calculated as a fraction, the numerator of which shall be  
6 the amount of refunds approved for payment by the  
7 Department during the preceding fiscal year as a result of  
8 overpayment of tax liability under subsections (a) and  
9 (b) (6), (7), and (8), (c) and (d) of Section 201 of this  
10 Act plus the amount of such refunds remaining approved but  
11 unpaid at the end of the preceding fiscal year, and the  
12 denominator of which shall be the amounts which will be  
13 collected pursuant to subsections (a) and (b) (6), (7), and  
14 (8), (c) and (d) of Section 201 of this Act during the  
15 preceding fiscal year; except that in State fiscal year  
16 2002, the Annual Percentage shall in no event exceed 23%.  
17 The Director of Revenue shall certify the Annual Percentage  
18 to the Comptroller on the last business day of the fiscal  
19 year immediately preceding the fiscal year for which it is  
20 to be effective.

21 (3) The Comptroller shall order transferred and the  
22 Treasurer shall transfer from the Tobacco Settlement  
23 Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000  
24 in January, 2001, (ii) \$35,000,000 in January, 2002, and  
25 (iii) \$35,000,000 in January, 2003.

26 (d) Expenditures from Income Tax Refund Fund.

1           (1) Beginning January 1, 1989, money in the Income Tax  
2 Refund Fund shall be expended exclusively for the purpose  
3 of paying refunds resulting from overpayment of tax  
4 liability under Section 201 of this Act, ~~for paying rebates~~  
5 ~~under Section 208.1 in the event that the amounts in the~~  
6 ~~Homeowners' Tax Relief Fund are insufficient for that~~  
7 ~~purpose,~~ and for making transfers pursuant to this  
8 subsection (d).

9           (2) The Director shall order payment of refunds  
10 resulting from overpayment of tax liability under Section  
11 201 of this Act from the Income Tax Refund Fund only to the  
12 extent that amounts collected pursuant to Section 201 of  
13 this Act and transfers pursuant to this subsection (d) and  
14 item (3) of subsection (c) have been deposited and retained  
15 in the Fund.

16           (3) As soon as possible after the end of each fiscal  
17 year, the Director shall order transferred and the State  
18 Treasurer and State Comptroller shall transfer from the  
19 Income Tax Refund Fund to the Personal Property Tax  
20 Replacement Fund an amount, certified by the Director to  
21 the Comptroller, equal to the excess of the amount  
22 collected pursuant to subsections (c) and (d) of Section  
23 201 of this Act deposited into the Income Tax Refund Fund  
24 during the fiscal year over the amount of refunds resulting  
25 from overpayment of tax liability under subsections (c) and  
26 (d) of Section 201 of this Act paid from the Income Tax



1 Refund Fund during the fiscal year.

2 (4) As soon as possible after the end of each fiscal  
3 year, the Director shall order transferred and the State  
4 Treasurer and State Comptroller shall transfer from the  
5 Personal Property Tax Replacement Fund to the Income Tax  
6 Refund Fund an amount, certified by the Director to the  
7 Comptroller, equal to the excess of the amount of refunds  
8 resulting from overpayment of tax liability under  
9 subsections (c) and (d) of Section 201 of this Act paid  
10 from the Income Tax Refund Fund during the fiscal year over  
11 the amount collected pursuant to subsections (c) and (d) of  
12 Section 201 of this Act deposited into the Income Tax  
13 Refund Fund during the fiscal year.

14 (4.5) As soon as possible after the end of fiscal year  
15 1999 and of each fiscal year thereafter, the Director shall  
16 order transferred and the State Treasurer and State  
17 Comptroller shall transfer from the Income Tax Refund Fund  
18 to the General Revenue Fund any surplus remaining in the  
19 Income Tax Refund Fund as of the end of such fiscal year;  
20 excluding for fiscal years 2000, 2001, and 2002 amounts  
21 attributable to transfers under item (3) of subsection (c)  
22 less refunds resulting from the earned income tax credit.

23 (5) This Act shall constitute an irrevocable and  
24 continuing appropriation from the Income Tax Refund Fund  
25 for the purpose of paying refunds upon the order of the  
26 Director in accordance with the provisions of this Section.

1 (e) Deposits into the Education Assistance Fund and the  
2 Income Tax Surcharge Local Government Distributive Fund.

3 On July 1, 1991, and thereafter, of the amounts collected  
4 pursuant to subsections (a) and (b) of Section 201 of this Act,  
5 minus deposits into the Income Tax Refund Fund, the Department  
6 shall deposit 7.3% into the Education Assistance Fund in the  
7 State Treasury. Beginning July 1, 1991, and continuing through  
8 January 31, 1993, of the amounts collected pursuant to  
9 subsections (a) and (b) of Section 201 of the Illinois Income  
10 Tax Act, minus deposits into the Income Tax Refund Fund, the  
11 Department shall deposit 3.0% into the Income Tax Surcharge  
12 Local Government Distributive Fund in the State Treasury.  
13 Beginning February 1, 1993 and continuing through June 30,  
14 1993, of the amounts collected pursuant to subsections (a) and  
15 (b) of Section 201 of the Illinois Income Tax Act, minus  
16 deposits into the Income Tax Refund Fund, the Department shall  
17 deposit 4.4% into the Income Tax Surcharge Local Government  
18 Distributive Fund in the State Treasury. Beginning July 1,  
19 1993, and continuing through June 30, 1994, of the amounts  
20 collected under subsections (a) and (b) of Section 201 of this  
21 Act, minus deposits into the Income Tax Refund Fund, the  
22 Department shall deposit 1.475% into the Income Tax Surcharge  
23 Local Government Distributive Fund in the State Treasury.

24 (f) Deposits into the Fund for the Advancement of  
25 Education. Beginning February 1, 2015, the Department shall  
26 deposit the following portions of the revenue realized from the

1 tax imposed upon individuals, trusts, and estates by  
2 subsections (a) and (b) of Section 201 of this Act during the  
3 preceding month, minus deposits into the Income Tax Refund  
4 Fund, into the Fund for the Advancement of Education:

5 (1) beginning February 1, 2015, and prior to February  
6 1, 2025, 1/30; and

7 (2) beginning February 1, 2025, 1/26.

8 If the rate of tax imposed by subsection (a) and (b) of  
9 Section 201 is reduced pursuant to Section 201.5 of this Act,  
10 the Department shall not make the deposits required by this  
11 subsection (f) on or after the effective date of the reduction.

12 (g) Deposits into the Commitment to Human Services Fund.  
13 Beginning February 1, 2015, the Department shall deposit the  
14 following portions of the revenue realized from the tax imposed  
15 upon individuals, trusts, and estates by subsections (a) and  
16 (b) of Section 201 of this Act during the preceding month,  
17 minus deposits into the Income Tax Refund Fund, into the  
18 Commitment to Human Services Fund:

19 (1) beginning February 1, 2015, and prior to February  
20 1, 2025, 1/30; and

21 (2) beginning February 1, 2025, 1/26.

22 If the rate of tax imposed by subsection (a) and (b) of  
23 Section 201 is reduced pursuant to Section 201.5 of this Act,  
24 the Department shall not make the deposits required by this  
25 subsection (g) on or after the effective date of the reduction.

26 (h) Deposits into the Tax Compliance and Administration

1 Fund. Beginning on the first day of the first calendar month to  
2 occur on or after August 26, 2014 (the effective date of Public  
3 Act 98-1098), each month the Department shall pay into the Tax  
4 Compliance and Administration Fund, to be used, subject to  
5 appropriation, to fund additional auditors and compliance  
6 personnel at the Department, an amount equal to 1/12 of 5% of  
7 the cash receipts collected during the preceding fiscal year by  
8 the Audit Bureau of the Department from the tax imposed by  
9 subsections (a), (b), (c), and (d) of Section 201 of this Act,  
10 net of deposits into the Income Tax Refund Fund made from those  
11 cash receipts.

12 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14;  
13 98-1052, eff. 8-26-14; 98-1098, eff. 8-26-14; 99-78, eff.  
14 7-20-15.)

15 Section 10-105. The Property Tax Code is amended by  
16 changing Section 20-15 as follows:

17 (35 ILCS 200/20-15)

18 Sec. 20-15. Information on bill or separate statement.  
19 There shall be printed on each bill, or on a separate slip  
20 which shall be mailed with the bill:

21 (a) a statement itemizing the rate at which taxes have  
22 been extended for each of the taxing districts in the  
23 county in whose district the property is located, and in  
24 those counties utilizing electronic data processing

1 equipment the dollar amount of tax due from the person  
2 assessed allocable to each of those taxing districts,  
3 including a separate statement of the dollar amount of tax  
4 due which is allocable to a tax levied under the Illinois  
5 Local Library Act or to any other tax levied by a  
6 municipality or township for public library purposes,

7 (b) a separate statement for each of the taxing  
8 districts of the dollar amount of tax due which is  
9 allocable to a tax levied under the Illinois Pension Code  
10 or to any other tax levied by a municipality or township  
11 for public pension or retirement purposes,

12 (c) the total tax rate,

13 (d) the total amount of tax due, and

14 (e) the amount by which the total tax and the tax  
15 allocable to each taxing district differs from the  
16 taxpayer's last prior tax bill.

17 The county treasurer shall ensure that only those taxing  
18 districts in which a parcel of property is located shall be  
19 listed on the bill for that property.

20 In all counties the statement shall also provide:

21 (1) the property index number or other suitable  
22 description,

23 (2) the assessment of the property,

24 (3) the statutory amount of each homestead exemption  
25 applied to the property,

26 (4) the assessed value of the property after

1 application of all homestead exemptions,

2 (5) the equalization factors imposed by the county and  
3 by the Department, and

4 (6) the equalized assessment resulting from the  
5 application of the equalization factors to the basic  
6 assessment.

7 In all counties which do not classify property for purposes  
8 of taxation, for property on which a single family residence is  
9 situated the statement shall also include a statement to  
10 reflect the fair cash value determined for the property. In all  
11 counties which classify property for purposes of taxation in  
12 accordance with Section 4 of Article IX of the Illinois  
13 Constitution, for parcels of residential property in the lowest  
14 assessment classification the statement shall also include a  
15 statement to reflect the fair cash value determined for the  
16 property.

17 In all counties, the statement must include information  
18 that certain taxpayers may be eligible for tax exemptions,  
19 abatements, and other assistance programs and that, for more  
20 information, taxpayers should consult with the office of their  
21 township or county assessor and with the Illinois Department of  
22 Revenue.

23 ~~In all counties, the statement shall include information~~  
24 ~~that certain taxpayers may be eligible for the Senior Citizens~~  
25 ~~and Persons with Disabilities Property Tax Relief Act and that~~  
26 ~~applications are available from the Illinois Department on~~

1 ~~Aging.~~

2 In counties which use the estimated or accelerated billing  
3 methods, these statements shall only be provided with the final  
4 installment of taxes due. The provisions of this Section create  
5 a mandatory statutory duty. They are not merely directory or  
6 discretionary. The failure or neglect of the collector to mail  
7 the bill, or the failure of the taxpayer to receive the bill,  
8 shall not affect the validity of any tax, or the liability for  
9 the payment of any tax.

10 (Source: P.A. 98-93, eff. 7-16-13; 99-143, eff. 7-27-15.)

11 Section 10-110. The Illinois Public Safety Agency Network  
12 Act is amended by changing Section 5 as follows:

13 (50 ILCS 752/5)

14 Sec. 5. Definitions. As used in this Act, unless the  
15 context requires otherwise:

16 "ALECS" means the Automated Law Enforcement Communications  
17 System.

18 "ALERTS" means the Area-wide Law Enforcement Radio  
19 Terminal System.

20 "Authority" means the Illinois Criminal Justice  
21 Information Authority.

22 "Board" means the Board of Directors of Illinois Public  
23 Safety Agency Network, Inc.

24 "IPSAN" or "Partnership" means Illinois Public Safety

1 Agency Network, Inc., the not-for-profit entity incorporated  
2 as provided in this Act.

3 "PIMS" means the Police Information Management System.

4 ~~"Trust Fund" means the Criminal Justice Information~~  
5 ~~Systems Trust Fund.~~

6 (Source: P.A. 94-896, eff. 7-1-06.)

7 (70 ILCS 210/22.1 rep.)

8 Section 10-115. The Metropolitan Pier and Exposition  
9 Authority Act is amended by repealing Section 22.1.

10 (235 ILCS 5/Art. XII rep.)

11 Section 10-120. The Liquor Control Act of 1934 is amended  
12 by repealing Article XII.

13 (310 ILCS 5/42 rep.)

14 (310 ILCS 5/43 rep.)

15 (310 ILCS 5/44 rep.)

16 Section 10-125. The State Housing Act is amended by  
17 repealing Sections 42, 43, and 44.

18 (310 ILCS 20/3b rep.)

19 Section 10-130. The Housing Development and Construction  
20 Act is amended by repealing Section 3b.

21 (310 ILCS 30/2 rep.)



1 Section 10-135. The Redevelopment Project Rehousing and  
2 Capital Improvements Act is amended by repealing Section 2.

3 (310 ILCS 55/Act rep.)

4 Section 10-140. The Home Ownership Made Easy Act is  
5 repealed.

6 (310 ILCS 65/16 rep.)

7 Section 10-145. The Illinois Affordable Housing Act is  
8 amended by repealing Section 16.

9 (315 ILCS 5/Act rep.)

10 Section 10-150. The Blighted Areas Redevelopment Act of  
11 1947 is repealed.

12 Section 10-155. The Blighted Vacant Areas Development Act  
13 of 1949 is amended by changing Section 6 as follows:

14 (315 ILCS 10/6) (from Ch. 67 1/2, par. 91.6)

15 Sec. 6. Sale of land. After title to the site is vested in  
16 the State of Illinois, the State of Illinois, acting through  
17 the Governor and the Secretary of State, shall sign, seal, and  
18 deliver a deed conveying the site to the developer or his  
19 heirs, legatees, successors or assigns, in consideration of the  
20 offer of the developer, provided that:

21 (a) The plans of development have been approved by the

1 corporate authorities of the municipality in which the site is  
2 located, or by the corporate authorities of the county where  
3 the site is located in an unincorporated area.

4 (b) (Blank). ~~The developer has satisfied the Department~~  
5 ~~that the completion of development will be accomplished within~~  
6 ~~a reasonable time after title to the site has been acquired~~  
7 ~~from the State of Illinois by depositing bond with surety to be~~  
8 ~~approved by the Department, or making a cash deposit, in either~~  
9 ~~case in such amount as shall be deemed adequate by the~~  
10 ~~Department. Such bonds shall designate the People of the State~~  
11 ~~of Illinois as obligee thereunder and the developer as obligor~~  
12 ~~thereon, and shall be conditioned upon completion of~~  
13 ~~development by the developer in accordance with the plans of~~  
14 ~~development, or such revisions therein as may be approved by~~  
15 ~~the Department, within a period to be specified by the~~  
16 ~~Department or any subsequent extension of this period by the~~  
17 ~~Department.~~

18 ~~Such bond shall be in substantially the following form:~~  
19 ~~"We, A.B., C.D., and E.F., of the County of .... and State of~~  
20 ~~Illinois, as principals, and .... as surety, are obligated to~~  
21 ~~the People of the State of Illinois in the penal sum of \$....,~~  
22 ~~lawful money of the United States, for the payment of which we~~  
23 ~~and each of us obligate ourselves and our heirs, executors,~~  
24 ~~administrators and assigns jointly.~~

25 ~~The condition of this bond is such that if the above stated~~  
26 ~~A.B., C.D., and E.F., shall complete development of a site~~

1 ~~located at .... in accordance with plans of development~~  
 2 ~~submitted to the Department on (insert date), or in accordance~~  
 3 ~~with such revisions of such plans of development as may~~  
 4 ~~hereafter be approved by the Department, such completion of~~  
 5 ~~development to be within a period of .... years, or any~~  
 6 ~~subsequent extension of this period by the Department, then~~  
 7 ~~this obligation is void; otherwise it remains in full force and~~  
 8 ~~effect.~~

9       ~~Dated (insert date).~~  
 10       ~~Signature of A.B. \_\_\_\_\_~~  
 11       ~~Signature of C.D. \_\_\_\_\_~~  
 12       ~~Signature of E.F. \_\_\_\_\_"~~

13       ~~The bond shall be signed by the principals and sureties and~~  
 14 ~~after approval by the Department shall be filed and recorded by~~  
 15 ~~the Department.~~

16       (Source: P.A. 91-357, eff. 7-29-99.)

17       (315 ILCS 10/4 rep.)

18       Section 10-160. The Blighted Vacant Areas Development Act  
 19 of 1949 is amended by repealing Section 4.

20       (315 ILCS 25/Act rep.)

21       Section 10-165. The Urban Community Conservation Act is  
 22 repealed.

1 (315 ILCS 30/Act rep.)

2 Section 10-170. The Urban Renewal Consolidation Act of 1961  
3 is repealed.

4 (315 ILCS 35/Act rep.)

5 Section 10-175. The Urban Flooding Awareness Act is  
6 repealed.

7 Section 10-180. The Older Adult Services Act is amended by  
8 changing Section 35 as follows:

9 (320 ILCS 42/35)

10 Sec. 35. Older Adult Services Advisory Committee.

11 (a) The Older Adult Services Advisory Committee is created  
12 to advise the directors of Aging, Healthcare and Family  
13 Services, and Public Health on all matters related to this Act  
14 and the delivery of services to older adults in general.

15 (b) The Advisory Committee shall be comprised of the  
16 following:

17 (1) The Director of Aging or his or her designee, who  
18 shall serve as chair and shall be an ex officio and  
19 nonvoting member.

20 (2) The Director of Healthcare and Family Services and  
21 the Director of Public Health or their designees, who shall  
22 serve as vice-chairs and shall be ex officio and nonvoting  
23 members.

1           (3) One representative each of the Governor's Office,  
2           the Department of Healthcare and Family Services, the  
3           Department of Public Health, the Department of Veterans'  
4           Affairs, the Department of Human Services, the Department  
5           of Insurance, ~~the Department of Commerce and Economic~~  
6           ~~Opportunity~~, the Department on Aging, the Department on  
7           Aging's State Long Term Care Ombudsman, the Illinois  
8           Housing Finance Authority, and the Illinois Housing  
9           Development Authority, each of whom shall be selected by  
10          his or her respective director and shall be an ex officio  
11          and nonvoting member.

12          (4) Thirty members appointed by the Director of Aging  
13          in collaboration with the directors of Public Health and  
14          Healthcare and Family Services, and selected from the  
15          recommendations of statewide associations and  
16          organizations, as follows:

17                 (A) One member representing the Area Agencies on  
18                 Aging;

19                 (B) Four members representing nursing homes or  
20                 licensed assisted living establishments;

21                 (C) One member representing home health agencies;

22                 (D) One member representing case management  
23                 services;

24                 (E) One member representing statewide senior  
25                 center associations;

26                 (F) One member representing Community Care Program

1 homemaker services;

2 (G) One member representing Community Care Program  
3 adult day services;

4 (H) One member representing nutrition project  
5 directors;

6 (I) One member representing hospice programs;

7 (J) One member representing individuals with  
8 Alzheimer's disease and related dementias;

9 (K) Two members representing statewide trade or  
10 labor unions;

11 (L) One advanced practice nurse with experience in  
12 gerontological nursing;

13 (M) One physician specializing in gerontology;

14 (N) One member representing regional long-term  
15 care ombudsmen;

16 (O) One member representing municipal, township,  
17 or county officials;

18 (P) (Blank);

19 (Q) (Blank);

20 (R) One member representing the parish nurse  
21 movement;

22 (S) One member representing pharmacists;

23 (T) Two members representing statewide  
24 organizations engaging in advocacy or legal  
25 representation on behalf of the senior population;

26 (U) Two family caregivers;

- 1           (V) Two citizen members over the age of 60;
- 2           (W) One citizen with knowledge in the area of  
3 gerontology research or health care law;
- 4           (X) One representative of health care facilities  
5 licensed under the Hospital Licensing Act; and
- 6           (Y) One representative of primary care service  
7 providers.

8           The Director of Aging, in collaboration with the Directors  
9 of Public Health and Healthcare and Family Services, may  
10 appoint additional citizen members to the Older Adult Services  
11 Advisory Committee. Each such additional member must be either  
12 an individual age 60 or older or an uncompensated caregiver for  
13 a family member or friend who is age 60 or older.

14           (c) Voting members of the Advisory Committee shall serve  
15 for a term of 3 years or until a replacement is named. All  
16 members shall be appointed no later than January 1, 2005. Of  
17 the initial appointees, as determined by lot, 10 members shall  
18 serve a term of one year; 10 shall serve for a term of 2 years;  
19 and 12 shall serve for a term of 3 years. Any member appointed  
20 to fill a vacancy occurring prior to the expiration of the term  
21 for which his or her predecessor was appointed shall be  
22 appointed for the remainder of that term. The Advisory  
23 Committee shall meet at least quarterly and may meet more  
24 frequently at the call of the Chair. A simple majority of those  
25 appointed shall constitute a quorum. The affirmative vote of a  
26 majority of those present and voting shall be necessary for

1 Advisory Committee action. Members of the Advisory Committee  
2 shall receive no compensation for their services.

3 (d) The Advisory Committee shall have an Executive  
4 Committee comprised of the Chair, the Vice Chairs, and up to 15  
5 members of the Advisory Committee appointed by the Chair who  
6 have demonstrated expertise in developing, implementing, or  
7 coordinating the system restructuring initiatives defined in  
8 Section 25. The Executive Committee shall have responsibility  
9 to oversee and structure the operations of the Advisory  
10 Committee and to create and appoint necessary subcommittees and  
11 subcommittee members.

12 (e) The Advisory Committee shall study and make  
13 recommendations related to the implementation of this Act,  
14 including but not limited to system restructuring initiatives  
15 as defined in Section 25 or otherwise related to this Act.

16 (Source: P.A. 95-331, eff. 8-21-07; 96-916, eff. 6-9-10.)

17 (325 ILCS 25/Act rep.)

18 Section 10-185. The High Risk Youth Career Development Act  
19 is repealed.

20 (410 ILCS 48/25 rep.)

21 (410 ILCS 48/30 rep.)

22 Section 10-190. The Brominated Fire Retardant Prevention  
23 Act is amended by repealing Sections 25 and 30.



1 Section 10-195. The Environmental Protection Act is  
2 amended by changing Sections 21.6, 22.15, 22.28, 22.29, 55,  
3 55.6, and 58.15 as follows:

4 (415 ILCS 5/21.6) (from Ch. 111 1/2, par. 1021.6)

5 Sec. 21.6. Materials disposal ban.

6 (a) Beginning July 1, 1996, no person may knowingly mix  
7 liquid used oil with any municipal waste that is intended for  
8 collection and disposal at a landfill.

9 (b) Beginning July 1, 1996, no owner or operator of a  
10 sanitary landfill shall accept for final disposal liquid used  
11 oil that is discernible in the course of prudent business  
12 operation.

13 (c) For purposes of this Section, "liquid used oil" does  
14 not include used oil filters, rags, absorbent material used to  
15 collect spilled oil or other materials incidentally  
16 contaminated with used oil, or empty containers which  
17 previously contained virgin oil, re-refined oil, or used oil.

18 (d) (Blank). ~~The Agency and the Department of Commerce and~~  
19 ~~Economic Opportunity shall investigate the manner in which~~  
20 ~~liquid used oil is currently being utilized and potential~~  
21 ~~prospects for future use.~~

22 (Source: P.A. 94-793, eff. 5-19-06.)

23 (415 ILCS 5/22.15) (from Ch. 111 1/2, par. 1022.15)

24 Sec. 22.15. Solid Waste Management Fund; fees.

1           (a) There is hereby created within the State Treasury a  
2 special fund to be known as the "Solid Waste Management Fund",  
3 to be constituted from the fees collected by the State pursuant  
4 to this Section and from repayments of loans made from the Fund  
5 for solid waste projects. Moneys received by the Department of  
6 Commerce and Economic Opportunity in repayment of loans made  
7 pursuant to the Illinois Solid Waste Management Act shall be  
8 deposited into the General Revenue Fund.

9           (b) The Agency shall assess and collect a fee in the amount  
10 set forth herein from the owner or operator of each sanitary  
11 landfill permitted or required to be permitted by the Agency to  
12 dispose of solid waste if the sanitary landfill is located off  
13 the site where such waste was produced and if such sanitary  
14 landfill is owned, controlled, and operated by a person other  
15 than the generator of such waste. The Agency shall deposit all  
16 fees collected into the Solid Waste Management Fund. If a site  
17 is contiguous to one or more landfills owned or operated by the  
18 same person, the volumes permanently disposed of by each  
19 landfill shall be combined for purposes of determining the fee  
20 under this subsection.

21           (1) If more than 150,000 cubic yards of non-hazardous  
22 solid waste is permanently disposed of at a site in a  
23 calendar year, the owner or operator shall either pay a fee  
24 of 95 cents per cubic yard or, alternatively, the owner or  
25 operator may weigh the quantity of the solid waste  
26 permanently disposed of with a device for which

1 certification has been obtained under the Weights and  
2 Measures Act and pay a fee of \$2.00 per ton of solid waste  
3 permanently disposed of. In no case shall the fee collected  
4 or paid by the owner or operator under this paragraph  
5 exceed \$1.55 per cubic yard or \$3.27 per ton.

6 (2) If more than 100,000 cubic yards but not more than  
7 150,000 cubic yards of non-hazardous waste is permanently  
8 disposed of at a site in a calendar year, the owner or  
9 operator shall pay a fee of \$52,630.

10 (3) If more than 50,000 cubic yards but not more than  
11 100,000 cubic yards of non-hazardous solid waste is  
12 permanently disposed of at a site in a calendar year, the  
13 owner or operator shall pay a fee of \$23,790.

14 (4) If more than 10,000 cubic yards but not more than  
15 50,000 cubic yards of non-hazardous solid waste is  
16 permanently disposed of at a site in a calendar year, the  
17 owner or operator shall pay a fee of \$7,260.

18 (5) If not more than 10,000 cubic yards of  
19 non-hazardous solid waste is permanently disposed of at a  
20 site in a calendar year, the owner or operator shall pay a  
21 fee of \$1050.

22 (c) (Blank).

23 (d) The Agency shall establish rules relating to the  
24 collection of the fees authorized by this Section. Such rules  
25 shall include, but not be limited to:

26 (1) necessary records identifying the quantities of

1 solid waste received or disposed;

2 (2) the form and submission of reports to accompany the  
3 payment of fees to the Agency;

4 (3) the time and manner of payment of fees to the  
5 Agency, which payments shall not be more often than  
6 quarterly; and

7 (4) procedures setting forth criteria establishing  
8 when an owner or operator may measure by weight or volume  
9 during any given quarter or other fee payment period.

10 (e) Pursuant to appropriation, all monies in the Solid  
11 Waste Management Fund shall be used by the Agency and the  
12 Department of Commerce and Economic Opportunity for the  
13 purposes set forth in this Section and in the Illinois Solid  
14 Waste Management Act, including for the costs of fee collection  
15 and administration.

16 (f) The Agency is authorized to enter into such agreements  
17 and to promulgate such rules as are necessary to carry out its  
18 duties under this Section and the Illinois Solid Waste  
19 Management Act.

20 (g) On the first day of January, April, July, and October  
21 of each year, beginning on July 1, 1996, the State Comptroller  
22 and Treasurer shall transfer \$500,000 from the Solid Waste  
23 Management Fund to the Hazardous Waste Fund. Moneys transferred  
24 under this subsection (g) shall be used only for the purposes  
25 set forth in item (1) of subsection (d) of Section 22.2.

26 (h) The Agency is authorized to provide financial

1 assistance to units of local government for the performance of  
2 inspecting, investigating and enforcement activities pursuant  
3 to Section 4(r) at nonhazardous solid waste disposal sites.

4 (i) The Agency is authorized ~~to support the operations of~~  
5 ~~an industrial materials exchange service,~~ and to conduct  
6 household waste collection and disposal programs.

7 (j) A unit of local government, as defined in the Local  
8 Solid Waste Disposal Act, in which a solid waste disposal  
9 facility is located may establish a fee, tax, or surcharge with  
10 regard to the permanent disposal of solid waste. All fees,  
11 taxes, and surcharges collected under this subsection shall be  
12 utilized for solid waste management purposes, including  
13 long-term monitoring and maintenance of landfills, planning,  
14 implementation, inspection, enforcement and other activities  
15 consistent with the Solid Waste Management Act and the Local  
16 Solid Waste Disposal Act, or for any other environment-related  
17 purpose, including but not limited to an environment-related  
18 public works project, but not for the construction of a new  
19 pollution control facility other than a household hazardous  
20 waste facility. However, the total fee, tax or surcharge  
21 imposed by all units of local government under this subsection

22 (j) upon the solid waste disposal facility shall not exceed:

23 (1) 60¢ per cubic yard if more than 150,000 cubic yards  
24 of non-hazardous solid waste is permanently disposed of at  
25 the site in a calendar year, unless the owner or operator  
26 weighs the quantity of the solid waste received with a

1 device for which certification has been obtained under the  
2 Weights and Measures Act, in which case the fee shall not  
3 exceed \$1.27 per ton of solid waste permanently disposed  
4 of.

5 (2) \$33,350 if more than 100,000 cubic yards, but not  
6 more than 150,000 cubic yards, of non-hazardous waste is  
7 permanently disposed of at the site in a calendar year.

8 (3) \$15,500 if more than 50,000 cubic yards, but not  
9 more than 100,000 cubic yards, of non-hazardous solid waste  
10 is permanently disposed of at the site in a calendar year.

11 (4) \$4,650 if more than 10,000 cubic yards, but not  
12 more than 50,000 cubic yards, of non-hazardous solid waste  
13 is permanently disposed of at the site in a calendar year.

14 (5) \$650 if not more than 10,000 cubic yards of  
15 non-hazardous solid waste is permanently disposed of at the  
16 site in a calendar year.

17 The corporate authorities of the unit of local government  
18 may use proceeds from the fee, tax, or surcharge to reimburse a  
19 highway commissioner whose road district lies wholly or  
20 partially within the corporate limits of the unit of local  
21 government for expenses incurred in the removal of  
22 nonhazardous, nonfluid municipal waste that has been dumped on  
23 public property in violation of a State law or local ordinance.

24 A county or Municipal Joint Action Agency that imposes a  
25 fee, tax, or surcharge under this subsection may use the  
26 proceeds thereof to reimburse a municipality that lies wholly

1 or partially within its boundaries for expenses incurred in the  
2 removal of nonhazardous, nonfluid municipal waste that has been  
3 dumped on public property in violation of a State law or local  
4 ordinance.

5 If the fees are to be used to conduct a local sanitary  
6 landfill inspection or enforcement program, the unit of local  
7 government must enter into a written delegation agreement with  
8 the Agency pursuant to subsection (r) of Section 4. The unit of  
9 local government and the Agency shall enter into such a written  
10 delegation agreement within 60 days after the establishment of  
11 such fees. At least annually, the Agency shall conduct an audit  
12 of the expenditures made by units of local government from the  
13 funds granted by the Agency to the units of local government  
14 for purposes of local sanitary landfill inspection and  
15 enforcement programs, to ensure that the funds have been  
16 expended for the prescribed purposes under the grant.

17 The fees, taxes or surcharges collected under this  
18 subsection (j) shall be placed by the unit of local government  
19 in a separate fund, and the interest received on the moneys in  
20 the fund shall be credited to the fund. The monies in the fund  
21 may be accumulated over a period of years to be expended in  
22 accordance with this subsection.

23 A unit of local government, as defined in the Local Solid  
24 Waste Disposal Act, shall prepare and distribute to the Agency,  
25 in April of each year, a report that details spending plans for  
26 monies collected in accordance with this subsection. The report

1 will at a minimum include the following:

2 (1) The total monies collected pursuant to this  
3 subsection.

4 (2) The most current balance of monies collected  
5 pursuant to this subsection.

6 (3) An itemized accounting of all monies expended for  
7 the previous year pursuant to this subsection.

8 (4) An estimation of monies to be collected for the  
9 following 3 years pursuant to this subsection.

10 (5) A narrative detailing the general direction and  
11 scope of future expenditures for one, 2 and 3 years.

12 The exemptions granted under Sections 22.16 and 22.16a, and  
13 under subsection (k) of this Section, shall be applicable to  
14 any fee, tax or surcharge imposed under this subsection (j);  
15 except that the fee, tax or surcharge authorized to be imposed  
16 under this subsection (j) may be made applicable by a unit of  
17 local government to the permanent disposal of solid waste after  
18 December 31, 1986, under any contract lawfully executed before  
19 June 1, 1986 under which more than 150,000 cubic yards (or  
20 50,000 tons) of solid waste is to be permanently disposed of,  
21 even though the waste is exempt from the fee imposed by the  
22 State under subsection (b) of this Section pursuant to an  
23 exemption granted under Section 22.16.

24 (k) In accordance with the findings and purposes of the  
25 Illinois Solid Waste Management Act, beginning January 1, 1989  
26 the fee under subsection (b) and the fee, tax or surcharge



1 under subsection (j) shall not apply to:

2 (1) Waste which is hazardous waste; or

3 (2) Waste which is pollution control waste; or

4 (3) Waste from recycling, reclamation or reuse  
5 processes which have been approved by the Agency as being  
6 designed to remove any contaminant from wastes so as to  
7 render such wastes reusable, provided that the process  
8 renders at least 50% of the waste reusable; or

9 (4) Non-hazardous solid waste that is received at a  
10 sanitary landfill and composted or recycled through a  
11 process permitted by the Agency; or

12 (5) Any landfill which is permitted by the Agency to  
13 receive only demolition or construction debris or  
14 landscape waste.

15 (Source: P.A. 97-333, eff. 8-12-11.)

16 (415 ILCS 5/22.28) (from Ch. 111 1/2, par. 1022.28)

17 Sec. 22.28. White goods.

18 (a) ~~No Beginning July 1, 1994, no~~ person shall knowingly  
19 offer for collection or collect white goods for the purpose of  
20 disposal by landfilling unless the white good components have  
21 been removed.

22 (b) ~~No Beginning July 1, 1994, no~~ owner or operator of a  
23 landfill shall accept any white goods for final disposal,  
24 except that white goods may be accepted if:

25 (1) (blank); ~~the landfill participates in the~~

1 ~~Industrial Materials Exchange Service by communicating the~~  
2 ~~availability of white goods;~~

3 (2) prior to final disposal, any white good components  
4 have been removed from the white goods; and

5 (3) ~~if white good components are removed from the white~~  
6 ~~goods at the landfill,~~ a site operating plan satisfying  
7 this Act has been approved under the landfill's site  
8 operating permit and the conditions of the ~~such~~ operating  
9 plan are met.

10 (c) For the purposes of this Section:

11 (1) "White goods" shall include all discarded  
12 refrigerators, ranges, water heaters, freezers, air  
13 conditioners, humidifiers and other similar domestic and  
14 commercial large appliances.

15 (2) "White good components" shall include:

16 (i) any chlorofluorocarbon refrigerant gas;

17 (ii) any electrical switch containing mercury;

18 (iii) any device that contains or may contain PCBs  
19 in a closed system, such as a dielectric fluid for a  
20 capacitor, ballast or other component; and

21 (iv) any fluorescent lamp that contains mercury.

22 (d) The Agency is authorized to provide financial  
23 assistance to units of local government from the Solid Waste  
24 Management Fund to plan for and implement programs to collect,  
25 transport and manage white goods. Units of local government may  
26 apply jointly for financial assistance under this Section.

1 Applications for such financial assistance shall be  
2 submitted to the Agency and must provide a description of:

3 (A) the area to be served by the program;

4 (B) the white goods intended to be included in the  
5 program;

6 (C) the methods intended to be used for collecting  
7 and receiving materials;

8 (D) the property, buildings, equipment and  
9 personnel included in the program;

10 (E) the public education systems to be used as part  
11 of the program;

12 (F) the safety and security systems that will be  
13 used;

14 (G) the intended processing methods for each white  
15 goods type;

16 (H) the intended destination for final material  
17 handling location; and

18 (I) any staging sites used to handle collected  
19 materials, the activities to be performed at such sites  
20 and the procedures for assuring removal of collected  
21 materials from such sites.

22 The application may be amended to reflect changes in  
23 operating procedures, destinations for collected materials, or  
24 other factors.

25 Financial assistance shall be awarded for a State fiscal  
26 year, and may be renewed, upon application, if the Agency

1 approves the operation of the program.

2 (e) All materials collected or received under a program  
3 operated with financial assistance under this Section shall be  
4 recycled whenever possible. Treatment or disposal of collected  
5 materials are not eligible for financial assistance unless the  
6 applicant shows and the Agency approves which materials may be  
7 treated or disposed of under various conditions.

8 Any revenue from the sale of materials collected under such  
9 a program shall be retained by the unit of local government and  
10 may be used only for the same purposes as the financial  
11 assistance under this Section.

12 (f) The Agency is authorized to adopt rules necessary or  
13 appropriate to the administration of this Section.

14 (g) (Blank).

15 (Source: P.A. 91-798, eff. 7-9-00; revised 10-6-16.)

16 (415 ILCS 5/22.29) (from Ch. 111 1/2, par. 1022.29)

17 Sec. 22.29. (a) Except as provided in subsection (c), any  
18 waste material generated by processing recyclable metals by  
19 shredding shall be managed as a special waste unless ~~(1)~~ a site  
20 operating plan has been approved by the Agency and the  
21 conditions of such operating plan are met; ~~and (2) the facility~~  
22 ~~participates in the Industrial Materials Exchange Service by~~  
23 ~~communicating availability to process recyclable metals.~~

24 (b) An operating plan submitted to the Agency under this  
25 Section shall include the following concerning recyclable

1 metals processing and components which may contaminate waste  
2 from shredding recyclable metals (such as lead acid batteries,  
3 fuel tanks, or components that contain or may contain PCB's in  
4 a closed system such as a capacitor or ballast):

5 (1) procedures for inspecting recyclable metals when  
6 received to assure that such components are identified;

7 (2) a list of equipment and removal procedures to be  
8 used to assure proper removal of such components;

9 (3) procedures for safe storage of such components  
10 after removal and any waste materials;

11 (4) procedures to assure that such components and waste  
12 materials will only be stored for a period long enough to  
13 accumulate the proper quantities for off-site  
14 transportation;

15 (5) identification of how such components and waste  
16 materials will be managed after removal from the site to  
17 assure proper handling and disposal;

18 (6) procedures for sampling and analyzing waste  
19 intended for disposal or off-site handling as a waste;

20 (7) a demonstration, including analytical reports,  
21 that any waste generated is not a hazardous waste and will  
22 not pose a present or potential threat to human health or  
23 the environment.

24 (c) Any waste generated as a result of processing  
25 recyclable metals by shredding which is determined to be  
26 hazardous waste shall be managed as a hazardous waste.

1 (d) The Agency is authorized to adopt rules necessary or  
2 appropriate to the administration of this Section.

3 (Source: P.A. 87-806; 87-895.)

4 (415 ILCS 5/55) (from Ch. 111 1/2, par. 1055)

5 Sec. 55. Prohibited activities.

6 (a) No person shall:

7 (1) Cause or allow the open dumping of any used or  
8 waste tire.

9 (2) Cause or allow the open burning of any used or  
10 waste tire.

11 (3) Except at a tire storage site which contains more  
12 than 50 used tires, cause or allow the storage of any used  
13 tire unless the tire is altered, reprocessed, converted,  
14 covered, or otherwise prevented from accumulating water.

15 (4) Cause or allow the operation of a tire storage site  
16 except in compliance with Board regulations.

17 (5) Abandon, dump or dispose of any used or waste tire  
18 on private or public property, except in a sanitary  
19 landfill approved by the Agency pursuant to regulations  
20 adopted by the Board.

21 (6) Fail to submit required reports, tire removal  
22 agreements, or Board regulations.

23 (b) (Blank.)

24 (b-1) ~~No Beginning January 1, 1995, no~~ person shall  
25 knowingly mix any used or waste tire, either whole or cut, with

1 municipal waste, and no owner or operator of a sanitary  
2 landfill shall accept any used or waste tire for final  
3 disposal; except that used or waste tires, when separated from  
4 other waste, may be accepted if: ~~(1) the sanitary landfill~~  
5 ~~provides and maintains a means for shredding, slitting, or~~  
6 ~~chopping whole tires and so treats whole tires and, if approved~~  
7 ~~by the Agency in a permit issued under this Act, uses the used~~  
8 ~~or waste tires for alternative uses, which may include on-site~~  
9 ~~practices such as lining of roadways with tire scraps,~~  
10 ~~alternative daily cover, or use in a leachate collection system~~  
11 ~~or (2) the sanitary landfill, by its notification to the~~  
12 ~~Illinois Industrial Materials Exchange Service, makes~~  
13 ~~available the used or waste tire to an appropriate facility for~~  
14 ~~reuse, reprocessing, or converting, including use as an~~  
15 ~~alternate energy fuel. If, within 30 days after notification to~~  
16 ~~the Illinois Industrial Materials Exchange Service of the~~  
17 ~~availability of waste tires, no specific request for the used~~  
18 ~~or waste tires is received by the sanitary landfill, and the~~  
19 ~~sanitary landfill determines it has no alternative use for~~  
20 ~~those used or waste tires, the sanitary landfill may dispose of~~  
21 ~~slit, chopped, or shredded used or waste tires in the sanitary~~  
22 ~~landfill. In the event the physical condition of a used or~~  
23 ~~waste tire makes shredding, slitting, chopping, reuse,~~  
24 ~~reprocessing, or other alternative use of the used or waste~~  
25 ~~tire impractical or infeasible, then the sanitary landfill,~~  
26 ~~after authorization by the Agency, may accept the used or waste~~

1 tire for disposal.

2 ~~Sanitary landfills and facilities for reuse, reprocessing,~~  
3 ~~or converting, including use as alternative fuel, shall (i)~~  
4 ~~notify the Illinois Industrial Materials Exchange Service of~~  
5 ~~the availability of and demand for used or waste tires and (ii)~~  
6 ~~consult with the Department of Commerce and Economic~~  
7 ~~Opportunity regarding the status of marketing of waste tires to~~  
8 ~~facilities for reuse.~~

9 (c) Any person who sells new or used tires at retail or  
10 operates a tire storage site or a tire disposal site which  
11 contains more than 50 used or waste tires shall give notice of  
12 such activity to the Agency. Any person engaging in such  
13 activity for the first time after January 1, 1990, shall give  
14 notice to the Agency within 30 days after the date of  
15 commencement of the activity. The form of such notice shall be  
16 specified by the Agency and shall be limited to information  
17 regarding the following:

- 18 (1) the name and address of the owner and operator;
- 19 (2) the name, address and location of the operation;
- 20 (3) the type of operations involving used and waste  
21 tires (storage, disposal, conversion or processing); and
- 22 (4) the number of used and waste tires present at the  
23 location.

24 (d) Beginning January 1, 1992, no person shall cause or  
25 allow the operation of:

- 26 (1) a tire storage site which contains more than 50



1 used tires, unless the owner or operator, by January 1,  
2 1992 (or the January 1 following commencement of operation,  
3 whichever is later) and January 1 of each year thereafter,  
4 (i) registers the site with the Agency, except that the  
5 registration requirement in this item (i) does not apply in  
6 the case of a tire storage site required to be permitted  
7 under subsection (d-5), (ii) certifies to the Agency that  
8 the site complies with any applicable standards adopted by  
9 the Board pursuant to Section 55.2, (iii) reports to the  
10 Agency the number of tires accumulated, the status of  
11 vector controls, and the actions taken to handle and  
12 process the tires, and (iv) pays the fee required under  
13 subsection (b) of Section 55.6; or

14 (2) a tire disposal site, unless the owner or operator  
15 (i) has received approval from the Agency after filing a  
16 tire removal agreement pursuant to Section 55.4, or (ii)  
17 has entered into a written agreement to participate in a  
18 consensual removal action under Section 55.3.

19 The Agency shall provide written forms for the annual  
20 registration and certification required under this subsection  
21 (d).

22 (d-4) On or before January 1, 2015, the owner or operator  
23 of each tire storage site that contains used tires totaling  
24 more than 10,000 passenger tire equivalents, or at which more  
25 than 500 tons of used tires are processed in a calendar year,  
26 shall submit documentation demonstrating its compliance with

1 Board rules adopted under this Title. This documentation must  
2 be submitted on forms and in a format prescribed by the Agency.

3 (d-5) Beginning July 1, 2016, no person shall cause or  
4 allow the operation of a tire storage site that contains used  
5 tires totaling more than 10,000 passenger tire equivalents, or  
6 at which more than 500 tons of used tires are processed in a  
7 calendar year, without a permit granted by the Agency or in  
8 violation of any conditions imposed by that permit, including  
9 periodic reports and full access to adequate records and the  
10 inspection of facilities, as may be necessary to ensure  
11 compliance with this Act and with regulations and standards  
12 adopted under this Act.

13 (d-6) No person shall cause or allow the operation of a  
14 tire storage site in violation of the financial assurance rules  
15 established by the Board under subsection (b) of Section 55.2  
16 of this Act. In addition to the remedies otherwise provided  
17 under this Act, the State's Attorney of the county in which the  
18 violation occurred, or the Attorney General, may, at the  
19 request of the Agency or on his or her own motion, institute a  
20 civil action for an immediate injunction, prohibitory or  
21 mandatory, to restrain any violation of this subsection (d-6)  
22 or to require any other action as may be necessary to abate or  
23 mitigate any immediate danger or threat to public health or the  
24 environment at the site. Injunctions to restrain a violation of  
25 this subsection (d-6) may include, but are not limited to, the  
26 required removal of all tires for which financial assurance is

1 not maintained and a prohibition against the acceptance of  
2 tires in excess of the amount for which financial assurance is  
3 maintained.

4 (e) No person shall cause or allow the storage, disposal,  
5 treatment or processing of any used or waste tire in violation  
6 of any regulation or standard adopted by the Board.

7 (f) No person shall arrange for the transportation of used  
8 or waste tires away from the site of generation with a person  
9 known to openly dump such tires.

10 (g) No person shall engage in any operation as a used or  
11 waste tire transporter except in compliance with Board  
12 regulations.

13 (h) No person shall cause or allow the combustion of any  
14 used or waste tire in an enclosed device unless a permit has  
15 been issued by the Agency authorizing such combustion pursuant  
16 to regulations adopted by the Board for the control of air  
17 pollution and consistent with the provisions of Section 9.4 of  
18 this Act.

19 (i) No person shall cause or allow the use of pesticides to  
20 treat tires except as prescribed by Board regulations.

21 (j) No person shall fail to comply with the terms of a tire  
22 removal agreement approved by the Agency pursuant to Section  
23 55.4.

24 (k) No person shall:

25 (1) Cause or allow water to accumulate in used or waste  
26 tires. The prohibition set forth in this paragraph (1) of

1 subsection (k) shall not apply to used or waste tires  
2 located at a residential household, as long as not more  
3 than 12 used or waste tires are located at the site.

4 (2) Fail to collect a fee required under Section 55.8  
5 of this Title.

6 (3) Fail to file a return required under Section 55.10  
7 of this Title.

8 (4) Transport used or waste tires in violation of the  
9 registration and vehicle placarding requirements adopted  
10 by the Board.

11 (Source: P.A. 98-656, eff. 6-19-14.)

12 (415 ILCS 5/55.6) (from Ch. 111 1/2, par. 1055.6)

13 Sec. 55.6. Used Tire Management Fund.

14 (a) There is hereby created in the State Treasury a special  
15 fund to be known as the Used Tire Management Fund. There shall  
16 be deposited into the Fund all monies received as (1) recovered  
17 costs or proceeds from the sale of used tires under Section  
18 55.3 of this Act, (2) repayment of loans from the Used Tire  
19 Management Fund, or (3) penalties or punitive damages for  
20 violations of this Title, except as provided by subdivision  
21 (b) (4) or (b) (4-5) of Section 42.

22 (b) Beginning January 1, 1992, in addition to any other  
23 fees required by law, the owner or operator of each site  
24 required to be registered or permitted under subsection (d) or  
25 (d-5) of Section 55 shall pay to the Agency an annual fee of

1 \$100. Fees collected under this subsection shall be deposited  
2 into the Environmental Protection Permit and Inspection Fund.

3 (c) Pursuant to appropriation, monies up to an amount of \$2  
4 million per fiscal year from the Used Tire Management Fund  
5 shall be allocated as follows:

6 (1) 38% shall be available to the Agency for the  
7 following purposes, provided that priority shall be given  
8 to item (i):

9 (i) To undertake preventive, corrective or removal  
10 action as authorized by and in accordance with Section  
11 55.3, and to recover costs in accordance with Section  
12 55.3.

13 (ii) For the performance of inspection and  
14 enforcement activities for used and waste tire sites.

15 (iii) (Blank). ~~To assist with marketing of used~~  
16 ~~tires by augmenting the operations of an industrial~~  
17 ~~materials exchange service.~~

18 (iv) To provide financial assistance to units of  
19 local government for the performance of inspecting,  
20 investigating and enforcement activities pursuant to  
21 subsection (r) of Section 4 at used and waste tire  
22 sites.

23 (v) To provide financial assistance for used and  
24 waste tire collection projects sponsored by local  
25 government or not-for-profit corporations.

26 (vi) For the costs of fee collection and

1 administration relating to used and waste tires, and to  
2 accomplish such other purposes as are authorized by  
3 this Act and regulations thereunder.

4 (vii) To provide financial assistance to units of  
5 local government and private industry for the purposes  
6 of:

7 (A) assisting in the establishment of  
8 facilities and programs to collect, process, and  
9 utilize used and waste tires and tire-derived  
10 materials;

11 (B) demonstrating the feasibility of  
12 innovative technologies as a means of collecting,  
13 storing, processing, and utilizing used and waste  
14 tires and tire-derived materials; and

15 (C) applying demonstrated technologies as a  
16 means of collecting, storing, processing, and  
17 utilizing used and waste tires and tire-derived  
18 materials.

19 (2) For fiscal years beginning prior to July 1, 2004,  
20 23% shall be available to the Department of Commerce and  
21 Economic Opportunity for the following purposes, provided  
22 that priority shall be given to item (A):

23 (A) To provide grants or loans for the purposes of:

24 (i) assisting units of local government and  
25 private industry in the establishment of  
26 facilities and programs to collect, process and

1           utilize used and waste tires and tire derived  
2           materials;

3           (ii) demonstrating the feasibility of  
4           innovative technologies as a means of collecting,  
5           storing, processing and utilizing used and waste  
6           tires and tire derived materials; and

7           (iii) applying demonstrated technologies as a  
8           means of collecting, storing, processing, and  
9           utilizing used and waste tires and tire derived  
10          materials.

11          (B) To develop educational material for use by  
12          officials and the public to better understand and  
13          respond to the problems posed by used tires and  
14          associated insects.

15          (C) (Blank).

16          (D) To perform such research as the Director deems  
17          appropriate to help meet the purposes of this Act.

18          (E) To pay the costs of administration of its  
19          activities authorized under this Act.

20          (2.1) For the fiscal year beginning July 1, 2004 and  
21          for all fiscal years thereafter, 23% shall be deposited  
22          into the General Revenue Fund.

23          (3) 25% shall be available to the Illinois Department  
24          of Public Health for the following purposes:

25                  (A) To investigate threats or potential threats to  
26          the public health related to mosquitoes and other

1           vectors of disease associated with the improper  
2           storage, handling and disposal of tires, improper  
3           waste disposal, or natural conditions.

4           (B) To conduct surveillance and monitoring  
5           activities for mosquitoes and other arthropod vectors  
6           of disease, and surveillance of animals which provide a  
7           reservoir for disease-producing organisms.

8           (C) To conduct training activities to promote  
9           vector control programs and integrated pest management  
10          as defined in the Vector Control Act.

11          (D) To respond to inquiries, investigate  
12          complaints, conduct evaluations and provide technical  
13          consultation to help reduce or eliminate public health  
14          hazards and nuisance conditions associated with  
15          mosquitoes and other vectors.

16          (E) To provide financial assistance to units of  
17          local government for training, investigation and  
18          response to public nuisances associated with  
19          mosquitoes and other vectors of disease.

20          (4) 2% shall be available to the Department of  
21          Agriculture for its activities under the Illinois  
22          Pesticide Act relating to used and waste tires.

23          (5) 2% shall be available to the Pollution Control  
24          Board for administration of its activities relating to used  
25          and waste tires.

26          (6) 10% shall be available to the Department of Natural



1 Resources for the Illinois Natural History Survey to  
2 perform research to study the biology, distribution,  
3 population ecology, and biosystematics of tire-breeding  
4 arthropods, especially mosquitoes, and the diseases they  
5 spread.

6 (d) By January 1, 1998, and biennially thereafter, each  
7 State agency receiving an appropriation from the Used Tire  
8 Management Fund shall report to the Governor and the General  
9 Assembly on its activities relating to the Fund.

10 (e) Any monies appropriated from the Used Tire Management  
11 Fund, but not obligated, shall revert to the Fund.

12 (f) In administering the provisions of subdivisions (1),  
13 (2) and (3) of subsection (c) of this Section, the Agency, the  
14 Department of Commerce and Economic Opportunity, and the  
15 Illinois Department of Public Health shall ensure that  
16 appropriate funding assistance is provided to any municipality  
17 with a population over 1,000,000 or to any sanitary district  
18 which serves a population over 1,000,000.

19 (g) Pursuant to appropriation, monies in excess of \$2  
20 million per fiscal year from the Used Tire Management Fund  
21 shall be used as follows:

22 (1) 55% shall be available to the Agency for the  
23 following purposes, provided that priority shall be given  
24 to subparagraph (A):

25 (A) To undertake preventive, corrective or renewed  
26 action as authorized by and in accordance with Section

1           55.3 and to recover costs in accordance with Section  
2           55.3.

3           (B) To provide financial assistance to units of  
4           local government and private industry for the purposes  
5           of:

6                   (i) assisting in the establishment of  
7                   facilities and programs to collect, process, and  
8                   utilize used and waste tires and tire-derived  
9                   materials;

10                   (ii) demonstrating the feasibility of  
11                   innovative technologies as a means of collecting,  
12                   storing, processing, and utilizing used and waste  
13                   tires and tire-derived materials; and

14                   (iii) applying demonstrated technologies as a  
15                   means of collecting, storing, processing, and  
16                   utilizing used and waste tires and tire-derived  
17                   materials.

18           (2) For fiscal years beginning prior to July 1, 2004,  
19           45% shall be available to the Department of Commerce and  
20           Economic Opportunity to provide grants or loans for the  
21           purposes of:

22                   (i) assisting units of local government and  
23                   private industry in the establishment of facilities  
24                   and programs to collect, process and utilize waste  
25                   tires and tire derived material;

26                   (ii) demonstrating the feasibility of innovative

1 technologies as a means of collecting, storing,  
2 processing, and utilizing used and waste tires and tire  
3 derived materials; and

4 (iii) applying demonstrated technologies as a  
5 means of collecting, storing, processing, and  
6 utilizing used and waste tires and tire derived  
7 materials.

8 (3) For the fiscal year beginning July 1, 2004 and for  
9 all fiscal years thereafter, 45% shall be deposited into  
10 the General Revenue Fund.

11 (Source: P.A. 98-656, eff. 6-19-14.)

12 (415 ILCS 5/58.15)

13 Sec. 58.15. Brownfields Programs.

14 (A) Brownfields Redevelopment Loan Program.

15 (a) The Agency shall establish and administer a revolving  
16 loan program to be known as the "Brownfields Redevelopment Loan  
17 Program" for the purpose of providing loans to be used for site  
18 investigation, site remediation, or both, at brownfields  
19 sites. All principal, interest, and penalty payments from loans  
20 made under this subsection (A) shall be deposited into the  
21 Brownfields Redevelopment Fund and reused in accordance with  
22 this Section.

23 (b) General requirements for loans:

24 (1) Loans shall be at or below market interest rates in  
25 accordance with a formula set forth in regulations

1 promulgated under subdivision (A)(c) of this subsection  
2 (A).

3 (2) Loans shall be awarded subject to availability of  
4 funding based on the order of receipt of applications  
5 satisfying all requirements as set forth in the regulations  
6 promulgated under subdivision (A)(c) of this subsection  
7 (A).

8 (3) The maximum loan amount under this subsection (A)  
9 for any one project is \$1,000,000.

10 (4) In addition to any requirements or conditions  
11 placed on loans by regulation, loan agreements under the  
12 Brownfields Redevelopment Loan Program shall include the  
13 following requirements:

14 (A) the loan recipient shall secure the loan  
15 repayment obligation;

16 (B) completion of the loan repayment shall not  
17 exceed 15 years or as otherwise prescribed by Agency  
18 rule; and

19 (C) loan agreements shall provide for a confession  
20 of judgment by the loan recipient upon default.

21 (5) Loans shall not be used to cover expenses incurred  
22 prior to the approval of the loan application.

23 (6) If the loan recipient fails to make timely payments  
24 or otherwise fails to meet its obligations as provided in  
25 this subsection (A) or implementing regulations, the  
26 Agency is authorized to pursue the collection of the

1 amounts past due, the outstanding loan balance, and the  
2 costs thereby incurred, either pursuant to the Illinois  
3 State Collection Act of 1986 or by any other means provided  
4 by law, including the taking of title, by foreclosure or  
5 otherwise, to any project or other property pledged,  
6 mortgaged, encumbered, or otherwise available as security  
7 or collateral.

8 (c) The Agency shall have the authority to enter into any  
9 contracts or agreements that may be necessary to carry out its  
10 duties or responsibilities under this subsection (A). The  
11 Agency shall have the authority to promulgate regulations  
12 setting forth procedures and criteria for administering the  
13 Brownfields Redevelopment Loan Program. The regulations  
14 promulgated by the Agency for loans under this subsection (A)  
15 shall include, but need not be limited to, the following  
16 elements:

17 (1) loan application requirements;

18 (2) determination of credit worthiness of the loan  
19 applicant;

20 (3) types of security required for the loan;

21 (4) types of collateral, as necessary, that can be  
22 pledged for the loan;

23 (5) special loan terms, as necessary, for securing the  
24 repayment of the loan;

25 (6) maximum loan amounts;

26 (7) purposes for which loans are available;

- 1 (8) application periods and content of applications;
- 2 (9) procedures for Agency review of loan applications,  
3 loan approvals or denials, and loan acceptance by the loan  
4 recipient;
- 5 (10) procedures for establishing interest rates;
- 6 (11) requirements applicable to disbursement of loans  
7 to loan recipients;
- 8 (12) requirements for securing loan repayment  
9 obligations;
- 10 (13) conditions or circumstances constituting default;
- 11 (14) procedures for repayment of loans and delinquent  
12 loans including, but not limited to, the initiation of  
13 principal and interest payments following loan acceptance;
- 14 (15) loan recipient responsibilities for work  
15 schedules, work plans, reports, and record keeping;
- 16 (16) evaluation of loan recipient performance,  
17 including auditing and access to sites and records;
- 18 (17) requirements applicable to contracting and  
19 subcontracting by the loan recipient, including  
20 procurement requirements;
- 21 (18) penalties for noncompliance with loan  
22 requirements and conditions, including stop-work orders,  
23 termination, and recovery of loan funds; and
- 24 (19) indemnification of the State of Illinois and the  
25 Agency by the loan recipient.
- 26 (d) Moneys in the Brownfields Redevelopment Fund may be

1 used as a source of revenue or security for the principal and  
2 interest on revenue or general obligation bonds issued by the  
3 State or any political subdivision or instrumentality thereof,  
4 if the proceeds of those bonds will be deposited into the Fund.

5 (B) Brownfields Site Restoration Program.

6 (a) (1) The Agency, with the assistance of the Department  
7 of Commerce and Economic Opportunity, must establish and  
8 administer a program for the payment of remediation costs  
9 to be known as the Brownfields Site Restoration Program.  
10 The Agency, through the Program, shall provide Remediation  
11 Applicants with financial assistance for the investigation  
12 and remediation of abandoned or underutilized properties.  
13 The investigation and remediation shall be performed in  
14 accordance with this Title XVII of this Act.

15 (2) For each State fiscal year in which funds are made  
16 available to the Agency for payment under this subsection  
17 (B), the Agency must, subject to the availability of funds,  
18 allocate 20% of the funds to be available to Remediation  
19 Applicants within counties with populations over  
20 2,000,000. The remaining funds must be made available to  
21 all other Remediation Applicants in the State.

22 (3) The Agency must not approve payment in excess of  
23 \$750,000 to a Remediation Applicant for remediation costs  
24 incurred at a remediation site. Eligibility must be  
25 determined based on a minimum capital investment in the

1 redevelopment of the site, and payment amounts must not  
2 exceed the net economic benefit to the State of the  
3 remediation project. In addition to these limitations, the  
4 total payment to be made to an applicant must not exceed an  
5 amount equal to 20% of the capital investment at the site.

6 (4) Only those remediation projects for which a No  
7 Further Remediation Letter is issued by the Agency after  
8 December 31, 2001 are eligible to participate in the  
9 Brownfields Site Restoration Program. The program does not  
10 apply to any sites that have received a No Further  
11 Remediation Letter prior to December 31, 2001 or for costs  
12 incurred prior to the Department of Commerce and Economic  
13 Opportunity (formerly Department of Commerce and Community  
14 Affairs) approving a site eligible for the Brownfields Site  
15 Restoration Program.

16 (5) Brownfields Site Restoration Program funds shall  
17 be subject to availability of funding and distributed based  
18 on the order of receipt of applications satisfying all  
19 requirements as set forth in this Section.

20 (b) Prior to applying to the Agency for payment, a  
21 Remediation Applicant shall first submit to the Agency its  
22 proposed remediation costs. The Agency shall make a  
23 pre-application assessment, which is not to be binding upon the  
24 Department of Commerce and Economic Opportunity or upon future  
25 review of the project, relating only to whether the Agency has  
26 adequate funding to reimburse the applicant for the remediation



1 costs if the applicant is found to be eligible for  
2 reimbursement of remediation costs. If the Agency determines  
3 that it is likely to have adequate funding to reimburse the  
4 applicant for remediation costs, the Remediation Applicant may  
5 then submit to the Department of Commerce and Economic  
6 Opportunity an application for review of eligibility. The  
7 Department must review the eligibility application to  
8 determine whether the Remediation Applicant is eligible for the  
9 payment. The application must be on forms prescribed and  
10 provided by the Department of Commerce and Economic  
11 Opportunity. At a minimum, the application must include the  
12 following:

13 (1) Information identifying the Remediation Applicant  
14 and the site for which the payment is being sought and the  
15 date of acceptance into the Site Remediation Program.

16 (2) Information demonstrating that the site for which  
17 the payment is being sought is abandoned or underutilized  
18 property. "Abandoned property" means real property  
19 previously used for, or that has the potential to be used  
20 for, commercial or industrial purposes that reverted to the  
21 ownership of the State, a county or municipal government,  
22 or an agency thereof, through donation, purchase, tax  
23 delinquency, foreclosure, default, or settlement,  
24 including conveyance by deed in lieu of foreclosure; or  
25 privately owned property that has been vacant for a period  
26 of not less than 3 years from the time an application is

1 made to the Department of Commerce and Economic  
2 Opportunity. "Underutilized property" means real property  
3 of which less than 35% of the commercially usable space of  
4 the property and improvements thereon are used for their  
5 most commercially profitable and economically productive  
6 uses.

7 (3) Information demonstrating that remediation of the  
8 site for which the payment is being sought will result in a  
9 net economic benefit to the State of Illinois. The "net  
10 economic benefit" must be determined based on factors  
11 including, but not limited to, the capital investment, the  
12 number of jobs created, the number of jobs retained if it  
13 is demonstrated the jobs would otherwise be lost, capital  
14 improvements, the number of construction-related jobs,  
15 increased sales, material purchases, other increases in  
16 service and operational expenditures, and other factors  
17 established by the Department of Commerce and Economic  
18 Opportunity. Priority must be given to sites located in  
19 areas with high levels of poverty, where the unemployment  
20 rate exceeds the State average, where an enterprise zone  
21 exists, or where the area is otherwise economically  
22 depressed as determined by the Department of Commerce and  
23 Economic Opportunity.

24 (4) An application fee in the amount set forth in  
25 subdivision (B)(c) for each site for which review of an  
26 application is being sought.

1 (c) The fee for eligibility reviews conducted by the  
2 Department of Commerce and Economic Opportunity under this  
3 subsection (B) is \$1,000 for each site reviewed. The  
4 application fee must be made payable to the Department of  
5 Commerce and Economic Opportunity ~~for deposit into the~~  
6 ~~Workforce, Technology, and Economic Development Fund~~. These  
7 application fees shall be used by the Department for  
8 administrative expenses incurred under this subsection (B).

9 (d) Within 60 days after receipt by the Department of  
10 Commerce and Economic Opportunity of an application meeting the  
11 requirements of subdivision (B)(b), the Department of Commerce  
12 and Economic Opportunity must issue a letter to the applicant  
13 approving the application, approving the application with  
14 modifications, or disapproving the application. If the  
15 application is approved or approved with modifications, the  
16 Department of Commerce and Economic Opportunity's letter must  
17 also include its determination of the "net economic benefit" of  
18 the remediation project and the maximum amount of the payment  
19 to be made available to the applicant for remediation costs.  
20 The payment by the Agency under this subsection (B) must not  
21 exceed the "net economic benefit" of the remediation project,  
22 as determined by the Department of Commerce and Economic  
23 Opportunity.

24 (e) An application for a review of remediation costs must  
25 not be submitted to the Agency unless the Department of  
26 Commerce and Economic Opportunity has determined the

1 Remediation Applicant is eligible under subdivision (B) (d). If  
2 the Department of Commerce and Economic Opportunity has  
3 determined that a Remediation Applicant is eligible under  
4 subdivision (B) (d), the Remediation Applicant may submit an  
5 application for payment to the Agency under this subsection  
6 (B). Except as provided in subdivision (B) (f), an application  
7 for review of remediation costs must not be submitted until a  
8 No Further Remediation Letter has been issued by the Agency and  
9 recorded in the chain of title for the site in accordance with  
10 Section 58.10. The Agency must review the application to  
11 determine whether the costs submitted are remediation costs and  
12 whether the costs incurred are reasonable. The application must  
13 be on forms prescribed and provided by the Agency. At a  
14 minimum, the application must include the following:

15 (1) Information identifying the Remediation Applicant  
16 and the site for which the payment is being sought and the  
17 date of acceptance of the site into the Site Remediation  
18 Program.

19 (2) A copy of the No Further Remediation Letter with  
20 official verification that the letter has been recorded in  
21 the chain of title for the site and a demonstration that  
22 the site for which the application is submitted is the same  
23 site as the one for which the No Further Remediation Letter  
24 is issued.

25 (3) A demonstration that the release of the regulated  
26 substances of concern for which the No Further Remediation

1 Letter was issued was not caused or contributed to in any  
2 material respect by the Remediation Applicant. The Agency  
3 must make determinations as to reimbursement availability  
4 consistent with rules adopted by the Pollution Control  
5 Board for the administration and enforcement of Section  
6 58.9 of this Act.

7 (4) A copy of the Department of Commerce and Economic  
8 Opportunity's letter approving eligibility, including the  
9 net economic benefit of the remediation project.

10 (5) An itemization and documentation, including  
11 receipts, of the remediation costs incurred.

12 (6) A demonstration that the costs incurred are  
13 remediation costs as defined in this Act and rules adopted  
14 under this Act.

15 (7) A demonstration that the costs submitted for review  
16 were incurred by the Remediation Applicant who received the  
17 No Further Remediation Letter.

18 (8) An application fee in the amount set forth in  
19 subdivision (B)(j) for each site for which review of  
20 remediation costs is requested.

21 (9) Any other information deemed appropriate by the  
22 Agency.

23 (f) An application for review of remediation costs may be  
24 submitted to the Agency prior to the issuance of a No Further  
25 Remediation Letter if the Remediation Applicant has a Remedial  
26 Action Plan approved by the Agency under the terms of which the

1 Remediation Applicant will remediate groundwater for more than  
2 one year. The Agency must review the application to determine  
3 whether the costs submitted are remediation costs and whether  
4 the costs incurred are reasonable. The application must be on  
5 forms prescribed and provided by the Agency. At a minimum, the  
6 application must include the following:

7 (1) Information identifying the Remediation Applicant  
8 and the site for which the payment is being sought and the  
9 date of acceptance of the site into the Site Remediation  
10 Program.

11 (2) A copy of the Agency letter approving the Remedial  
12 Action Plan.

13 (3) A demonstration that the release of the regulated  
14 substances of concern for which the Remedial Action Plan  
15 was approved was not caused or contributed to in any  
16 material respect by the Remediation Applicant. The Agency  
17 must make determinations as to reimbursement availability  
18 consistent with rules adopted by the Pollution Control  
19 Board for the administration and enforcement of Section  
20 58.9 of this Act.

21 (4) A copy of the Department of Commerce and Economic  
22 Opportunity's letter approving eligibility, including the  
23 net economic benefit of the remediation project.

24 (5) An itemization and documentation, including  
25 receipts, of the remediation costs incurred.

26 (6) A demonstration that the costs incurred are

1 remediation costs as defined in this Act and rules adopted  
2 under this Act.

3 (7) A demonstration that the costs submitted for review  
4 were incurred by the Remediation Applicant who received  
5 approval of the Remediation Action Plan.

6 (8) An application fee in the amount set forth in  
7 subdivision (B)(j) for each site for which review of  
8 remediation costs is requested.

9 (9) Any other information deemed appropriate by the  
10 Agency.

11 (g) For a Remediation Applicant seeking a payment under  
12 subdivision (B)(f), until the Agency issues a No Further  
13 Remediation Letter for the site, no more than 75% of the  
14 allowed payment may be claimed by the Remediation Applicant.  
15 The remaining 25% may be claimed following the issuance by the  
16 Agency of a No Further Remediation Letter for the site. For a  
17 Remediation Applicant seeking a payment under subdivision  
18 (B)(e), until the Agency issues a No Further Remediation Letter  
19 for the site, no payment may be claimed by the Remediation  
20 Applicant.

21 (h) (1) Within 60 days after receipt by the Agency of an  
22 application meeting the requirements of subdivision (B)(e)  
23 or (B)(f), the Agency must issue a letter to the applicant  
24 approving, disapproving, or modifying the remediation  
25 costs submitted in the application. If an application is  
26 disapproved or approved with modification of remediation

1 costs, then the Agency's letter must set forth the reasons  
2 for the disapproval or modification.

3 (2) If a preliminary review of a budget plan has been  
4 obtained under subdivision (B)(i), the Remediation  
5 Applicant may submit, with the application and supporting  
6 documentation under subdivision (B)(e) or (B)(f), a copy of  
7 the Agency's final determination accompanied by a  
8 certification that the actual remediation costs incurred  
9 for the development and implementation of the Remedial  
10 Action Plan are equal to or less than the costs approved in  
11 the Agency's final determination on the budget plan. The  
12 certification must be signed by the Remediation Applicant  
13 and notarized. Based on that submission, the Agency is not  
14 required to conduct further review of the costs incurred  
15 for development and implementation of the Remedial Action  
16 Plan and may approve costs as submitted.

17 (3) Within 35 days after receipt of an Agency letter  
18 disapproving or modifying an application for approval of  
19 remediation costs, the Remediation Applicant may appeal  
20 the Agency's decision to the Board in the manner provided  
21 for the review of permits in Section 40 of this Act.

22 (i) (1) A Remediation Applicant may obtain a preliminary  
23 review of estimated remediation costs for the development  
24 and implementation of the Remedial Action Plan by  
25 submitting a budget plan along with the Remedial Action  
26 Plan. The budget plan must be set forth on forms prescribed



1 and provided by the Agency and must include, but is not  
2 limited to, line item estimates of the costs associated  
3 with each line item (such as personnel, equipment, and  
4 materials) that the Remediation Applicant anticipates will  
5 be incurred for the development and implementation of the  
6 Remedial Action Plan. The Agency must review the budget  
7 plan along with the Remedial Action Plan to determine  
8 whether the estimated costs submitted are remediation  
9 costs and whether the costs estimated for the activities  
10 are reasonable.

11 (2) If the Remedial Action Plan is amended by the  
12 Remediation Applicant or as a result of Agency action, the  
13 corresponding budget plan must be revised accordingly and  
14 resubmitted for Agency review.

15 (3) The budget plan must be accompanied by the  
16 applicable fee as set forth in subdivision (B)(j).

17 (4) Submittal of a budget plan must be deemed an  
18 automatic 60-day waiver of the Remedial Action Plan review  
19 deadlines set forth in this subsection (B) and rules  
20 adopted under this subsection (B).

21 (5) Within the applicable period of review, the Agency  
22 must issue a letter to the Remediation Applicant approving,  
23 disapproving, or modifying the estimated remediation costs  
24 submitted in the budget plan. If a budget plan is  
25 disapproved or approved with modification of estimated  
26 remediation costs, the Agency's letter must set forth the

1 reasons for the disapproval or modification.

2 (6) Within 35 days after receipt of an Agency letter  
3 disapproving or modifying a budget plan, the Remediation  
4 Applicant may appeal the Agency's decision to the Board in  
5 the manner provided for the review of permits in Section 40  
6 of this Act.

7 (j) The fees for reviews conducted by the Agency under this  
8 subsection (B) are in addition to any other fees or payments  
9 for Agency services rendered pursuant to the Site Remediation  
10 Program and are as follows:

11 (1) The fee for an application for review of  
12 remediation costs is \$1,000 for each site reviewed.

13 (2) The fee for the review of the budget plan submitted  
14 under subdivision (B) (i) is \$500 for each site reviewed.

15 The application fee and the fee for the review of the  
16 budget plan must be made payable to the State of Illinois, for  
17 deposit into the Brownfields Redevelopment Fund.

18 (k) Moneys in the Brownfields Redevelopment Fund may be  
19 used for the purposes of this Section, including payment for  
20 the costs of administering this subsection (B). Any moneys  
21 remaining in the Brownfields Site Restoration Program Fund on  
22 the effective date of this amendatory Act of the 92nd General  
23 Assembly shall be transferred to the Brownfields Redevelopment  
24 Fund. Total payments made to all Remediation Applicants by the  
25 Agency for purposes of this subsection (B) must not exceed  
26 \$1,000,000 in State fiscal year 2002.

1           (1) The Department and the Agency are authorized to enter  
2 into any contracts or agreements that may be necessary to carry  
3 out their duties and responsibilities under this subsection  
4 (B).

5           (m) Within 6 months after the effective date of this  
6 amendatory Act of 2002, the Department of Commerce and  
7 Community Affairs (now Department of Commerce and Economic  
8 Opportunity) and the Agency must propose rules prescribing  
9 procedures and standards for the administration of this  
10 subsection (B). Within 9 months after receipt of the proposed  
11 rules, the Board shall adopt on second notice, pursuant to  
12 Sections 27 and 28 of this Act and the Illinois Administrative  
13 Procedure Act, rules that are consistent with this subsection  
14 (B). Prior to the effective date of rules adopted under this  
15 subsection (B), the Department of Commerce and Community  
16 Affairs (now Department of Commerce and Economic Opportunity)  
17 and the Agency may conduct reviews of applications under this  
18 subsection (B) and the Agency is further authorized to  
19 distribute guidance documents on costs that are eligible or  
20 ineligible as remediation costs.

21       (Source: P.A. 97-333, eff. 8-12-11.)

22           (415 ILCS 15/8 rep.)

23           (415 ILCS 15/8.5 rep.)

24           Section 10-200. The Solid Waste Planning and Recycling Act  
25 is amended by repealing Sections 8 and 8.5.

1 Section 10-205. The Illinois Solid Waste Management Act is  
2 amended by changing Section 6 as follows:

3 (415 ILCS 20/6) (from Ch. 111 1/2, par. 7056)

4 Sec. 6. The Department of Commerce and Economic Opportunity  
5 shall be the lead agency for implementation of this Act and  
6 shall have the following powers:

7 (a) To provide technical and educational assistance for  
8 applications of technologies and practices which will minimize  
9 the land disposal of non-hazardous solid waste; economic  
10 feasibility of implementation of solid waste management  
11 alternatives; analysis of markets for recyclable materials and  
12 energy products; application of the Geographic Information  
13 System to provide analysis of natural resource, land use, and  
14 environmental impacts; evaluation of financing and ownership  
15 options; and evaluation of plans prepared by units of local  
16 government pursuant to Section 22.15 of the Environmental  
17 Protection Act.

18 (b) (Blank). ~~To provide technical assistance in siting~~  
19 ~~pollution control facilities, defined as any waste storage~~  
20 ~~site, sanitary landfill, waste disposal site, waste transfer~~  
21 ~~station or waste incinerator.~~

22 (c) To provide loans or recycling and composting grants to  
23 businesses and not-for-profit and governmental organizations  
24 for the purposes of increasing the quantity of materials

1 recycled or composted in Illinois; developing and implementing  
2 innovative recycling methods and technologies; developing and  
3 expanding markets for recyclable materials; and increasing the  
4 self-sufficiency of the recycling industry in Illinois. The  
5 Department shall work with and coordinate its activities with  
6 existing for-profit and not-for-profit collection and  
7 recycling systems to encourage orderly growth in the supply of  
8 and markets for recycled materials and to assist existing  
9 collection and recycling efforts.

10 The Department shall develop a public education program  
11 concerning the importance of both composting and recycling in  
12 order to preserve landfill space in Illinois.

13 (d) To establish guidelines and funding criteria for the  
14 solicitation of projects under this Act, and to receive and  
15 evaluate applications for loans or grants for solid waste  
16 management projects based upon such guidelines and criteria.  
17 Funds may be loaned with or without interest.

18 (e) To support and coordinate solid waste research in  
19 Illinois, and to approve the annual solid waste research agenda  
20 prepared by the University of Illinois.

21 (f) To provide loans or grants for research, development  
22 and demonstration of innovative technologies and practices,  
23 including but not limited to pilot programs for collection and  
24 disposal of household wastes.

25 (g) To promulgate such rules and regulations as are  
26 necessary to carry out the purposes of subsections (c), (d) and

1 (f) of this Section.

2 (h) To cooperate with the Environmental Protection Agency  
3 for the purposes specified herein.

4 The Department is authorized to accept any and all grants,  
5 repayments of interest and principal on loans, matching funds,  
6 reimbursements, appropriations, income derived from  
7 investments, or other things of value from the federal or state  
8 governments or from any institution, person, partnership,  
9 joint venture, corporation, public or private.

10 The Department is authorized to use moneys available for  
11 that purpose, subject to appropriation, expressly for the  
12 purpose of implementing a loan program according to procedures  
13 established pursuant to this Act. Those moneys shall be used by  
14 the Department for the purpose of financing additional projects  
15 and for the Department's administrative expenses related  
16 thereto.

17 (Source: P.A. 94-91, eff. 7-1-05.)

18 (415 ILCS 20/5 rep.)

19 (415 ILCS 20/7.1 rep.)

20 (415 ILCS 20/7.3 rep.)

21 (415 ILCS 20/8 rep.)

22 Section 10-210. The Illinois Solid Waste Management Act is  
23 amended by repealing Sections 5, 7.1, 7.3, and 8.

24 (415 ILCS 56/Act rep.)

1 Section 10-215. The Green Infrastructure for Clean Water  
2 Act is repealed.

3 Section 10-220. The Environmental Toxicology Act is  
4 amended by changing Sections 3 and 5 as follows:

5 (415 ILCS 75/3) (from Ch. 111 1/2, par. 983)

6 Sec. 3. Definitions. As used in this Act, unless the  
7 context otherwise requires;

8 (a) "Department" means the Illinois Department of Public  
9 Health;

10 (b) "Director" means the Director of the Illinois  
11 Department of Public Health;

12 (c) "Program" means the Environmental Toxicology program  
13 as established by this Act;

14 (d) "Exposure" means contact with a hazardous substance;

15 (e) "Hazardous Substance" means chemical compounds,  
16 elements, or combinations of chemicals which, because of  
17 quantity concentration, physical characteristics or  
18 toxicological characteristics may pose a substantial present  
19 or potential hazard to human health and includes, but is not  
20 limited to, any substance defined as a hazardous substance in  
21 Section 3.215 of the "Environmental Protection Act", approved  
22 June 29, 1970, as amended;

23 (f) "Initial Assessment" means a review and evaluation of  
24 site history and hazardous substances involved, potential for

1 population exposure, the nature of any health related  
2 complaints and any known patterns in disease occurrence;

3 (g) "Comprehensive Health Study" means a detailed analysis  
4 which may include: a review of available environmental,  
5 morbidity and mortality data; environmental and biological  
6 sampling; detailed review of scientific literature; exposure  
7 analysis; population surveys; or any other scientific or  
8 epidemiologic methods deemed necessary to adequately evaluate  
9 the health status of the population at risk and any potential  
10 relationship to environmental factors;

11 (h) "Superfund Site" means any hazardous waste site  
12 designated for cleanup on the National Priorities List as  
13 mandated by the Comprehensive Environmental Response,  
14 Compensation, and Liability Act of 1980 (P.L. 96-510), as  
15 amended;

16 (i) (Blank). ~~"State Remedial Action Priority List" means a~~  
17 ~~list compiled by the Illinois Environmental Protection Agency~~  
18 ~~which identifies sites that appear to present significant risk~~  
19 ~~to the public health, welfare or environment.~~

20 (Source: P.A. 92-574, eff. 6-26-02.)

21 (415 ILCS 75/5) (from Ch. 111 1/2, par. 985)

22 Sec. 5. (a) Upon request by the Illinois Environmental  
23 Protection Agency, the Department shall conduct an initial  
24 assessment for any location designated as a Superfund Site ~~or~~  
25 ~~on the State Remedial Action Priority List~~. Such assessment



1 shall be initiated within 60 days of the request.

2 (b) (Blank). ~~For sites designated as Superfund Sites or~~  
3 ~~sites on the State Remedial Action Priority List on the~~  
4 ~~effective date of this Act, the Department and the Illinois~~  
5 ~~Environmental Protection Agency shall jointly determine which~~  
6 ~~sites warrant initial assessment. If warranted, initial~~  
7 ~~assessment shall be initiated by January 1, 1986.~~

8 (c) If, as a result of the initial assessment, the  
9 Department determines that a public health problem related to  
10 exposure to hazardous substances may exist in a community  
11 located near a designated site, the Department shall conduct a  
12 comprehensive health study to assess the full relationship, if  
13 any, between such threat or potential threat and possible  
14 exposure to hazardous substances at the designated site.

15 (Source: P.A. 84-987.)

16 (415 ILCS 80/Act rep.)

17 Section 10-225. The Degradable Plastic Act is repealed.

18 (415 ILCS 110/Act rep.)

19 Section 10-230. The Recycled Newsprint Use Act is repealed.

20 (415 ILCS 120/25 rep.)

21 Section 10-235. The Alternate Fuels Act is amended by  
22 repealing Section 25.

1 Section 10-240. The Interstate Ozone Transport Oversight  
2 Act is amended by changing Section 20 as follows:

3 (415 ILCS 130/20)

4 Sec. 20. Legislative referral and public hearings.

5 (a) Not later than 10 days after the development of any  
6 proposed memorandum of understanding by the Ozone Transport  
7 Assessment Group potentially requiring the State of Illinois to  
8 undertake emission reductions in addition to those specified by  
9 the Clean Air Act Amendments of 1990, or subsequent to the  
10 issuance of a request made by the United States Environmental  
11 Protection Agency on or after June 1, 1997 for submission of a  
12 State Implementation Plan for Illinois relating to ozone  
13 attainment and before submission of the Plan, the Director  
14 shall submit the proposed memorandum of understanding or State  
15 Implementation Plan to the House Committee and the Senate  
16 Committee for their consideration. At that time, the Director  
17 shall also submit information detailing any alternate  
18 strategies.

19 (b) (Blank). ~~To assist the legislative review required by~~  
20 ~~this Act, the Department of Commerce and Economic Opportunity~~  
21 ~~shall conduct a joint study of the impacts on the State's~~  
22 ~~economy which may result from implementation of the emission~~  
23 ~~reduction strategies contained within any proposed memorandum~~  
24 ~~of understanding or State Implementation Plan relating to ozone~~  
25 ~~and from implementation of any alternate strategies. The study~~

1 ~~shall include, but not be limited to, the impacts on economic~~  
2 ~~development, employment, utility costs and rates, personal~~  
3 ~~income, and industrial competitiveness which may result from~~  
4 ~~implementation of the emission reduction strategies contained~~  
5 ~~within any proposed memorandum of agreement or State~~  
6 ~~Implementation Plan relating to ozone and from implementation~~  
7 ~~of any alternate strategies. The study shall be submitted to~~  
8 ~~the House Committee and Senate Committee not less than 10 days~~  
9 ~~prior to any scheduled hearing conducted pursuant to subsection~~  
10 ~~(c) of this Section.~~

11 (c) Upon receipt of the information required by subsections  
12 (a) and (b) of this Section, the House Committee and Senate  
13 Committee shall each convene one or more public hearings to  
14 receive comments from agencies of government and other  
15 interested parties on the memorandum of understanding's or  
16 State Implementation Plan's prospective economic and  
17 environmental impacts, including its impacts on energy use,  
18 economic development, utility costs and rates, and  
19 competitiveness. Additionally, comments shall be received on  
20 the prospective economic and environmental impacts, including  
21 impacts on energy use, economic development, utility costs and  
22 rates, and competitiveness, which may result from  
23 implementation of any alternate strategies.

24 (Source: P.A. 97-916, eff. 8-9-12.)

1 Section 10-245. The Illinois Food, Farms, and Jobs Act is  
2 repealed.

3 Section 10-250. The Illinois Vehicle Code is amended by  
4 changing Sections 13-102.1, 13-109.1, and 13-114 as follows:

5 (625 ILCS 5/13-102.1)

6 Sec. 13-102.1. Diesel powered vehicle emission inspection  
7 report. Beginning July 1, 2000, the Department of  
8 Transportation ~~and the Department of State Police~~ shall ~~each~~  
9 conduct an annual study concerned with the results of emission  
10 inspections for diesel powered vehicles registered for a gross  
11 weight of more than 16,000 pounds or having a gross vehicle  
12 weight rating of more than 16,000 pounds. The study ~~studies~~  
13 shall be reported to the General Assembly by June 30, 2001, and  
14 every June 30 thereafter. The study ~~studies~~ shall also be sent  
15 to the Illinois Environmental Protection Agency for its use in  
16 environmental matters.

17 The study ~~studies~~ shall include, but not be limited to, the  
18 following information:

19 (a) the number of diesel powered vehicles that were  
20 inspected for emission compliance ~~by the respective~~  
21 ~~departments~~ pursuant to this Chapter 13 during the previous  
22 year;

23 (b) the number of diesel powered vehicles that failed  
24 and passed the emission inspections conducted ~~by the~~

1 ~~respective departments~~ required pursuant to this Chapter  
2 13 during the previous year; and

3 (c) the number of diesel powered vehicles that failed  
4 the emission inspections conducted ~~by the respective~~  
5 ~~departments~~ pursuant to this Chapter 13 more than once in  
6 the previous year.

7 (Source: P.A. 91-254, eff. 7-1-00; 91-865, eff. 7-1-00.)

8 (625 ILCS 5/13-109.1)

9 Sec. 13-109.1. Annual ~~and nonscheduled~~ emission inspection  
10 tests; standards; penalties; funds.

11 (a) For each diesel powered vehicle that (i) is registered  
12 for a gross weight of more than 16,000 pounds, (ii) is  
13 registered within an affected area, and (iii) is a 2 year or  
14 older model year, an annual emission inspection test shall be  
15 conducted at an official testing station certified by the  
16 Illinois Department of Transportation to perform diesel  
17 emission inspections pursuant to the standards set forth in  
18 subsection (b) of this Section. This annual emission inspection  
19 test may be conducted in conjunction with a semi-annual safety  
20 test.

21 (a-5) (Blank). ~~Beginning October 1, 2000, the Department of~~  
22 ~~State Police is authorized to perform nonscheduled emission~~  
23 ~~inspections for cause, at any place within an affected area, of~~  
24 ~~any diesel powered vehicles that are operated on the roadways~~  
25 ~~of this State, and are registered for a gross weight of more~~

1 ~~than 16,000 pounds or have a gross vehicle weight rating of~~  
2 ~~more than 16,000 pounds. The inspections shall adhere to the~~  
3 ~~procedures and standards set forth in subsection (b). These~~  
4 ~~nonscheduled emission inspections shall be conducted by the~~  
5 ~~Department of State Police at weigh stations, roadside, or~~  
6 ~~other safe and reasonable locations within an affected area.~~  
7 ~~Before any person may inspect a diesel vehicle under this~~  
8 ~~Section, he or she must receive adequate training and~~  
9 ~~certification for diesel emission inspections by the~~  
10 ~~Department of State Police. The Department of State Police~~  
11 ~~shall adopt rules for the training and certification of persons~~  
12 ~~who conduct emission inspections under this Section.~~

13 (b) Diesel emission inspections conducted under this  
14 Chapter 13 shall be conducted in accordance with the Society of  
15 Automotive Engineers Recommended Practice J1667  
16 "Snap-Acceleration Smoke Test Procedure for Heavy-Duty Diesel  
17 Powered Vehicles" and the cutpoint standards set forth in the  
18 United States Environmental Protection Agency guidance  
19 document "Guidance to States on Smoke Opacity Cutpoints to be  
20 used with the SAE J1667 In-Use Smoke Test Procedure". Those  
21 procedures and standards, as now in effect, are made a part of  
22 this Code, in the same manner as though they were set out in  
23 full in this Code.

24 Notwithstanding the above cutpoint standards, for motor  
25 vehicles that are model years 1973 and older, until December  
26 31, 2002, the level of peak smoke opacity shall not exceed 70

1 percent. Beginning January 1, 2003, for motor vehicles that are  
2 model years 1973 and older, the level of peak smoke opacity  
3 shall not exceed 55 percent.

4 (c) If the annual emission inspection under subsection (a)  
5 reveals that the vehicle is not in compliance with the diesel  
6 emission standards set forth in subsection (b) of this Section,  
7 the operator of the official testing station shall issue a  
8 warning notice requiring correction of the violation. The  
9 correction shall be made and the vehicle submitted to an  
10 emissions retest at an official testing station certified by  
11 the Department to perform diesel emission inspections within 30  
12 days from the issuance of the warning notice requiring  
13 correction of the violation.

14 If, within 30 days from the issuance of the warning notice,  
15 the vehicle is not in compliance with the diesel emission  
16 standards set forth in subsection (b) as determined by an  
17 emissions retest at an official testing station, the operator  
18 of the official testing station or the Department shall place  
19 the vehicle out-of-service in accordance with the rules  
20 promulgated by the Department. Operating a vehicle that has  
21 been placed out-of-service under this subsection (c) is a petty  
22 offense punishable by a \$1,000 fine. The vehicle must pass a  
23 diesel emission inspection at an official testing station  
24 before it is again placed in service. The Secretary of State,  
25 Department of State Police, and other law enforcement officers  
26 shall enforce this Section. No emergency vehicle, as defined in

1 Section 1-105, may be placed out-of-service pursuant to this  
2 Section.

3 The Department or an official testing station may issue a  
4 certificate of waiver subsequent to a reinspection of a vehicle  
5 that failed the emissions inspection. Certificate of waiver  
6 shall be issued upon determination that documented proof  
7 demonstrates that emissions repair costs for the noncompliant  
8 vehicle of at least \$3,000 have been spent in an effort to  
9 achieve compliance with the emission standards set forth in  
10 subsection (b). The Department of Transportation shall adopt  
11 rules for the implementation of this subsection including  
12 standards of documented proof as well as the criteria by which  
13 a waiver shall be granted.

14 (c-5) (Blank). ~~If a nonscheduled inspection reveals that~~  
15 ~~the vehicle is not in compliance with the diesel emission~~  
16 ~~standards set forth in subsection (b), the operator of the~~  
17 ~~vehicle is guilty of a petty offense punishable by a \$400 fine,~~  
18 ~~and a State Police officer shall issue a citation for a~~  
19 ~~violation of the standards. A third or subsequent violation~~  
20 ~~within one year of the first violation is a petty offense~~  
21 ~~punishable by a \$1,000 fine. An operator who receives a~~  
22 ~~citation under this subsection shall not, within 30 days of the~~  
23 ~~initial citation, receive a second or subsequent citation for~~  
24 ~~operating the same vehicle in violation of the emission~~  
25 ~~standards set forth in subsection (b).~~

26 (d) (Blank). ~~There is hereby created within the State~~



1 ~~Treasury a special fund to be known as the Diesel Emissions~~  
2 ~~Testing Fund, constituted from the fines collected pursuant to~~  
3 ~~subsections (c) and (c-5) of this Section. Subject to~~  
4 ~~appropriation, moneys from the Diesel Emissions Testing Fund~~  
5 ~~shall be available, as a supplement to moneys appropriated from~~  
6 ~~the General Revenue Fund, to the Department of Transportation~~  
7 ~~and the Department of State Police for their implementation of~~  
8 ~~the diesel emission inspection requirements under this Chapter~~  
9 ~~13. All moneys received from fines imposed under this Section~~  
10 ~~shall be paid into the Diesel Emissions Testing Fund. All~~  
11  ~~citations issued pursuant to this Section shall be considered~~  
12  ~~non-moving violations. The Department of Transportation and~~  
13  ~~the Department of State Police are authorized to promulgate~~  
14  ~~rules to implement their responsibilities under this Section.~~

15 (Source: P.A. 91-254, eff. 7-1-00; 91-865, eff. 7-1-00.)

16 (625 ILCS 5/13-114) (from Ch. 95 1/2, par. 13-114)

17 Sec. 13-114. Interstate carriers of property. Any vehicle  
18 registered in Illinois and operated by an interstate carrier of  
19 property shall be exempt from the provisions of this Chapter  
20 provided such carrier has registered with the Bureau of Motor  
21 Carrier Safety of the Federal Highway Administration as an  
22 interstate motor carrier of property and has been assigned a  
23 federal census number by such Bureau. An interstate carrier of  
24 property, however, is not exempt from the provisions of Section  
25 13-111(b) of this Chapter.

1 Any vehicle registered in Illinois and operated by a  
2 private interstate carrier of property shall be exempt from the  
3 provisions of this Chapter, except the provisions of Section  
4 13-111(b), provided it:

5 1. is registered with the Bureau of Motor Carrier  
6 Safety of the Federal Highway Administration, and

7 2. carries in the motor vehicle documentation issued by  
8 the Bureau of Motor Carrier Safety of the Federal Highway  
9 Administration displaying the federal census number  
10 assigned, and

11 3. displays on the sides of the motor vehicle the  
12 census number, which must be no less than 2 inches high,  
13 with a brush stroke no less than 1/4 inch wide in a  
14 contrasting color.

15 Notwithstanding any other provision of this Section, each  
16 diesel powered vehicle that is registered for a gross weight of  
17 more than 16,000 pounds or has a gross vehicle weight rating of  
18 more than 16,000 pounds and that is operated by an interstate  
19 carrier of property or a private interstate carrier of property  
20 within the affected area is subject ~~only~~ to the provisions of  
21 this Chapter that pertain to ~~nonscheduled~~ diesel emission  
22 inspections.

23 (Source: P.A. 91-254, eff. 7-1-00; 91-865, eff. 7-1-00.)

24 Section 10-255. The Unified Code of Corrections is amended  
25 by changing Section 3-10-2 as follows:

1 (730 ILCS 5/3-10-2) (from Ch. 38, par. 1003-10-2)

2 Sec. 3-10-2. Examination of Persons Committed to the  
3 Department of Juvenile Justice.

4 (a) A person committed to the Department of Juvenile  
5 Justice shall be examined in regard to his medical,  
6 psychological, social, educational and vocational condition  
7 and history, including the use of alcohol and other drugs, the  
8 circumstances of his offense and any other information as the  
9 Department of Juvenile Justice may determine.

10 (a-5) Upon admission of a person committed to the  
11 Department of Juvenile Justice, the Department of Juvenile  
12 Justice must provide the person with appropriate information  
13 concerning HIV and AIDS in writing, verbally, or by video or  
14 other electronic means. The Department of Juvenile Justice  
15 shall develop the informational materials in consultation with  
16 the Department of Public Health. At the same time, the  
17 Department of Juvenile Justice also must offer the person the  
18 option of being tested, at no charge to the person, for  
19 infection with human immunodeficiency virus (HIV). Pre-test  
20 information shall be provided to the committed person and  
21 informed consent obtained as required in subsection (q) of  
22 Section 3 and Section 5 of the AIDS Confidentiality Act. The  
23 Department of Juvenile Justice may conduct opt-out HIV testing  
24 as defined in Section 4 of the AIDS Confidentiality Act. If the  
25 Department conducts opt-out HIV testing, the Department shall

1 place signs in English, Spanish and other languages as needed  
2 in multiple, highly visible locations in the area where HIV  
3 testing is conducted informing inmates that they will be tested  
4 for HIV unless they refuse, and refusal or acceptance of  
5 testing shall be documented in the inmate's medical record. The  
6 Department shall follow procedures established by the  
7 Department of Public Health to conduct HIV testing and testing  
8 to confirm positive HIV test results. All testing must be  
9 conducted by medical personnel, but pre-test and other  
10 information may be provided by committed persons who have  
11 received appropriate training. The Department, in conjunction  
12 with the Department of Public Health, shall develop a plan that  
13 complies with the AIDS Confidentiality Act to deliver  
14 confidentially all positive or negative HIV test results to  
15 inmates or former inmates. Nothing in this Section shall  
16 require the Department to offer HIV testing to an inmate who is  
17 known to be infected with HIV, or who has been tested for HIV  
18 within the previous 180 days and whose documented HIV test  
19 result is available to the Department electronically. The  
20 testing provided under this subsection (a-5) shall consist of a  
21 test approved by the Illinois Department of Public Health to  
22 determine the presence of HIV infection, based upon  
23 recommendations of the United States Centers for Disease  
24 Control and Prevention. If the test result is positive, a  
25 reliable supplemental test based upon recommendations of the  
26 United States Centers for Disease Control and Prevention shall

1 be administered.

2 Also upon admission of a person committed to the Department  
3 of Juvenile Justice, the Department of Juvenile Justice must  
4 inform the person of the Department's obligation to provide the  
5 person with medical care.

6 (b) Based on its examination, the Department of Juvenile  
7 Justice may exercise the following powers in developing a  
8 treatment program of any person committed to the Department of  
9 Juvenile Justice:

10 (1) Require participation by him in vocational,  
11 physical, educational and corrective training and  
12 activities to return him to the community.

13 (2) Place him in any institution or facility of the  
14 Department of Juvenile Justice.

15 (3) Order replacement or referral to the Parole and  
16 Pardon Board as often as it deems desirable. The Department  
17 of Juvenile Justice shall refer the person to the Parole  
18 and Pardon Board as required under Section 3-3-4.

19 (4) Enter into agreements with the Secretary of Human  
20 Services and the Director of Children and Family Services,  
21 with courts having probation officers, and with private  
22 agencies or institutions for separate care or special  
23 treatment of persons subject to the control of the  
24 Department of Juvenile Justice.

25 (c) The Department of Juvenile Justice shall make periodic  
26 reexamination of all persons under the control of the

1 Department of Juvenile Justice to determine whether existing  
2 orders in individual cases should be modified or continued.  
3 This examination shall be made with respect to every person at  
4 least once annually.

5 (d) A record of the treatment decision including any  
6 modification thereof and the reason therefor, shall be part of  
7 the committed person's master record file.

8 (e) The Department of Juvenile Justice shall by regular  
9 ~~certified~~ mail and telephone or electronic message notify the  
10 parent, guardian or nearest relative of any person committed to  
11 the Department of Juvenile Justice of his or her physical  
12 location and any change thereof.

13 (Source: P.A. 98-689, eff. 1-1-15; 98-1046, eff. 1-1-15; 99-78,  
14 eff. 7-20-15.)

15 ARTICLE 99. EXEMPTIONS; SEVERABILITY; EFFECTIVE DATE

16 Section 99-90. The State Mandates Act is amended by adding  
17 Section 8.41 as follows:

18 (30 ILCS 805/8.41 new)

19 Sec. 8.41. Exempt mandate. Notwithstanding Sections 6 and 8  
20 of this Act, no reimbursement by the State is required for the  
21 implementation of any mandate created by this amendatory Act of  
22 the 100th General Assembly.

1           Section 99-97. Severability. The provisions of this Act are  
2           severable under Section 1.31 of the Statute on Statutes.

3           Section 99-99. Effective date. This Act takes effect upon  
4           becoming law."