

HB3702



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3702

by Rep. Fred Crespo

SYNOPSIS AS INTRODUCED:

20 ILCS 665/4a

from Ch. 127, par. 200-24a

Amends the Illinois Promotion Act. Provides that certain transfers from the General Revenue Fund to the Tourism Promotion Fund must occur by the 15th of each month. Effective immediately.

LRB101 10005 HLH 55107 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Promotion Act is amended by
5 changing Section 4a as follows:

6 (20 ILCS 665/4a) (from Ch. 127, par. 200-24a)
7 Sec. 4a. Funds.

8 (1) All moneys deposited in the Tourism Promotion Fund
9 pursuant to this subsection are allocated to the Department for
10 utilization, as appropriated, in the performance of its powers
11 under Section 4; except that during fiscal year 2013, the
12 Department shall reserve \$9,800,000 of the total funds
13 available for appropriation in the Tourism Promotion Fund for
14 appropriation to the Historic Preservation Agency for the
15 operation of the Abraham Lincoln Presidential Library and
16 Museum and State historic sites; and except that beginning in
17 fiscal year 2019, moneys in the Tourism Promotion Fund may also
18 be allocated to the Illinois Department of Agriculture, the
19 Illinois Department of Natural Resources, and the Abraham
20 Lincoln Presidential Library and Museum for utilization, as
21 appropriated, to administer their responsibilities as State
22 agencies promoting tourism in Illinois, and for
23 tourism-related purposes.

1 As soon as possible after the first day of each month,
2 beginning July 1, 1997 and ending on the effective date of this
3 amendatory Act of the 100th General Assembly, upon
4 certification of the Department of Revenue, the Comptroller
5 shall order transferred and the Treasurer shall transfer from
6 the General Revenue Fund to the Tourism Promotion Fund an
7 amount equal to 13% of the net revenue realized from the Hotel
8 Operators' Occupation Tax Act plus an amount equal to 13% of
9 the net revenue realized from any tax imposed under Section
10 4.05 of the Chicago World's Fair-1992 Authority Act during the
11 preceding month. "Net revenue realized for a month" means the
12 revenue collected by the State under that Act during the
13 previous month less the amount paid out during that same month
14 as refunds to taxpayers for overpayment of liability under that
15 Act.

16 (1.1) (Blank).

17 (2) As soon as possible after the first day of each month,
18 beginning July 1, 1997 and ending on the effective date of this
19 amendatory Act of the 100th General Assembly, upon
20 certification of the Department of Revenue, the Comptroller
21 shall order transferred and the Treasurer shall transfer from
22 the General Revenue Fund to the Tourism Promotion Fund an
23 amount equal to 8% of the net revenue realized from the Hotel
24 Operators' Occupation Tax plus an amount equal to 8% of the net
25 revenue realized from any tax imposed under Section 4.05 of the
26 Chicago World's Fair-1992 Authority Act during the preceding

1 month. "Net revenue realized for a month" means the revenue
2 collected by the State under that Act during the previous month
3 less the amount paid out during that same month as refunds to
4 taxpayers for overpayment of liability under that Act.

5 All monies deposited in the Tourism Promotion Fund under
6 this subsection (2) shall be used solely as provided in this
7 subsection to advertise and promote tourism throughout
8 Illinois. Appropriations of monies deposited in the Tourism
9 Promotion Fund pursuant to this subsection (2) shall be used
10 solely for advertising to promote tourism, including but not
11 limited to advertising production and direct advertisement
12 costs, but shall not be used to employ any additional staff,
13 finance any individual event, or lease, rent or purchase any
14 physical facilities. The Department shall coordinate its
15 advertising under this subsection (2) with other public and
16 private entities in the State engaged in similar promotion
17 activities. Print or electronic media production made pursuant
18 to this subsection (2) for advertising promotion shall not
19 contain or include the physical appearance of or reference to
20 the name or position of any public officer. "Public officer"
21 means a person who is elected to office pursuant to statute, or
22 who is appointed to an office which is established, and the
23 qualifications and duties of which are prescribed, by statute,
24 to discharge a public duty for the State or any of its
25 political subdivisions.

26 (3) Notwithstanding anything in this Section to the

1 contrary, amounts transferred from the General Revenue Fund to
2 the Tourism Promotion Fund pursuant to this Section shall not
3 exceed \$26,300,000 in State fiscal year 2012.

4 (4) As soon as possible after the first day of each month,
5 beginning July 1, 2017 and ending June 30, 2018, if the amount
6 of revenue deposited into the Tourism Promotion Fund under
7 subsection (c) of Section 6 of the Hotel Operators' Occupation
8 Tax Act is less than 21% of the net revenue realized from the
9 Hotel Operators' Occupation Tax during the preceding month,
10 then, upon certification of the Department of Revenue, the
11 State Comptroller shall direct and the State Treasurer shall
12 transfer from the General Revenue Fund to the Tourism Promotion
13 Fund an amount equal to the difference between 21% of the net
14 revenue realized from the Hotel Operators' Occupation Tax
15 during the preceding month and the amount of revenue deposited
16 into the Tourism Promotion Fund under subsection (c) of Section
17 6 of the Hotel Operators' Occupation Tax Act.

18 (5) As soon as possible after the first day of each month,
19 but in no event later than the 15th of each month, beginning
20 July 1, 2018, if the amount of revenue deposited into the
21 Tourism Promotion Fund under Section 6 of the Hotel Operators'
22 Occupation Tax Act is less than 21% of the net revenue realized
23 from the Hotel Operators' Occupation Tax during the preceding
24 month, then, upon certification of the Department of Revenue,
25 the State Comptroller shall direct and the State Treasurer
26 shall transfer from the General Revenue Fund to the Tourism

1 Promotion Fund an amount equal to the difference between 21% of
2 the net revenue realized from the Hotel Operators' Occupation
3 Tax during the preceding month and the amount of revenue
4 deposited into the Tourism Promotion Fund under Section 6 of
5 the Hotel Operators' Occupation Tax Act.

6 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.