



Sen. Don Harmon

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10200HB5052sam001

LRB102 24370 JDS 42508 a

1 AMENDMENT TO HOUSE BILL 5052

2 AMENDMENT NO. _____. Amend House Bill 5052 by replacing
3 everything after the enacting clause with the following:

4 "ARTICLE 1.

5 Section 1-1. Short Title. This Act may be cited as the
6 Second FY2023 Budget Implementation Act.

7 Section 1-5. Purpose. It is the purpose of this Act to make
8 additional changes in State programs that are necessary to
9 implement the State budget for Fiscal Year 2023 and subsequent
10 fiscal years.

11 Article 5

12 Section 5-1. Short title. This Article may be cited as the
13 Warehouse Safety Standards Task Force Act. As used in this

1 Article, "this Act" refers to this Article.

2 Section 5-5. The Warehouse Safety Standards Task Force.

3 (a) The Warehouse Safety Standards Task Force is created
4 to study warehouse safety standards. The Task Force shall
5 consist of the following members:

6 (1) 2 members of the House of Representatives,
7 appointed by the Speaker of the House of Representatives;

8 (2) 2 members of the House of Representatives,
9 appointed by the Minority Leader of the House of
10 Representatives;

11 (3) 2 members of the Senate, appointed by the
12 President of the Senate;

13 (4) 2 members of the Senate, appointed by the Minority
14 Leader of the Senate;

15 (5) one representative of an entity representing
16 retail merchants, appointed by the Governor;

17 (6) one representative of an entity representing
18 manufacturers, appointed by the Governor;

19 (7) one representative of an entity representing
20 mayors, appointed by the Governor;

21 (8) one representative of the American Federation of
22 Labor and Congress of Industrial Organizations, appointed
23 by the Governor;

24 (9) one representative of a labor union representing
25 warehouse workers, appointed by the Governor;

1 Incident Prevention and Response Fund. To provide for the
2 expeditious and timely implementation of this amendatory Act
3 of the 102nd General Assembly, emergency rules implementing
4 Section 6z-138 of the State Finance Act may be adopted in
5 accordance with Section 5-45 by the Department of Human
6 Rights, and emergency rules implementing Section 605-1105 of
7 the Department of Commerce and Economic Opportunity Law of the
8 Civil Administrative Code of Illinois may be adopted in
9 accordance with Section 5-45 by the Department of Commerce and
10 Economic Opportunity. The adoption of emergency rules
11 authorized by Section 5-45 and this Section is deemed to be
12 necessary for the public interest, safety, and welfare.

13 This Section is repealed one year after the effective date
14 of this amendatory Act of the 102nd General Assembly.

15 Section 10-10. The State Employees Group Insurance Act of
16 1971 is amended by changing Section 11 as follows:

17 (5 ILCS 375/11) (from Ch. 127, par. 531)

18 Sec. 11. The amount of contribution in any fiscal year
19 from funds other than the General Revenue Fund or the Road Fund
20 shall be at the same contribution rate as the General Revenue
21 Fund or the Road Fund except that, in State Fiscal Year 2009,
22 no contributions shall be required from the FY09 Budget Relief
23 Fund. Contributions and payments for life insurance shall be
24 deposited in the Group Insurance Premium Fund. Contributions

1 and payments for health coverages and other benefits shall be
2 deposited in the Health Insurance Reserve Fund. Federal funds
3 which are available for cooperative extension purposes shall
4 also be charged for the contributions which are made for
5 retired employees formerly employed in the Cooperative
6 Extension Service. In the case of departments or any division
7 thereof receiving a fraction of its requirements for
8 administration from the Federal Government, the contributions
9 hereunder shall be such fraction of the amount determined
10 under the provisions hereof and the remainder shall be
11 contributed by the State.

12 Every department which has members paid from funds other
13 than the General Revenue Fund shall cooperate with the
14 Department of Central Management Services and the Governor's
15 Office of Management and Budget in order to assure that the
16 specified proportion of the State's cost for group life
17 insurance, the program of health benefits and other employee
18 benefits is paid by such funds; except that contributions
19 under this Act need not be paid from any other fund where both
20 the Director of Central Management Services and the Director
21 of the Governor's Office of Management and Budget have
22 designated in writing that the necessary contributions are
23 included in the General Revenue Fund contribution amount.

24 Universities having employees who are ~~totally~~ compensated
25 out of the following funds or sources are not required to
26 submit the contribution described in this Section for such

1 employees:

2 (1) income funds, as described in Sections 6a-1,
3 6a-1a, 6a-1b, 6a-1c, 6a-1d, 6a-1e, 6a-1f, 6a-1g, and 6d of
4 the State Finance Act, including tuition, laboratory, and
5 library fees and any interest earned on those fees ~~Income~~
6 ~~Funds;~~

7 (2) local auxiliary funds, as described in the
8 Legislative Audit Commission's University Guidelines, as
9 published on November 17, 2020, including the following:

10 (i) funds from auxiliary enterprises, which are
11 operations that support the overall objectives of the
12 university but are not directly related to
13 instruction, research, or service organizational
14 units;

15 (ii) funds from auxiliary activities, which are
16 functions that are self-supporting, in whole or in
17 part, and are directly related to instruction,
18 research, or service units; ~~Local auxiliary funds; and~~

19 (3) the Agricultural Premium Fund as established by
20 Section 5.01 of the State Finance Act;

21 (4) appropriations from the General Revenue Fund,
22 Education Assistance Fund, or other State appropriations
23 that are made for the purposes of instruction, research,
24 public service, or economic development;

25 (5) funds to the University of Illinois Hospital for
26 health care professional services that are performed by

1 University of Illinois faculty or University of Illinois
2 health care programs established under the University of
3 Illinois Hospital Act; or

4 (6) funds designated for the Cooperative Extension
5 Service, as defined in Section 3 of the County Cooperative
6 Extension Law.

7 ~~shall not be required to submit such contribution for such~~
8 ~~employees.~~

9 If an employee of a university is partially compensated
10 from the funds or sources of funds identified in paragraphs
11 (1) through (6) above, universities shall be required to
12 submit a pro rata contribution for the portion of the
13 employee's compensation that is derived out of funds or
14 sources other than those identified in paragraphs (1) through
15 (6) above.

16 The Department of Central Management Services may conduct
17 a post-payment review of university reimbursements to assess
18 or address any discrepancies. Universities shall cooperate
19 with the Department of Central Management Services during any
20 post-payment review, that may require universities to provide
21 documentation to support payment calculations or funding
22 sources used for calculating reimbursements. The Department of
23 Central Management Services reserves the right to reconcile
24 any discrepancies in reimbursement subtotals or total
25 obligations and to notify universities of all final
26 reconciliations, which shall include the Department of Central

1 Management Services calculations and the amount of any credits
2 or obligations that may be due.

3 For each employee of the Illinois Toll Highway Authority
4 ~~person~~ covered under this Act whose eligibility for such
5 coverage is as an annuitant ~~based upon the person's status as~~
6 ~~the recipient of a benefit under the Illinois Pension Code,~~
7 ~~which benefit is based in whole or in part upon service with~~
8 ~~the Toll Highway Authority,~~ the Authority shall annually
9 contribute an amount, as determined by the Director of the
10 Department of Central Management Services, that represents the
11 average employer's share of the cost of retiree coverage per
12 participating employee in the State Employees Group Insurance
13 Program ~~a pro rata share of the State's cost for the benefits~~
14 ~~of that person.~~

15 (Source: P.A. 102-1071, eff. 6-10-22.)

16 Section 10-15. The Children and Family Services Act is
17 amended by adding Section 45 as follows:

18 (20 ILCS 505/45 new)

19 Sec. 45. Title IV-E funds for legal services to foster
20 youth and families.

21 (a) Findings and purpose. The General Assembly finds the
22 following:

23 (1) Child welfare court proceedings are serious and
24 life changing. Children and youth are subject to court

1 decisions that may forever change their family
2 composition, as well as their connections to culture and
3 heritage.

4 (2) The gravity of child welfare proceedings and the
5 rights and liabilities at stake necessitate the provision
6 of quality legal representation for children and youth
7 throughout the duration of child welfare proceedings.

8 (3) Legal representation serves to protect and advance
9 the interests of children and youth in court and provides
10 confidential attorney-client privilege to ensure children
11 feel safe sharing with attorneys information that
12 otherwise may go unvoiced.

13 (4) As the agency responsible for administering the
14 State's approved Title IV-E State Plan, the Department of
15 Children and Family Services is the only State agency with
16 the authority to seek federal matching funds under Title
17 IV-E of the Social Security Act for children who are
18 candidates for foster care, children who are in foster
19 care, and parents who are participating in foster care
20 legal proceedings.

21 (5) It is the intent of the General Assembly to ensure
22 the Department leverages and maximizes federal resources
23 to support the provision of quality legal representation
24 to children and families to improve outcomes in the child
25 welfare system.

26 (b) Definitions. As used in this Section:

1 "Child's lawyer" means a lawyer who is appointed by the
2 court to serve as a child's lawyer in a proceeding pending
3 under Article II of the Juvenile Court Act of 1987 in
4 accordance with the duties prescribed by State statute, court
5 rules, standards of practice, and the Illinois Rules of
6 Professional Conduct, including, but not limited to,
7 diligence, communication, confidentiality, and the
8 responsibilities to zealously assert the client's position
9 under the rules of the adversary system and to abide by the
10 client's decisions concerning the objectives of
11 representation, as provided for in the Illinois Rules of
12 Professional Conduct.

13 "Respondent's lawyer" means a lawyer who provides legal
14 representation to a parent, guardian, legal custodian, or
15 responsible relative who is named as a party-respondent in a
16 proceeding pending under Article II of the Juvenile Court Act
17 of 1987 in accordance with the duties prescribed by State
18 statute, court rules, standards of practice, and the Illinois
19 Rules of Professional Conduct, including, but not limited to,
20 diligence, communication, confidentiality, and the
21 responsibilities to zealously assert the client's position
22 under the rules of the adversary system and to abide by the
23 client's decisions concerning the objectives of
24 representation, as provided for in the Illinois Rules of
25 Professional Conduct.

26 (c) The Department shall pursue claiming Title IV-E

1 administrative costs for independent legal representation by
2 an attorney for a child who is a candidate for Title IV-E
3 foster care, or who is in foster care, and the child's parent
4 to prepare for and participate in all stages of foster care
5 legal proceedings. Federal reimbursements for these
6 administrative costs must be deposited into the Due Process
7 for Youth and Families Fund created under subsection (d).

8 (d) The Due Process for Youth and Families Fund is created
9 as a special fund in the State treasury. The Fund shall consist
10 of any moneys appropriated to the Department from federal
11 Title IV-E reimbursements for administrative costs as
12 described in subsection (c) and any other moneys deposited
13 into the Fund in accordance with this Section. Subject to
14 appropriation, moneys in the Fund shall be disbursed for fees
15 and costs incurred by organizations or law practitioners that
16 provide services as a child's lawyer or respondent's lawyer as
17 those terms are defined in subsection (b) and for no other
18 purpose. All interest earned on moneys in the Fund shall be
19 deposited into the Fund. The Department and the State
20 Treasurer may accept funds as provided under Title IV-E of the
21 Social Security Act for deposit into the Fund. Annual requests
22 for appropriations for the purpose of providing independent
23 legal representation under this Section shall be made in
24 separate and distinct line-items.

25 (e) Units of local government and public and private
26 agencies may apply for and receive federal or State funds from

1 the Department in accordance with the purposes of this
2 Section.

3 Section 10-20. The Department of Commerce and Economic
4 Opportunity Law of the Civil Administrative Code of Illinois
5 is amended by adding Section 605-1105 as follows:

6 (20 ILCS 605/605-1105 new)

7 Sec. 605-1105. Local chambers of commerce recovery grants.

8 (a) Upon receipt or availability of the State or federal
9 funds described in subsection (b), and subject to
10 appropriation of those funds for the purposes described in
11 this Section, the Department of Commerce and Economic
12 Opportunity shall establish a program to award grants to local
13 chambers of commerce. The Department shall award an aggregate
14 amount of \$5,000,000 in grants under this Section to eligible
15 chambers of commerce. Each eligible chamber of commerce that
16 applies to the Department for a grant under this Section shall
17 certify to the Department the difference between the chamber
18 of commerce's total annual revenue in calendar year 2019 and
19 the chamber of commerce's total annual revenue in calendar
20 year 2020. The maximum amount that may be awarded to any
21 eligible chamber of commerce during the first round of grants
22 is one-sixth of the certified amount. In determining grant
23 amounts awarded under this Act, the Department may consider
24 any awards that the chamber of commerce has received from the

1 Back to Business Grant Program or the Business Interruption
2 Grant Program. If the entire amount of moneys appropriated for
3 the purposes of this Section has not been allocated after a
4 first round of grants is made, the Department may award
5 additional funds to eligible chambers of commerce from the
6 remaining funds. Grants awarded under this Section shall not
7 be used to make any direct lobbying expenditure, as defined in
8 subsection (c) of Section 4911 of the Internal Revenue Code,
9 or to engage in any political campaign activity described in
10 Section 501(c)(3) of the Internal Revenue Code.

11 (b) The Department may use State funds and federal funds
12 that are allocated to the State under the authority of
13 legislation passed in response to the COVID-19 pandemic to
14 provide grants under this Section. Those federal funds
15 include, but are not limited to, funds allocated to the State
16 under the American Rescue Plan Act of 2021. Any federal moneys
17 used for this purpose shall be used in accordance with the
18 federal legislation authorizing the use of those funds and
19 related federal guidance as well as any other applicable State
20 and federal laws.

21 (c) The Department may adopt any rules necessary to
22 implement and administer the grant program created by this
23 Section. The emergency rulemaking process may be used to adopt
24 the initial program rules following the effective date of this
25 amendatory Act of the 102nd General Assembly.

26 (d) As used in this Section, "eligible chamber of

1 commerce" means a voluntary membership, dues-paying
2 organization of business and professional persons dedicated to
3 improving the economic climate and business development of the
4 community, area, or region in which the organization is
5 located and that:

6 (1) operates as an approved not-for-profit
7 corporation;

8 (2) is tax-exempt under Section 501(c)(3) or Section
9 501(c)(6) of the Internal Revenue Code of 1986;

10 (3) has an annual revenue of \$1,000,000 or less; and

11 (4) has experienced an identifiable negative economic
12 impact resulting from or exacerbated by the public health
13 emergency or served a community disproportionately
14 impacted by a public health emergency.

15 Section 10-25. The Illinois Lottery Law is amended by
16 changing Section 9.1 as follows:

17 (20 ILCS 1605/9.1)

18 Sec. 9.1. Private manager and management agreement.

19 (a) As used in this Section:

20 "Offeror" means a person or group of persons that responds
21 to a request for qualifications under this Section.

22 "Request for qualifications" means all materials and
23 documents prepared by the Department to solicit the following
24 from offerors:

1 (1) Statements of qualifications.

2 (2) Proposals to enter into a management agreement,
3 including the identity of any prospective vendor or
4 vendors that the offeror intends to initially engage to
5 assist the offeror in performing its obligations under the
6 management agreement.

7 "Final offer" means the last proposal submitted by an
8 offeror in response to the request for qualifications,
9 including the identity of any prospective vendor or vendors
10 that the offeror intends to initially engage to assist the
11 offeror in performing its obligations under the management
12 agreement.

13 "Final offeror" means the offeror ultimately selected by
14 the Governor to be the private manager for the Lottery under
15 subsection (h) of this Section.

16 (b) By September 15, 2010, the Governor shall select a
17 private manager for the total management of the Lottery with
18 integrated functions, such as lottery game design, supply of
19 goods and services, and advertising and as specified in this
20 Section.

21 (c) Pursuant to the terms of this subsection, the
22 Department shall endeavor to expeditiously terminate the
23 existing contracts in support of the Lottery in effect on July
24 13, 2009 (the effective date of Public Act 96-37) in
25 connection with the selection of the private manager. As part
26 of its obligation to terminate these contracts and select the

1 private manager, the Department shall establish a mutually
2 agreeable timetable to transfer the functions of existing
3 contractors to the private manager so that existing Lottery
4 operations are not materially diminished or impaired during
5 the transition. To that end, the Department shall do the
6 following:

7 (1) where such contracts contain a provision
8 authorizing termination upon notice, the Department shall
9 provide notice of termination to occur upon the mutually
10 agreed timetable for transfer of functions;

11 (2) upon the expiration of any initial term or renewal
12 term of the current Lottery contracts, the Department
13 shall not renew such contract for a term extending beyond
14 the mutually agreed timetable for transfer of functions;
15 or

16 (3) in the event any current contract provides for
17 termination of that contract upon the implementation of a
18 contract with the private manager, the Department shall
19 perform all necessary actions to terminate the contract on
20 the date that coincides with the mutually agreed timetable
21 for transfer of functions.

22 If the contracts to support the current operation of the
23 Lottery in effect on July 13, 2009 (the effective date of
24 Public Act 96-34) are not subject to termination as provided
25 for in this subsection (c), then the Department may include a
26 provision in the contract with the private manager specifying

1 a mutually agreeable methodology for incorporation.

2 (c-5) The Department shall include provisions in the
3 management agreement whereby the private manager shall, for a
4 fee, and pursuant to a contract negotiated with the Department
5 (the "Employee Use Contract"), utilize the services of current
6 Department employees to assist in the administration and
7 operation of the Lottery. The Department shall be the employer
8 of all such bargaining unit employees assigned to perform such
9 work for the private manager, and such employees shall be
10 State employees, as defined by the Personnel Code. Department
11 employees shall operate under the same employment policies,
12 rules, regulations, and procedures, as other employees of the
13 Department. In addition, neither historical representation
14 rights under the Illinois Public Labor Relations Act, nor
15 existing collective bargaining agreements, shall be disturbed
16 by the management agreement with the private manager for the
17 management of the Lottery.

18 (d) The management agreement with the private manager
19 shall include all of the following:

20 (1) A term not to exceed 10 years, including any
21 renewals.

22 (2) A provision specifying that the Department:

23 (A) shall exercise actual control over all
24 significant business decisions;

25 (A-5) has the authority to direct or countermand
26 operating decisions by the private manager at any

1 time;

2 (B) has ready access at any time to information
3 regarding Lottery operations;

4 (C) has the right to demand and receive
5 information from the private manager concerning any
6 aspect of the Lottery operations at any time; and

7 (D) retains ownership of all trade names,
8 trademarks, and intellectual property associated with
9 the Lottery.

10 (3) A provision imposing an affirmative duty on the
11 private manager to provide the Department with material
12 information and with any information the private manager
13 reasonably believes the Department would want to know to
14 enable the Department to conduct the Lottery.

15 (4) A provision requiring the private manager to
16 provide the Department with advance notice of any
17 operating decision that bears significantly on the public
18 interest, including, but not limited to, decisions on the
19 kinds of games to be offered to the public and decisions
20 affecting the relative risk and reward of the games being
21 offered, so the Department has a reasonable opportunity to
22 evaluate and countermand that decision.

23 (5) A provision providing for compensation of the
24 private manager that may consist of, among other things, a
25 fee for services and a performance based bonus as
26 consideration for managing the Lottery, including terms

1 that may provide the private manager with an increase in
2 compensation if Lottery revenues grow by a specified
3 percentage in a given year.

4 (6) (Blank).

5 (7) A provision requiring the deposit of all Lottery
6 proceeds to be deposited into the State Lottery Fund
7 except as otherwise provided in Section 20 of this Act.

8 (8) A provision requiring the private manager to
9 locate its principal office within the State.

10 (8-5) A provision encouraging that at least 20% of the
11 cost of contracts entered into for goods and services by
12 the private manager in connection with its management of
13 the Lottery, other than contracts with sales agents or
14 technical advisors, be awarded to businesses that are a
15 minority-owned business, a women-owned business, or a
16 business owned by a person with disability, as those terms
17 are defined in the Business Enterprise for Minorities,
18 Women, and Persons with Disabilities Act.

19 (9) A requirement that so long as the private manager
20 complies with all the conditions of the agreement under
21 the oversight of the Department, the private manager shall
22 have the following duties and obligations with respect to
23 the management of the Lottery:

24 (A) The right to use equipment and other assets
25 used in the operation of the Lottery.

26 (B) The rights and obligations under contracts

1 with retailers and vendors.

2 (C) The implementation of a comprehensive security
3 program by the private manager.

4 (D) The implementation of a comprehensive system
5 of internal audits.

6 (E) The implementation of a program by the private
7 manager to curb compulsive gambling by persons playing
8 the Lottery.

9 (F) A system for determining (i) the type of
10 Lottery games, (ii) the method of selecting winning
11 tickets, (iii) the manner of payment of prizes to
12 holders of winning tickets, (iv) the frequency of
13 drawings of winning tickets, (v) the method to be used
14 in selling tickets, (vi) a system for verifying the
15 validity of tickets claimed to be winning tickets,
16 (vii) the basis upon which retailer commissions are
17 established by the manager, and (viii) minimum
18 payouts.

19 (10) A requirement that advertising and promotion must
20 be consistent with Section 7.8a of this Act.

21 (11) A requirement that the private manager market the
22 Lottery to those residents who are new, infrequent, or
23 lapsed players of the Lottery, especially those who are
24 most likely to make regular purchases on the Internet as
25 permitted by law.

26 (12) A code of ethics for the private manager's

1 officers and employees.

2 (13) A requirement that the Department monitor and
3 oversee the private manager's practices and take action
4 that the Department considers appropriate to ensure that
5 the private manager is in compliance with the terms of the
6 management agreement, while allowing the manager, unless
7 specifically prohibited by law or the management
8 agreement, to negotiate and sign its own contracts with
9 vendors.

10 (14) A provision requiring the private manager to
11 periodically file, at least on an annual basis,
12 appropriate financial statements in a form and manner
13 acceptable to the Department.

14 (15) Cash reserves requirements.

15 (16) Procedural requirements for obtaining the prior
16 approval of the Department when a management agreement or
17 an interest in a management agreement is sold, assigned,
18 transferred, or pledged as collateral to secure financing.

19 (17) Grounds for the termination of the management
20 agreement by the Department or the private manager.

21 (18) Procedures for amendment of the agreement.

22 (19) A provision requiring the private manager to
23 engage in an open and competitive bidding process for any
24 procurement having a cost in excess of \$50,000 that is not
25 a part of the private manager's final offer. The process
26 shall favor the selection of a vendor deemed to have

1 submitted a proposal that provides the Lottery with the
2 best overall value. The process shall not be subject to
3 the provisions of the Illinois Procurement Code, unless
4 specifically required by the management agreement.

5 (20) The transition of rights and obligations,
6 including any associated equipment or other assets used in
7 the operation of the Lottery, from the manager to any
8 successor manager of the lottery, including the
9 Department, following the termination of or foreclosure
10 upon the management agreement.

11 (21) Right of use of copyrights, trademarks, and
12 service marks held by the Department in the name of the
13 State. The agreement must provide that any use of them by
14 the manager shall only be for the purpose of fulfilling
15 its obligations under the management agreement during the
16 term of the agreement.

17 (22) The disclosure of any information requested by
18 the Department to enable it to comply with the reporting
19 requirements and information requests provided for under
20 subsection (p) of this Section.

21 (e) Notwithstanding any other law to the contrary, the
22 Department shall select a private manager through a
23 competitive request for qualifications process consistent with
24 Section 20-35 of the Illinois Procurement Code, which shall
25 take into account:

26 (1) the offeror's ability to market the Lottery to

1 those residents who are new, infrequent, or lapsed players
2 of the Lottery, especially those who are most likely to
3 make regular purchases on the Internet;

4 (2) the offeror's ability to address the State's
5 concern with the social effects of gambling on those who
6 can least afford to do so;

7 (3) the offeror's ability to provide the most
8 successful management of the Lottery for the benefit of
9 the people of the State based on current and past business
10 practices or plans of the offeror; and

11 (4) the offeror's poor or inadequate past performance
12 in servicing, equipping, operating or managing a lottery
13 on behalf of Illinois, another State or foreign government
14 and attracting persons who are not currently regular
15 players of a lottery.

16 (f) The Department may retain the services of an advisor
17 or advisors with significant experience in financial services
18 or the management, operation, and procurement of goods,
19 services, and equipment for a government-run lottery to assist
20 in the preparation of the terms of the request for
21 qualifications and selection of the private manager. Any
22 prospective advisor seeking to provide services under this
23 subsection (f) shall disclose any material business or
24 financial relationship during the past 3 years with any
25 potential offeror, or with a contractor or subcontractor
26 presently providing goods, services, or equipment to the

1 Department to support the Lottery. The Department shall
2 evaluate the material business or financial relationship of
3 each prospective advisor. The Department shall not select any
4 prospective advisor with a substantial business or financial
5 relationship that the Department deems to impair the
6 objectivity of the services to be provided by the prospective
7 advisor. During the course of the advisor's engagement by the
8 Department, and for a period of one year thereafter, the
9 advisor shall not enter into any business or financial
10 relationship with any offeror or any vendor identified to
11 assist an offeror in performing its obligations under the
12 management agreement. Any advisor retained by the Department
13 shall be disqualified from being an offeror. The Department
14 shall not include terms in the request for qualifications that
15 provide a material advantage whether directly or indirectly to
16 any potential offeror, or any contractor or subcontractor
17 presently providing goods, services, or equipment to the
18 Department to support the Lottery, including terms contained
19 in previous responses to requests for proposals or
20 qualifications submitted to Illinois, another State or foreign
21 government when those terms are uniquely associated with a
22 particular potential offeror, contractor, or subcontractor.
23 The request for proposals offered by the Department on
24 December 22, 2008 as "LOT08GAMESYS" and reference number
25 "22016176" is declared void.

26 (g) The Department shall select at least 2 offerors as

1 finalists to potentially serve as the private manager no later
2 than August 9, 2010. Upon making preliminary selections, the
3 Department shall schedule a public hearing on the finalists'
4 proposals and provide public notice of the hearing at least 7
5 calendar days before the hearing. The notice must include all
6 of the following:

7 (1) The date, time, and place of the hearing.

8 (2) The subject matter of the hearing.

9 (3) A brief description of the management agreement to
10 be awarded.

11 (4) The identity of the offerors that have been
12 selected as finalists to serve as the private manager.

13 (5) The address and telephone number of the
14 Department.

15 (h) At the public hearing, the Department shall (i)
16 provide sufficient time for each finalist to present and
17 explain its proposal to the Department and the Governor or the
18 Governor's designee, including an opportunity to respond to
19 questions posed by the Department, Governor, or designee and
20 (ii) allow the public and non-selected offerors to comment on
21 the presentations. The Governor or a designee shall attend the
22 public hearing. After the public hearing, the Department shall
23 have 14 calendar days to recommend to the Governor whether a
24 management agreement should be entered into with a particular
25 finalist. After reviewing the Department's recommendation, the
26 Governor may accept or reject the Department's recommendation,

1 and shall select a final offeror as the private manager by
2 publication of a notice in the Illinois Procurement Bulletin
3 on or before September 15, 2010. The Governor shall include in
4 the notice a detailed explanation and the reasons why the
5 final offeror is superior to other offerors and will provide
6 management services in a manner that best achieves the
7 objectives of this Section. The Governor shall also sign the
8 management agreement with the private manager.

9 (i) Any action to contest the private manager selected by
10 the Governor under this Section must be brought within 7
11 calendar days after the publication of the notice of the
12 designation of the private manager as provided in subsection
13 (h) of this Section.

14 (j) The Lottery shall remain, for so long as a private
15 manager manages the Lottery in accordance with provisions of
16 this Act, a Lottery conducted by the State, and the State shall
17 not be authorized to sell or transfer the Lottery to a third
18 party.

19 (k) Any tangible personal property used exclusively in
20 connection with the lottery that is owned by the Department
21 and leased to the private manager shall be owned by the
22 Department in the name of the State and shall be considered to
23 be public property devoted to an essential public and
24 governmental function.

25 (l) The Department may exercise any of its powers under
26 this Section or any other law as necessary or desirable for the

1 execution of the Department's powers under this Section.

2 (m) Neither this Section nor any management agreement
3 entered into under this Section prohibits the General Assembly
4 from authorizing forms of gambling that are not in direct
5 competition with the Lottery. The forms of gambling authorized
6 by Public Act 101-31 constitute authorized forms of gambling
7 that are not in direct competition with the Lottery.

8 (n) The private manager shall be subject to a complete
9 investigation in the third, seventh, and tenth years of the
10 agreement (if the agreement is for a 10-year term) by the
11 Department in cooperation with the Auditor General to
12 determine whether the private manager has complied with this
13 Section and the management agreement. The private manager
14 shall bear the cost of an investigation or reinvestigation of
15 the private manager under this subsection.

16 (o) The powers conferred by this Section are in addition
17 and supplemental to the powers conferred by any other law. If
18 any other law or rule is inconsistent with this Section,
19 including, but not limited to, provisions of the Illinois
20 Procurement Code, then this Section controls as to any
21 management agreement entered into under this Section. This
22 Section and any rules adopted under this Section contain full
23 and complete authority for a management agreement between the
24 Department and a private manager. No law, procedure,
25 proceeding, publication, notice, consent, approval, order, or
26 act by the Department or any other officer, Department,

1 agency, or instrumentality of the State or any political
2 subdivision is required for the Department to enter into a
3 management agreement under this Section. This Section contains
4 full and complete authority for the Department to approve any
5 contracts entered into by a private manager with a vendor
6 providing goods, services, or both goods and services to the
7 private manager under the terms of the management agreement,
8 including subcontractors of such vendors.

9 Upon receipt of a written request from the Chief
10 Procurement Officer, the Department shall provide to the Chief
11 Procurement Officer a complete and un-redacted copy of the
12 management agreement or any contract that is subject to the
13 Department's approval authority under this subsection (o). The
14 Department shall provide a copy of the agreement or contract
15 to the Chief Procurement Officer in the time specified by the
16 Chief Procurement Officer in his or her written request, but
17 no later than 5 business days after the request is received by
18 the Department. The Chief Procurement Officer must retain any
19 portions of the management agreement or of any contract
20 designated by the Department as confidential, proprietary, or
21 trade secret information in complete confidence pursuant to
22 subsection (g) of Section 7 of the Freedom of Information Act.
23 The Department shall also provide the Chief Procurement
24 Officer with reasonable advance written notice of any contract
25 that is pending Department approval.

26 Notwithstanding any other provision of this Section to the

1 contrary, the Chief Procurement Officer shall adopt
2 administrative rules, including emergency rules, to establish
3 a procurement process to select a successor private manager if
4 a private management agreement has been terminated. The
5 selection process shall at a minimum take into account the
6 criteria set forth in items (1) through (4) of subsection (e)
7 of this Section and may include provisions consistent with
8 subsections (f), (g), (h), and (i) of this Section. The Chief
9 Procurement Officer shall also implement and administer the
10 adopted selection process upon the termination of a private
11 management agreement. The Department, after the Chief
12 Procurement Officer certifies that the procurement process has
13 been followed in accordance with the rules adopted under this
14 subsection (o), shall select a final offeror as the private
15 manager and sign the management agreement with the private
16 manager.

17 Through June 30, 2022, except as provided in Sections
18 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.12, and 21.13
19 of this Act and Section 25-70 of the Sports Wagering Act, the
20 Department shall distribute all proceeds of lottery tickets
21 and shares sold in the following priority and manner:

22 (1) The payment of prizes and retailer bonuses.

23 (2) The payment of costs incurred in the operation and
24 administration of the Lottery, including the payment of
25 sums due to the private manager under the management
26 agreement with the Department.

1 (3) On the last day of each month or as soon thereafter
2 as possible, the State Comptroller shall direct and the
3 State Treasurer shall transfer from the State Lottery Fund
4 to the Common School Fund an amount that is equal to the
5 proceeds transferred in the corresponding month of fiscal
6 year 2009, as adjusted for inflation, to the Common School
7 Fund.

8 (4) On or before September 30 of each fiscal year,
9 deposit any estimated remaining proceeds from the prior
10 fiscal year, subject to payments under items (1), (2), and
11 (3), into the Capital Projects Fund. Beginning in fiscal
12 year 2019, the amount deposited shall be increased or
13 decreased each year by the amount the estimated payment
14 differs from the amount determined from each year-end
15 financial audit. Only remaining net deficits from prior
16 fiscal years may reduce the requirement to deposit these
17 funds, as determined by the annual financial audit.

18 Beginning July 1, 2022, the Department shall distribute
19 all proceeds of lottery tickets and shares sold in the manner
20 and priority described in Section 9.3 of this Act, except that
21 the Department shall make the transfer into the Capital
22 Projects Fund that would have occurred under item (4) of this
23 subsection (o) on or before September 30, 2022, but for the
24 changes made to this subsection by Public Act 102-699.

25 (p) The Department shall be subject to the following
26 reporting and information request requirements:

1 (1) the Department shall submit written quarterly
2 reports to the Governor and the General Assembly on the
3 activities and actions of the private manager selected
4 under this Section;

5 (2) upon request of the Chief Procurement Officer, the
6 Department shall promptly produce information related to
7 the procurement activities of the Department and the
8 private manager requested by the Chief Procurement
9 Officer; the Chief Procurement Officer must retain
10 confidential, proprietary, or trade secret information
11 designated by the Department in complete confidence
12 pursuant to subsection (g) of Section 7 of the Freedom of
13 Information Act; and

14 (3) at least 30 days prior to the beginning of the
15 Department's fiscal year, the Department shall prepare an
16 annual written report on the activities of the private
17 manager selected under this Section and deliver that
18 report to the Governor and General Assembly.

19 (Source: P.A. 101-31, eff. 6-28-19; 101-81, eff. 7-12-19;
20 101-561, eff. 8-23-19; 102-558, eff. 8-20-21; 102-699, eff.
21 4-19-22.)

22 Section 10-27. The Legislative Materials Act is amended by
23 changing Section 1 as follows:

24 (25 ILCS 105/1) (from Ch. 63, par. 801)

1 Sec. 1. Fees.

2 (a) The Clerk of the House of Representatives may
3 establish a schedule of reasonable fees to be charged for
4 providing copies of daily and bound journals, committee
5 documents, committee tape recordings, transcripts of committee
6 proceedings, and committee notices, for providing copies of
7 bills on a continuing or individual basis, and for providing
8 tape recordings and transcripts of floor debates and other
9 proceedings of the House.

10 (b) The Secretary of the Senate may establish a schedule
11 of reasonable fees to be charged for providing copies of daily
12 and bound journals, committee notices, for providing copies of
13 bills on a continuing or individual basis, and for providing
14 tape recordings and transcripts of floor debates and other
15 proceedings of the Senate.

16 (c) The Clerk of the House of Representatives and the
17 Secretary of the Senate may establish a schedule of reasonable
18 fees to be charged for providing live audio of floor debates
19 and other proceedings of the House of Representatives and the
20 Senate. The Clerk and the Secretary shall have complete
21 discretion over the distribution of live audio under this
22 subsection (c), including discretion over the conditions under
23 which live audio shall be distributed, except that live audio
24 shall be distributed to the General Assembly and its staffs.
25 Nothing in this subsection (c) shall be construed to create an
26 obligation on the part of the Clerk or Secretary to provide

1 live audio to any person or entity other than to the General
2 Assembly and its staffs.

3 (c-5) The Clerk of the House of Representatives, to the
4 extent authorized by the House Rules, and the Secretary of the
5 Senate, to the extent authorized by the Rules of the Senate,
6 may establish a schedule of reasonable fees to be charged to
7 members for the preparation, filing, and reproduction of
8 non-substantive resolutions.

9 (c-10) Through December 31, 2010, the Clerk of the House
10 of Representatives may sell to a member of the House of
11 Representatives one or more of the chairs that comprise member
12 seating in the House chamber. The Clerk must charge the
13 original cost of the chairs.

14 (c-15) Through December 31, 2010, the Secretary of the
15 Senate may sell to a member of the Senate one or more of the
16 chairs that comprise member seating in the Senate chamber. The
17 Secretary must charge the original cost of the chairs.

18 (d) Receipts from all fees and charges established under
19 this Section shall be deposited by the Clerk and the Secretary
20 into the General Assembly Operations Revolving Fund, a special
21 fund in the State treasury. Amounts in the Fund may be
22 appropriated for the operations of the offices of the Clerk of
23 the House of Representatives and the Secretary of the Senate,
24 including the replacement of items sold under subsections
25 (c-10) and (c-15).

26 (Source: P.A. 95-21, eff. 8-3-07.)

1 Section 10-30. The State Finance Act is amended by
2 changing Section 6z-130, as added by Public Act 102-699, and
3 Sections 6z-114, 8.27, and 8g-1 and by adding Sections 5.990,
4 5.991, and 6z-138 as follows:

5 (30 ILCS 105/5.990 new)

6 Sec. 5.990. The Hate Crimes and Bias Incident Prevention
7 and Response Fund.

8 (30 ILCS 105/5.991 new)

9 Sec. 5.991. The Due Process for Youth and Families Fund.

10 (30 ILCS 105/6z-114)

11 Sec. 6z-114. The Ronald McDonald House Charities Fund;
12 creation. The Ronald McDonald House Charities Fund is created
13 as a special fund in the State treasury. From appropriations
14 to the Department of Human Services from the Fund, the
15 Department shall ~~Subject to appropriation, moneys in the Fund~~
16 ~~shall be used to~~ make grants to Ronald McDonald House
17 Charities for services in Illinois.

18 (Source: P.A. 102-73, eff. 7-9-21.)

19 (30 ILCS 105/6z-134)

20 Sec. 6z-134 ~~6z-130~~. Statewide 9-8-8 Trust Fund.

21 (a) The Statewide 9-8-8 Trust Fund is created as a special

1 fund in the State treasury. Moneys in the Fund shall be used by
2 the Department of Human Services for the purposes of
3 establishing and maintaining a statewide 9-8-8 suicide
4 prevention and mental health crisis system pursuant to the
5 National Suicide Hotline Designation Act of 2020, the Federal
6 Communication Commission's rules adopted on July 16, 2020, and
7 national guidelines for crisis care. The Fund shall consist
8 of:

9 (1) appropriations by the General Assembly;

10 (2) grants and gifts intended for deposit in the Fund;

11 (3) interest, premiums, gains, or other earnings on
12 the Fund;

13 (4) moneys received from any other source that are
14 deposited in or transferred into the Fund.

15 (b) Moneys in the Fund:

16 (1) do not revert at the end of any State fiscal year
17 but remain available for the purposes of the Fund in
18 subsequent State fiscal years; and

19 (2) are not subject to transfer to any other Fund or to
20 transfer, assignment, or reassignment for any other use or
21 purpose outside of those specified in this Section.

22 (c) An annual report of Fund deposits and expenditures
23 shall be made to the General Assembly and the Federal
24 Communications Commission.

25 (d) (Blank). ~~In addition to any other transfers that may~~
26 ~~be provided for by law, on July 1, 2022, or as soon thereafter~~

1 ~~as practical, the State Comptroller shall direct and the State~~
2 ~~Treasurer shall transfer the sum of \$5,000,000 from the~~
3 ~~Statewide 9-1-1 Fund to the Statewide 9-8-8 Trust Fund.~~

4 (Source: P.A. 102-699, eff. 4-19-22; revised 8-1-22.)

5 (30 ILCS 105/6z-138 new)

6 Sec. 6z-138. Hate Crimes and Bias Incident Prevention and
7 Response Fund.

8 (a) The Hate Crimes and Bias Incident Prevention and
9 Response Fund is created as a special fund in the State
10 treasury. The Fund may accept moneys from any lawful source.
11 Any interest earned on moneys in the Fund shall be deposited
12 into the Fund.

13 (b) Subject to appropriation, moneys in the Hate Crimes
14 and Bias Incident Prevention and Response Fund shall be used
15 by the Department of Human Rights, in its capacity as
16 administrator and fiscal agent for the Commission on
17 Discrimination and Hate Crimes, for operational and
18 administrative expenditures related to, as well as the award
19 of grants that support the eradication of, hate crimes and
20 bias incidents.

21 (c) The Department of Human Rights shall adopt rules
22 establishing requirements for the distribution of grant moneys
23 and the determination of which persons or entities are
24 eligible for grants and may adopt any other rules necessary to
25 implement this Section and administer the Fund.

1 (30 ILCS 105/8.27) (from Ch. 127, par. 144.27)

2 Sec. 8.27. All receipts from federal financial
3 participation in the Foster Care and Adoption Services program
4 under Title IV-E of the federal Social Security Act, including
5 receipts for related indirect costs, shall be deposited into
6 ~~in~~ the DCFS Children's Services Fund or the Due Process for
7 Youth and Families Fund as provided in Section 45 of the
8 Children and Family Services Act.

9 Beginning on July 20, 2010 (the effective date of Public
10 Act 96-1127), any funds paid to the State by the federal
11 government under Title XIX and Title XXI of the Social
12 Security Act for child welfare services delivered by community
13 mental health providers, certified and paid as Medicaid
14 providers by the Department of Children and Family Services,
15 for child welfare services relating to Medicaid-eligible
16 clients and families served consistent with the purposes of
17 the Department of Children and Family Services, including
18 services delivered as a result of the conversion of such
19 providers from a comprehensive rate to a fee-for-service
20 payment methodology, and any subsequent revenue maximization
21 initiatives performed by such providers, and any interest
22 earned thereon, shall be deposited directly into the DCFS
23 Children's Services Fund. Such funds shall be used for the
24 provision of child welfare services provided to eligible
25 individuals identified by the Department of Children and

1 Family Services. Child welfare services are defined in Section
2 5 of the Children and Family Services Act.

3 All receipts from federal financial participation in the
4 Child Welfare Services program under Title IV-B of the federal
5 Social Security Act, including receipts for related indirect
6 costs, shall be deposited into the DCFS Children's Services
7 Fund for those moneys received as reimbursement for services
8 provided on or after July 1, 1994.

9 For services provided on or after July 1, 2007, all
10 federal funds received pursuant to the John H. Chafee Foster
11 Care Independence Program shall be deposited into the DCFS
12 Children's Services Fund.

13 Except as otherwise provided in this Section, moneys in
14 the Fund may be used by the Department, pursuant to
15 appropriation by the General Assembly, for the ordinary and
16 contingent expenses of the Department.

17 In accordance with subsection (q) of Section 5 of the
18 Children and Family Services Act, disbursements from
19 individual children's accounts shall be deposited into the
20 DCFS Children's Services Fund.

21 Receipts from public and unsolicited private grants, fees
22 for training, and royalties earned from the publication of
23 materials owned by or licensed to the Department of Children
24 and Family Services shall be deposited into the DCFS
25 Children's Services Fund.

26 (Source: P.A. 102-1071, eff. 6-10-22.)

- 1 (30 ILCS 105/8g-1)
- 2 Sec. 8g-1. Fund transfers.
- 3 (a) (Blank) .
- 4 (b) (Blank) .
- 5 (c) (Blank) .
- 6 (d) (Blank) .
- 7 (e) (Blank) .
- 8 (f) (Blank) .
- 9 (g) (Blank) .
- 10 (h) (Blank) .
- 11 (i) (Blank) .
- 12 (j) (Blank) .
- 13 (k) (Blank) .
- 14 (l) (Blank) .
- 15 (m) (Blank) .
- 16 (n) (Blank) .
- 17 (o) (Blank) .
- 18 (p) (Blank) .
- 19 (q) (Blank) .
- 20 (r) (Blank) .
- 21 (s) (Blank) .
- 22 (t) (Blank) .
- 23 (u) In addition to any other transfers that may be
- 24 provided for by law, on July 1, 2021, or as soon thereafter as
- 25 practical, only as directed by the Director of the Governor's

1 Office of Management and Budget, the State Comptroller shall
2 direct and the State Treasurer shall transfer the sum of
3 \$5,000,000 from the General Revenue Fund to the DoIT Special
4 Projects Fund, and on June 1, 2022, or as soon thereafter as
5 practical, but no later than June 30, 2022, the State
6 Comptroller shall direct and the State Treasurer shall
7 transfer the sum so transferred from the DoIT Special Projects
8 Fund to the General Revenue Fund.

9 (v) In addition to any other transfers that may be
10 provided for by law, on July 1, 2021, or as soon thereafter as
11 practical, the State Comptroller shall direct and the State
12 Treasurer shall transfer the sum of \$500,000 from the General
13 Revenue Fund to the Governor's Administrative Fund.

14 (w) In addition to any other transfers that may be
15 provided for by law, on July 1, 2021, or as soon thereafter as
16 practical, the State Comptroller shall direct and the State
17 Treasurer shall transfer the sum of \$500,000 from the General
18 Revenue Fund to the Grant Accountability and Transparency
19 Fund.

20 (x) In addition to any other transfers that may be
21 provided for by law, at a time or times during Fiscal Year 2022
22 as directed by the Governor, the State Comptroller shall
23 direct and the State Treasurer shall transfer up to a total of
24 \$20,000,000 from the General Revenue Fund to the Illinois
25 Sports Facilities Fund to be credited to the Advance Account
26 within the Fund.

1 (y) In addition to any other transfers that may be
2 provided for by law, on June 15, 2021, or as soon thereafter as
3 practical, but no later than June 30, 2021, the State
4 Comptroller shall direct and the State Treasurer shall
5 transfer the sum of \$100,000,000 from the General Revenue Fund
6 to the Technology Management Revolving Fund.

7 (z) In addition to any other transfers that may be
8 provided for by law, on April 19, 2022 (the effective date of
9 Public Act 102-699) ~~this amendatory Act of the 102nd General~~
10 ~~Assembly~~, or as soon thereafter as practical, but no later
11 than June 30, 2022, the State Comptroller shall direct and the
12 State Treasurer shall transfer the sum of \$148,000,000 from
13 the General Revenue Fund to the Build Illinois Bond Fund.

14 (aa) In addition to any other transfers that may be
15 provided for by law, on April 19, 2022 (the effective date of
16 Public Act 102-699) ~~this amendatory Act of the 102nd General~~
17 ~~Assembly~~, or as soon thereafter as practical, but no later
18 than June 30, 2022, the State Comptroller shall direct and the
19 State Treasurer shall transfer the sum of \$180,000,000 from
20 the General Revenue Fund to the Rebuild Illinois Projects
21 Fund.

22 (bb) In addition to any other transfers that may be
23 provided for by law, on July 1, 2022, or as soon thereafter as
24 practical, the State Comptroller shall direct and the State
25 Treasurer shall transfer the sum of \$500,000 from the General
26 Revenue Fund to the Governor's Administrative Fund.

1 (cc) In addition to any other transfers that may be
2 provided for by law, on July 1, 2022, or as soon thereafter as
3 practical, the State Comptroller shall direct and the State
4 Treasurer shall transfer the sum of \$500,000 from the General
5 Revenue Fund to the Grant Accountability and Transparency
6 Fund.

7 ~~(dd) (z)~~ In addition to any other transfers that may be
8 provided by law, on April 19, 2022 (the effective date of
9 Public Act 102-700) ~~this amendatory Act of the 102nd General~~
10 ~~Assembly~~, or as soon thereafter as practical, but no later
11 than June 30, 2022, the State Comptroller shall direct and the
12 State Treasurer shall transfer the sum of \$685,000,000 from
13 the General Revenue Fund to the Income Tax Refund Fund. Moneys
14 from this transfer shall be used for the purpose of making the
15 one-time rebate payments provided under Section 212.1 of the
16 Illinois Income Tax Act.

17 ~~(ee) (aa)~~ In addition to any other transfers that may be
18 provided by law, beginning on April 19, 2022 (the effective
19 date of Public Act 102-700) ~~this amendatory Act of the 102nd~~
20 ~~General Assembly~~ and until December 31, 2023, at the direction
21 of the Department of Revenue, the State Comptroller shall
22 direct and the State Treasurer shall transfer from the General
23 Revenue Fund to the Income Tax Refund Fund any amounts needed
24 beyond the amounts transferred in subsection ~~(dd) (z)~~ to make
25 payments of the one-time rebate payments provided under
26 Section 212.1 of the Illinois Income Tax Act.

1 (ff) ~~(z)~~ In addition to any other transfers that may be
2 provided for by law, on April 19, 2022 (the effective date of
3 Public Act 102-700) ~~this amendatory Act of the 102nd General~~
4 ~~Assembly~~, or as soon thereafter as practical, but no later
5 than June 30, 2022, the State Comptroller shall direct and the
6 State Treasurer shall transfer the sum of \$720,000,000 from
7 the General Revenue Fund to the Budget Stabilization Fund.

8 (gg) ~~(aa)~~ In addition to any other transfers that may be
9 provided for by law, on July 1, 2022, or as soon thereafter as
10 practical, the State Comptroller shall direct and the State
11 Treasurer shall transfer the sum of \$280,000,000 from the
12 General Revenue Fund to the Budget Stabilization Fund.

13 (hh) ~~(bb)~~ In addition to any other transfers that may be
14 provided for by law, on July 1, 2022, or as soon thereafter as
15 practical, the State Comptroller shall direct and the State
16 Treasurer shall transfer the sum of \$200,000,000 from the
17 General Revenue Fund to the Pension Stabilization Fund.

18 (ii) In addition to any other transfers that may be
19 provided for by law, on January 1, 2023, or as soon thereafter
20 as practical, the State Comptroller shall direct and the State
21 Treasurer shall transfer the sum of \$850,000,000 from the
22 General Revenue Fund to the Budget Stabilization Fund.

23 (jj) In addition to any other transfers that may be
24 provided for by law, at a time or times during Fiscal Year 2023
25 as directed by the Governor, the State Comptroller shall
26 direct and the State Treasurer shall transfer up to a total of

1 \$400,000,000 from the General Revenue Fund to the Large
2 Business Attraction Fund.

3 (kk) In addition to any other transfers that may be
4 provided for by law, on January 1, 2023, or as soon thereafter
5 as practical, the State Comptroller shall direct and the State
6 Treasurer shall transfer the sum of \$75,000,000 from the
7 General Revenue Fund to the Disaster Response and Recovery
8 Fund.

9 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
10 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 102-700, Article
11 40, Section 40-5, eff. 4-19-22; 102-700, Article 80, Section
12 80-5, eff. 4-19-22; revised 6-23-22.)

13 Section 10-35. The Budget Stabilization Act is amended by
14 changing Section 15 as follows:

15 (30 ILCS 122/15)

16 Sec. 15. Transfers to Budget Stabilization Fund. In
17 furtherance of the State's objective for the Budget
18 Stabilization Fund to have resources representing 7.5% ~~5%~~ of
19 the State's annual general funds revenues:

20 (a) For each fiscal year when the General Assembly's
21 appropriations and transfers or diversions as required by law
22 from general funds do not exceed 99% of the estimated general
23 funds revenues pursuant to subsection (a) of Section 10, the
24 Comptroller shall transfer from the General Revenue Fund as

1 provided by this Section a total amount equal to 0.5% of the
2 estimated general funds revenues to the Budget Stabilization
3 Fund.

4 (b) For each fiscal year when the General Assembly's
5 appropriations and transfers or diversions as required by law
6 from general funds do not exceed 98% of the estimated general
7 funds revenues pursuant to subsection (b) of Section 10, the
8 Comptroller shall transfer from the General Revenue Fund as
9 provided by this Section a total amount equal to 1% of the
10 estimated general funds revenues to the Budget Stabilization
11 Fund.

12 (c) The Comptroller shall transfer 1/12 of the total
13 amount to be transferred each fiscal year under this Section
14 into the Budget Stabilization Fund on the first day of each
15 month of that fiscal year or as soon thereafter as possible.
16 The balance of the Budget Stabilization Fund shall not exceed
17 7.5% ~~5%~~ of the total of general funds revenues estimated for
18 that fiscal year except as provided by subsection (d) of this
19 Section.

20 (d) If the balance of the Budget Stabilization Fund
21 exceeds 7.5% ~~5%~~ of the total general funds revenues estimated
22 for that fiscal year, the additional transfers are not
23 required unless there are outstanding liabilities under
24 Section 25 of the State Finance Act from prior fiscal years. If
25 there are such outstanding Section 25 liabilities, then the
26 Comptroller shall continue to transfer 1/12 of the total

1 amount identified for transfer to the Budget Stabilization
2 Fund on the first day of each month of that fiscal year or as
3 soon thereafter as possible to be reserved for those Section
4 25 liabilities. Nothing in this Act prohibits the General
5 Assembly from appropriating additional moneys into the Budget
6 Stabilization Fund.

7 (e) On or before August 31 of each fiscal year, the amount
8 determined to be transferred to the Budget Stabilization Fund
9 shall be reconciled to actual general funds revenues for that
10 fiscal year. The final transfer for each fiscal year shall be
11 adjusted so that the total amount transferred under this
12 Section is equal to the percentage specified in subsection (a)
13 or (b) of this Section, as applicable, based on actual general
14 funds revenues calculated consistently with subsection (c) of
15 Section 10 of this Act for each fiscal year.

16 (f) For the fiscal year beginning July 1, 2006 and for each
17 fiscal year thereafter, the budget proposal to the General
18 Assembly shall identify liabilities incurred in a prior fiscal
19 year under Section 25 of the State Finance Act and the budget
20 proposal shall provide funding as allowable pursuant to
21 subsection (d) of this Section, if applicable.

22 (Source: P.A. 93-660, eff. 7-1-04; 94-839, eff. 6-6-06.)

23 Section 10-37. The Build Illinois Act is amended by
24 changing Section 10-6 as follows:

1 (30 ILCS 750/10-6) (from Ch. 127, par. 2710-6)

2 Sec. 10-6. Large Business Attraction Fund.

3 (a) There is created the Large Business Attraction Fund to
4 be held as part of the State Treasury. The Department is
5 authorized to make loans from the Fund for the purposes
6 established under this Article. The State Treasurer shall have
7 custody of the Fund and may invest in securities constituting
8 direct obligations of the United States Government, in
9 obligations the principal of and interest on which are
10 guaranteed by the United States Government, or in certificates
11 of deposit of any State or national bank that are fully secured
12 by obligations guaranteed as to principal and interest by the
13 United States Government. The purpose of the Fund is to offer
14 loans to finance large firms considering the location of a
15 proposed plant in the State and to provide financing to carry
16 out the purposes and provisions of paragraph (h) of Section
17 10-3. Financing shall be in the form of a loan, mortgage, or
18 other debt instrument. All loans shall be conditioned on the
19 project receiving financing from participating lenders or
20 other sources. Loan proceeds shall be available for project
21 costs associated with an expansion of business capacity and
22 employment, except for debt refinancing. Targeted companies
23 for the program shall primarily consist of established
24 industrial and service companies with proven records of
25 earnings that will sell their product to markets beyond
26 Illinois and have proven multistate location options. New

1 ventures shall be considered only if the entity is protected
2 with adequate security with regard to its financing and
3 operation. The limitations and conditions with respect to the
4 use of this Fund shall not apply in carrying out the purposes
5 and provisions of paragraph (h) of Section 10-3.

6 (b) Deposits into the Fund shall include, but are not
7 limited to:

8 (1) Any appropriations, grants, or gifts made to the
9 Fund.

10 (2) Any income received from interest on investments
11 of amounts from the Fund not currently needed to meet the
12 obligations of the Fund.

13 (c) The State Comptroller and the State Treasurer shall
14 from time to time, upon the written direction of the Governor,
15 transfer from the Fund to the General Revenue Fund or the
16 Budget Stabilization Fund those amounts that the Governor
17 determines are in excess of the amounts required to meet the
18 obligations of the Fund. Any amounts transferred to the Budget
19 Stabilization Fund may be transferred back to the Large
20 Business Attraction Fund by the State Comptroller and the
21 State Treasurer, upon the written direction of the Governor.

22 (Source: P.A. 90-372, eff. 7-1-98.)

23 Section 10-40. The Illinois Police Training Act is amended
24 by changing Section 6 as follows:

1 (50 ILCS 705/6) (from Ch. 85, par. 506)

2 Sec. 6. Powers and duties of the Board; selection and
3 certification of schools. The Board shall select and certify
4 schools within the State of Illinois for the purpose of
5 providing basic training for probationary law enforcement
6 officers, probationary county corrections officers, and court
7 security officers and of providing advanced or in-service
8 training for permanent law enforcement officers or permanent
9 county corrections officers, which schools may be either
10 publicly or privately owned and operated. In addition, the
11 Board has the following power and duties:

12 a. To require law enforcement agencies to furnish such
13 reports and information as the Board deems necessary to
14 fully implement this Act.

15 b. To establish appropriate mandatory minimum
16 standards relating to the training of probationary local
17 law enforcement officers or probationary county
18 corrections officers, and in-service training of permanent
19 law enforcement officers.

20 c. To provide appropriate certification to those
21 probationary officers who successfully complete the
22 prescribed minimum standard basic training course.

23 d. To review and approve annual training curriculum
24 for county sheriffs.

25 e. To review and approve applicants to ensure that no
26 applicant is admitted to a certified academy unless the

1 applicant is a person of good character and has not been
2 convicted of, found guilty of, entered a plea of guilty
3 to, or entered a plea of nolo contendere to a felony
4 offense, any of the misdemeanors in Sections 11-1.50,
5 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1,
6 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1, 17-2,
7 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in
8 violation of any Section of Part E of Title III of the
9 Criminal Code of 1961 or the Criminal Code of 2012, or
10 subsection (a) of Section 17-32 of the Criminal Code of
11 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of
12 the Cannabis Control Act, or a crime involving moral
13 turpitude under the laws of this State or any other state
14 which if committed in this State would be punishable as a
15 felony or a crime of moral turpitude, or any felony or
16 misdemeanor in violation of federal law or the law of any
17 state that is the equivalent of any of the offenses
18 specified therein. The Board may appoint investigators who
19 shall enforce the duties conferred upon the Board by this
20 Act.

21 For purposes of this paragraph e, a person is
22 considered to have been convicted of, found guilty of, or
23 entered a plea of guilty to, plea of nolo contendere to
24 regardless of whether the adjudication of guilt or
25 sentence is withheld or not entered thereon. This includes
26 sentences of supervision, conditional discharge, or first

1 offender probation, or any similar disposition provided
2 for by law.

3 f. To establish statewide standards for minimum
4 standards regarding regular mental health screenings for
5 probationary and permanent police officers, ensuring that
6 counseling sessions and screenings remain confidential.

7 g. To review and ensure all law enforcement officers
8 remain in compliance with this Act, and any administrative
9 rules adopted under this Act.

10 h. To suspend any certificate for a definite period,
11 limit or restrict any certificate, or revoke any
12 certificate.

13 i. The Board and the Panel shall have power to secure
14 by its subpoena and bring before it any person or entity in
15 this State and to take testimony either orally or by
16 deposition or both with the same fees and mileage and in
17 the same manner as prescribed by law in judicial
18 proceedings in civil cases in circuit courts of this
19 State. The Board and the Panel shall also have the power to
20 subpoena the production of documents, papers, files,
21 books, documents, and records, whether in physical or
22 electronic form, in support of the charges and for
23 defense, and in connection with a hearing or
24 investigation.

25 j. The Executive Director, the administrative law
26 judge designated by the Executive Director, and each

1 member of the Board and the Panel shall have the power to
2 administer oaths to witnesses at any hearing that the
3 Board is authorized to conduct under this Act and any
4 other oaths required or authorized to be administered by
5 the Board under this Act.

6 k. In case of the neglect or refusal of any person to
7 obey a subpoena issued by the Board and the Panel, any
8 circuit court, upon application of the Board and the
9 Panel, through the Illinois Attorney General, may order
10 such person to appear before the Board and the Panel give
11 testimony or produce evidence, and any failure to obey
12 such order is punishable by the court as a contempt
13 thereof. This order may be served by personal delivery, by
14 email, or by mail to the address of record or email address
15 of record.

16 l. The Board shall have the power to administer state
17 certification examinations. Any and all records related to
18 these examinations, including, but not limited to, test
19 questions, test formats, digital files, answer responses,
20 answer keys, and scoring information shall be exempt from
21 disclosure.

22 m. To make grants, subject to appropriation, to units
23 of local government and public institutions of higher
24 education for the purposes of hiring and retaining law
25 enforcement officers.

26 (Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10,

1 Section 10-143, eff. 7-1-21; 101-652, Article 25, Section
2 25-40, eff. 1-1-22; 102-687, eff. 12-17-21; 102-694, eff.
3 1-7-22.)

4 Section 10-45. The Liquor Control Act of 1934 is amended
5 by adding Section 3-4.1 as follows:

6 (235 ILCS 5/3-4.1 new)

7 Sec. 3-4.1. Obtaining evidence. The State Commission has
8 the power to expend sums that the Executive Director deems
9 necessary for the purchase of evidence and for the employment
10 of persons to obtain evidence. The sums shall be advanced to
11 employees authorized by the Executive Director to expend
12 funds, on vouchers signed by the Executive Director.

13 In addition, the Executive Director is authorized to
14 maintain one or more commercial checking accounts with any
15 State banking corporation or corporations organized under or
16 subject to the Illinois Banking Act for the deposit and
17 withdrawal of moneys to be used solely for the purchase of
18 evidence and for the employment of persons to obtain evidence.
19 No check may be written on nor any withdrawal made from such an
20 account except on the written signature of 2 persons
21 designated by the Executive Director to write those checks and
22 make those withdrawals. The balance of moneys on deposit in
23 any such account shall not exceed \$25,000 at any time, nor
24 shall any one check written on or single withdrawal made from

1 any such account exceed \$25,000.

2 Section 10-47. The Illinois Public Aid Code is amended by
3 changing Sections 4-1.6 as follows:

4 (305 ILCS 5/4-1.6) (from Ch. 23, par. 4-1.6)

5 Sec. 4-1.6. Need. Income available to the family as
6 defined by the Illinois Department by rule, or to the child in
7 the case of a child removed from his or her home, when added to
8 contributions in money, substance or services from other
9 sources, including income available from parents absent from
10 the home or from a stepparent, contributions made for the
11 benefit of the parent or other persons necessary to provide
12 care and supervision to the child, and contributions from
13 legally responsible relatives, must be equal to or less than
14 the grant amount established by Department regulation for such
15 a person. For purposes of eligibility for aid under this
16 Article, the Department shall (a) disregard all earned income
17 between the grant amount and 50% of the Federal Poverty Level
18 and (b) disregard the value of all assets held by the family.

19 In considering income to be taken into account,
20 consideration shall be given to any expenses reasonably
21 attributable to the earning of such income. Three-fourths of
22 the earned income of a household eligible for aid under this
23 Article shall be disregarded when determining the level of
24 assistance for which a household is eligible. All ~~The first~~

1 ~~\$100 of~~ child support, whether it be current support, past
2 support owed, or future support, that is collected on or after
3 January 1, 2023 on behalf of a family ~~in a month for one child~~
4 ~~and the first \$200 of child support collected on behalf of a~~
5 ~~family in a month for 2 or more children~~ shall be passed
6 through to the family and disregarded in determining the
7 amount of the assistance grant provided to the family under
8 this Article. Any amount of child support that would be
9 disregarded in determining the amount of the assistance grant
10 shall be disregarded in determining eligibility for cash
11 assistance provided under this Article. The Illinois
12 Department may also permit all or any portion of earned or
13 other income to be set aside for the future identifiable needs
14 of a child. The Illinois Department may provide by rule and
15 regulation for the exemptions thus permitted or required. The
16 eligibility of any applicant for or recipient of public aid
17 under this Article is not affected by the payment of any grant
18 under the "Senior Citizens and Persons with Disabilities
19 Property Tax Relief Act" or any distributions or items of
20 income described under subparagraph (X) of paragraph (2) of
21 subsection (a) of Section 203 of the Illinois Income Tax Act.

22 The Illinois Department may, by rule, set forth criteria
23 under which an assistance unit is ineligible for cash
24 assistance under this Article for a specified number of months
25 due to the receipt of a lump sum payment.

26 (Source: P.A. 98-114, eff. 7-29-13; 99-143, eff. 7-27-15;

1 99-899, eff. 1-1-17.)

2 Section 10-48. The Illinois Public Aid Code is amended by
3 changing Section 5A-12.7 as follows:

4 (305 ILCS 5/5A-12.7)

5 (Section scheduled to be repealed on December 31, 2026)

6 Sec. 5A-12.7. Continuation of hospital access payments on
7 and after July 1, 2020.

8 (a) To preserve and improve access to hospital services,
9 for hospital services rendered on and after July 1, 2020, the
10 Department shall, except for hospitals described in subsection
11 (b) of Section 5A-3, make payments to hospitals or require
12 capitated managed care organizations to make payments as set
13 forth in this Section. Payments under this Section are not due
14 and payable, however, until: (i) the methodologies described
15 in this Section are approved by the federal government in an
16 appropriate State Plan amendment or directed payment preprint;
17 and (ii) the assessment imposed under this Article is
18 determined to be a permissible tax under Title XIX of the
19 Social Security Act. In determining the hospital access
20 payments authorized under subsection (g) of this Section, if a
21 hospital ceases to qualify for payments from the pool, the
22 payments for all hospitals continuing to qualify for payments
23 from such pool shall be uniformly adjusted to fully expend the
24 aggregate net amount of the pool, with such adjustment being

1 effective on the first day of the second month following the
2 date the hospital ceases to receive payments from such pool.

3 (b) Amounts moved into claims-based rates and distributed
4 in accordance with Section 14-12 shall remain in those
5 claims-based rates.

6 (c) Graduate medical education.

7 (1) The calculation of graduate medical education
8 payments shall be based on the hospital's Medicare cost
9 report ending in Calendar Year 2018, as reported in the
10 Healthcare Cost Report Information System file, release
11 date September 30, 2019. An Illinois hospital reporting
12 intern and resident cost on its Medicare cost report shall
13 be eligible for graduate medical education payments.

14 (2) Each hospital's annualized Medicaid Intern
15 Resident Cost is calculated using annualized intern and
16 resident total costs obtained from Worksheet B Part I,
17 Columns 21 and 22 the sum of Lines 30-43, 50-76, 90-93,
18 96-98, and 105-112 multiplied by the percentage that the
19 hospital's Medicaid days (Worksheet S3 Part I, Column 7,
20 Lines 2, 3, 4, 14, 16-18, and 32) comprise of the
21 hospital's total days (Worksheet S3 Part I, Column 8,
22 Lines 14, 16-18, and 32).

23 (3) An annualized Medicaid indirect medical education
24 (IME) payment is calculated for each hospital using its
25 IME payments (Worksheet E Part A, Line 29, Column 1)
26 multiplied by the percentage that its Medicaid days

1 (Worksheet S3 Part I, Column 7, Lines 2, 3, 4, 14, 16-18,
2 and 32) comprise of its Medicare days (Worksheet S3 Part
3 I, Column 6, Lines 2, 3, 4, 14, and 16-18).

4 (4) For each hospital, its annualized Medicaid Intern
5 Resident Cost and its annualized Medicaid IME payment are
6 summed, and, except as capped at 120% of the average cost
7 per intern and resident for all qualifying hospitals as
8 calculated under this paragraph, is multiplied by the
9 applicable reimbursement factor as described in this
10 paragraph, to determine the hospital's final graduate
11 medical education payment. Each hospital's average cost
12 per intern and resident shall be calculated by summing its
13 total annualized Medicaid Intern Resident Cost plus its
14 annualized Medicaid IME payment and dividing that amount
15 by the hospital's total Full Time Equivalent Residents and
16 Interns. If the hospital's average per intern and resident
17 cost is greater than 120% of the same calculation for all
18 qualifying hospitals, the hospital's per intern and
19 resident cost shall be capped at 120% of the average cost
20 for all qualifying hospitals.

21 (A) For the period of July 1, 2020 through
22 December 31, 2022, the applicable reimbursement factor
23 shall be 22.6%.

24 (B) For the period of January 1, 2023 through
25 December 31, 2026, the applicable reimbursement factor
26 shall be 35% for all qualified safety-net hospitals,

1 as defined in Section 5-5e.1 of this Code, and all
2 hospitals with 100 or more Full Time Equivalent
3 Residents and Interns, as reported on the hospital's
4 Medicare cost report ending in Calendar Year 2018, and
5 for all other qualified hospitals the applicable
6 reimbursement factor shall be 30%.

7 (d) Fee-for-service supplemental payments. For the period
8 of July 1, 2020 through December 31, 2022, each Illinois
9 hospital shall receive an annual payment equal to the amounts
10 below, to be paid in 12 equal installments on or before the
11 seventh State business day of each month, except that no
12 payment shall be due within 30 days after the later of the date
13 of notification of federal approval of the payment
14 methodologies required under this Section or any waiver
15 required under 42 CFR 433.68, at which time the sum of amounts
16 required under this Section prior to the date of notification
17 is due and payable.

18 (1) For critical access hospitals, \$385 per covered
19 inpatient day contained in paid fee-for-service claims and
20 \$530 per paid fee-for-service outpatient claim for dates
21 of service in Calendar Year 2019 in the Department's
22 Enterprise Data Warehouse as of May 11, 2020.

23 (2) For safety-net hospitals, \$960 per covered
24 inpatient day contained in paid fee-for-service claims and
25 \$625 per paid fee-for-service outpatient claim for dates
26 of service in Calendar Year 2019 in the Department's

1 Enterprise Data Warehouse as of May 11, 2020.

2 (3) For long term acute care hospitals, \$295 per
3 covered inpatient day contained in paid fee-for-service
4 claims for dates of service in Calendar Year 2019 in the
5 Department's Enterprise Data Warehouse as of May 11, 2020.

6 (4) For freestanding psychiatric hospitals, \$125 per
7 covered inpatient day contained in paid fee-for-service
8 claims and \$130 per paid fee-for-service outpatient claim
9 for dates of service in Calendar Year 2019 in the
10 Department's Enterprise Data Warehouse as of May 11, 2020.

11 (5) For freestanding rehabilitation hospitals, \$355
12 per covered inpatient day contained in paid
13 fee-for-service claims for dates of service in Calendar
14 Year 2019 in the Department's Enterprise Data Warehouse as
15 of May 11, 2020.

16 (6) For all general acute care hospitals and high
17 Medicaid hospitals as defined in subsection (f), \$350 per
18 covered inpatient day for dates of service in Calendar
19 Year 2019 contained in paid fee-for-service claims and
20 \$620 per paid fee-for-service outpatient claim in the
21 Department's Enterprise Data Warehouse as of May 11, 2020.

22 (7) Alzheimer's treatment access payment. Each
23 Illinois academic medical center or teaching hospital, as
24 defined in Section 5-5e.2 of this Code, that is identified
25 as the primary hospital affiliate of one of the Regional
26 Alzheimer's Disease Assistance Centers, as designated by

1 the Alzheimer's Disease Assistance Act and identified in
2 the Department of Public Health's Alzheimer's Disease
3 State Plan dated December 2016, shall be paid an
4 Alzheimer's treatment access payment equal to the product
5 of the qualifying hospital's State Fiscal Year 2018 total
6 inpatient fee-for-service days multiplied by the
7 applicable Alzheimer's treatment rate of \$226.30 for
8 hospitals located in Cook County and \$116.21 for hospitals
9 located outside Cook County.

10 (d-2) Fee-for-service supplemental payments. Beginning
11 January 1, 2023, each Illinois hospital shall receive an
12 annual payment equal to the amounts listed below, to be paid in
13 12 equal installments on or before the seventh State business
14 day of each month, except that no payment shall be due within
15 30 days after the later of the date of notification of federal
16 approval of the payment methodologies required under this
17 Section or any waiver required under 42 CFR 433.68, at which
18 time the sum of amounts required under this Section prior to
19 the date of notification is due and payable. The Department
20 may adjust the rates in paragraphs (1) through (7) to comply
21 with the federal upper payment limits, with such adjustments
22 being determined so that the total estimated spending by
23 hospital class, under such adjusted rates, remains
24 substantially similar to the total estimated spending under
25 the original rates set forth in this subsection.

26 (1) For critical access hospitals, as defined in

1 subsection (f), \$750 per covered inpatient day contained
2 in paid fee-for-service claims and \$750 per paid
3 fee-for-service outpatient claim for dates of service in
4 Calendar Year 2019 in the Department's Enterprise Data
5 Warehouse as of August 6, 2021.

6 (2) For safety-net hospitals, as described in
7 subsection (f), \$1,350 per inpatient day contained in paid
8 fee-for-service claims and \$1,350 per paid fee-for-service
9 outpatient claim for dates of service in Calendar Year
10 2019 in the Department's Enterprise Data Warehouse as of
11 August 6, 2021.

12 (3) For long term acute care hospitals, \$550 per
13 covered inpatient day contained in paid fee-for-service
14 claims for dates of service in Calendar Year 2019 in the
15 Department's Enterprise Data Warehouse as of August 6,
16 2021.

17 (4) For freestanding psychiatric hospitals, \$200 per
18 covered inpatient day contained in paid fee-for-service
19 claims and \$200 per paid fee-for-service outpatient claim
20 for dates of service in Calendar Year 2019 in the
21 Department's Enterprise Data Warehouse as of August 6,
22 2021.

23 (5) For freestanding rehabilitation hospitals, \$550
24 per covered inpatient day contained in paid
25 fee-for-service claims and \$125 per paid fee-for-service
26 outpatient claim for dates of service in Calendar Year

1 2019 in the Department's Enterprise Data Warehouse as of
2 August 6, 2021.

3 (6) For all general acute care hospitals and high
4 Medicaid hospitals as defined in subsection (f), \$500 per
5 covered inpatient day for dates of service in Calendar
6 Year 2019 contained in paid fee-for-service claims and
7 \$500 per paid fee-for-service outpatient claim in the
8 Department's Enterprise Data Warehouse as of August 6,
9 2021.

10 (7) For public hospitals, as defined in subsection
11 (f), \$275 per covered inpatient day contained in paid
12 fee-for-service claims and \$275 per paid fee-for-service
13 outpatient claim for dates of service in Calendar Year
14 2019 in the Department's Enterprise Data Warehouse as of
15 August 6, 2021.

16 (8) Alzheimer's treatment access payment. Each
17 Illinois academic medical center or teaching hospital, as
18 defined in Section 5-5e.2 of this Code, that is identified
19 as the primary hospital affiliate of one of the Regional
20 Alzheimer's Disease Assistance Centers, as designated by
21 the Alzheimer's Disease Assistance Act and identified in
22 the Department of Public Health's Alzheimer's Disease
23 State Plan dated December 2016, shall be paid an
24 Alzheimer's treatment access payment equal to the product
25 of the qualifying hospital's Calendar Year 2019 total
26 inpatient fee-for-service days, in the Department's

1 Enterprise Data Warehouse as of August 6, 2021, multiplied
2 by the applicable Alzheimer's treatment rate of \$244.37
3 for hospitals located in Cook County and \$312.03 for
4 hospitals located outside Cook County.

5 (e) The Department shall require managed care
6 organizations (MCOs) to make directed payments and
7 pass-through payments according to this Section. Each calendar
8 year, the Department shall require MCOs to pay the maximum
9 amount out of these funds as allowed as pass-through payments
10 under federal regulations. The Department shall require MCOs
11 to make such pass-through payments as specified in this
12 Section. The Department shall require the MCOs to pay the
13 remaining amounts as directed Payments as specified in this
14 Section. The Department shall issue payments to the
15 Comptroller by the seventh business day of each month for all
16 MCOs that are sufficient for MCOs to make the directed
17 payments and pass-through payments according to this Section.
18 The Department shall require the MCOs to make pass-through
19 payments and directed payments using electronic funds
20 transfers (EFT), if the hospital provides the information
21 necessary to process such EFTs, in accordance with directions
22 provided monthly by the Department, within 7 business days of
23 the date the funds are paid to the MCOs, as indicated by the
24 "Paid Date" on the website of the Office of the Comptroller if
25 the funds are paid by EFT and the MCOs have received directed
26 payment instructions. If funds are not paid through the

1 Comptroller by EFT, payment must be made within 7 business
2 days of the date actually received by the MCO. The MCO will be
3 considered to have paid the pass-through payments when the
4 payment remittance number is generated or the date the MCO
5 sends the check to the hospital, if EFT information is not
6 supplied. If an MCO is late in paying a pass-through payment or
7 directed payment as required under this Section (including any
8 extensions granted by the Department), it shall pay a penalty,
9 unless waived by the Department for reasonable cause, to the
10 Department equal to 5% of the amount of the pass-through
11 payment or directed payment not paid on or before the due date
12 plus 5% of the portion thereof remaining unpaid on the last day
13 of each 30-day period thereafter. Payments to MCOs that would
14 be paid consistent with actuarial certification and enrollment
15 in the absence of the increased capitation payments under this
16 Section shall not be reduced as a consequence of payments made
17 under this subsection. The Department shall publish and
18 maintain on its website for a period of no less than 8 calendar
19 quarters, the quarterly calculation of directed payments and
20 pass-through payments owed to each hospital from each MCO. All
21 calculations and reports shall be posted no later than the
22 first day of the quarter for which the payments are to be
23 issued.

24 (f) (1) For purposes of allocating the funds included in
25 capitation payments to MCOs, Illinois hospitals shall be
26 divided into the following classes as defined in

1 administrative rules:

2 (A) Beginning July 1, 2020 through December 31, 2022,
3 critical access hospitals. Beginning January 1, 2023,
4 "critical access hospital" means a hospital designated by
5 the Department of Public Health as a critical access
6 hospital, excluding any hospital meeting the definition of
7 a public hospital in subparagraph (F).

8 (B) Safety-net hospitals, except that stand-alone
9 children's hospitals that are not specialty children's
10 hospitals will not be included. For the calendar year
11 beginning January 1, 2023, and each calendar year
12 thereafter, assignment to the safety-net class shall be
13 based on the annual safety-net rate year beginning 15
14 months before the beginning of the first Payout Quarter of
15 the calendar year.

16 (C) Long term acute care hospitals.

17 (D) Freestanding psychiatric hospitals.

18 (E) Freestanding rehabilitation hospitals.

19 (F) Beginning January 1, 2023, "public hospital" means
20 a hospital that is owned or operated by an Illinois
21 Government body or municipality, excluding a hospital
22 provider that is a State agency, a State university, or a
23 county with a population of 3,000,000 or more.

24 (G) High Medicaid hospitals.

25 (i) As used in this Section, "high Medicaid
26 hospital" means a general acute care hospital that:

1 (I) For the payout periods July 1, 2020
2 through December 31, 2022, is not a safety-net
3 hospital or critical access hospital and that has
4 a Medicaid Inpatient Utilization Rate above 30% or
5 a hospital that had over 35,000 inpatient Medicaid
6 days during the applicable period. For the period
7 July 1, 2020 through December 31, 2020, the
8 applicable period for the Medicaid Inpatient
9 Utilization Rate (MIUR) is the rate year 2020 MIUR
10 and for the number of inpatient days it is State
11 fiscal year 2018. Beginning in calendar year 2021,
12 the Department shall use the most recently
13 determined MIUR, as defined in subsection (h) of
14 Section 5-5.02, and for the inpatient day
15 threshold, the State fiscal year ending 18 months
16 prior to the beginning of the calendar year. For
17 purposes of calculating MIUR under this Section,
18 children's hospitals and affiliated general acute
19 care hospitals shall be considered a single
20 hospital.

21 (II) For the calendar year beginning January
22 1, 2023, and each calendar year thereafter, is not
23 a public hospital, safety-net hospital, or
24 critical access hospital and that qualifies as a
25 regional high volume hospital or is a hospital
26 that has a Medicaid Inpatient Utilization Rate

1 (MIUR) above 30%. As used in this item, "regional
2 high volume hospital" means a hospital which ranks
3 in the top 2 quartiles based on total hospital
4 services volume, of all eligible general acute
5 care hospitals, when ranked in descending order
6 based on total hospital services volume, within
7 the same Medicaid managed care region, as
8 designated by the Department, as of January 1,
9 2022. As used in this item, "total hospital
10 services volume" means the total of all Medical
11 Assistance hospital inpatient admissions plus all
12 Medical Assistance hospital outpatient visits. For
13 purposes of determining regional high volume
14 hospital inpatient admissions and outpatient
15 visits, the Department shall use dates of service
16 provided during State Fiscal Year 2020 for the
17 Payout Quarter beginning January 1, 2023. The
18 Department shall use dates of service from the
19 State fiscal year ending 18 month before the
20 beginning of the first Payout Quarter of the
21 subsequent annual determination period.

22 (ii) For the calendar year beginning January 1,
23 2023, the Department shall use the Rate Year 2022
24 Medicaid inpatient utilization rate (MIUR), as defined
25 in subsection (h) of Section 5-5.02. For each
26 subsequent annual determination, the Department shall

1 use the MIUR applicable to the rate year ending
2 September 30 of the year preceding the beginning of
3 the calendar year.

4 (H) General acute care hospitals. As used under this
5 Section, "general acute care hospitals" means all other
6 Illinois hospitals not identified in subparagraphs (A)
7 through (G).

8 (2) Hospitals' qualification for each class shall be
9 assessed prior to the beginning of each calendar year and the
10 new class designation shall be effective January 1 of the next
11 year. The Department shall publish by rule the process for
12 establishing class determination.

13 (g) Fixed pool directed payments. Beginning July 1, 2020,
14 the Department shall issue payments to MCOs which shall be
15 used to issue directed payments to qualified Illinois
16 safety-net hospitals and critical access hospitals on a
17 monthly basis in accordance with this subsection. Prior to the
18 beginning of each Payout Quarter beginning July 1, 2020, the
19 Department shall use encounter claims data from the
20 Determination Quarter, accepted by the Department's Medicaid
21 Management Information System for inpatient and outpatient
22 services rendered by safety-net hospitals and critical access
23 hospitals to determine a quarterly uniform per unit add-on for
24 each hospital class.

25 (1) Inpatient per unit add-on. A quarterly uniform per
26 diem add-on shall be derived by dividing the quarterly

1 Inpatient Directed Payments Pool amount allocated to the
2 applicable hospital class by the total inpatient days
3 contained on all encounter claims received during the
4 Determination Quarter, for all hospitals in the class.

5 (A) Each hospital in the class shall have a
6 quarterly inpatient directed payment calculated that
7 is equal to the product of the number of inpatient days
8 attributable to the hospital used in the calculation
9 of the quarterly uniform class per diem add-on,
10 multiplied by the calculated applicable quarterly
11 uniform class per diem add-on of the hospital class.

12 (B) Each hospital shall be paid 1/3 of its
13 quarterly inpatient directed payment in each of the 3
14 months of the Payout Quarter, in accordance with
15 directions provided to each MCO by the Department.

16 (2) Outpatient per unit add-on. A quarterly uniform
17 per claim add-on shall be derived by dividing the
18 quarterly Outpatient Directed Payments Pool amount
19 allocated to the applicable hospital class by the total
20 outpatient encounter claims received during the
21 Determination Quarter, for all hospitals in the class.

22 (A) Each hospital in the class shall have a
23 quarterly outpatient directed payment calculated that
24 is equal to the product of the number of outpatient
25 encounter claims attributable to the hospital used in
26 the calculation of the quarterly uniform class per

1 claim add-on, multiplied by the calculated applicable
2 quarterly uniform class per claim add-on of the
3 hospital class.

4 (B) Each hospital shall be paid 1/3 of its
5 quarterly outpatient directed payment in each of the 3
6 months of the Payout Quarter, in accordance with
7 directions provided to each MCO by the Department.

8 (3) Each MCO shall pay each hospital the Monthly
9 Directed Payment as identified by the Department on its
10 quarterly determination report.

11 (4) Definitions. As used in this subsection:

12 (A) "Payout Quarter" means each 3 month calendar
13 quarter, beginning July 1, 2020.

14 (B) "Determination Quarter" means each 3 month
15 calendar quarter, which ends 3 months prior to the
16 first day of each Payout Quarter.

17 (5) For the period July 1, 2020 through December 2020,
18 the following amounts shall be allocated to the following
19 hospital class directed payment pools for the quarterly
20 development of a uniform per unit add-on:

21 (A) \$2,894,500 for hospital inpatient services for
22 critical access hospitals.

23 (B) \$4,294,374 for hospital outpatient services
24 for critical access hospitals.

25 (C) \$29,109,330 for hospital inpatient services
26 for safety-net hospitals.

1 (D) \$35,041,218 for hospital outpatient services
2 for safety-net hospitals.

3 (6) For the period January 1, 2023 through December
4 31, 2023, the Department shall establish the amounts that
5 shall be allocated to the hospital class directed payment
6 fixed pools identified in this paragraph for the quarterly
7 development of a uniform per unit add-on. The Department
8 shall establish such amounts so that the total amount of
9 payments to each hospital under this Section in calendar
10 year 2023 is projected to be substantially similar to the
11 total amount of such payments received by the hospital
12 under this Section in calendar year 2021, adjusted for
13 increased funding provided for fixed pool directed
14 payments under subsection (g) in calendar year 2022,
15 assuming that the volume and acuity of claims are held
16 constant. The Department shall publish the directed
17 payment fixed pool amounts to be established under this
18 paragraph on its website by November 15, 2022.

19 (A) Hospital inpatient services for critical
20 access hospitals.

21 (B) Hospital outpatient services for critical
22 access hospitals.

23 (C) Hospital inpatient services for public
24 hospitals.

25 (D) Hospital outpatient services for public
26 hospitals.

1 (E) Hospital inpatient services for safety-net
2 hospitals.

3 (F) Hospital outpatient services for safety-net
4 hospitals.

5 (7) Semi-annual rate maintenance review. The
6 Department shall ensure that hospitals assigned to the
7 fixed pools in paragraph (6) are paid no less than 95% of
8 the annual initial rate for each 6-month period of each
9 annual payout period. For each calendar year, the
10 Department shall calculate the annual initial rate per day
11 and per visit for each fixed pool hospital class listed in
12 paragraph (6), by dividing the total of all applicable
13 inpatient or outpatient directed payments issued in the
14 preceding calendar year to the hospitals in each fixed
15 pool class for the calendar year, plus any increase
16 resulting from the annual adjustments described in
17 subsection (i), by the actual applicable total service
18 units for the preceding calendar year which were the basis
19 of the total applicable inpatient or outpatient directed
20 payments issued to the hospitals in each fixed pool class
21 in the calendar year, except that for calendar year 2023,
22 the service units from calendar year 2021 shall be used.

23 (A) The Department shall calculate the effective
24 rate, per day and per visit, for the payout periods of
25 January to June and July to December of each year, for
26 each fixed pool listed in paragraph (6), by dividing

1 50% of the annual pool by the total applicable
2 reported service units for the 2 applicable
3 determination quarters.

4 (B) If the effective rate calculated in
5 subparagraph (A) is less than 95% of the annual
6 initial rate assigned to the class for each pool under
7 paragraph (6), the Department shall adjust the payment
8 for each hospital to a level equal to no less than 95%
9 of the annual initial rate, by issuing a retroactive
10 adjustment payment for the 6-month period under review
11 as identified in subparagraph (A).

12 (h) Fixed rate directed payments. Effective July 1, 2020,
13 the Department shall issue payments to MCOs which shall be
14 used to issue directed payments to Illinois hospitals not
15 identified in paragraph (g) on a monthly basis. Prior to the
16 beginning of each Payout Quarter beginning July 1, 2020, the
17 Department shall use encounter claims data from the
18 Determination Quarter, accepted by the Department's Medicaid
19 Management Information System for inpatient and outpatient
20 services rendered by hospitals in each hospital class
21 identified in paragraph (f) and not identified in paragraph
22 (g). For the period July 1, 2020 through December 2020, the
23 Department shall direct MCOs to make payments as follows:

24 (1) For general acute care hospitals an amount equal
25 to \$1,750 multiplied by the hospital's category of service
26 20 case mix index for the determination quarter multiplied

1 by the hospital's total number of inpatient admissions for
2 category of service 20 for the determination quarter.

3 (2) For general acute care hospitals an amount equal
4 to \$160 multiplied by the hospital's category of service
5 21 case mix index for the determination quarter multiplied
6 by the hospital's total number of inpatient admissions for
7 category of service 21 for the determination quarter.

8 (3) For general acute care hospitals an amount equal
9 to \$80 multiplied by the hospital's category of service 22
10 case mix index for the determination quarter multiplied by
11 the hospital's total number of inpatient admissions for
12 category of service 22 for the determination quarter.

13 (4) For general acute care hospitals an amount equal
14 to \$375 multiplied by the hospital's category of service
15 24 case mix index for the determination quarter multiplied
16 by the hospital's total number of category of service 24
17 paid EAPG (EAPGs) for the determination quarter.

18 (5) For general acute care hospitals an amount equal
19 to \$240 multiplied by the hospital's category of service
20 27 and 28 case mix index for the determination quarter
21 multiplied by the hospital's total number of category of
22 service 27 and 28 paid EAPGs for the determination
23 quarter.

24 (6) For general acute care hospitals an amount equal
25 to \$290 multiplied by the hospital's category of service
26 29 case mix index for the determination quarter multiplied

1 by the hospital's total number of category of service 29
2 paid EAPGs for the determination quarter.

3 (7) For high Medicaid hospitals an amount equal to
4 \$1,800 multiplied by the hospital's category of service 20
5 case mix index for the determination quarter multiplied by
6 the hospital's total number of inpatient admissions for
7 category of service 20 for the determination quarter.

8 (8) For high Medicaid hospitals an amount equal to
9 \$160 multiplied by the hospital's category of service 21
10 case mix index for the determination quarter multiplied by
11 the hospital's total number of inpatient admissions for
12 category of service 21 for the determination quarter.

13 (9) For high Medicaid hospitals an amount equal to \$80
14 multiplied by the hospital's category of service 22 case
15 mix index for the determination quarter multiplied by the
16 hospital's total number of inpatient admissions for
17 category of service 22 for the determination quarter.

18 (10) For high Medicaid hospitals an amount equal to
19 \$400 multiplied by the hospital's category of service 24
20 case mix index for the determination quarter multiplied by
21 the hospital's total number of category of service 24 paid
22 EAPG outpatient claims for the determination quarter.

23 (11) For high Medicaid hospitals an amount equal to
24 \$240 multiplied by the hospital's category of service 27
25 and 28 case mix index for the determination quarter
26 multiplied by the hospital's total number of category of

1 service 27 and 28 paid EAPGs for the determination
2 quarter.

3 (12) For high Medicaid hospitals an amount equal to
4 \$290 multiplied by the hospital's category of service 29
5 case mix index for the determination quarter multiplied by
6 the hospital's total number of category of service 29 paid
7 EAPGs for the determination quarter.

8 (13) For long term acute care hospitals the amount of
9 \$495 multiplied by the hospital's total number of
10 inpatient days for the determination quarter.

11 (14) For psychiatric hospitals the amount of \$210
12 multiplied by the hospital's total number of inpatient
13 days for category of service 21 for the determination
14 quarter.

15 (15) For psychiatric hospitals the amount of \$250
16 multiplied by the hospital's total number of outpatient
17 claims for category of service 27 and 28 for the
18 determination quarter.

19 (16) For rehabilitation hospitals the amount of \$410
20 multiplied by the hospital's total number of inpatient
21 days for category of service 22 for the determination
22 quarter.

23 (17) For rehabilitation hospitals the amount of \$100
24 multiplied by the hospital's total number of outpatient
25 claims for category of service 29 for the determination
26 quarter.

1 (18) Effective for the Payout Quarter beginning
2 January 1, 2023, for the directed payments to hospitals
3 required under this subsection, the Department shall
4 establish the amounts that shall be used to calculate such
5 directed payments using the methodologies specified in
6 this paragraph. The Department shall use a single, uniform
7 rate, adjusted for acuity as specified in paragraphs (1)
8 through (12), for all categories of inpatient services
9 provided by each class of hospitals and a single uniform
10 rate, adjusted for acuity as specified in paragraphs (1)
11 through (12), for all categories of outpatient services
12 provided by each class of hospitals. The Department shall
13 establish such amounts so that the total amount of
14 payments to each hospital under this Section in calendar
15 year 2023 is projected to be substantially similar to the
16 total amount of such payments received by the hospital
17 under this Section in calendar year 2021, adjusted for
18 increased funding provided for fixed pool directed
19 payments under subsection (g) in calendar year 2022,
20 assuming that the volume and acuity of claims are held
21 constant. The Department shall publish the directed
22 payment amounts to be established under this subsection on
23 its website by November 15, 2022.

24 (19) Each hospital shall be paid 1/3 of their
25 quarterly inpatient and outpatient directed payment in
26 each of the 3 months of the Payout Quarter, in accordance

1 with directions provided to each MCO by the Department.

2 20 Each MCO shall pay each hospital the Monthly
3 Directed Payment amount as identified by the Department on
4 its quarterly determination report.

5 Notwithstanding any other provision of this subsection, if
6 the Department determines that the actual total hospital
7 utilization data that is used to calculate the fixed rate
8 directed payments is substantially different than anticipated
9 when the rates in this subsection were initially determined
10 for unforeseeable circumstances (such as the COVID-19 pandemic
11 or some other public health emergency), the Department may
12 adjust the rates specified in this subsection so that the
13 total directed payments approximate the total spending amount
14 anticipated when the rates were initially established.

15 Definitions. As used in this subsection:

16 (A) "Payout Quarter" means each calendar quarter,
17 beginning July 1, 2020.

18 (B) "Determination Quarter" means each calendar
19 quarter which ends 3 months prior to the first day of
20 each Payout Quarter.

21 (C) "Case mix index" means a hospital specific
22 calculation. For inpatient claims the case mix index
23 is calculated each quarter by summing the relative
24 weight of all inpatient Diagnosis-Related Group (DRG)
25 claims for a category of service in the applicable
26 Determination Quarter and dividing the sum by the

1 number of sum total of all inpatient DRG admissions
2 for the category of service for the associated claims.
3 The case mix index for outpatient claims is calculated
4 each quarter by summing the relative weight of all
5 paid EAPGs in the applicable Determination Quarter and
6 dividing the sum by the sum total of paid EAPGs for the
7 associated claims.

8 (i) Beginning January 1, 2021, the rates for directed
9 payments shall be recalculated in order to spend the
10 additional funds for directed payments that result from
11 reduction in the amount of pass-through payments allowed under
12 federal regulations. The additional funds for directed
13 payments shall be allocated proportionally to each class of
14 hospitals based on that class' proportion of services.

15 (1) Beginning January 1, 2024, the fixed pool directed
16 payment amounts and the associated annual initial rates
17 referenced in paragraph (6) of subsection (f) for each
18 hospital class shall be uniformly increased by a ratio of
19 not less than, the ratio of the total pass-through
20 reduction amount pursuant to paragraph (4) of subsection
21 (j), for the hospitals comprising the hospital fixed pool
22 directed payment class for the next calendar year, to the
23 total inpatient and outpatient directed payments for the
24 hospitals comprising the hospital fixed pool directed
25 payment class paid during the preceding calendar year.

26 (2) Beginning January 1, 2024, the fixed rates for the

1 directed payments referenced in paragraph (18) of
2 subsection (h) for each hospital class shall be uniformly
3 increased by a ratio of not less than, the ratio of the
4 total pass-through reduction amount pursuant to paragraph
5 (4) of subsection (j), for the hospitals comprising the
6 hospital directed payment class for the next calendar
7 year, to the total inpatient and outpatient directed
8 payments for the hospitals comprising the hospital fixed
9 rate directed payment class paid during the preceding
10 calendar year.

11 (j) Pass-through payments.

12 (1) For the period July 1, 2020 through December 31,
13 2020, the Department shall assign quarterly pass-through
14 payments to each class of hospitals equal to one-fourth of
15 the following annual allocations:

16 (A) \$390,487,095 to safety-net hospitals.

17 (B) \$62,553,886 to critical access hospitals.

18 (C) \$345,021,438 to high Medicaid hospitals.

19 (D) \$551,429,071 to general acute care hospitals.

20 (E) \$27,283,870 to long term acute care hospitals.

21 (F) \$40,825,444 to freestanding psychiatric
22 hospitals.

23 (G) \$9,652,108 to freestanding rehabilitation
24 hospitals.

25 (2) For the period of July 1, 2020 through December
26 31, 2020, the pass-through payments shall at a minimum

1 ensure hospitals receive a total amount of monthly
2 payments under this Section as received in calendar year
3 2019 in accordance with this Article and paragraph (1) of
4 subsection (d-5) of Section 14-12, exclusive of amounts
5 received through payments referenced in subsection (b).

6 (3) For the calendar year beginning January 1, 2023,
7 the Department shall establish the annual pass-through
8 allocation to each class of hospitals and the pass-through
9 payments to each hospital so that the total amount of
10 payments to each hospital under this Section in calendar
11 year 2023 is projected to be substantially similar to the
12 total amount of such payments received by the hospital
13 under this Section in calendar year 2021, adjusted for
14 increased funding provided for fixed pool directed
15 payments under subsection (g) in calendar year 2022,
16 assuming that the volume and acuity of claims are held
17 constant. The Department shall publish the pass-through
18 allocation to each class and the pass-through payments to
19 each hospital to be established under this subsection on
20 its website by November 15, 2022.

21 (4) For the calendar years beginning January 1, 2021,
22 January 1, 2022, and January 1, 2024, and each calendar
23 year thereafter, each hospital's pass-through payment
24 amount shall be reduced proportionally to the reduction of
25 all pass-through payments required by federal regulations.

26 (k) At least 30 days prior to each calendar year, the

1 Department shall notify each hospital of changes to the
2 payment methodologies in this Section, including, but not
3 limited to, changes in the fixed rate directed payment rates,
4 the aggregate pass-through payment amount for all hospitals,
5 and the hospital's pass-through payment amount for the
6 upcoming calendar year.

7 (l) Notwithstanding any other provisions of this Section,
8 the Department may adopt rules to change the methodology for
9 directed and pass-through payments as set forth in this
10 Section, but only to the extent necessary to obtain federal
11 approval of a necessary State Plan amendment or Directed
12 Payment Preprint or to otherwise conform to federal law or
13 federal regulation.

14 (m) As used in this subsection, "managed care
15 organization" or "MCO" means an entity which contracts with
16 the Department to provide services where payment for medical
17 services is made on a capitated basis, excluding contracted
18 entities for dual eligible or Department of Children and
19 Family Services youth populations.

20 (n) In order to address the escalating infant mortality
21 rates among minority communities in Illinois, the State shall,
22 subject to appropriation, create a pool of funding of at least
23 \$50,000,000 annually to be disbursed among safety-net
24 hospitals that maintain perinatal designation from the
25 Department of Public Health. The funding shall be used to
26 preserve or enhance OB/GYN services or other specialty

1 services at the receiving hospital, with the distribution of
2 funding to be established by rule and with consideration to
3 perinatal hospitals with safe birthing levels and quality
4 metrics for healthy mothers and babies.

5 (o) In order to address the growing challenges of
6 providing stable access to healthcare in rural Illinois,
7 including perinatal services, behavioral healthcare including
8 substance use disorder services (SUDs) and other specialty
9 services, and to expand access to telehealth services among
10 rural communities in Illinois, the Department of Healthcare
11 and Family Services, subject to appropriation, shall
12 administer a program to provide at least \$10,000,000 in
13 financial support annually to critical access hospitals for
14 delivery of perinatal and OB/GYN services, behavioral
15 healthcare including SUDs, other specialty services and
16 telehealth services. The funding shall be used to preserve or
17 enhance perinatal and OB/GYN services, behavioral healthcare
18 including SUDs, other specialty services, as well as the
19 explanation of telehealth services by the receiving hospital,
20 with the distribution of funding to be established by rule.

21 (p) For calendar year 2023, the final amounts, rates, and
22 payments under subsections (c), (d-2), (g), (h), and (j) shall
23 be established by the Department, so that the sum of the total
24 estimated annual payments under subsections (c), (d-2), (g),
25 (h), and (j) for each hospital class for calendar year 2023, is
26 no less than:

- 1 (1) \$858,260,000 to safety-net hospitals.
- 2 (2) \$86,200,000 to critical access hospitals.
- 3 (3) \$1,765,000,000 to high Medicaid hospitals.
- 4 (4) \$673,860,000 to general acute care hospitals.
- 5 (5) \$48,330,000 to long term acute care hospitals.
- 6 (6) \$89,110,000 to freestanding psychiatric hospitals.
- 7 (7) \$24,300,000 to freestanding rehabilitation
- 8 hospitals.
- 9 (8) \$32,570,000 to public hospitals.

10 (g) Prior to April 1, 2023, the Department shall disburse
11 a pool of \$460,000,000 in emergency stabilization payments to
12 hospitals. The allocation of the pool shall be based on the
13 hospital directed payment classes and directed payments
14 issued, during calendar year 2022, with added consideration to
15 safety-net hospitals and critical access hospitals, both as
16 defined in paragraph (1) of subsection (f).

17 (Source: P.A. 101-650, eff. 7-7-20; 102-4, eff. 4-27-21;
18 102-16, eff. 6-17-21; 102-886, eff. 5-17-22.)

19 Section 10-50. The Illinois Human Rights Act is amended by
20 changing Section 7-101 as follows:

21 (775 ILCS 5/7-101) (from Ch. 68, par. 7-101)

22 Sec. 7-101. Powers and Duties. In addition to other powers
23 and duties prescribed in this Act, the Department shall have
24 the following powers:

1 (A) Rules and Regulations. To adopt, promulgate, amend,
2 and rescind rules and regulations not inconsistent with the
3 provisions of this Act pursuant to the Illinois Administrative
4 Procedure Act.

5 (B) Charges. To issue, receive, investigate, conciliate,
6 settle, and dismiss charges filed in conformity with this Act.

7 (C) Compulsory Process. To request subpoenas as it deems
8 necessary for its investigations.

9 (D) Complaints. To file complaints with the Commission in
10 conformity with this Act.

11 (E) Judicial Enforcement. To seek temporary relief and to
12 enforce orders of the Commission in conformity with this Act.

13 (F) Equal Employment Opportunities. To take such action as
14 may be authorized to provide for equal employment
15 opportunities and affirmative action.

16 (G) Recruitment; Research; Public Communication; Advisory
17 Councils. To engage in such recruitment, research and public
18 communication and create such advisory councils as may be
19 authorized to effectuate the purposes of this Act.

20 (H) Coordination with other Agencies. To coordinate its
21 activities with federal, state, and local agencies in
22 conformity with this Act.

23 (I) ~~Public~~ Grants; Private Gifts.

24 (1) To accept public grants and private gifts as may
25 be authorized.

26 (2) To design grant programs and award grants to

1 eligible recipients.

2 (J) Education and Training. To implement a formal and
3 unbiased program of education and training for all employees
4 assigned to investigate and conciliate charges under Articles
5 7A and 7B. The training program shall include the following:

6 (1) substantive and procedural aspects of the
7 investigation and conciliation positions;

8 (2) current issues in human rights law and practice;

9 (3) lectures by specialists in substantive areas
10 related to human rights matters;

11 (4) orientation to each operational unit of the
12 Department and Commission;

13 (5) observation of experienced Department
14 investigators and attorneys conducting conciliation
15 conferences, combined with the opportunity to discuss
16 evidence presented and rulings made;

17 (6) the use of hypothetical cases requiring the
18 Department investigator and conciliation conference
19 attorney to issue judgments as a means to evaluating
20 knowledge and writing ability;

21 (7) writing skills;

22 (8) computer skills, including but not limited to word
23 processing and document management.

24 A formal, unbiased and ongoing professional development
25 program including, but not limited to, the above-noted areas
26 shall be implemented to keep Department investigators and

1 attorneys informed of recent developments and issues and to
2 assist them in maintaining and enhancing their professional
3 competence.

4 (Source: P.A. 99-74, eff. 7-20-15.)

5 Article 95

6 Section 95-5. If and only if House Bill 4285 of the 102nd
7 General Assembly becomes law as amended by Senate Amendment
8 No. 2, the Illinois Procurement Code is amended by changing
9 Section 20-20 as follows:

10 (30 ILCS 500/20-20)

11 (Text of Section before amendment by P.A. 102-721)

12 Sec. 20-20. Small purchases.

13 (a) Amount. Any individual procurement of supplies or
14 services not exceeding \$100,000 and any procurement of
15 construction not exceeding \$100,000, or any individual
16 procurement of professional or artistic services not exceeding
17 \$100,000 may be made without competitive source selection.
18 Procurements shall not be artificially divided so as to
19 constitute a small purchase under this Section. Any
20 procurement of construction not exceeding \$100,000 may be made
21 by an alternative competitive source selection. The
22 construction agency shall establish rules for an alternative
23 competitive source selection process. This Section does not

1 apply to construction-related professional services contracts
2 awarded in accordance with the provisions of the
3 Architectural, Engineering, and Land Surveying Qualifications
4 Based Selection Act.

5 (b) Adjustment. Each July 1, the small purchase maximum
6 established in subsection (a) shall be adjusted for inflation
7 as determined by the Consumer Price Index for All Urban
8 Consumers as determined by the United States Department of
9 Labor and rounded to the nearest \$100.

10 (c) Based upon rules proposed by the Board and rules
11 promulgated by the chief procurement officers, the small
12 purchase maximum established in subsection (a) may be
13 modified.

14 (Source: P.A. 100-43, eff. 8-9-17.)

15 (Text of Section after amendment by P.A. 102-721)

16 Sec. 20-20. Small purchases.

17 (a) Amount. Any individual procurement of supplies or
18 services not exceeding \$100,000 and any procurement of
19 construction not exceeding \$100,000 ~~\$250,000~~, or any
20 individual procurement of professional or artistic services
21 not exceeding \$100,000 may be made without competitive source
22 selection. Procurements shall not be artificially divided so
23 as to constitute a small purchase under this Section. Any
24 procurement of construction not exceeding \$100,000 ~~\$250,000~~
25 may be made by an alternative competitive source selection.

1 The construction agency shall establish rules for an
2 alternative competitive source selection process. This Section
3 does not apply to construction-related professional services
4 contracts awarded in accordance with the provisions of the
5 Architectural, Engineering, and Land Surveying Qualifications
6 Based Selection Act.

7 (b) Adjustment. Each July 1, the small purchase maximum
8 established in subsection (a) shall be adjusted for inflation
9 as determined by the Consumer Price Index for All Urban
10 Consumers as determined by the United States Department of
11 Labor and rounded to the nearest \$100.

12 (c) Based upon rules proposed by the Board and rules
13 promulgated by the chief procurement officers, the small
14 purchase maximum established in subsection (a) may be
15 modified.

16 (d) Certification. All small purchases with an annual
17 value that exceeds \$50,000 shall be accompanied by Standard
18 Illinois Certifications in a form prescribed by each Chief
19 Procurement Officer.

20 (Source: P.A. 102-721, eff. 1-1-23; 10200HB4285sam002.)

21 Article 99

22 Section 99-999. Effective date. This Act takes effect upon
23 becoming law, except that Section 10-47 takes effect on July
24 1, 2024 and Section 95-5 takes effect upon becoming law or on

1 the date House Bill 4285 of the 102nd General Assembly takes
2 effect, whichever is later.".