

HB5190



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5190

Introduced 1/31/2022, by Rep. William Davis

SYNOPSIS AS INTRODUCED:

See Index

Amends various Acts concerning special funds as created in the State treasury. Makes conforming changes. Effective immediately.

LRB102 24780 RJF 34023 b

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The State Employees Group Insurance Act of 1971
5 is amended by changing Section 11 as follows:

6 (5 ILCS 375/11) (from Ch. 127, par. 531)

7 Sec. 11. The amount of contribution in any fiscal year
8 from funds other than the General Revenue Fund or the Road Fund
9 shall be at the same contribution rate as the General Revenue
10 Fund or the Road Fund, ~~except that in State Fiscal Year 2009 no~~
11 ~~contributions shall be required from the FY09 Budget Relief~~
12 ~~Fund.~~ Contributions and payments for life insurance shall be
13 deposited in the Group Insurance Premium Fund. Contributions
14 and payments for health coverages and other benefits shall be
15 deposited in the Health Insurance Reserve Fund. Federal funds
16 which are available for cooperative extension purposes shall
17 also be charged for the contributions which are made for
18 retired employees formerly employed in the Cooperative
19 Extension Service. In the case of departments or any division
20 thereof receiving a fraction of its requirements for
21 administration from the Federal Government, the contributions
22 hereunder shall be such fraction of the amount determined
23 under the provisions hereof and the remainder shall be

1 contributed by the State.

2 Every department which has members paid from funds other
3 than the General Revenue Fund, ~~or other than the FY09 Budget~~
4 ~~Relief Fund in State Fiscal Year 2009,~~ shall cooperate with
5 the Department of Central Management Services and the
6 Governor's Office of Management and Budget in order to assure
7 that the specified proportion of the State's cost for group
8 life insurance, the program of health benefits and other
9 employee benefits is paid by such funds; except that
10 contributions under this Act need not be paid from any other
11 fund where both the Director of Central Management Services
12 and the Director of the Governor's Office of Management and
13 Budget have designated in writing that the necessary
14 contributions are included in the General Revenue Fund
15 contribution amount.

16 Universities having employees who are totally compensated
17 out of the following funds:

- 18 (1) Income Funds;
- 19 (2) Local auxiliary funds; and
- 20 (3) the Agricultural Premium Fund

21 shall not be required to submit such contribution for such
22 employees.

23 For each person covered under this Act whose eligibility
24 for such coverage is based upon the person's status as the
25 recipient of a benefit under the Illinois Pension Code, which
26 benefit is based in whole or in part upon service with the Toll

1 Highway Authority, the Authority shall annually contribute a
2 pro rata share of the State's cost for the benefits of that
3 person.

4 (Source: P.A. 94-793, eff. 5-19-06; 95-1000, eff. 10-7-08.)

5 Section 10. The Department of Transportation Law of the
6 Civil Administrative Code of Illinois is amended by changing
7 Section 2705-255 as follows:

8 (20 ILCS 2705/2705-255) (was 20 ILCS 2705/49.14)

9 Sec. 2705-255. Appropriations from Build Illinois Bond
10 Fund ~~and Build Illinois Purposes Fund~~. Any expenditure of
11 funds by the Department for interchanges, for access roads to
12 and from any State or local highway in Illinois, or for other
13 transportation capital improvements related to an economic
14 development project pursuant to appropriations to the
15 Department from the Build Illinois Bond Fund ~~and the Build~~
16 ~~Illinois Purposes Fund~~ shall be used for funding improvements
17 related to existing or planned scientific, research,
18 manufacturing, or industrial development or expansion in
19 Illinois. In addition, the Department may use those funds to
20 encourage and maximize public and private participation in
21 those improvements. The Department shall consult with the
22 Department of Commerce and Economic Opportunity prior to
23 expending any funds for those purposes pursuant to
24 appropriations from the Build Illinois Bond Fund ~~and the Build~~

1 ~~Illinois Purposes Fund.~~

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

3 Section 15. The Illinois Motor Vehicle Theft Prevention
4 and Insurance Verification Act is amended by changing Section
5 8.6 as follows:

6 (20 ILCS 4005/8.6)

7 Sec. 8.6. State Police Training and Academy Fund; Law
8 Enforcement Training Fund. Before April 1 of each year, each
9 insurer engaged in writing private passenger motor vehicle
10 insurance coverage that is included in Class 2 and Class 3 of
11 Section 4 of the Illinois Insurance Code, as a condition of its
12 authority to transact business in this State, shall collect
13 and remit to the Department of Insurance an amount equal to \$4,
14 or a lesser amount determined by the Illinois Law Enforcement
15 Training Standards Board by rule, multiplied by the insurer's
16 total earned car years of private passenger motor vehicle
17 insurance policies providing physical damage insurance
18 coverage written in this State during the preceding calendar
19 year. Of the amounts collected under this Section, the
20 Department of Insurance shall deposit 10% into the State
21 Police Training and Academy Fund and 90% into the Law
22 Enforcement Training Fund.

23 (Source: P.A. 102-16, eff. 6-17-21.)

1 Section 20. The State Finance Act is amended by changing
2 Sections 6z-75, 6z-126, 8.20, 8.25, 8.27, 8.33, and 8f and by
3 adding Sections 5.970, 5.971, 5.972, 5.973, 5.974, 5.975, and
4 5.976 as follows:

5 (30 ILCS 105/5.970 new)

6 Sec. 5.970. The Aeronautics Fund.

7 (30 ILCS 105/5.971 new)

8 Sec. 5.971. The Emergency Planning and Training Fund.

9 (30 ILCS 105/5.972 new)

10 Sec. 5.972. The ISAC Accounts Receivable Fund.

11 (30 ILCS 105/5.973 new)

12 Sec. 5.973. The Motor Fuel and Petroleum Standards Fund.

13 (30 ILCS 105/5.974 new)

14 Sec. 5.974. The State Small Business Credit Initiative
15 Fund.

16 (30 ILCS 105/5.975 new)

17 Sec. 5.975. The Public Pension Regulation Fund.

18 (30 ILCS 105/5.976 new)

19 Sec. 5.976. The Vehicle Inspection Fund.

1 (30 ILCS 105/6z-75)

2 Sec. 6z-75. The Illinois Power Agency Trust Fund.

3 (a) Creation. The Illinois Power Agency Trust Fund is
4 created as a special fund in the State treasury. The State
5 Treasurer shall be the custodian of the Fund. Amounts in the
6 Fund, both principal and interest not appropriated, shall be
7 invested as provided by law.

8 (b) Funding and investment.

9 (1) The Illinois Power Agency Trust Fund may accept,
10 receive, and administer any grants, loans, or other funds
11 made available to it by any source. Any such funds
12 received by the Fund shall not be considered income, but
13 shall be added to the principal of the Fund.

14 (2) The investments of the Fund shall be managed by
15 the Illinois State Board of Investment, for the purpose of
16 obtaining a total return on investments for the long term,
17 as provided for under Article 22A of the Illinois Pension
18 Code.

19 (c) Investment proceeds. Subject to the provisions of
20 subsection (d) of this Section, the General Assembly may
21 annually appropriate from the Illinois Power Agency Trust Fund
22 to the Illinois Power Agency Operations Fund an amount
23 calculated not to exceed 90% of the prior fiscal year's annual
24 investment income earned by the Fund to the Illinois Power
25 Agency. Any investment income not appropriated by the General

1 Assembly in a given fiscal year shall be added to the principal
2 of the Fund, and thereafter considered a part thereof and not
3 subject to appropriation as income earned by the Fund.

4 (d) Expenditures.

5 (1) During Fiscal Year 2008 and Fiscal Year 2009, the
6 General Assembly shall not appropriate any of the
7 investment income earned by the Illinois Power Agency
8 Trust Fund to the Illinois Power Agency.

9 (2) During Fiscal Year 2010 and Fiscal Year 2011, the
10 General Assembly shall appropriate a portion of the
11 investment income earned by the Illinois Power Agency
12 Trust Fund to repay to the General Revenue Fund of the
13 State of Illinois those amounts, if any, appropriated from
14 the General Revenue Fund for the operation of the Illinois
15 Power Agency during Fiscal Year 2008 and Fiscal Year 2009,
16 so that at the end of Fiscal Year 2011, the entire amount,
17 if any, appropriated from the General Revenue Fund for the
18 operation of the Illinois Power Agency during Fiscal Year
19 2008 and Fiscal Year 2009 will be repaid in full to the
20 General Revenue Fund.

21 (3) In Fiscal Year 2012 and thereafter, the General
22 Assembly shall consider the need to balance its
23 appropriations from the investment income earned by the
24 Fund with the need to provide for the growth of the
25 principal of the Illinois Power Agency Trust Fund in order
26 to ensure that the Fund is able to produce sufficient

1 investment income to fund the operations of the Illinois
2 Power Agency in future years.

3 (4) If the Illinois Power Agency shall cease
4 operations, then, unless otherwise provided for by law or
5 appropriation, the principal and any investment income
6 earned by the Fund shall be transferred into the
7 Supplemental Low-Income Energy Assistance ~~Program (LIHEAP)~~
8 Fund ~~under Section 13 of the Energy Assistance Act of~~
9 ~~1989~~.

10 (e) Implementation. The provisions of this Section shall
11 not be operative until the Illinois Power Agency Trust Fund
12 has accumulated a principal balance of \$25,000,000.

13 (Source: P.A. 99-536, eff. 7-8-16.)

14 (30 ILCS 105/6z-126)

15 Sec. 6z-126. Law Enforcement Training Fund. The Law
16 Enforcement Training Fund is hereby created as a special fund
17 in the State treasury. Moneys in the Fund shall consist of: (i)
18 90% of the revenue from increasing the insurance producer
19 license fees, as provided under subsection (a-5) of Section
20 500-135 of the Illinois Insurance Code; and (ii) 90% of the
21 moneys collected from auto insurance policy fees under Section
22 8.6 of the Illinois Motor Vehicle Theft Prevention and
23 Insurance Verification Act. This Fund shall be used by the
24 Illinois Law Enforcement Training ~~and~~ Standards Board to fund
25 law enforcement certification compliance and the development

1 and provision of basic courses by Board-approved academics,
2 and in-service courses by approved academies.

3 (Source: P.A. 102-16, eff. 6-17-21.)

4 (30 ILCS 105/8.20) (from Ch. 127, par. 144.20)

5 Sec. 8.20. Appropriations for the ordinary and contingent
6 expenses of the Illinois Liquor Control Commission shall be
7 paid from the Dram Shop Fund. ~~Beginning June 30, 1990 and on~~
8 ~~June 30 of each subsequent year through June 29, 2003, any~~
9 ~~balance over \$5,000,000 remaining in the Dram Shop Fund shall~~
10 ~~be credited to State liquor licensees and applied against~~
11 ~~their fees for State liquor licenses for the following year.~~
12 ~~The amount credited to each licensee shall be a proportion of~~
13 ~~the balance in the Dram Shop Fund that is the same as the~~
14 ~~proportion of the license fee paid by the licensee under~~
15 ~~Section 5-3 of the Liquor Control Act of 1934, as now or~~
16 ~~hereafter amended, for the period in which the balance was~~
17 ~~accumulated to the aggregate fees paid by all licensees during~~
18 ~~that period.~~

19 ~~In addition to any other permitted use of moneys in the~~
20 ~~Fund, and notwithstanding any restriction on the use of the~~
21 ~~Fund, moneys in the Dram Shop Fund may be transferred to the~~
22 ~~General Revenue Fund as authorized by Public Act 87-14. The~~
23 ~~General Assembly finds that an excess of moneys existed in the~~
24 ~~Fund on July 30, 1991, and the Governor's order of July 30,~~
25 ~~1991, requesting the Comptroller and Treasurer to transfer an~~

1 ~~amount from the Fund to the General Revenue Fund is hereby~~
2 ~~validated.~~

3 (Source: P.A. 93-22, eff. 6-20-03.)

4 (30 ILCS 105/8.25) (from Ch. 127, par. 144.25)

5 Sec. 8.25. Build Illinois Fund; uses.

6 (A) All moneys in the Build Illinois Fund shall be
7 transferred, appropriated, and used only for the purposes
8 authorized by and subject to the limitations and conditions
9 prescribed by this Section. There are established the
10 following accounts in the Build Illinois Fund: the McCormick
11 Place Account, the Build Illinois Bond Account, the Build
12 Illinois Purposes Account, the Park and Conservation Fund
13 Account, and the Tourism Advertising and Promotion Account.
14 Amounts deposited into the Build Illinois Fund consisting of
15 1.55% before July 1, 1986, and 1.75% on and after July 1, 1986,
16 of moneys received by the Department of Revenue under Section
17 9 of the Use Tax Act, Section 9 of the Service Use Tax Act,
18 Section 9 of the Service Occupation Tax Act, and Section 3 of
19 the Retailers' Occupation Tax Act, and all amounts deposited
20 therein under Section 28 of the Illinois Horse Racing Act of
21 1975, Section 4.05 of the Chicago World's Fair - 1992
22 Authority Act, and Sections 3 and 6 of the Hotel Operators'
23 Occupation Tax Act, shall be credited initially to the
24 McCormick Place Account and all other amounts deposited into
25 the Build Illinois Fund shall be credited initially to the

1 Build Illinois Bond Account. Of the amounts initially so
2 credited to the McCormick Place Account in each month, the
3 amount that is to be transferred in that month to the
4 Metropolitan Fair and Exposition Authority Improvement Bond
5 Fund, as provided below, shall remain credited to the
6 McCormick Place Account, and all amounts initially so credited
7 in that month in excess thereof shall next be credited to the
8 Build Illinois Bond Account. Of the amounts credited to the
9 Build Illinois Bond Account in each month, the amount that is
10 to be transferred in that month to the Build Illinois Bond
11 Retirement and Interest Fund, as provided below, shall remain
12 credited to the Build Illinois Bond Account, and all amounts
13 so credited in each month in excess thereof shall next be
14 credited monthly to the other accounts in the following order
15 of priority: first, to the Build Illinois Purposes Account,
16 ~~(a) 1/12, or in the case of fiscal year 1986, 1/9, of the~~
17 ~~fiscal year amounts authorized to be transferred to the Build~~
18 ~~Illinois Purposes Fund as provided below~~ plus ~~(b)~~ any
19 cumulative deficiency in those transfers for prior months;
20 second, 1/12 of \$10,000,000, plus any cumulative deficiency in
21 those transfers for prior months, to the Park and Conservation
22 Fund Account; and third, to the General Revenue Fund in the
23 State Treasury all amounts that remain in the Build Illinois
24 Fund on the last day of each month and are not credited to any
25 account in that Fund.

26 Transfers from the McCormick Place Account in the Build

1 Illinois Fund shall be made as follows:

2 Beginning with fiscal year 1985 and continuing for each
3 fiscal year thereafter, the Metropolitan Pier and Exposition
4 Authority shall annually certify to the State Comptroller and
5 State Treasurer the amount necessary and required during the
6 fiscal year with respect to which the certification is made to
7 pay the debt service requirements (including amounts to be
8 paid with respect to arrangements to provide additional
9 security or liquidity) on all outstanding bonds and notes,
10 including refunding bonds (herein collectively referred to as
11 bonds) of issues in the aggregate amount (excluding the amount
12 of any refunding bonds issued by that Authority after January
13 1, 1986) of not more than \$312,500,000 issued after July 1,
14 1984, by that Authority for the purposes specified in Sections
15 10.1 and 13.1 of the Metropolitan Pier and Exposition
16 Authority Act. In each month of the fiscal year in which there
17 are bonds outstanding with respect to which the annual
18 certification is made, the Comptroller shall order transferred
19 and the Treasurer shall transfer from the McCormick Place
20 Account in the Build Illinois Fund to the Metropolitan Fair
21 and Exposition Authority Improvement Bond Fund an amount equal
22 to 150% of the certified amount for that fiscal year divided by
23 the number of months during that fiscal year in which bonds of
24 the Authority are outstanding, plus any cumulative deficiency
25 in those transfers for prior months; provided, that the
26 maximum amount that may be so transferred in fiscal year 1985

1 shall not exceed \$15,000,000 or a lesser sum as is actually
2 necessary and required to pay the debt service requirements
3 for that fiscal year after giving effect to net operating
4 revenues of that Authority available for that purpose as
5 certified by that Authority, and provided further that the
6 maximum amount that may be so transferred in fiscal year 1986
7 shall not exceed \$30,000,000 and in each fiscal year
8 thereafter shall not exceed \$33,500,000 in any fiscal year or
9 a lesser sum as is actually necessary and required to pay the
10 debt service requirements for that fiscal year after giving
11 effect to net operating revenues of that Authority available
12 for that purpose as certified by that Authority.

13 When an amount equal to 100% of the aggregate amount of
14 principal and interest in each fiscal year with respect to
15 bonds issued after July 1, 1984, that by their terms are
16 payable from the Metropolitan Fair and Exposition Authority
17 Improvement Bond Fund, including under sinking fund
18 requirements, has been so paid and deficiencies in reserves
19 established from bond proceeds shall have been remedied, and
20 at the time that those amounts have been transferred to the
21 Authority as provided in Section 13.1 of the Metropolitan Pier
22 and Exposition Authority Act, the remaining moneys, if any,
23 deposited and to be deposited during each fiscal year to the
24 Metropolitan Fair and Exposition Authority Improvement Bond
25 Fund shall be transferred to the Metropolitan Fair and
26 Exposition Authority Completion Note Subordinate Fund.

1 Transfers from the Build Illinois Bond Account in the
 2 Build Illinois Fund shall be made as follows:

3 Beginning with fiscal year 1986 and continuing for each
 4 fiscal year thereafter so long as limited obligation bonds of
 5 the State issued under the Build Illinois Bond Act remain
 6 outstanding, the Comptroller shall order transferred and the
 7 Treasurer shall transfer in each month, commencing in October,
 8 1985, on the last day of that month, from the Build Illinois
 9 Bond Account to the Build Illinois Bond Retirement and
 10 Interest Fund in the State Treasury the amount required to be
 11 so transferred in that month under Section 13 of the Build
 12 Illinois Bond Act.

13 ~~Transfers from the remaining accounts in the Build~~
 14 ~~Illinois Fund shall be made in the following amounts and in the~~
 15 ~~following order of priority:~~

16 ~~Beginning with fiscal year 1986 and continuing each fiscal~~
 17 ~~year thereafter, as soon as practicable after the first day of~~
 18 ~~each month, commencing in October, 1985, the Comptroller shall~~
 19 ~~order transferred and the Treasurer shall transfer from the~~
 20 ~~Build Illinois Purposes Account in the Build Illinois Fund to~~
 21 ~~the Build Illinois Purposes Fund 1/12th (or in the case of~~
 22 ~~fiscal year 1986 1/9) of the amounts specified below for the~~
 23 ~~following fiscal years:~~

24	Fiscal Year	Amount
25	1986	\$35,000,000
26	1987	\$45,000,000

1	1988	\$50,000,000
2	1989	\$55,000,000
3	1990	\$55,000,000
4	1991	\$50,000,000
5	1992	\$16,200,000
6	1993	\$16,200,000,

7 ~~plus any cumulative deficiency in those transfers for prior~~
8 ~~months.~~

9 As soon as may be practicable after the first day of each
10 month beginning after July 1, 1984, the Comptroller shall
11 order transferred and the Treasurer shall transfer from the
12 Park and Conservation Fund Account in the Build Illinois Fund
13 to the Park and Conservation Fund 1/12 of \$10,000,000, plus
14 any cumulative deficiency in those transfers for prior months,
15 for conservation and park purposes as enumerated in Section
16 805-420 of the Department of Natural Resources (Conservation)
17 Law (20 ILCS 805/805-420), and to pay the debt service
18 requirements on all outstanding bonds of an issue in the
19 aggregate amount of not more than \$40,000,000 issued after
20 January 1, 1985, by the State of Illinois for the purposes
21 specified in Section 3(c) of the Capital Development Bond Act
22 of 1972, or for the same purposes as specified in any other
23 State general obligation bond Act enacted after November 1,
24 1984. Transfers from the Park and Conservation Fund to the
25 Capital Development Bond Retirement and Interest Fund to pay
26 those debt service requirements shall be made in accordance

1 with Section 8.25b of this Act.

2 All funds remaining in the Build Illinois Fund on the last
3 day of any month and not credited to any account in that Fund
4 shall be transferred by the State Treasurer to the General
5 Revenue Fund.

6 (B) For the purpose of this Section, "cumulative
7 deficiency" shall include all deficiencies in those transfers
8 that have occurred since July 1, 1984, as specified in
9 subsection (A) of this Section.

10 (C) In addition to any other permitted use of moneys in the
11 Fund, and notwithstanding any restriction on the use of the
12 Fund, moneys in the Park and Conservation Fund may be
13 transferred to the General Revenue Fund as authorized by
14 Public Act 87-14. The General Assembly finds that an excess of
15 moneys existed in the Fund on July 30, 1991, and the Governor's
16 order of July 30, 1991, requesting the Comptroller and
17 Treasurer to transfer an amount from the Fund to the General
18 Revenue Fund is hereby validated.

19 (D) (Blank).

20 (Source: P.A. 90-26, eff. 7-1-97; 90-372, eff. 7-1-98; 90-655,
21 eff. 7-30-98; 91-239, eff. 1-1-00.)

22 (30 ILCS 105/8.27) (from Ch. 127, par. 144.27)

23 Sec. 8.27. All receipts from federal financial
24 participation in the Foster Care and Adoption Services program
25 under Title IV-E of the federal Social Security Act, including

1 receipts for related indirect costs, shall be deposited in the
2 DCFS Children's Services Fund.

3 Beginning on July 20, 2010 (the effective date of Public
4 Act 96-1127) ~~this amendatory Act of the 96th General Assembly,~~
5 any funds paid to the State by the federal government under
6 Title XIX and Title XXI of the Social Security Act for child
7 welfare services delivered by community mental health
8 providers, certified and paid as Medicaid providers by the
9 Department of Children and Family Services, for child welfare
10 services relating to Medicaid-eligible clients and families
11 served consistent with the purposes of the Department of
12 Children and Family Services, including services delivered as
13 a result of the conversion of such providers from a
14 comprehensive rate to a fee-for-service payment methodology,
15 and any subsequent revenue maximization initiatives performed
16 by such providers, and any interest earned thereon, shall be
17 deposited directly into the DCFS Children's Services Fund.
18 Such funds shall be used for the provision of child welfare
19 services provided to eligible individuals identified by the
20 Department of Children and Family Services. Child welfare
21 services are defined in Section 5 of the Children and Family
22 Services Act ~~(20 ILCS 505/5)~~.

23 ~~Eighty percent of the federal funds received by the~~
24 ~~Illinois Department of Human Services under the Title IV-A~~
25 ~~Emergency Assistance program as reimbursement for expenditures~~
26 ~~made from the Illinois Department of Children and Family~~

1 ~~Services appropriations for the costs of services in behalf of~~
2 ~~Department of Children and Family Services clients shall be~~
3 ~~deposited into the DCFS Children's Services Fund.~~

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

10 ~~In addition, as soon as may be practicable after the first~~
11 ~~day of November, 1994, the Department of Children and Family~~
12 ~~Services shall request the Comptroller to order transferred~~
13 ~~and the Treasurer shall transfer the unexpended balance of the~~
14 ~~Child Welfare Services Fund to the DCFS Children's Services~~
15 ~~Fund. Upon completion of the transfer, the Child Welfare~~
16 ~~Services Fund will be considered dissolved and any outstanding~~
17 ~~obligations or liabilities of that fund will pass to the DCFS~~
18 ~~Children's Services Fund.~~

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

23 Except as otherwise provided in this Section, moneys in
24 the Fund may be used by the Department, pursuant to
25 appropriation by the General Assembly, for the ordinary and
26 contingent expenses of the Department.

1 ~~In fiscal year 1988 and in each fiscal year thereafter~~
2 ~~through fiscal year 2000, the Comptroller shall order~~
3 ~~transferred and the Treasurer shall transfer an amount of~~
4 ~~\$16,100,000 from the DCFS Children's Services Fund to the~~
5 ~~General Revenue Fund in the following manner: As soon as may be~~
6 ~~practicable after the 15th day of September, December, March~~
7 ~~and June, the Comptroller shall order transferred and the~~
8 ~~Treasurer shall transfer, to the extent that funds are~~
9 ~~available, 1/4 of \$16,100,000, plus any cumulative~~
10 ~~deficiencies in such transfers for prior transfer dates during~~
11 ~~such fiscal year. In no event shall any such transfer reduce~~
12 ~~the available balance in the DCFS Children's Services Fund~~
13 ~~below \$350,000.~~

14 In accordance with subsection (g) of Section 5 of the
15 Children and Family Services Act, disbursements from
16 individual children's accounts shall be deposited into the
17 DCFS Children's Services Fund.

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

23 ~~As soon as may be practical after September 1, 2005, upon~~
24 ~~the request of the Department of Children and Family Services,~~
25 ~~the Comptroller shall order transferred and the Treasurer~~
26 ~~shall transfer the unexpended balance of the Department of~~

1 ~~Children and Family Services Training Fund into the DCFS~~
2 ~~Children's Services Fund. Upon completion of the transfer, the~~
3 ~~Department of Children and Family Services Training Fund is~~
4 ~~dissolved and any outstanding obligations or liabilities of~~
5 ~~that Fund pass to the DCFS Children's Services Fund.~~

6 (Source: P.A. 95-707, eff. 1-11-08; 96-1127, eff. 7-20-10.)

7 (30 ILCS 105/8.33) (from Ch. 127, par. 144.33)

8 Sec. 8.33. Expenses incident to leasing or use of State
9 facilities. ~~(a)~~ All expenses incident to the leasing or use of
10 the State facilities listed in Section 405-315 of the
11 Department of Central Management Services Law ~~(20 ILCS~~
12 ~~405/405-315)~~ for lease or use terms not exceeding 30 days in
13 length shall be payable from the Facilities Management Special
14 ~~Events~~ Revolving Fund. Such expenses ~~Expenses incident to the~~
15 ~~lease or use of the State facilities listed in Section 405-315~~
16 ~~of the Department of Central Management Services Law (20 ILCS~~
17 ~~405/405-315)~~ shall include expenditures for additional
18 commodities, equipment, furniture, improvements, personal
19 services or other expenses required by the Department of
20 Central Management Services to make such facilities available
21 to the public and State employees.

22 ~~(b) The Special Events Revolving Fund shall cease to exist~~
23 ~~on October 1, 2005. Any balance in the Fund as of that date~~
24 ~~shall be transferred to the Facilities Management Revolving~~
25 ~~Fund. Any moneys that otherwise would be paid into the Fund on~~

1 ~~er after that date shall be deposited into the Facilities~~
2 ~~Management Revolving Fund. Any disbursements on or after that~~
3 ~~date that otherwise would be made from the Fund shall be made~~
4 ~~from the Facilities Management Revolving Fund.~~

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

6 (30 ILCS 105/8f)

7 Sec. 8f. Public Pension Regulation Fund. The Public
8 Pension Regulation Fund is created as a special fund in the
9 State Treasury. Except as otherwise provided in the Illinois
10 Pension Code, all money received by the ~~Department of~~
11 ~~Financial and Professional Regulation, as successor to the~~
12 Illinois Department of Insurance, under the Illinois Pension
13 Code shall be paid into the Fund. The State Treasurer promptly
14 shall invest the money in the Fund, and all earnings that
15 accrue on the money in the Fund shall be credited to the Fund.
16 No money may be transferred from this Fund to any other fund.
17 The General Assembly may make appropriations from this Fund
18 for the ordinary and contingent expenses of the Public Pension
19 Division of the Illinois Department of Insurance.

20 (Source: P.A. 94-91, eff. 7-1-05; 95-950, eff. 8-29-08.)

21 Section 25. The Build Illinois Bond Act is amended by
22 changing Section 2 as follows:

23 (30 ILCS 425/2) (from Ch. 127, par. 2802)

1 Sec. 2. Authorization for Bonds. The State of Illinois is
2 authorized to issue, sell and provide for the retirement of
3 limited obligation bonds, notes and other evidences of
4 indebtedness of the State of Illinois in the total principal
5 amount of \$9,484,681,100 herein called "Bonds". ~~Such~~
6 ~~authorized amount of Bonds shall be reduced from time to time~~
7 ~~by amounts, if any, which are equal to the moneys received by~~
8 ~~the Department of Revenue in any fiscal year pursuant to~~
9 ~~Section 3-1001 of the "Illinois Vehicle Code", as amended, in~~
10 ~~excess of the Annual Specified Amount (as defined in Section 3~~
11 ~~of the "Retailers' Occupation Tax Act", as amended) and~~
12 ~~transferred at the end of such fiscal year from the General~~
13 ~~Revenue Fund to the Build Illinois Purposes Fund (now~~
14 ~~abolished) as provided in Section 3-1001 of said Code;~~
15 ~~provided, however, that no such reduction shall affect the~~
16 ~~validity or enforceability of any Bonds issued prior to such~~
17 ~~reduction.~~ Such amount of authorized Bonds shall be exclusive
18 of any refunding Bonds issued pursuant to Section 15 of this
19 Act and exclusive of any Bonds issued pursuant to this Section
20 which are redeemed, purchased, advance refunded, or defeased
21 in accordance with paragraph (f) of Section 4 of this Act.
22 Bonds shall be issued for the categories and specific purposes
23 expressed in Section 4 of this Act.

24 (Source: P.A. 101-30, eff. 6-28-19.)

25 Section 30. The Build Illinois Act is amended by changing

1 Sections 9-4.2, 9-5.2, and 23-1 as follows:

2 (30 ILCS 750/9-4.2) (from Ch. 127, par. 2709-4.2)

3 Sec. 9-4.2. Illinois Capital Revolving Loan Fund.

4 (a) There is hereby created the Illinois Capital Revolving
5 Loan Fund, hereafter referred to in this Article as the
6 "Capital Fund" to be held as a separate fund within the State
7 Treasury.

8 The purpose of the Capital Fund is to finance intermediary
9 agreements, administration, technical assistance agreements,
10 loans, grants, or investments in Illinois. In addition, funds
11 may be used for a one time transfer in fiscal year 1994, not to
12 exceed the amounts appropriated, to the Public Infrastructure
13 Construction Loan Revolving Fund for grants and loans pursuant
14 to the Public Infrastructure Loan and Grant Program Act.
15 Investments, administration, grants, and financial aid shall
16 be used for the purposes set for in this Article. Loan
17 financing will be in the form of loan agreements pursuant to
18 the terms and conditions set forth in this Article. All loans
19 shall be conditioned on the project receiving financing from
20 participating lenders or other investors. Loan proceeds shall
21 be available for project costs, except for debt refinancing.

22 (b) There shall be deposited in the Capital Fund such
23 amounts, including but not limited to:

24 (i) All receipts, including dividends, principal and
25 interest payments and royalties, from any applicable loan,

1 intermediary, or technical assistance agreement made from
2 the Capital Fund or from direct appropriations from the
3 Build Illinois Bond Fund ~~or the Build Illinois Purposes~~
4 ~~Fund (now abolished)~~ or the General Revenue Fund by the
5 General Assembly entered into by the Department;

6 (ii) All proceeds of assets of whatever nature
7 received by the Department as a result of default or
8 delinquency with respect to loan agreements made from the
9 Capital Fund or from direct appropriations by the General
10 Assembly, including proceeds from the sale, disposal,
11 lease or rental of real or personal property which the
12 Department may receive as a result thereof;

13 (iii) Any appropriations, grants or gifts made to the
14 Capital Fund;

15 (iv) Any income received from interest on investments
16 of moneys in the Capital Fund;

17 (v) All moneys resulting from the collection of
18 premiums, fees, charges, costs, and expenses in connection
19 with the Capital Fund as described in subsection (e) of
20 Section 9-3.

21 (c) The Treasurer may invest moneys in the Capital Fund in
22 securities constituting obligations of the United States
23 Government, or in obligations the principal of and interest on
24 which are guaranteed by the United States Government, in
25 obligations the principal of and interest on which are
26 guaranteed by the United States Government, or in certificates

1 of deposit of any State or national bank which are fully
2 secured by obligations guaranteed as to principal and interest
3 by the United States Government.

4 (Source: P.A. 100-377, eff. 8-25-17.)

5 (30 ILCS 750/9-5.2) (from Ch. 127, par. 2709-5.2)

6 Sec. 9-5.2. Illinois Equity Fund.

7 (a) There is created the Illinois Equity Fund, to be held
8 as a separate fund within the State Treasury. The purpose of
9 the Illinois Equity Fund is to make equity investments in
10 Illinois. All financing will be done in conjunction with
11 participating lenders or other investors. Investment proceeds
12 may be directed to working capital expenses associated with
13 the introduction of new technical products or services of
14 individual business projects or may be used for equity finance
15 pools operated by intermediaries.

16 (b) There shall be deposited in the Illinois Equity Fund
17 such amounts, including but not limited to:

18 (i) All receipts including dividends, principal and
19 interest payments, royalties, or other return on
20 investment from any applicable loan made from the Illinois
21 Equity Fund, from direct appropriations by the General
22 Assembly from the Build Illinois Fund ~~or the Build~~
23 ~~Illinois Purposes Fund (now abolished),~~ or from
24 intermediary agreements made from the Illinois Equity Fund
25 entered into by the Department;

1 (ii) All proceeds of assets of whatever nature
2 received by the Department as a result of default or
3 delinquency with respect to loan agreements made from the
4 Illinois Equity Fund, or from direct appropriations by the
5 General Assembly including proceeds from the sale,
6 disposal, lease or rental of real or personal property
7 which the Department may receive as a result thereof;

8 (iii) any appropriations, grants or gifts made to the
9 Illinois Equity Fund;

10 (iv) any income received from interest on investments
11 of moneys in the Illinois Equity Fund.

12 (c) The Treasurer may invest moneys in the Illinois Equity
13 Fund in securities constituting direct obligations of the
14 United States Government, or in obligations the principal of
15 and interest on which are guaranteed by the United States
16 Government, or in certificates of deposit of any State or
17 national bank which are fully secured by obligations
18 guaranteed as to principal and interest by the United States
19 Government.

20 (Source: P.A. 99-933, eff. 1-27-17.)

21 (30 ILCS 750/23-1) (from Ch. 127, par. 2723-1)

22 Sec. 23-1. Wages of laborers, mechanics and other workers
23 employed on all "public works" projects undertaken pursuant to
24 contracts financed with appropriations from the Build Illinois
25 Bond Fund ~~or the Build Illinois Purposes Fund~~ shall be subject

1 to the provisions of the Prevailing Wage Act.

2 (Source: P.A. 86-1475.)

3 Section 35. The Police and Community Relations Improvement
4 Act is amended by changing Section 1-10 as follows:

5 (50 ILCS 727/1-10)

6 Sec. 1-10. Investigation of officer-involved deaths;
7 requirements.

8 (a) Each law enforcement agency shall have a written
9 policy regarding the investigation of officer-involved deaths
10 that involve a law enforcement officer employed by that law
11 enforcement agency.

12 (b) Each officer-involved death investigation shall be
13 conducted by at least 2 investigators, or an entity or agency
14 comprised of at least 2 investigators, one of whom is the lead
15 investigator. The lead investigator shall be a person
16 certified by the Illinois Law Enforcement Training Standards
17 Board as a Lead Homicide Investigator, or similar training
18 approved by the Illinois Law Enforcement Training Standards
19 Board or the Illinois State Police, or similar training
20 provided at an Illinois Law Enforcement Training Standards
21 Board certified school. No investigator involved in the
22 investigation may be employed by the law enforcement agency
23 that employs the officer involved in the officer-involved
24 death, unless the investigator is employed by the Illinois

1 State Police and is not assigned to the same division or unit
2 as the officer involved in the death.

3 (c) In addition to the requirements of subsection (b) of
4 this Section, if the officer-involved death being investigated
5 involves a motor vehicle accident, at least one investigator
6 shall be certified by the Illinois Law Enforcement Training
7 Standards Board as a Crash Reconstruction Specialist, or
8 similar training approved by the Illinois Law Enforcement
9 Training Standards Board or the Illinois State Police, or
10 similar training provided at an Illinois Law Enforcement
11 Training Standards Board certified school. Notwithstanding the
12 requirements of subsection (b) of this Section, the policy for
13 a law enforcement agency, when the officer-involved death
14 being investigated involves a motor vehicle collision, may
15 allow the use of an investigator who is employed by that law
16 enforcement agency and who is certified by the Illinois Law
17 Enforcement Training Standards Board as a Crash Reconstruction
18 Specialist, or similar training approved by the Illinois Law
19 Enforcement Training ~~and~~ Standards Board, or similar certified
20 training approved by the Illinois State Police, or similar
21 training provided at an Illinois Law Enforcement Training ~~and~~
22 Standards Board certified school.

23 (d) The investigators conducting the investigation shall,
24 in an expeditious manner, provide a complete report to the
25 State's Attorney of the county in which the officer-involved
26 death occurred.

1 (e) If the State's Attorney, or a designated special
2 prosecutor, determines there is no basis to prosecute the law
3 enforcement officer involved in the officer-involved death, or
4 if the law enforcement officer is not otherwise charged or
5 indicted, the investigators shall publicly release a report.

6 (Source: P.A. 102-538, eff. 8-20-21.)

7 Section 40. The Fair and Exposition Authority
8 Reconstruction Act is amended by changing Section 8 as
9 follows:

10 (70 ILCS 215/8) (from Ch. 85, par. 1250.8)

11 Sec. 8. Appropriations may be made from time to time by the
12 General Assembly to the Metropolitan Pier and Exposition
13 Authority for the payment of principal and interest of bonds
14 of the Authority issued under the provisions of this Act and
15 for any other lawful purpose of the Authority. Any and all of
16 the funds so received shall be kept separate and apart from any
17 and all other funds of the Authority. ~~After there has been paid~~
18 ~~into the Metropolitan Fair and Exposition Authority~~
19 ~~Reconstruction Fund in the State Treasury sufficient money,~~
20 ~~pursuant to this Section and Sections 2 and 29 of the Cigarette~~
21 ~~Tax Act, to retire all bonds payable from that Fund, the taxes~~
22 ~~derived from Section 28 of the Illinois Horse Racing Act of~~
23 ~~1975 which were required to be paid into that Fund pursuant to~~
24 ~~that Act shall thereafter be paid into the General Revenue~~

1 ~~Fund in the State Treasury.~~

2 (Source: P.A. 102-16, eff. 6-17-21.)

3 Section 45. The Higher Education Student Assistance Act is
4 amended by changing Section 52 as follows:

5 (110 ILCS 947/52)

6 Sec. 52. Golden Apple Scholars of Illinois Program; Golden
7 Apple Foundation for Excellence in Teaching.

8 (a) In this Section, "Foundation" means the Golden Apple
9 Foundation for Excellence in Teaching, a registered 501(c)(3)
10 not-for-profit corporation.

11 (a-2) In order to encourage academically talented Illinois
12 students, especially minority students, to pursue teaching
13 careers, especially in teacher shortage disciplines (which
14 shall be defined to include early childhood education) or at
15 hard-to-staff schools (as defined by the Commission in
16 consultation with the State Board of Education), to provide
17 those students with the crucial mentoring, guidance, and
18 in-service support that will significantly increase the
19 likelihood that they will complete their full teaching
20 commitments and elect to continue teaching in targeted
21 disciplines and hard-to-staff schools, and to ensure that
22 students in this State will continue to have access to a pool
23 of highly-qualified teachers, each qualified student shall be
24 awarded a Golden Apple Scholars of Illinois Program

1 scholarship to any Illinois institution of higher learning.
2 The Commission shall administer the Golden Apple Scholars of
3 Illinois Program, which shall be managed by the Foundation
4 pursuant to the terms of a grant agreement meeting the
5 requirements of Section 4 of the Illinois Grant Funds Recovery
6 Act.

7 (a-3) For purposes of this Section, a qualified student
8 shall be a student who meets the following qualifications:

9 (1) is a resident of this State and a citizen or
10 eligible noncitizen of the United States;

11 (2) is a high school graduate or a person who has
12 received a high school equivalency certificate;

13 (3) is enrolled or accepted, on at least a half-time
14 basis, at an institution of higher learning;

15 (4) is pursuing a postsecondary course of study
16 leading to initial certification or pursuing additional
17 course work needed to gain State Board of Education
18 approval to teach, including alternative teacher
19 licensure; and

20 (5) is a participant in programs managed by and is
21 approved to receive a scholarship from the Foundation.

22 (a-5) (Blank).

23 (b) (Blank).

24 (b-5) Funds designated for the Golden Apple Scholars of
25 Illinois Program shall be used by the Commission for the
26 payment of scholarship assistance under this Section or for

1 the award of grant funds, subject to the Illinois Grant Funds
2 Recovery Act, to the Foundation. Subject to appropriation,
3 awards of grant funds to the Foundation shall be made on an
4 annual basis and following an application for grant funds by
5 the Foundation.

6 (b-10) Each year, the Foundation shall include in its
7 application to the Commission for grant funds an estimate of
8 the amount of scholarship assistance to be provided to
9 qualified students during the grant period. Any amount of
10 appropriated funds exceeding the estimated amount of
11 scholarship assistance may be awarded by the Commission to the
12 Foundation for management expenses expected to be incurred by
13 the Foundation in providing the mentoring, guidance, and
14 in-service supports that will increase the likelihood that
15 qualified students will complete their teaching commitments
16 and elect to continue teaching in hard-to-staff schools. If
17 the estimate of the amount of scholarship assistance described
18 in the Foundation's application is less than the actual amount
19 required for the award of scholarship assistance to qualified
20 students, the Foundation shall be responsible for using
21 awarded grant funds to ensure all qualified students receive
22 scholarship assistance under this Section.

23 (b-15) All grant funds not expended or legally obligated
24 within the time specified in a grant agreement between the
25 Foundation and the Commission shall be returned to the
26 Commission within 45 days. Any funds legally obligated by the

1 end of a grant agreement shall be liquidated within 45 days or
2 otherwise returned to the Commission within 90 days after the
3 end of the grant agreement that resulted in the award of grant
4 funds.

5 (c) Each scholarship awarded under this Section shall be
6 in an amount sufficient to pay the tuition and fees and room
7 and board costs of the Illinois institution of higher learning
8 at which the recipient is enrolled, up to an annual maximum of
9 \$5,000; except that in the case of a recipient who does not
10 reside on-campus at the institution of higher learning at
11 which he or she is enrolled, the amount of the scholarship
12 shall be sufficient to pay tuition and fee expenses and a
13 commuter allowance, up to an annual maximum of \$5,000. All
14 scholarship funds distributed in accordance with this Section
15 shall be paid to the institution on behalf of recipients.

16 (d) The total amount of scholarship assistance awarded by
17 the Commission under this Section to an individual in any
18 given fiscal year, when added to other financial assistance
19 awarded to that individual for that year, shall not exceed the
20 cost of attendance at the institution of higher learning at
21 which the student is enrolled. In any academic year for which a
22 qualified student under this Section accepts financial
23 assistance through any other teacher scholarship program
24 administered by the Commission, a qualified student shall not
25 be eligible for scholarship assistance awarded under this
26 Section.

1 (e) A recipient may receive up to 8 semesters or 12
2 quarters of scholarship assistance under this Section.
3 Scholarship funds are applicable toward 2 semesters or 3
4 quarters of enrollment each academic year.

5 (f) All applications for scholarship assistance to be
6 awarded under this Section shall be made to the Foundation in a
7 form determined by the Foundation. Each year, the Foundation
8 shall notify the Commission of the individuals awarded
9 scholarship assistance under this Section. Each year, at least
10 30% of the Golden Apple Scholars of Illinois Program
11 scholarships shall be awarded to students residing in counties
12 having a population of less than 500,000.

13 (g) (Blank).

14 (h) The Commission shall administer the payment of
15 scholarship assistance provided through the Golden Apple
16 Scholars of Illinois Program and shall make all necessary and
17 proper rules not inconsistent with this Section for the
18 effective implementation of this Section.

19 (i) Prior to receiving scholarship assistance for any
20 academic year, each recipient of a scholarship awarded under
21 this Section shall be required by the Foundation to sign an
22 agreement under which the recipient pledges that, within the
23 2-year period following the termination of the academic
24 program for which the recipient was awarded a scholarship, the
25 recipient: (i) shall begin teaching for a period of not less
26 than 5 years, (ii) shall fulfill this teaching obligation at a

1 nonprofit Illinois public, private, or parochial preschool or
2 an Illinois public elementary or secondary school that
3 qualifies for teacher loan cancellation under Section
4 465(a)(2)(A) of the federal Higher Education Act of 1965 (20
5 U.S.C. 1087ee(a)(2)(A)) or other Illinois schools deemed
6 eligible for fulfilling the teaching commitment as designated
7 by the Foundation, and (iii) shall, upon request of the
8 Foundation, provide the Foundation with evidence that he or
9 she is fulfilling or has fulfilled the terms of the teaching
10 agreement provided for in this subsection. Upon request, the
11 Foundation shall provide evidence of teacher fulfillment to
12 the Commission.

13 (j) If a recipient of a scholarship awarded under this
14 Section fails to fulfill the teaching obligation set forth in
15 subsection (i) of this Section, the Commission shall require
16 the recipient to repay the amount of the scholarships
17 received, prorated according to the fraction of the teaching
18 obligation not completed, plus interest at a rate of 5% and if
19 applicable, reasonable collection fees. Payments received by
20 the Commission under this subsection (j) shall be remitted to
21 the State Comptroller for deposit into the General Revenue
22 Fund, except that that portion of a recipient's repayment that
23 equals the amount in expenses that the Commission has
24 reasonably incurred in attempting collection from that
25 recipient shall be remitted to the State Comptroller for
26 deposit into the ISAC ~~Commission's~~ Accounts Receivable Fund, a

1 special fund in the State treasury.

2 (k) A recipient of a scholarship awarded by the Foundation
3 under this Section shall not be considered to have failed to
4 fulfill the teaching obligations of the agreement entered into
5 pursuant to subsection (i) if the recipient (i) enrolls on a
6 full-time basis as a graduate student in a course of study
7 related to the field of teaching at an institution of higher
8 learning; (ii) is serving as a member of the armed services of
9 the United States; (iii) is a person with a temporary total
10 disability, as established by sworn affidavit of a qualified
11 physician; (iv) is seeking and unable to find full-time
12 employment as a teacher at a school that satisfies the
13 criteria set forth in subsection (i) and is able to provide
14 evidence of that fact; (v) is taking additional courses, on at
15 least a half-time basis, needed to obtain certification as a
16 teacher in Illinois; (vi) is fulfilling teaching requirements
17 associated with other programs administered by the Commission
18 and cannot concurrently fulfill them under this Section in a
19 period of time equal to the length of the teaching obligation;
20 or (vii) is participating in a program established under
21 Executive Order 10924 of the President of the United States or
22 the federal National Community Service Act of 1990 (42 U.S.C.
23 12501 et seq.). Any such extension of the period during which
24 the teaching requirement must be fulfilled shall be subject to
25 limitations of duration as established by the Commission.

26 (l) A recipient who fails to fulfill the teaching

1 obligations of the agreement entered into pursuant to
2 subsection (i) of this Section shall repay the amount of
3 scholarship assistance awarded to them under this Section
4 within 10 years.

5 (m) Annually, at a time determined by the Commission in
6 consultation with the Foundation, the Foundation shall submit
7 a report to assist the Commission in monitoring the
8 Foundation's performance of grant activities. The report shall
9 describe the following:

10 (1) the Foundation's anticipated expenditures for the
11 next fiscal year;

12 (2) the number of qualified students receiving
13 scholarship assistance at each institution of higher
14 learning where a qualified student was enrolled under this
15 Section during the previous fiscal year;

16 (3) the total monetary value of scholarship funds paid
17 to each institution of higher learning at which a
18 qualified student was enrolled during the previous fiscal
19 year;

20 (4) the number of scholarship recipients who completed
21 a baccalaureate degree during the previous fiscal year;

22 (5) the number of scholarship recipients who fulfilled
23 their teaching obligation during the previous fiscal year;

24 (6) the number of scholarship recipients who failed to
25 fulfill their teaching obligation during the previous
26 fiscal year;

1 (7) the number of scholarship recipients granted an
2 extension described in subsection (k) of this Section
3 during the previous fiscal year;

4 (8) the number of scholarship recipients required to
5 repay scholarship assistance in accordance with subsection
6 (j) of this Section during the previous fiscal year;

7 (9) the number of scholarship recipients who
8 successfully repaid scholarship assistance in full during
9 the previous fiscal year;

10 (10) the number of scholarship recipients who
11 defaulted on their obligation to repay scholarship
12 assistance during the previous fiscal year;

13 (11) the amount of scholarship assistance subject to
14 collection in accordance with subsection (j) of this
15 Section at the end of the previous fiscal year;

16 (12) the amount of collected funds to be remitted to
17 the Comptroller in accordance with subsection (j) of this
18 Section at the end of the previous fiscal year; and

19 (13) other information that the Commission may
20 reasonably request.

21 (n) Nothing in this Section shall affect the rights of the
22 Commission to collect moneys owed to it by recipients of
23 scholarship assistance through the Illinois Future Teacher
24 Corps Program, repealed by Public Act 98-533 ~~this amendatory~~
25 ~~Act of the 98th General Assembly.~~

26 (o) The Auditor General shall prepare an annual audit of

1 the operations and finances of the Golden Apple Scholars of
2 Illinois Program. This audit shall be provided to the
3 Governor, General Assembly, and the Commission.

4 (p) The suspension of grant making authority found in
5 Section 4.2 of the Illinois Grant Funds Recovery Act shall not
6 apply to grants made pursuant to this Section.

7 (Source: P.A. 98-533, eff. 8-23-13; 98-718, eff. 1-1-15;
8 99-143, eff. 7-27-15.)

9 Section 50. The Nurse Educator Assistance Act is amended
10 by changing Section 15-30 as follows:

11 (110 ILCS 967/15-30)

12 Sec. 15-30. Repayment upon default; exception.

13 (a) If a recipient of a scholarship awarded under this
14 Section fails to fulfill the work agreement required under the
15 program, the Commission shall require the recipient to repay
16 the amount of the scholarship or scholarships received,
17 prorated according to the fraction of the work agreement not
18 completed, plus interest at a rate of 5% and, if applicable,
19 reasonable collection fees.

20 (b) Payments received by the Commission under this Section
21 shall be remitted to the State Comptroller for deposit into
22 the General Revenue Fund, except that that portion of a
23 recipient's repayment that equals the amount in expenses that
24 the Commission has reasonably incurred in attempting

1 collection from that recipient shall be remitted to the State
2 Comptroller for deposit into the ISAC ~~Commission's~~ Accounts
3 Receivable Fund.

4 (c) A recipient of a scholarship awarded by the Commission
5 under the program shall not be in violation of the agreement
6 entered into pursuant to this Article if the recipient is (i)
7 serving as a member of the armed services of the United States,
8 (ii) a person with a temporary total disability, as
9 established by a sworn affidavit of a qualified physician,
10 (iii) seeking and unable to find full-time employment as a
11 nursing educator and is able to provide evidence of that fact,
12 or (iv) taking additional courses, on at least a half-time
13 basis, related to nursing education. Any extension of the
14 period during which the work requirement must be fulfilled
15 shall be subject to limitations of duration established by the
16 Commission.

17 (Source: P.A. 99-143, eff. 7-27-15.)

18 Section 55. The Solid Waste Site Operator Certification
19 Law is amended by changing Section 1011 as follows:

20 (225 ILCS 230/1011) (from Ch. 111, par. 7861)

21 Sec. 1011. Fees.

22 (a) Fees for the issuance or renewal of a Solid Waste Site
23 Operator Certificate shall be as follows:

24 (1) (A) \$400 for issuance or renewal for Class A Solid

1 Waste Site Operators; (B) \$200 for issuance or renewal for
2 Class B Solid Waste Site Operators; and (C) \$100 for
3 issuance or renewal for special waste endorsements.

4 (2) If the fee for renewal is not paid within the grace
5 period the above fees for renewal shall each be increased
6 by \$50.

7 (b) ~~All~~ ~~Before the effective date of this amendatory Act~~
8 ~~of the 98th General Assembly, all fees collected by the Agency~~
9 ~~under this Section shall be deposited into the Hazardous Waste~~
10 ~~Occupational Licensing Fund. The Agency is authorized to use~~
11 ~~monies in the Hazardous Waste Occupational Licensing Fund to~~
12 ~~perform its functions, powers, and duties under this Section.~~
13 ~~On and after the effective date of this amendatory Act of the~~
14 ~~98th General Assembly, all~~ fees collected by the Agency under
15 this Section shall be deposited into the Environmental
16 Protection Permit and Inspection Fund to be used in accordance
17 with the provisions of subsection (a) of Section 22.8 of the
18 Environmental Protection Act.

19 (Source: P.A. 98-692, eff. 7-1-14; 98-822, eff. 8-1-14.)

20 Section 60. The Illinois Public Aid Code is amended by
21 changing Section 12-10.7 as follows:

22 (305 ILCS 5/12-10.7)

23 Sec. 12-10.7. The Health and Human Services Medicaid Trust
24 Fund. ~~(a)~~ The Health and Human Services Medicaid Trust Fund

1 shall consist of (i) moneys appropriated or transferred into
2 the Fund, pursuant to statute, (ii) federal financial
3 participation moneys received pursuant to expenditures from
4 the Fund, and (iii) the interest earned on moneys in the Fund.

5 ~~(b)~~ Subject to appropriation, the moneys in the Fund shall be
6 used by a State agency for such purposes as that agency may, by
7 the appropriation language, be directed.

8 ~~(c) In addition to any other transfers that may be~~
9 ~~provided for by law, on July 1, 2007, or as soon thereafter as~~
10 ~~practical, the State Comptroller shall direct and the State~~
11 ~~Treasurer shall transfer the sum of \$3,500,000 from the Health~~
12 ~~and Human Services Medicaid Trust Fund to the Human Services~~
13 ~~Priority Capital Program Fund.~~

14 ~~(d) In addition to any other transfers that may be~~
15 ~~provided for by law, on July 1, 2008, or as soon thereafter as~~
16 ~~practical, the State Comptroller shall direct and the State~~
17 ~~Treasurer shall transfer the sum of \$3,500,000 from the Health~~
18 ~~and Human Services Medicaid Trust Fund to the Human Services~~
19 ~~Priority Capital Program Fund.~~

20 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08.)

21 Section 65. The Energy Assistance Act is amended by
22 changing Section 10 as follows:

23 (305 ILCS 20/10) (from Ch. 111 2/3, par. 1410)

24 Sec. 10. Energy Assistance Funds.

1 ~~(a) The AFDC Energy Assistance Fund is hereby created as a~~
2 ~~special fund in the State Treasury.~~

3 ~~The AFDC Energy Assistance Fund is authorized to receive~~
4 ~~whether by appropriation, transfer, statutory deposit or fund~~
5 ~~transfer, all amounts appropriated from State funds to the~~
6 ~~Department of Human Services (acting as successor to the~~
7 ~~Illinois Department of Public Aid under the Department of~~
8 ~~Human Services Act) specifically for energy assistance~~
9 ~~payments for persons and families receiving assistance~~
10 ~~pursuant to Section 4-1 of the Illinois Public Aid Code and~~
11 ~~subsection (c) of Section 6 of this Act, and any~~
12 ~~administrative expense related thereto.~~

13 ~~(b) Subject to appropriation by the General Assembly, the~~
14 ~~Department is authorized to expend monies from the AFDC Energy~~
15 ~~Assistance Fund for the following purposes:~~

16 ~~———— (1) for energy assistance payments to or on behalf of~~
17 ~~individuals or families who receive assistance pursuant to~~
18 ~~Section 4-1 of The Illinois Public Aid Code in accordance~~
19 ~~with the provisions of Section 6 of this Act; and~~

20 ~~———— (2) for the necessary and contingent expenses of the~~
21 ~~Department incurred in the administration of that portion~~
22 ~~of the Act described in paragraph (1) of this subsection.~~

23 ~~(c) The AFDC Energy Assistance Fund shall be inoperative~~
24 ~~after September 30, 1991.~~

25 ~~(d) Subject to appropriations made by the General~~
26 ~~Assembly, the Department is authorized to expend monies from~~

1 the Low Income Home Energy Assistance Block Grant Fund for the
2 purpose of providing assistance pursuant to Section 6 of this
3 Act.

4 (Source: P.A. 89-507, eff. 7-1-97.)

5 Section 70. The Environmental Protection Act is amended by
6 changing Sections 4, 9.9, and 22.8 as follows:

7 (415 ILCS 5/4) (from Ch. 111 1/2, par. 1004)

8 Sec. 4. Environmental Protection Agency; establishment;
9 duties.

10 (a) There is established in the Executive Branch of the
11 State Government an agency to be known as the Environmental
12 Protection Agency. This Agency shall be under the supervision
13 and direction of a Director who shall be appointed by the
14 Governor with the advice and consent of the Senate. The term of
15 office of the Director shall expire on the third Monday of
16 January in odd numbered years, provided that he or she shall
17 hold office until a successor is appointed and has qualified.
18 For terms ending before December 31, 2019, the Director shall
19 receive an annual salary as set by the Compensation Review
20 Board. For terms beginning after January 18, 2019 (the
21 effective date of Public Act 100-1179) ~~this amendatory Act of~~
22 ~~the 100th General Assembly~~, the Director's annual salary shall
23 be an amount equal to 15% more than the Director's annual
24 salary as of December 31, 2018. The calculation of the 2018

1 salary base for this adjustment shall not include any cost of
2 living adjustments, as authorized by Senate Joint Resolution
3 192 of the 86th General Assembly, for the period beginning
4 July 1, 2009 to June 30, 2019. Beginning July 1, 2019 and each
5 July 1 thereafter, the Director shall receive an increase in
6 salary based on a cost of living adjustment as authorized by
7 Senate Joint Resolution 192 of the 86th General Assembly. The
8 Director, in accord with the Personnel Code, shall employ and
9 direct such personnel, and shall provide for such laboratory
10 and other facilities, as may be necessary to carry out the
11 purposes of this Act. In addition, the Director may by
12 agreement secure such services as he or she may deem necessary
13 from any other department, agency, or unit of the State
14 Government, and may employ and compensate such consultants and
15 technical assistants as may be required.

16 (b) The Agency shall have the duty to collect and
17 disseminate such information, acquire such technical data, and
18 conduct such experiments as may be required to carry out the
19 purposes of this Act, including ascertainment of the quantity
20 and nature of discharges from any contaminant source and data
21 on those sources, and to operate and arrange for the operation
22 of devices for the monitoring of environmental quality.

23 (c) The Agency shall have authority to conduct a program
24 of continuing surveillance and of regular or periodic
25 inspection of actual or potential contaminant or noise
26 sources, of public water supplies, and of refuse disposal

1 sites.

2 (d) In accordance with constitutional limitations, the
3 Agency shall have authority to enter at all reasonable times
4 upon any private or public property for the purpose of:

5 (1) Inspecting and investigating to ascertain possible
6 violations of this Act, any rule or regulation adopted
7 under this Act, any permit or term or condition of a
8 permit, or any Board order; or

9 (2) In accordance with the provisions of this Act,
10 taking whatever preventive or corrective action, including
11 but not limited to removal or remedial action, that is
12 necessary or appropriate whenever there is a release or a
13 substantial threat of a release of (A) a hazardous
14 substance or pesticide or (B) petroleum from an
15 underground storage tank.

16 (e) The Agency shall have the duty to investigate
17 violations of this Act, any rule or regulation adopted under
18 this Act, any permit or term or condition of a permit, or any
19 Board order; to issue administrative citations as provided in
20 Section 31.1 of this Act; and to take such summary enforcement
21 action as is provided for by Section 34 of this Act.

22 (f) The Agency shall appear before the Board in any
23 hearing upon a petition for variance or time-limited water
24 quality standard, the denial of a permit, or the validity or
25 effect of a rule or regulation of the Board, and shall have the
26 authority to appear before the Board in any hearing under the

1 Act.

2 (g) The Agency shall have the duty to administer, in
3 accord with Title X of this Act, such permit and certification
4 systems as may be established by this Act or by regulations
5 adopted thereunder. The Agency may enter into written
6 delegation agreements with any department, agency, or unit of
7 State or local government under which all or portions of this
8 duty may be delegated for public water supply storage and
9 transport systems, sewage collection and transport systems,
10 air pollution control sources with uncontrolled emissions of
11 100 tons per year or less and application of algicides to
12 waters of the State. Such delegation agreements will require
13 that the work to be performed thereunder will be in accordance
14 with Agency criteria, subject to Agency review, and shall
15 include such financial and program auditing by the Agency as
16 may be required.

17 (h) The Agency shall have authority to require the
18 submission of complete plans and specifications from any
19 applicant for a permit required by this Act or by regulations
20 thereunder, and to require the submission of such reports
21 regarding actual or potential violations of this Act, any rule
22 or regulation adopted under this Act, any permit or term or
23 condition of a permit, or any Board order, as may be necessary
24 for the purposes of this Act.

25 (i) The Agency shall have authority to make
26 recommendations to the Board for the adoption of regulations

1 under Title VII of the Act.

2 (j) The Agency shall have the duty to represent the State
3 of Illinois in any and all matters pertaining to plans,
4 procedures, or negotiations for interstate compacts or other
5 governmental arrangements relating to environmental
6 protection.

7 (k) The Agency shall have the authority to accept,
8 receive, and administer on behalf of the State any grants,
9 gifts, loans, indirect cost reimbursements, or other funds
10 made available to the State from any source for purposes of
11 this Act or for air or water pollution control, public water
12 supply, solid waste disposal, noise abatement, or other
13 environmental protection activities, surveys, or programs. Any
14 federal funds received by the Agency pursuant to this
15 subsection shall be deposited in a trust fund with the State
16 Treasurer and held and disbursed by him in accordance with
17 Treasurer as Custodian of Funds Act, provided that such monies
18 shall be used only for the purposes for which they are
19 contributed and any balance remaining shall be returned to the
20 contributor.

21 The Agency is authorized to promulgate such regulations
22 and enter into such contracts as it may deem necessary for
23 carrying out the provisions of this subsection.

24 (l) The Agency is hereby designated as water pollution
25 agency for the state for all purposes of the Federal Water
26 Pollution Control Act, as amended; as implementing agency for

1 the State for all purposes of the Safe Drinking Water Act,
2 Public Law 93-523, as now or hereafter amended, except Section
3 1425 of that Act; as air pollution agency for the state for all
4 purposes of the Clean Air Act of 1970, Public Law 91-604,
5 approved December 31, 1970, as amended; and as solid waste
6 agency for the state for all purposes of the Solid Waste
7 Disposal Act, Public Law 89-272, approved October 20, 1965,
8 and amended by the Resource Recovery Act of 1970, Public Law
9 91-512, approved October 26, 1970, as amended, and amended by
10 the Resource Conservation and Recovery Act of 1976, (P.L.
11 94-580) approved October 21, 1976, as amended; as noise
12 control agency for the state for all purposes of the Noise
13 Control Act of 1972, Public Law 92-574, approved October 27,
14 1972, as amended; and as implementing agency for the State for
15 all purposes of the Comprehensive Environmental Response,
16 Compensation, and Liability Act of 1980 (P.L. 96-510), as
17 amended; and otherwise as pollution control agency for the
18 State pursuant to federal laws integrated with the foregoing
19 laws, for financing purposes or otherwise. The Agency is
20 hereby authorized to take all action necessary or appropriate
21 to secure to the State the benefits of such federal Acts,
22 provided that the Agency shall transmit to the United States
23 without change any standards adopted by the Pollution Control
24 Board pursuant to Section 5(c) of this Act. This subsection
25 (1) of Section 4 shall not be construed to bar or prohibit the
26 Environmental Protection Trust Fund Commission from accepting,

1 receiving, and administering on behalf of the State any
2 grants, gifts, loans or other funds for which the Commission
3 is eligible pursuant to the Environmental Protection Trust
4 Fund Act. The Agency is hereby designated as the State agency
5 for all purposes of administering the requirements of Section
6 313 of the federal Emergency Planning and Community
7 Right-to-Know Act of 1986.

8 Any municipality, sanitary district, or other political
9 subdivision, or any Agency of the State or interstate Agency,
10 which makes application for loans or grants under such federal
11 Acts shall notify the Agency of such application; the Agency
12 may participate in proceedings under such federal Acts.

13 (m) The Agency shall have authority, consistent with
14 Section 5(c) and other provisions of this Act, and for
15 purposes of Section 303(e) of the Federal Water Pollution
16 Control Act, as now or hereafter amended, to engage in
17 planning processes and activities and to develop plans in
18 cooperation with units of local government, state agencies and
19 officers, and other appropriate persons in connection with the
20 jurisdiction or duties of each such unit, agency, officer or
21 person. Public hearings shall be held on the planning process,
22 at which any person shall be permitted to appear and be heard,
23 pursuant to procedural regulations promulgated by the Agency.

24 (n) In accordance with the powers conferred upon the
25 Agency by Sections 10(g), 13(b), 19, 22(d) and 25 of this Act,
26 the Agency shall have authority to establish and enforce

1 minimum standards for the operation of laboratories relating
2 to analyses and laboratory tests for air pollution, water
3 pollution, noise emissions, contaminant discharges onto land
4 and sanitary, chemical, and mineral quality of water
5 distributed by a public water supply. The Agency may enter
6 into formal working agreements with other departments or
7 agencies of state government under which all or portions of
8 this authority may be delegated to the cooperating department
9 or agency.

10 (o) The Agency shall have the authority to issue
11 certificates of competency to persons and laboratories meeting
12 the minimum standards established by the Agency in accordance
13 with Section 4(n) of this Act and to promulgate and enforce
14 regulations relevant to the issuance and use of such
15 certificates. The Agency may enter into formal working
16 agreements with other departments or agencies of state
17 government under which all or portions of this authority may
18 be delegated to the cooperating department or agency.

19 (p) Except as provided in Section 17.7, the Agency shall
20 have the duty to analyze samples as required from each public
21 water supply to determine compliance with the contaminant
22 levels specified by the Pollution Control Board. The maximum
23 number of samples which the Agency shall be required to
24 analyze for microbiological quality shall be 6 per month, but
25 the Agency may, at its option, analyze a larger number each
26 month for any supply. Results of sample analyses for

1 additional required bacteriological testing, turbidity,
2 residual chlorine and radionuclides are to be provided to the
3 Agency in accordance with Section 19. Owners of water supplies
4 may enter into agreements with the Agency to provide for
5 reduced Agency participation in sample analyses.

6 (q) The Agency shall have the authority to provide notice
7 to any person who may be liable pursuant to Section 22.2(f) of
8 this Act for a release or a substantial threat of a release of
9 a hazardous substance or pesticide. Such notice shall include
10 the identified response action and an opportunity for such
11 person to perform the response action.

12 (r) The Agency may enter into written delegation
13 agreements with any unit of local government under which it
14 may delegate all or portions of its inspecting, investigating
15 and enforcement functions. Such delegation agreements shall
16 require that work performed thereunder be in accordance with
17 Agency criteria and subject to Agency review. Notwithstanding
18 any other provision of law to the contrary, no unit of local
19 government shall be liable for any injury resulting from the
20 exercise of its authority pursuant to such a delegation
21 agreement unless the injury is proximately caused by the
22 willful and wanton negligence of an agent or employee of the
23 unit of local government, and any policy of insurance coverage
24 issued to a unit of local government may provide for the denial
25 of liability and the nonpayment of claims based upon injuries
26 for which the unit of local government is not liable pursuant

1 to this subsection (r).

2 (s) The Agency shall have authority to take whatever
3 preventive or corrective action is necessary or appropriate,
4 including but not limited to expenditure of monies
5 appropriated from the Build Illinois Bond Fund ~~and the Build~~
6 ~~Illinois Purposes Fund~~ for removal or remedial action,
7 whenever any hazardous substance or pesticide is released or
8 there is a substantial threat of such a release into the
9 environment. The State, the Director, and any State employee
10 shall be indemnified for any damages or injury arising out of
11 or resulting from any action taken under this subsection. The
12 Director of the Agency is authorized to enter into such
13 contracts and agreements as are necessary to carry out the
14 Agency's duties under this subsection.

15 (t) The Agency shall have authority to distribute grants,
16 subject to appropriation by the General Assembly, to units of
17 local government for financing and construction of wastewater
18 facilities in both incorporated and unincorporated areas. With
19 respect to all monies appropriated from the Build Illinois
20 Bond Fund ~~and the Build Illinois Purposes Fund~~ for wastewater
21 facility grants, the Agency shall make distributions in
22 conformity with the rules and regulations established pursuant
23 to the Anti-Pollution Bond Act, as now or hereafter amended.

24 (u) Pursuant to the Illinois Administrative Procedure Act,
25 the Agency shall have the authority to adopt such rules as are
26 necessary or appropriate for the Agency to implement Section

1 31.1 of this Act.

2 (v) (Blank.)

3 (w) Neither the State, nor the Director, nor the Board,
4 nor any State employee shall be liable for any damages or
5 injury arising out of or resulting from any action taken under
6 subsection (s).

7 (x) (1) The Agency shall have authority to distribute
8 grants, subject to appropriation by the General Assembly, to
9 units of local government for financing and construction of
10 public water supply facilities. With respect to all monies
11 appropriated from the Build Illinois Bond Fund ~~or the Build~~
12 ~~Illinois Purposes Fund~~ for public water supply grants, such
13 grants shall be made in accordance with rules promulgated by
14 the Agency. Such rules shall include a requirement for a local
15 match of 30% of the total project cost for projects funded
16 through such grants.

17 (2) The Agency shall not terminate a grant to a unit of
18 local government for the financing and construction of public
19 water supply facilities unless and until the Agency adopts
20 rules that set forth precise and complete standards, pursuant
21 to Section 5-20 of the Illinois Administrative Procedure Act,
22 for the termination of such grants. The Agency shall not make
23 determinations on whether specific grant conditions are
24 necessary to ensure the integrity of a project or on whether
25 subagreements shall be awarded, with respect to grants for the
26 financing and construction of public water supply facilities,

1 unless and until the Agency adopts rules that set forth
2 precise and complete standards, pursuant to Section 5-20 of
3 the Illinois Administrative Procedure Act, for making such
4 determinations. The Agency shall not issue a stop-work order
5 in relation to such grants unless and until the Agency adopts
6 precise and complete standards, pursuant to Section 5-20 of
7 the Illinois Administrative Procedure Act, for determining
8 whether to issue a stop-work order.

9 (y) The Agency shall have authority to release any person
10 from further responsibility for preventive or corrective
11 action under this Act following successful completion of
12 preventive or corrective action undertaken by such person upon
13 written request by the person.

14 (z) To the extent permitted by any applicable federal law
15 or regulation, for all work performed for State construction
16 projects which are funded in whole or in part by a capital
17 infrastructure bill enacted by the 96th General Assembly by
18 sums appropriated to the Environmental Protection Agency, at
19 least 50% of the total labor hours must be performed by actual
20 residents of the State of Illinois. For purposes of this
21 subsection, "actual residents of the State of Illinois" means
22 persons domiciled in the State of Illinois. The Department of
23 Labor shall promulgate rules providing for the enforcement of
24 this subsection.

25 (aa) The Agency may adopt rules requiring the electronic
26 submission of any information required to be submitted to the

1 Agency pursuant to any State or federal law or regulation or
2 any court or Board order. Any rules adopted under this
3 subsection (aa) must include, but are not limited to,
4 identification of the information to be submitted
5 electronically.

6 (Source: P.A. 99-937, eff. 2-24-17; 100-1179, eff. 1-18-19.)

7 (415 ILCS 5/9.9)

8 Sec. 9.9. Nitrogen oxides trading system.

9 (a) The General Assembly finds:

10 (1) That USEPA has issued a Final Rule published in
11 the Federal Register on October 27, 1998, entitled
12 "Finding of Significant Contribution and Rulemaking for
13 Certain States in the Ozone Transport Assessment Group
14 Region for Purposes of Reducing Regional Transport of
15 Ozone", hereinafter referred to as the "NOx SIP Call",
16 compliance with which will require reducing emissions of
17 nitrogen oxides ("NOx");

18 (2) That reducing emissions of NOx in the State helps
19 the State to meet the national ambient air quality
20 standard for ozone;

21 (3) That emissions trading is a cost-effective means
22 of obtaining reductions of NOx emissions.

23 (b) The Agency shall propose and the Board shall adopt
24 regulations to implement an interstate NOx trading program
25 (hereinafter referred to as the "NOx Trading Program") as

1 provided for in 40 CFR Part 96, including incorporation by
2 reference of appropriate provisions of 40 CFR Part 96 and
3 regulations to address 40 CFR Section 96.4(b), Section
4 96.55(c), Subpart E, and Subpart I. In addition, the Agency
5 shall propose and the Board shall adopt regulations to
6 implement NOx emission reduction programs for cement kilns and
7 stationary internal combustion engines.

8 (c) Allocations of NOx allowances to large electric
9 generating units ("EGUs") and large non-electric generating
10 units ("non-EGUs"), as defined by 40 CFR Part 96.4(a), shall
11 not exceed the State's trading budget for those source
12 categories to be included in the State Implementation Plan for
13 NOx.

14 (d) In adopting regulations to implement the NOx Trading
15 Program, the Board shall:

16 (1) assure that the economic impact and technical
17 feasibility of NOx emissions reductions under the NOx
18 Trading Program are considered relative to the traditional
19 regulatory control requirements in the State for EGUs and
20 non-EGUs;

21 (2) provide that emission units, as defined in Section
22 39.5(1) of this Act, may opt into the NOx Trading Program;

23 (3) provide for voluntary reductions of NOx emissions
24 from emission units, as defined in Section 39.5(1) of this
25 Act, not otherwise included under paragraph (c) or (d)(2)
26 of this Section to provide additional allowances to EGUs

1 and non-EGUs to be allocated by the Agency. The
2 regulations shall further provide that such voluntary
3 reductions are verifiable, quantifiable, permanent, and
4 federally enforceable;

5 (4) provide that the Agency allocate to non-EGUs
6 allowances that are designated in the rule, unless the
7 Agency has been directed to transfer the allocations to
8 another unit subject to the requirements of the NOx
9 Trading Program, and that upon shutdown of a non-EGU, the
10 unit may transfer or sell the NOx allowances that are
11 allocated to such unit;

12 (5) provide that the Agency shall set aside annually a
13 number of allowances, not to exceed 5% of the total EGU
14 trading budget, to be made available to new EGUs; and

15 (6) provide that those EGUs that commence commercial
16 operation, as defined in 40 CFR Section 96.2, at a time
17 that is more than half way through the control period in
18 2003 shall return to the Agency any allowances that were
19 issued to it by the Agency and were not used for compliance
20 in 2004.

21 (d-5) The Agency may sell NOx allowances to sources in
22 Illinois that are subject to 35 Ill. Adm. Code 217, either
23 Subpart U or W, as follows:

24 (1) any unearned Early Reduction Credits set aside for
25 non-EGUs under 35 Ill. Adm. Code 217, Subpart U, but only
26 to those sources that make qualifying early reductions of

1 NOx in 2003 pursuant to 35 Ill. Adm. Code 217 for which the
2 source did not receive an allocation thereunder. If the
3 Agency receives requests to purchase more ERCs than are
4 available for sale, allowances shall be offered for sale
5 to qualifying sources on a pro-rata basis;

6 (2) any remaining Early Reduction Credits allocated
7 under 35 Ill. Adm. Code 217, Subpart U or W, that could not
8 be allocated on a pro-rata, whole allowance basis, but
9 only to those sources that made qualifying early
10 reductions of NOx in 2003 pursuant to 35 Ill. Adm. Code 217
11 for which the source did not receive an allocation;

12 (3) any allowances under 35 Ill. Adm. Code 217,
13 Subpart W, that remain after each 3-year allocation period
14 that could not be allocated on a pro-rata, whole allowance
15 basis pursuant to the provisions of Subpart W; and

16 (4) any allowances requested from the New Source Set
17 Aside for those sources that commenced operation, as
18 defined in 40 CFR Section 96.2, on or after January 1,
19 2004.

20 (d-10) The selling price for ERC allowances shall be 70%
21 of the market price index for 2005 NOx allowances, determined
22 by the Agency as follows:

23 (1) using the mean of 2 or more published market price
24 indexes for the 2005 NOx allowances as of October 6, 2003;
25 or

26 (2) if there are not 2 published market price indexes

1 for 2005 NOx allowances as of October 6, 2003, the Agency
2 may use any reasonable indication of market price.

3 (e) The Agency may adopt procedural rules, as necessary,
4 to implement the regulations promulgated by the Board pursuant
5 to subsections (b) and (d) and to implement subsections (d-5),
6 (d-10), (i), and (j) of this Section.

7 (f) Notwithstanding any provisions in subparts T, U, and W
8 of Section 217 of Title 35 of the Illinois Administrative Code
9 to the contrary, compliance with the regulations promulgated
10 by the Board pursuant to subsections (b) and (d) of this
11 Section is required by May 31, 2004.

12 (g) To the extent that a court of competent jurisdiction
13 finds a provision of 40 CFR Part 96 invalid, the corresponding
14 Illinois provision shall be stayed until such provision of 40
15 CFR Part 96 is found to be valid or is re-promulgated. To the
16 extent that USEPA or any court of competent jurisdiction stays
17 the applicability of any provision of the NOx SIP Call to any
18 person or circumstance relating to Illinois, during the period
19 of that stay, the effectiveness of the corresponding Illinois
20 provision shall be stayed. To the extent that the invalidity
21 of the particular requirement or application does not affect
22 other provisions or applications of the NOx SIP Call pursuant
23 to 40 CFR 51.121 or the NOx trading program pursuant to 40 CFR
24 Part 96 or 40 CFR Part 97, this Section, and rules or
25 regulations promulgated hereunder, will be given effect
26 without the invalid provisions or applications.

1 (h) Notwithstanding any other provision of this Act, any
2 source or other authorized person that participates in the NOx
3 Trading Program shall be eligible to exchange NOx allowances
4 with other sources in accordance with this Section and with
5 regulations promulgated by the Board or the Agency.

6 (i) (Blank). ~~There is hereby created within the State~~
7 ~~Treasury an interest bearing special fund to be known as the~~
8 ~~NOx Trading System Fund. Moneys generated from the sale of NOx~~
9 ~~allowances from the New Source Set Aside or the sale of~~
10 ~~allowances pursuant to subsection (d 5) of this Section shall~~
11 ~~be deposited into the Fund. This Fund shall be used and~~
12 ~~administered by the Agency for the purposes stated below:~~

13 ~~(1) To accept funds from persons who purchase NOx~~
14 ~~allowances from the New Source Set Aside from the Agency;~~

15 ~~(2) To disburse the proceeds of the sale of the NOx~~
16 ~~allowances from the New Source Set Aside, to the extent~~
17 ~~that proceeds remain after the Agency has recouped the~~
18 ~~reasonable costs incurred by the Agency in the~~
19 ~~administration of the NOx SIP Call Program, pro rata to~~
20 ~~the owners or operators of the EGUs that received~~
21 ~~allowances from the Agency but not from the Agency's New~~
22 ~~Source Set Aside, in accordance with regulations that may~~
23 ~~be promulgated by the Agency; and~~

24 ~~(3) To finance the reasonable costs incurred by the~~
25 ~~Agency in the administration of the NOx SIP Call Program.~~

26 (j) Moneys generated from the sale of early reduction

1 credits shall be deposited into the Clean Air Act Permit Fund
2 created pursuant to Section 39.5(18)(d) of this Act, and the
3 proceeds shall be used and administered by the Agency to
4 finance the costs associated with the Clean Air Act Permit
5 Program.

6 (Source: P.A. 92-12, eff. 7-1-01; 92-279, eff. 8-7-01; 93-669,
7 eff. 3-19-04.)

8 (415 ILCS 5/22.8) (from Ch. 111 1/2, par. 1022.8)

9 Sec. 22.8. Environmental Protection Permit and Inspection
10 Fund.

11 (a) There is hereby created in the State Treasury a
12 special fund to be known as the Environmental Protection
13 Permit and Inspection Fund. All fees collected by the Agency
14 pursuant to this Section, Section 9.6, 12.2, 16.1, 56.4, 56.5,
15 56.6, and subsection (f) of Section 5 of this Act, or pursuant
16 to Section 22 of the Public Water Supply Operations Act or
17 Section 1011 of the Solid Waste Site Operator Certification
18 Law, as well as funds collected under subsection (b.5) of
19 Section 42 of this Act, shall be deposited into the Fund. In
20 addition to any monies appropriated from the General Revenue
21 Fund, monies in the Fund shall be appropriated by the General
22 Assembly to the Agency in amounts deemed necessary for
23 manifest, permit, and inspection activities and for performing
24 its functions, powers, and duties under the Solid Waste Site
25 Operator Certification Law.

1 The General Assembly may appropriate monies in the Fund
2 deemed necessary for Board regulatory and adjudicatory
3 proceedings.

4 (a-5) (Blank). ~~As soon as practicable after the effective~~
5 ~~date of this amendatory Act of the 98th General Assembly, but~~
6 ~~no later than January 1, 2014, the State Comptroller shall~~
7 ~~direct and the State Treasurer shall transfer all monies in~~
8 ~~the Industrial Hygiene Regulatory and Enforcement Fund to the~~
9 ~~Environmental Protection Permit and Inspection Fund to be used~~
10 ~~in accordance with the terms of the Environmental Protection~~
11 ~~Permit and Inspection Fund.~~

12 (a-6) (Blank). ~~As soon as practicable after the effective~~
13 ~~date of this amendatory Act of the 98th General Assembly, but~~
14 ~~no later than December 31, 2014, the State Comptroller shall~~
15 ~~order the transfer of, and the State Treasurer shall transfer,~~
16 ~~all moneys in the Hazardous Waste Occupational Licensing Fund~~
17 ~~into the Environmental Protection Permit and Inspection Fund~~
18 ~~to be used in accordance with the terms of the Environmental~~
19 ~~Protection Permit and Inspection Fund.~~

20 (b) The Agency shall collect from the owner or operator of
21 any of the following types of hazardous waste disposal sites
22 or management facilities which require a RCRA permit under
23 subsection (f) of Section 21 of this Act, or a UIC permit under
24 subsection (g) of Section 12 of this Act, an annual fee in the
25 amount of:

26 (1) \$35,000 (\$70,000 beginning in 2004) for a

1 hazardous waste disposal site receiving hazardous waste if
2 the hazardous waste disposal site is located off the site
3 where such waste was produced;

4 (2) \$9,000 (\$18,000 beginning in 2004) for a hazardous
5 waste disposal site receiving hazardous waste if the
6 hazardous waste disposal site is located on the site where
7 such waste was produced;

8 (3) \$7,000 (\$14,000 beginning in 2004) for a hazardous
9 waste disposal site receiving hazardous waste if the
10 hazardous waste disposal site is an underground injection
11 well;

12 (4) \$2,000 (\$4,000 beginning in 2004) for a hazardous
13 waste management facility treating hazardous waste by
14 incineration;

15 (5) \$1,000 (\$2,000 beginning in 2004) for a hazardous
16 waste management facility treating hazardous waste by a
17 method, technique or process other than incineration;

18 (6) \$1,000 (\$2,000 beginning in 2004) for a hazardous
19 waste management facility storing hazardous waste in a
20 surface impoundment or pile;

21 (7) \$250 (\$500 beginning in 2004) for a hazardous
22 waste management facility storing hazardous waste other
23 than in a surface impoundment or pile; and

24 (8) Beginning in 2004, \$500 for a large quantity
25 hazardous waste generator required to submit an annual or
26 biennial report for hazardous waste generation.

1 (c) Where two or more operational units are located within
2 a single hazardous waste disposal site, the Agency shall
3 collect from the owner or operator of such site an annual fee
4 equal to the highest fee imposed by subsection (b) of this
5 Section upon any single operational unit within the site.

6 (d) The fee imposed upon a hazardous waste disposal site
7 under this Section shall be the exclusive permit and
8 inspection fee applicable to hazardous waste disposal at such
9 site, provided that nothing in this Section shall be construed
10 to diminish or otherwise affect any fee imposed upon the owner
11 or operator of a hazardous waste disposal site by Section
12 22.2.

13 (e) The Agency shall establish procedures, no later than
14 December 1, 1984, relating to the collection of the hazardous
15 waste disposal site fees authorized by this Section. Such
16 procedures shall include, but not be limited to the time and
17 manner of payment of fees to the Agency, which shall be
18 quarterly, payable at the beginning of each quarter for
19 hazardous waste disposal site fees. Annual fees required under
20 paragraph (7) of subsection (b) of this Section shall
21 accompany the annual report required by Board regulations for
22 the calendar year for which the report applies.

23 (f) For purposes of this Section, a hazardous waste
24 disposal site consists of one or more of the following
25 operational units:

26 (1) a landfill receiving hazardous waste for disposal;

1 (2) a waste pile or surface impoundment, receiving
2 hazardous waste, in which residues which exhibit any of
3 the characteristics of hazardous waste pursuant to Board
4 regulations are reasonably expected to remain after
5 closure;

6 (3) a land treatment facility receiving hazardous
7 waste; or

8 (4) a well injecting hazardous waste.

9 (g) The Agency shall assess a fee for each manifest
10 provided by the Agency. For manifests provided on or after
11 January 1, 1989 but before July 1, 2003, the fee shall be \$1
12 per manifest. For manifests provided on or after July 1, 2003,
13 the fee shall be \$3 per manifest.

14 (Source: P.A. 98-78, eff. 7-15-13; 98-692, eff. 7-1-14;
15 98-822, eff. 8-1-14.)

16 Section 75. The Toxic Pollution Prevention Act is amended
17 by changing Section 5 as follows:

18 (415 ILCS 85/5) (from Ch. 111 1/2, par. 7955)

19 Sec. 5. Toxic Pollution Prevention Assistance Program.
20 There is hereby established a Toxic Pollution Prevention
21 Assistance Program at the Illinois Sustainable Technology
22 Center. The Center may establish cooperative programs with
23 public and private colleges and universities designed to
24 augment the implementation of this Section. The Center may

1 establish fees, tuition, or other financial charges for
2 participation in the Assistance Program. ~~These monies shall be~~
3 ~~deposited in the Toxic Pollution Prevention Fund established~~
4 ~~in Section 7 of this Act.~~ Through the Assistance Program, the
5 Center:

6 (1) Shall provide general information about and
7 actively publicize the advantages of and developments in
8 toxic pollution prevention and sustainability practices.

9 (2) May establish courses, seminars, conferences and
10 other events, and reports, updates, guides and other
11 publications and other means of providing technical
12 information for industries, local governments and citizens
13 concerning toxic pollution prevention strategies, and may,
14 as appropriate, work in cooperation with the Agency.

15 (3) Shall engage in research on toxic pollution
16 prevention methods. Such research shall include
17 assessments of the impact of adopting toxic pollution
18 prevention methods on the environment, the public health,
19 and worker exposure, and assessments of the impact on
20 profitability and employment within affected industries.

21 (4) Shall provide on-site technical consulting, to the
22 extent practicable, to help facilities to identify
23 opportunities for toxic pollution prevention, and to
24 develop comprehensive toxic pollution prevention plans
25 that would include water, energy, and solid waste. To be
26 eligible for such consulting, the owner or operator of a

1 facility must agree to allow information regarding the
2 results of such consulting to be shared with the public,
3 provided that the identity of the facility shall be made
4 available only with its consent, and trade secret
5 information shall remain protected.

6 (5) May sponsor pilot projects in cooperation with the
7 Agency, or an institute of higher education to develop and
8 demonstrate innovative technologies and methods for toxic
9 pollution prevention and sustainable development. The
10 results of all such projects shall be available for use by
11 the public, but trade secret information shall remain
12 protected.

13 (6) May award grants for activities that further the
14 purposes of this Act, including but not limited to the
15 following:

16 (A) grants to not-for-profit organizations to
17 establish free or low-cost technical assistance or
18 educational programs to supplement the toxic pollution
19 prevention activities of the Center;

20 (B) grants to assist trade associations, business
21 organizations, labor organizations and educational
22 institutions in developing training materials to
23 foster toxic pollution prevention; and

24 (C) grants to assist industry, business
25 organizations, labor organizations, education
26 institutions and industrial hygienists to identify,

1 evaluate and implement toxic pollution prevention
2 measures and alternatives through audits, plans and
3 programs.

4 The Center may establish criteria and terms for such
5 grants, including a requirement that a grantee provide
6 matching funds. Grant money awarded under this Section may
7 not be spent for capital improvements or equipment.

8 In determining whether to award a grant, the Center
9 shall consider at least the following:

10 (i) the potential of the project to prevent
11 pollution;

12 (ii) the likelihood that the project will develop
13 techniques or processes that will minimize the
14 transfer of pollution from one environmental medium to
15 another;

16 (iii) the extent to which information to be
17 developed through the project will be applicable to
18 other persons in the State; and

19 (iv) the willingness of the grant applicant to
20 assist the Center in disseminating information about
21 the pollution prevention methods to be developed
22 through the project.

23 (7) Shall establish and operate a State information
24 clearinghouse that assembles, catalogues and disseminates
25 information about toxic pollution prevention and available
26 consultant services. Such clearinghouse shall include a

1 computer database containing information on managerial,
2 technical and operational approaches to achieving toxic
3 pollution prevention. The computer database must be
4 maintained on a system designed to enable businesses,
5 governmental agencies and the general public readily to
6 obtain information specific to production technologies,
7 materials, operations and products. A business shall not
8 be required to submit to the clearinghouse any information
9 that is a trade secret.

10 (8) May contract with an established institution of
11 higher education to assist the Center in carrying out the
12 provisions of this Section. The assistance provided by
13 such an institution may include, but need not be limited
14 to:

15 (A) engineering field internships to assist
16 industries in identifying toxic pollution prevention
17 opportunities;

18 (B) development of a toxic pollution prevention
19 curriculum for students and faculty; and

20 (C) applied toxic pollution prevention and
21 recycling research.

22 (9) Shall emphasize assistance to businesses that have
23 inadequate technical and financial resources to obtain
24 information and to assess and implement toxic pollution
25 prevention methods.

26 (10) Shall publish a biannual report on its toxic

1 pollution prevention and sustainable development
2 activities, achievements, identified problems and future
3 goals.

4 (Source: P.A. 98-346, eff. 8-14-13.)

5 Section 80. The Illinois Endangered Species Protection Act
6 is amended by changing Section 10 as follows:

7 (520 ILCS 10/10) (from Ch. 8, par. 340)

8 Sec. 10. The Endangered and Threatened Species Program
9 shall be located within the Department ~~of Conservation~~. All
10 fines collected under this Act shall be paid to the State
11 Treasurer and deposited in the Illinois Wildlife Preservation
12 ~~Nongame Wildlife Conservation~~ Fund.

13 (Source: P.A. 84-1065.)

14 Section 85. The Illinois Vehicle Code is amended by
15 changing Section 11-1429 as follows:

16 (625 ILCS 5/11-1429)

17 Sec. 11-1429. Excessive idling.

18 (a) The purpose of this law is to protect public health and
19 the environment by reducing emissions while conserving fuel
20 and maintaining adequate rest and safety of all drivers of
21 diesel vehicles.

22 (b) As used in this Section, "affected areas" means the

1 counties of Cook, DuPage, Lake, Kane, McHenry, Will, Madison,
2 St. Clair, and Monroe and the townships of Aux Sable and Goose
3 Lake in Grundy County and the township of Oswego in Kendall
4 County.

5 (c) A person that operates a motor vehicle operating on
6 diesel fuel in an affected area may not cause or allow the
7 motor vehicle, when it is not in motion, to idle for more than
8 a total of 10 minutes within any 60 minute period, except under
9 the following circumstances:

10 (1) the motor vehicle has a Gross Vehicle Weight
11 Rating of less than 8,000 pounds;

12 (2) the motor vehicle idles while forced to remain
13 motionless because of on-highway traffic, an official
14 traffic control device or signal, or at the direction of a
15 law enforcement official;

16 (3) the motor vehicle idles when operating defrosters,
17 heaters, air conditioners, or other equipment solely to
18 prevent a safety or health emergency;

19 (4) a police, fire, ambulance, public safety, other
20 emergency or law enforcement motor vehicle, or any motor
21 vehicle used in an emergency capacity, idles while in an
22 emergency or training mode and not for the convenience of
23 the vehicle operator;

24 (5) the primary propulsion engine idles for
25 maintenance, servicing, repairing, or diagnostic purposes
26 if idling is necessary for such activity;

1 (6) a motor vehicle idles as part of a government
2 inspection to verify that all equipment is in good working
3 order, provided idling is required as part of the
4 inspection;

5 (7) when idling of the motor vehicle is required to
6 operate auxiliary equipment to accomplish the intended use
7 of the vehicle (such as loading, unloading, mixing, or
8 processing cargo; controlling cargo temperature;
9 construction operations; lumbering operations; oil or gas
10 well servicing; or farming operations), provided that this
11 exemption does not apply when the vehicle is idling solely
12 for cabin comfort or to operate non-essential equipment
13 such as air conditioning, heating, microwave ovens, or
14 televisions;

15 (8) an armored motor vehicle idles when a person
16 remains inside the vehicle to guard the contents, or while
17 the vehicle is being loaded or unloaded;

18 (9) a bus idles a maximum of 15 minutes in any 60
19 minute period to maintain passenger comfort while
20 non-driver passengers are on board;

21 (10) if the motor vehicle has a sleeping berth, when
22 the operator is occupying the vehicle during a rest or
23 sleep period and idling of the vehicle is required to
24 operate air conditioning or heating;

25 (11) when the motor vehicle idles due to mechanical
26 difficulties over which the operator has no control;

1 (12) the motor vehicle is used as airport ground
2 support equipment, including, but not limited to, motor
3 vehicles operated on the air side of the airport terminal
4 to service or supply aircraft;

5 (13) the motor vehicle is (i) a bus owned by a public
6 transit authority and (ii) being operated on a designated
7 bus route or on a street or highway between designated bus
8 routes for the provision of public transportation;

9 (14) the motor vehicle is an implement of husbandry
10 exempt from registration under subdivision A(2) of Section
11 3-402 of this Code;

12 (15) the motor vehicle is owned by an electric utility
13 and is operated for electricity generation or hydraulic
14 pressure to power equipment necessary in the restoration,
15 repair, modification or installation of electric utility
16 service;

17 (16) the outdoor temperature is less than 32 degrees
18 Fahrenheit or greater than 80 degrees Fahrenheit; or

19 (17) the motor vehicle idles while being operated by a
20 remote starter system.

21 (d) When the outdoor temperature is 32 degrees Fahrenheit
22 or higher and 80 degrees Fahrenheit or lower, a person who
23 operates a motor vehicle operating on diesel fuel in an
24 affected area may not cause or allow the motor vehicle to idle
25 for a period greater than 30 minutes in any 60 minute period
26 while waiting to weigh, load, or unload cargo or freight,

1 unless the vehicle is in a line of vehicles that regularly and
2 periodically moves forward.

3 (e) This Section does not prohibit the operation of an
4 auxiliary power unit or generator set as an alternative to
5 idling the main engine of a motor vehicle operating on diesel
6 fuel.

7 (f) This Section does not apply to the owner of a motor
8 vehicle rented or leased to another entity or person operating
9 the vehicle.

10 (g) Any person convicted of any violation of this Section
11 is guilty of a petty offense and shall be fined \$90 for the
12 first conviction and \$500 for a second or subsequent
13 conviction within any 12 month period.

14 (h) Fines; distribution. All fines and all penalties
15 collected under this Section shall be deposited in the State
16 Treasury and shall be distributed as follows: (i) \$50 for the
17 first conviction and \$150 for a second or subsequent
18 conviction within any 12 month period under this Section shall
19 be deposited into the State's General Revenue Fund; (ii) \$20
20 for the first conviction and \$262.50 for a second or
21 subsequent conviction within any 12 month period under this
22 Section shall be distributed to the law enforcement agency
23 that issued the citation; and (iii) \$20 for the first
24 conviction and \$87.50 for a second or subsequent conviction
25 within any 12 month period under this Section shall be
26 deposited into the Vehicle Inspection ~~Trucking Environmental~~

1 ~~and Education Fund.~~

2 (i) (Blank). ~~The Trucking Environmental and Education Fund~~
3 ~~is created as a special fund in the State Treasury. All money~~
4 ~~deposited into the Trucking Environmental and Education Fund~~
5 ~~shall be paid, subject to appropriation by the General~~
6 ~~Assembly, to the Illinois Environmental Protection Agency for~~
7 ~~the purpose of educating the trucking industry on air~~
8 ~~pollution and preventative measures specifically related to~~
9 ~~idling. Any interest earned on deposits into the Fund shall~~
10 ~~remain in the Fund and be used for the purposes set forth in~~
11 ~~this subsection. Notwithstanding any other law to the~~
12 ~~contrary, the Fund is not subject to administrative charges or~~
13 ~~charge-backs that would in any way transfer moneys from the~~
14 ~~Fund into any other fund of the State.~~

15 (j) Notwithstanding any other provision of this Section, a
16 person who operates a motor vehicle with a gross vehicle
17 weight rating of 8,000 pounds or more operating on diesel fuel
18 on property that (i) offers paid parking services to vehicle
19 owners, (ii) does not involve fuel dispensing, and (iii) is
20 located in an affected area within a county of over 3 million
21 residents but outside of a municipality of over 2 million
22 residents may not cause or allow the motor vehicle, when it is
23 not in motion, to idle for more than a total of 10 minutes
24 within any 60-minute period under any circumstances if the
25 vehicle is within 200 feet of a residential area. This Section
26 may be enforced by either the law enforcement agency having

1 jurisdiction over the residential area or the law enforcement
2 agency having jurisdiction over the property on which the
3 violation took place. This subsection does not apply to:

4 (1) school buses;

5 (2) waste hauling vehicles;

6 (3) facilities operated by the Department of
7 Transportation;

8 (4) vehicles owned by a public utility and operated to
9 power equipment necessary in the restoration, repair,
10 modification, or installation of a utility service; or

11 (5) ambulances.

12 (Source: P.A. 100-435, eff. 8-25-17; 101-319, eff. 1-1-20.)

13 Section 90. The Unified Code of Corrections is amended by
14 changing Section 5-9-1.8 as follows:

15 (730 ILCS 5/5-9-1.8)

16 Sec. 5-9-1.8. Child pornography fines. Beginning July 1,
17 2006, 100% of the fines in excess of \$10,000 collected for
18 violations of Section 11-20.1 of the Criminal Code of 1961 or
19 the Criminal Code of 2012 shall be deposited into the Child
20 Abuse Prevention Fund ~~that is created in the State Treasury~~.
21 Moneys in the Fund resulting from the fines shall be for the
22 use of the Department of Children and Family Services for
23 grants to private entities giving treatment and counseling to
24 victims of child sexual abuse.

1 ~~Notwithstanding any other provision of law, in addition to~~
2 ~~any other transfers that may be provided by law, on July 1,~~
3 ~~2006, or as soon thereafter as practical, the State~~
4 ~~Comptroller shall direct and the State Treasurer shall~~
5 ~~transfer the remaining balance from the Child Sexual Abuse~~
6 ~~Fund into the Child Abuse Prevention Fund. Upon completion of~~
7 ~~the transfer, the Child Sexual Abuse Fund is dissolved, and~~
8 ~~any future deposits due to that Fund and any outstanding~~
9 ~~obligations or liabilities of the Fund pass to the Child Abuse~~
10 ~~Prevention Fund.~~

11 (Source: P.A. 97-1150, eff. 1-25-13.)

12 Section 95. The Franchise Tax and License Fee Amnesty Act
13 of 2007 is amended by changing Section 5-10 as follows:

14 (805 ILCS 8/5-10)

15 Sec. 5-10. Amnesty program. The Secretary shall establish
16 an amnesty program for all taxpayers owing any franchise tax
17 or license fee imposed by Article XV of the Business
18 Corporation Act of 1983. The amnesty program shall be for a
19 period from February 1, 2008 through March 15, 2008. The
20 amnesty program shall also be for a period between October 1,
21 2019 and November 15, 2019, and shall apply to franchise tax or
22 license fee liabilities for any tax period ending after March
23 15, 2008 and on or before June 30, 2019. The amnesty program
24 shall provide that, upon payment by a taxpayer of all

1 franchise taxes and license fees due from that taxpayer to the
2 State of Illinois for any taxable period, the Secretary shall
3 abate and not seek to collect any interest or penalties that
4 may be applicable, and the Secretary shall not seek civil or
5 criminal prosecution for any taxpayer for the period of time
6 for which amnesty has been granted to the taxpayer. Failure to
7 pay all taxes due to the State for a taxable period shall not
8 invalidate any amnesty granted under this Act with respect to
9 the taxes paid pursuant to the amnesty program. Amnesty shall
10 be granted only if all amnesty conditions are satisfied by the
11 taxpayer. Amnesty shall not be granted to taxpayers who are a
12 party to any criminal investigation or to any civil or
13 criminal litigation that is pending in any circuit court or
14 appellate court or the Supreme Court of this State for
15 nonpayment, delinquency, or fraud in relation to any franchise
16 tax or license fee imposed by Article XV of the Business
17 Corporation Act of 1983. Voluntary payments made under this
18 Act shall be made by check, guaranteed remittance, or ACH
19 debit. The Secretary shall adopt rules as necessary to
20 implement the provisions of this Act. Except as otherwise
21 provided in this Section, all money collected under this Act
22 that would otherwise be deposited into the General Revenue
23 Fund shall be deposited into the General Revenue Fund. Two
24 percent of all money collected under this Act shall be
25 deposited by the State Treasurer into the Department of
26 Business Services Special Operations Fund and, subject to

1 appropriation, shall be used by the Secretary to cover costs
2 associated with the administration of this Act.

3 (Source: P.A. 101-9, eff. 6-5-19; 101-604, eff. 12-13-19.)

4 Section 100. The Consumer Fraud and Deceptive Business
5 Practices Act is amended by changing Section 7 as follows:

6 (815 ILCS 505/7) (from Ch. 121 1/2, par. 267)

7 Sec. 7. Injunctive relief; restitution; and civil
8 penalties.

9 (a) Whenever the Attorney General or a State's Attorney
10 has reason to believe that any person is using, has used, or is
11 about to use any method, act or practice declared by this Act
12 to be unlawful, and that proceedings would be in the public
13 interest, he or she may bring an action in the name of the
14 People of the State against such person to restrain by
15 preliminary or permanent injunction the use of such method,
16 act or practice. The Court, in its discretion, may exercise
17 all powers necessary, including but not limited to:
18 injunction; revocation, forfeiture or suspension of any
19 license, charter, franchise, certificate or other evidence of
20 authority of any person to do business in this State;
21 appointment of a receiver; dissolution of domestic
22 corporations or association suspension or termination of the
23 right of foreign corporations or associations to do business
24 in this State; and restitution.

1 (b) In addition to the remedies provided herein, the
2 Attorney General or State's Attorney may request and the Court
3 may impose a civil penalty in a sum not to exceed \$50,000
4 against any person found by the Court to have engaged in any
5 method, act or practice declared unlawful under this Act. In
6 the event the court finds the method, act or practice to have
7 been entered into with the intent to defraud, the court has the
8 authority to impose a civil penalty in a sum not to exceed
9 \$50,000 per violation.

10 (c) In addition to any other civil penalty provided in
11 this Section, if a person is found by the court to have engaged
12 in any method, act, or practice declared unlawful under this
13 Act, and the violation was committed against a person 65 years
14 of age or older, the court may impose an additional civil
15 penalty not to exceed \$10,000 for each violation.

16 A civil penalty imposed under this subsection (c) shall be
17 paid to the State Treasurer who shall deposit the money in the
18 State treasury in a special fund designated the Department on
19 Aging State Projects ~~Elderly Victim~~ Fund. The Treasurer shall
20 deposit such moneys into the Fund monthly. All of the moneys
21 deposited into the Fund shall be appropriated to the
22 Department on Aging for grants to senior centers in Illinois.

23 An award of restitution under subsection (a) has priority
24 over a civil penalty imposed by the court under this
25 subsection.

26 In determining whether to impose a civil penalty under

1 this subsection and the amount of any penalty, the court shall
2 consider the following:

3 (1) Whether the defendant's conduct was in willful
4 disregard of the rights of the person 65 years of age or
5 older.

6 (2) Whether the defendant knew or should have known
7 that the defendant's conduct was directed to a person 65
8 years of age or older.

9 (3) Whether the person 65 years of age or older was
10 substantially more vulnerable to the defendant's conduct
11 because of age, poor health, infirmity, impaired
12 understanding, restricted mobility, or disability, than
13 other persons.

14 (4) Any other factors the court deems appropriate.

15 (d) This Section applies if: (i) a court orders a party to
16 make payments to the Attorney General and the payments are to
17 be used for the operations of the Office of the Attorney
18 General or (ii) a party agrees, in an Assurance of Voluntary
19 Compliance under this Act, to make payments to the Attorney
20 General for the operations of the Office of the Attorney
21 General.

22 (e) Moneys paid under any of the conditions described in
23 subsection (d) shall be deposited into the Attorney General
24 Court Ordered and Voluntary Compliance Payment Projects Fund,
25 which is created as a special fund in the State Treasury.
26 Moneys in the Fund shall be used, subject to appropriation,

1 for the performance of any function pertaining to the exercise
2 of the duties of the Attorney General including but not
3 limited to enforcement of any law of this State and conducting
4 public education programs; however, any moneys in the Fund
5 that are required by the court or by an agreement to be used
6 for a particular purpose shall be used for that purpose.

7 (Source: P.A. 93-246, eff. 7-22-03.)

8 Section 999. Effective date. This Act takes effect upon
9 becoming law.

1

INDEX

2

Statutes amended in order of appearance

3	5 ILCS 375/11	from Ch. 127, par. 531
4	20 ILCS 2705/2705-255	was 20 ILCS 2705/49.14
5	20 ILCS 4005/8.6	
6	30 ILCS 105/5.970 new	
7	30 ILCS 105/5.971 new	
8	30 ILCS 105/5.972 new	
9	30 ILCS 105/5.973 new	
10	30 ILCS 105/5.974 new	
11	30 ILCS 105/5.975 new	
12	30 ILCS 105/5.976 new	
13	30 ILCS 105/6z-75	
14	30 ILCS 105/6z-126	
15	30 ILCS 105/8.20	from Ch. 127, par. 144.20
16	30 ILCS 105/8.25	from Ch. 127, par. 144.25
17	30 ILCS 105/8.27	from Ch. 127, par. 144.27
18	30 ILCS 105/8.33	from Ch. 127, par. 144.33
19	30 ILCS 105/8f	
20	30 ILCS 425/2	from Ch. 127, par. 2802
21	30 ILCS 750/9-4.2	from Ch. 127, par. 2709-4.2
22	30 ILCS 750/9-5.2	from Ch. 127, par. 2709-5.2
23	30 ILCS 750/23-1	from Ch. 127, par. 2723-1
24	50 ILCS 727/1-10	
25	70 ILCS 215/8	from Ch. 85, par. 1250.8

1	110 ILCS 947/52	
2	110 ILCS 967/15-30	
3	225 ILCS 230/1011	from Ch. 111, par. 7861
4	305 ILCS 5/12-10.7	
5	305 ILCS 20/10	from Ch. 111 2/3, par. 1410
6	415 ILCS 5/4	from Ch. 111 1/2, par. 1004
7	415 ILCS 5/9.9	
8	415 ILCS 5/22.8	from Ch. 111 1/2, par. 1022.8
9	415 ILCS 85/5	from Ch. 111 1/2, par. 7955
10	520 ILCS 10/10	from Ch. 8, par. 340
11	625 ILCS 5/11-1429	
12	730 ILCS 5/5-9-1.8	
13	805 ILCS 8/5-10	
14	815 ILCS 505/7	from Ch. 121 1/2, par. 267