



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB4020

Introduced 1/21/2022, by Sen. Mattie Hunter

#### SYNOPSIS AS INTRODUCED:

20 ILCS 1605/2	from Ch. 120, par. 1152
20 ILCS 1605/9.1	
20 ILCS 1605/20	from Ch. 120, par. 1170
20 ILCS 1605/21.15 new	
30 ILCS 105/5.970 new	
105 ILCS 5/2-3.119b new	

Amends the Illinois Lottery Law. Creates a lottery scratch-off game for the United Negro College Fund in support of educational scholarships. Provides for the distribution and use of the net revenue from the scratch-off game. Provides the Department of the Lottery with rulemaking authority. Amends the State Finance Act to create the UNCF Scholarship Fund. Amends the School Code. Creates the UNCF Scholarship Fund Advisory Board. Provides for the composition and responsibilities of the Board. Effective immediately.

LRB102 22803 AMQ 31953 b

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Lottery Law is amended by changing  
5 Sections 2, 9.1, and 20 and by adding Section 21.15 as follows:

6 (20 ILCS 1605/2) (from Ch. 120, par. 1152)

7 Sec. 2. This Act is enacted to implement and establish  
8 within the State a lottery to be conducted by the State through  
9 the Department. The entire net proceeds of the Lottery are to  
10 be used for the support of the State's Common School Fund,  
11 except as provided in subsection (o) of Section 9.1 and  
12 Sections 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.12,  
13 ~~and~~ 21.13, and 21.15. The General Assembly finds that it is in  
14 the public interest for the Department to conduct the  
15 functions of the Lottery with the assistance of a private  
16 manager under a management agreement overseen by the  
17 Department. The Department shall be accountable to the General  
18 Assembly and the people of the State through a comprehensive  
19 system of regulation, audits, reports, and enduring  
20 operational oversight. The Department's ongoing conduct of the  
21 Lottery through a management agreement with a private manager  
22 shall act to promote and ensure the integrity, security,  
23 honesty, and fairness of the Lottery's operation and

1 administration. It is the intent of the General Assembly that  
2 the Department shall conduct the Lottery with the assistance  
3 of a private manager under a management agreement at all times  
4 in a manner consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1),  
5 1953(b)(4).

6 Beginning with Fiscal Year 2018 and every year thereafter,  
7 any moneys transferred from the State Lottery Fund to the  
8 Common School Fund shall be supplemental to, and not in lieu  
9 of, any other money due to be transferred to the Common School  
10 Fund by law or appropriation.

11 (Source: P.A. 101-81, eff. 7-12-19; 101-561, eff. 8-23-19;  
12 102-558, eff. 8-20-21.)

13 (20 ILCS 1605/9.1)

14 Sec. 9.1. Private manager and management agreement.

15 (a) As used in this Section:

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

18 "Request for qualifications" means all materials and  
19 documents prepared by the Department to solicit the following  
20 from offerors:

21 (1) Statements of qualifications.

22 (2) Proposals to enter into a management agreement,  
23 including the identity of any prospective vendor or  
24 vendors that the offeror intends to initially engage to  
25 assist the offeror in performing its obligations under the

1 management agreement.

2 "Final offer" means the last proposal submitted by an  
3 offeror in response to the request for qualifications,  
4 including the identity of any prospective vendor or vendors  
5 that the offeror intends to initially engage to assist the  
6 offeror in performing its obligations under the management  
7 agreement.

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

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

16 (c) Pursuant to the terms of this subsection, the  
17 Department shall endeavor to expeditiously terminate the  
18 existing contracts in support of the Lottery in effect on July  
19 13, 2009 (the effective date of Public Act 96-37) in  
20 connection with the selection of the private manager. As part  
21 of its obligation to terminate these contracts and select the  
22 private manager, the Department shall establish a mutually  
23 agreeable timetable to transfer the functions of existing  
24 contractors to the private manager so that existing Lottery  
25 operations are not materially diminished or impaired during  
26 the transition. To that end, the Department shall do the

1 following:

2 (1) where such contracts contain a provision  
3 authorizing termination upon notice, the Department shall  
4 provide notice of termination to occur upon the mutually  
5 agreed timetable for transfer of functions;

6 (2) upon the expiration of any initial term or renewal  
7 term of the current Lottery contracts, the Department  
8 shall not renew such contract for a term extending beyond  
9 the mutually agreed timetable for transfer of functions;  
10 or

11 (3) in the event any current contract provides for  
12 termination of that contract upon the implementation of a  
13 contract with the private manager, the Department shall  
14 perform all necessary actions to terminate the contract on  
15 the date that coincides with the mutually agreed timetable  
16 for transfer of functions.

17 If the contracts to support the current operation of the  
18 Lottery in effect on July 13, 2009 (the effective date of  
19 Public Act 96-34) are not subject to termination as provided  
20 for in this subsection (c), then the Department may include a  
21 provision in the contract with the private manager specifying  
22 a mutually agreeable methodology for incorporation.

23 (c-5) The Department shall include provisions in the  
24 management agreement whereby the private manager shall, for a  
25 fee, and pursuant to a contract negotiated with the Department  
26 (the "Employee Use Contract"), utilize the services of current

1 Department employees to assist in the administration and  
2 operation of the Lottery. The Department shall be the employer  
3 of all such bargaining unit employees assigned to perform such  
4 work for the private manager, and such employees shall be  
5 State employees, as defined by the Personnel Code. Department  
6 employees shall operate under the same employment policies,  
7 rules, regulations, and procedures, as other employees of the  
8 Department. In addition, neither historical representation  
9 rights under the Illinois Public Labor Relations Act, nor  
10 existing collective bargaining agreements, shall be disturbed  
11 by the management agreement with the private manager for the  
12 management of the Lottery.

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

15 (1) A term not to exceed 10 years, including any  
16 renewals.

17 (2) A provision specifying that the Department:

18 (A) shall exercise actual control over all  
19 significant business decisions;

20 (A-5) has the authority to direct or countermand  
21 operating decisions by the private manager at any  
22 time;

23 (B) has ready access at any time to information  
24 regarding Lottery operations;

25 (C) has the right to demand and receive  
26 information from the private manager concerning any

1 aspect of the Lottery operations at any time; and

2 (D) retains ownership of all trade names,  
3 trademarks, and intellectual property associated with  
4 the Lottery.

5 (3) A provision imposing an affirmative duty on the  
6 private manager to provide the Department with material  
7 information and with any information the private manager  
8 reasonably believes the Department would want to know to  
9 enable the Department to conduct the Lottery.

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

18 (5) A provision providing for compensation of the  
19 private manager that may consist of, among other things, a  
20 fee for services and a performance based bonus as  
21 consideration for managing the Lottery, including terms  
22 that may provide the private manager with an increase in  
23 compensation if Lottery revenues grow by a specified  
24 percentage in a given year.

25 (6) (Blank).

26 (7) A provision requiring the deposit of all Lottery

1 proceeds to be deposited into the State Lottery Fund  
2 except as otherwise provided in Section 20 of this Act.

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

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

14 (9) A requirement that so long as the private manager  
15 complies with all the conditions of the agreement under  
16 the oversight of the Department, the private manager shall  
17 have the following duties and obligations with respect to  
18 the management of the Lottery:

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

21 (B) The rights and obligations under contracts  
22 with retailers and vendors.

23 (C) The implementation of a comprehensive security  
24 program by the private manager.

25 (D) The implementation of a comprehensive system  
26 of internal audits.



1           (E) The implementation of a program by the private  
2 manager to curb compulsive gambling by persons playing  
3 the Lottery.

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

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

16           (11) A requirement that the private manager market the  
17 Lottery to those residents who are new, infrequent, or  
18 lapsed players of the Lottery, especially those who are  
19 most likely to make regular purchases on the Internet as  
20 permitted by law.

21           (12) A code of ethics for the private manager's  
22 officers and employees.

23           (13) A requirement that the Department monitor and  
24 oversee the private manager's practices and take action  
25 that the Department considers appropriate to ensure that  
26 the private manager is in compliance with the terms of the

1 management agreement, while allowing the manager, unless  
2 specifically prohibited by law or the management  
3 agreement, to negotiate and sign its own contracts with  
4 vendors.

5 (14) A provision requiring the private manager to  
6 periodically file, at least on an annual basis,  
7 appropriate financial statements in a form and manner  
8 acceptable to the Department.

9 (15) Cash reserves requirements.

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

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

16 (18) Procedures for amendment of the agreement.

17 (19) A provision requiring the private manager to  
18 engage in an open and competitive bidding process for any  
19 procurement having a cost in excess of \$50,000 that is not  
20 a part of the private manager's final offer. The process  
21 shall favor the selection of a vendor deemed to have  
22 submitted a proposal that provides the Lottery with the  
23 best overall value. The process shall not be subject to  
24 the provisions of the Illinois Procurement Code, unless  
25 specifically required by the management agreement.

26 (20) The transition of rights and obligations,

1 including any associated equipment or other assets used in  
2 the operation of the Lottery, from the manager to any  
3 successor manager of the lottery, including the  
4 Department, following the termination of or foreclosure  
5 upon the management agreement.

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

12 (22) The disclosure of any information requested by  
13 the Department to enable it to comply with the reporting  
14 requirements and information requests provided for under  
15 subsection (p) of this Section.

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

21 (1) the offeror's ability to market the Lottery to  
22 those residents who are new, infrequent, or lapsed players  
23 of the Lottery, especially those who are most likely to  
24 make regular purchases on the Internet;

25 (2) the offeror's ability to address the State's  
26 concern with the social effects of gambling on those who

1 can least afford to do so;

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

6 (4) the offeror's poor or inadequate past performance  
7 in servicing, equipping, operating or managing a lottery  
8 on behalf of Illinois, another state, ~~State~~ or foreign  
9 government and attracting persons who are not currently  
10 regular players of a lottery.

11 (f) The Department may retain the services of an advisor  
12 or advisors with significant experience in financial services  
13 or the management, operation, and procurement of goods,  
14 services, and equipment for a government-run lottery to assist  
15 in the preparation of the terms of the request for  
16 qualifications and selection of the private manager. Any  
17 prospective advisor seeking to provide services under this  
18 subsection (f) shall disclose any material business or  
19 financial relationship during the past 3 years with any  
20 potential offeror, or with a contractor or subcontractor  
21 presently providing goods, services, or equipment to the  
22 Department to support the Lottery. The Department shall  
23 evaluate the material business or financial relationship of  
24 each prospective advisor. The Department shall not select any  
25 prospective advisor with a substantial business or financial  
26 relationship that the Department deems to impair the

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

21 (g) The Department shall select at least 2 offerors as  
22 finalists to potentially serve as the private manager no later  
23 than August 9, 2010. Upon making preliminary selections, the  
24 Department shall schedule a public hearing on the finalists'  
25 proposals and provide public notice of the hearing at least 7  
26 calendar days before the hearing. The notice must include all

1 of the following:

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

3 (2) The subject matter of the hearing.

4 (3) A brief description of the management agreement to  
5 be awarded.

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

8 (5) The address and telephone number of the  
9 Department.

10 (h) At the public hearing, the Department shall (i)  
11 provide sufficient time for each finalist to present and  
12 explain its proposal to the Department and the Governor or the  
13 Governor's designee, including an opportunity to respond to  
14 questions posed by the Department, Governor, or designee and  
15 (ii) allow the public and non-selected offerors to comment on  
16 the presentations. The Governor or a designee shall attend the  
17 public hearing. After the public hearing, the Department shall  
18 have 14 calendar days to recommend to the Governor whether a  
19 management agreement should be entered into with a particular  
20 finalist. After reviewing the Department's recommendation, the  
21 Governor may accept or reject the Department's recommendation,  
22 and shall select a final offeror as the private manager by  
23 publication of a notice in the Illinois Procurement Bulletin  
24 on or before September 15, 2010. The Governor shall include in  
25 the notice a detailed explanation and the reasons why the  
26 final offeror is superior to other offerors and will provide

1 management services in a manner that best achieves the  
2 objectives of this Section. The Governor shall also sign the  
3 management agreement with the private manager.

4 (i) Any action to contest the private manager selected by  
5 the Governor under this Section must be brought within 7  
6 calendar days after the publication of the notice of the  
7 designation of the private manager as provided in subsection  
8 (h) of this Section.

9 (j) The Lottery shall remain, for so long as a private  
10 manager manages the Lottery in accordance with provisions of  
11 this Act, a Lottery conducted by the State, and the State shall  
12 not be authorized to sell or transfer the Lottery to a third  
13 party.

14 (k) Any tangible personal property used exclusively in  
15 connection with the lottery that is owned by the Department  
16 and leased to the private manager shall be owned by the  
17 Department in the name of the State and shall be considered to  
18 be public property devoted to an essential public and  
19 governmental function.

20 (l) The Department may exercise any of its powers under  
21 this Section or any other law as necessary or desirable for the  
22 execution of the Department's powers under this Section.

23 (m) Neither this Section nor any management agreement  
24 entered into under this Section prohibits the General Assembly  
25 from authorizing forms of gambling that are not in direct  
26 competition with the Lottery. The forms of gambling authorized

1 by Public Act 101-31 constitute authorized forms of gambling  
2 that are not in direct competition with the Lottery.

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

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



1 providing goods, services, or both goods and services to the  
2 private manager under the terms of the management agreement,  
3 including subcontractors of such vendors.

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

22 Notwithstanding any other provision of this Section to the  
23 contrary, the Chief Procurement Officer shall adopt  
24 administrative rules, including emergency rules, to establish  
25 a procurement process to select a successor private manager if  
26 a private management agreement has been terminated. The

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

13 Except as provided in Sections 21.5, 21.6, 21.7, 21.8,  
14 21.9, 21.10, 21.11, 21.12, ~~and~~ 21.13, and 21.15, the  
15 Department shall distribute all proceeds of lottery tickets  
16 and shares sold in the following priority and manner:

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

18 (2) The payment of costs incurred in the operation and  
19 administration of the Lottery, including the payment of  
20 sums due to the private manager under the management  
21 agreement with the Department.

22 (3) On the last day of each month or as soon thereafter  
23 as possible, the State Comptroller shall direct and the  
24 State Treasurer shall transfer from the State Lottery Fund  
25 to the Common School Fund an amount that is equal to the  
26 proceeds transferred in the corresponding month of fiscal

1 year 2009, as adjusted for inflation, to the Common School  
2 Fund.

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

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

15 (1) the Department shall submit written quarterly  
16 reports to the Governor and the General Assembly on the  
17 activities and actions of the private manager selected  
18 under this Section;

19 (2) upon request of the Chief Procurement Officer, the  
20 Department shall promptly produce information related to  
21 the procurement activities of the Department and the  
22 private manager requested by the Chief Procurement  
23 Officer; the Chief Procurement Officer must retain  
24 confidential, proprietary, or trade secret information  
25 designated by the Department in complete confidence  
26 pursuant to subsection (g) of Section 7 of the Freedom of

1 Information Act; and

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

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

9 (20 ILCS 1605/20) (from Ch. 120, par. 1170)

10 Sec. 20. State Lottery Fund.

11 (a) There is created in the State Treasury a special fund  
12 to be known as the State Lottery Fund. Such fund shall consist  
13 of all revenues received from (1) the sale of lottery tickets  
14 or shares, (net of commissions, fees representing those  
15 expenses that are directly proportionate to the sale of  
16 tickets or shares at the agent location, and prizes of less  
17 than \$600 which have been validly paid at the agent level), (2)  
18 application fees, and (3) all other sources including moneys  
19 credited or transferred thereto from any other fund or source  
20 pursuant to law. Interest earnings of the State Lottery Fund  
21 shall be credited to the Common School Fund.

22 (b) The receipt and distribution of moneys under Section  
23 21.5 of this Act shall be in accordance with Section 21.5.

24 (c) The receipt and distribution of moneys under Section  
25 21.6 of this Act shall be in accordance with Section 21.6.

1 (d) The receipt and distribution of moneys under Section  
2 21.7 of this Act shall be in accordance with Section 21.7.

3 (e) The receipt and distribution of moneys under Section  
4 21.8 of this Act shall be in accordance with Section 21.8.

5 (f) The receipt and distribution of moneys under Section  
6 21.9 of this Act shall be in accordance with Section 21.9.

7 (g) The receipt and distribution of moneys under Section  
8 21.10 of this Act shall be in accordance with Section 21.10.

9 (h) The receipt and distribution of moneys under Section  
10 21.11 of this Act shall be in accordance with Section 21.11.

11 (i) The receipt and distribution of moneys under Section  
12 21.12 of this Act shall be in accordance with Section 21.12.

13 (j) The receipt and distribution of moneys under Section  
14 21.13 of this Act shall be in accordance with Section 21.13.

15 (k) The receipt and distribution of moneys under Section  
16 25-70 of the Sports Wagering Act shall be in accordance with  
17 Section 25-70 of the Sports Wagering Act.

18 (l) The receipt and distribution of moneys under Section  
19 21.15 of this Act shall be in accordance with Section 21.15.

20 (Source: P.A. 101-81, eff. 7-12-19; 101-561, eff. 8-23-19;  
21 102-16, eff. 6-17-21.)

22 (20 ILCS 1605/21.15 new)

23 Sec. 21.15. Scratch-off for United Negro College Fund.

24 (a) The Department shall offer a special instant  
25 scratch-off game for the benefit of United Negro College Fund

1 in support of educational scholarships to university and  
2 college students. The game shall commence on August 1, 2022 or  
3 as soon thereafter, at the discretion of the Director, as is  
4 reasonably practical, and shall be discontinued on January 1,  
5 2028. The operation of the game shall be governed by this Act  
6 and any rules adopted by the Department. If any provision of  
7 this Section is inconsistent with any other provision of this  
8 Act, then this Section governs.

9 (b) The net revenue from the United Negro College Fund in  
10 support of education scholarships to university and college  
11 students scratch-off game shall be deposited into the UNCF  
12 Scholarship Fund as soon as practical, but at least on a  
13 monthly basis. Moneys received for the purposes of this  
14 Section, including, without limitation, net revenue from the  
15 special instant scratch-off game and from gifts, grants, and  
16 awards from any public or private entity, must be deposited  
17 into the Fund. Any interest earned on moneys in the Fund must  
18 be deposited into the Fund. For the purposes of this  
19 subsection, "net revenue" means the total amount for which  
20 tickets have been sold less the sum of the amount paid out in  
21 the prizes and the actual administrative expenses of the  
22 Department solely related to the scratch-off game under this  
23 Section.

24 (c) During the time that tickets are sold for the United  
25 Negro College Fund in support of education scholarships to  
26 university and college students scratch-off game, the

1 Department shall not unreasonably diminish the efforts devoted  
2 to marketing any other instant scratch-off lottery game.

3 (d) The Department may adopt any rules necessary to  
4 implement and administer the provisions of this Section.

5 (e) This Section is repealed January 1, 2028.

6 Section 10. The State Finance Act is amended by adding  
7 Section 5.970 as follows:

8 (30 ILCS 105/5.970 new)

9 Sec. 5.970. The UNCF Scholarship Fund. This Section is  
10 repealed January 1, 2028.

11 Section 15. The School Code is amended by adding Section  
12 2-3.119b as follows:

13 (105 ILCS 5/2-3.119b new)

14 Sec. 2-3.119b. UNCF Scholarship Fund Advisory Board.

15 (a) The UNCF Scholarship Fund Advisory Board is created as  
16 an advisory board within the Department. The Board shall  
17 consist of 10 members as follows: 2 members appointed by the  
18 President of the Senate; 2 members appointed by the Minority  
19 Leader of the Senate; 2 members appointed by the Speaker of the  
20 House of Representatives; 2 members appointed by the Minority  
21 Leader of the House of Representatives; and 2 members  
22 appointed by the Governor with the advice and consent of the

1 Senate, one of whom shall be designated as chair of the Board  
2 at the time of appointment. If a vacancy occurs in the Board  
3 membership, the vacancy shall be filled in the same manner as  
4 the initial appointment.

5 (b) Board members shall serve without compensation but may  
6 be reimbursed for their reasonable travel expenses from funds  
7 available for that purpose. The Department shall provide staff  
8 and administrative support services to the Board.

9 (c) The Board must: (i) consult with the Department of  
10 Revenue in designing and promoting the United Negro College  
11 Fund in support of education scholarships to university and  
12 college students instant scratch-off lottery game; and (ii)  
13 review and direct funds to the United Negro College Fund,  
14 Inc., a 501(c)(3) nonprofit, and consult with the Department  
15 of Education in accordance with Section 21.15 of the Illinois  
16 Lottery Law.

17 (d) This Section is repealed September 1, 2027.

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.