



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3585

Introduced 2/9/2024, by Sen. Meg Loughran Cappel

SYNOPSIS AS INTRODUCED:

20 ILCS 801/1-25
20 ILCS 801/20-5
20 ILCS 801/20-10
20 ILCS 801/20-15

Amends the Department of Natural Resources Act. Authorizes the Illinois State Museum to cooperate with the Illinois State Academy of Science and the Illinois State Museum Society, but the cooperation does not grant any special rights, authority, or privileges to the Academy or Society. Deletes the Board of the Illinois State Museum Society as the governing board and replaces it with the Department of Natural Resources. Changes the makeup of the Board as follows: The Board shall be composed of 11 persons who shall be appointed by the Governor. Any members appointed before July 1, 2026 shall serve the full term for which they were appointed, unless removed by the Governor. On or after July 1, 2026, nine members shall have at least five years of experience practicing or teaching in natural sciences, anthropology, art, history or business, and shall be from diverse backgrounds and geographical locations across the State of Illinois and two members shall be representatives of community-based organizations, irrespective of background and experience. Starting on July 1, 2026, the makeup of the Board shall consist of six individuals from a historically marginalized identity. All members appointed after January 1, 2025 shall serve for two-year terms. The Governor shall be entitled to remove any member due to incompetency, dereliction of duty or malfeasance. Makes other changes. Effective immediately.

LRB103 37067 JRC 67185 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 Department of Natural Resources Act is
5 amended by changing Sections 1-25, 20-5, 20-10, and 20-15 as
6 follows:

7 (20 ILCS 801/1-25)

8 Sec. 1-25. Illinois ~~Powers of the~~ State Museum (State
9 Museum). In addition to its other powers and duties, the
10 Department shall have the following powers and duties which
11 shall be performed by the State Museum:

12 (1) To investigate and study the natural resources and
13 histories of the State and to prepare printed reports and
14 furnish information fundamental to the conservation and
15 development of natural resources and for that purpose the
16 officers and employees thereof may, pursuant to rule
17 adopted by the Department, enter and cross all lands in
18 this State, doing no damage to private property and for
19 purposes of upholding federal requirements under the
20 Native American Grave Protection and Repatriation Act
21 (NAGPRA).

22 (2) To cooperate with and advise departments having
23 administrative powers and duties relating to the natural

1 resources of the State, and to cooperate with similar
2 departments in other states, Tribal Nations, and with the
3 United States Government.

4 (3) To cooperate with the Illinois State Academy of
5 Science (Academy) and to publish a suitable number of the
6 results of the investigations and research in the field of
7 natural science to the end that the same may be
8 distributed to the interested public. This cooperation
9 shall not grant any special rights, authority, or
10 privileges to the Academy.

11 (4) To maintain a State Museum, and to collect and
12 preserve objects of scientific, historic, and artistic
13 value, representing past and present fauna and flora, the
14 life and work of humankind ~~man~~, geological history,
15 natural resources, and the manufacturing and fine arts; to
16 welcome visitors of all ages to the State Museum, and to
17 interpret for and educate the public concerning the
18 foregoing. The State Museum shall work with Native
19 Americans to create an interpretation of Native histories
20 and art directed by Tribal partners.

21 (5) At the sole discretion of the Department, the
22 State Museum may ~~To~~ cooperate with the Illinois State
23 Museum Society (Society) for the ~~mutual~~ benefit of the
24 State Museum. This cooperation shall not grant any special
25 rights, authority or privileges to the Society. Upon ~~and~~
26 ~~the Society, with the Museum furnishing necessary space~~

1 ~~for the Society to carry on its functions and keep its~~
2 ~~records, and, upon~~ the recommendation of the State Museum
3 Director with the approval of ~~the Board of State Museum~~
4 ~~Advisors and~~ the Director of the Department, the State
5 Museum may ~~to~~ enter into agreements with the ~~Illinois~~
6 ~~State Museum~~ Society for the operation of a sales counter
7 and other concessions for the ~~mutual~~ benefit of the State
8 Museum and the Society. The State Museum may enter into
9 agreements with the Society for programs at or outside the
10 State Museum. The Society shall be solely responsible for
11 its own budget (and the preparation thereof), staff,
12 equipment, supplies, and programs.

13 (6) To accept grants of property and to hold property
14 to be administered as part of the State Museum for the
15 purpose of preservation, research of interpretation of
16 significant areas within the State for the purpose of
17 preserving, studying and interpreting archaeological and
18 natural phenomena, history, and upholding NAGPRA
19 requirements.

20 (7) To contribute to and support the operations,
21 programs and capital development of public museums in this
22 State. For the purposes of this Section, "public museum"
23 means a facility: (A) that is operating for the purposes
24 of promoting cultural development through special
25 activities or programs or through performing arts that are
26 performed in an indoor setting, and acquiring, conserving,

1 preserving, studying, interpreting, enhancing, and in
2 particular, organizing and continuously exhibiting
3 specimens, artifacts, articles, documents and other things
4 of historical, anthropological, archaeological,
5 industrial, scientific or artistic import, to the public
6 for its instruction and enjoyment, and (B) that either (i)
7 is operated by or located upon land owned by a unit of
8 local government or (ii) is a museum that has an annual
9 attendance of at least 150,000 and offers educational
10 programs to school groups during school hours. A museum is
11 eligible to receive funds for capital development under
12 this subdivision (7) only if it is operated by or located
13 upon land owned by a unit of local government or if it is
14 certified by a unit of local government in which it is
15 located as a public museum meeting the criteria of this
16 Section. Recipients of funds for capital development under
17 this subdivision (7) shall match State funds with local or
18 private funding according to the following:

19 (a) for a public museum with an attendance of
20 300,000 or less during the preceding calendar year, no
21 match is required;

22 (b) for a public museum with an attendance of over
23 300,000 but less than 600,000 during the preceding
24 calendar year, the match must be at a ratio of \$1 from
25 local and private funds for every \$1 in State funds;
26 and

1 (c) for a public museum with an attendance of over
2 600,000 during the preceding calendar year, the match
3 must be at a ratio of \$2 from local and private funds
4 for every \$1 in State funds.

5 The Department shall formulate rules and regulations
6 relating to the allocation of any funds appropriated by
7 the General Assembly for the purpose of contributing to
8 the support of public museums in this State.

9 (8) To perform all other duties and assume all
10 obligations of the former Department of Energy and Natural
11 Resources and the former Department of Registration and
12 Education pertaining to the State Museum.

13 (9) To work in collaboration with the Division of
14 Historic Preservation of the Department in the exercise of
15 all the rights, powers, and duties conferred upon the
16 Department under the Historic Preservation Act.

17 (Source: P.A. 102-1005, eff. 5-27-22.)

18 (20 ILCS 801/20-5)

19 Sec. 20-5. State Museum. The Department of Natural
20 Resources shall have within it the office of the Illinois
21 State Museum. ~~The Board of the Illinois State Museum is~~
22 ~~retained as the governing board for the State Museum.~~

23 (Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

24 (20 ILCS 801/20-10)

1 Sec. 20-10. Board of the Illinois State Museum.

2 (a) Within the Department there shall be an Advisory ~~a~~
3 Board (Board) of the Illinois State Museum. The Board shall be
4 ~~r~~ composed of 11 persons who shall be appointed by the
5 Governor. Any members appointed before July 1, 2026 shall
6 serve the full term for which they were appointed, unless
7 removed by the Governor. On or after July 1, 2026, 9 members
8 shall have at least 5 years of experience practicing or
9 teaching in ~~, one of whom shall be a senior citizen age 60 or~~
10 ~~over. The Board shall be composed of 9 representatives of the~~
11 ~~natural sciences, anthropology, art, history or and business,~~
12 ~~and shall be from diverse backgrounds and geographical~~
13 ~~locations across the State of Illinois and 2 members shall be~~
14 ~~representatives of community-based organizations,~~
15 ~~irrespective of background and experience. Starting on July 1,~~
16 ~~2026, the makeup of the Board shall consist of 6 individuals~~
17 ~~from a historically marginalized identity. All members~~
18 ~~appointed after January 1, 2025 shall serve for 2-year terms.~~
19 ~~The Governor shall be entitled to remove any member due to~~
20 ~~incompetency, dereliction of duty or malfeasance~~ ~~qualified by~~
21 ~~at least 10 years of experience in practicing or teaching~~
22 ~~their several professions; one senior citizen; and the~~
23 ~~Director of Natural Resources or the Director's designee.~~
24 ~~Members of the Board shall be appointed by the Governor with~~
25 ~~the advice and consent of the Senate and shall serve for 2-year~~
26 ~~terms.~~

1 The transfer of the Board to the Department under this Act
2 does not terminate or otherwise affect the term of membership
3 of any member of the Board, except that the former Director of
4 Energy and Natural Resources is replaced by the Director of
5 Natural Resources.

6 (b) The Board shall:

7 (1) advise the Director of the Department, or the
8 Director's designee, in all matters pertaining to
9 maintenance, extension and mission usefulness of the
10 Illinois State Museum, including but not limited to the
11 needs for capital development projects, assisting with
12 long-term planning for the State Museum, and other large
13 scale operational changes, provided that such matters
14 shall be determined and defined solely by the State
15 Museum;

16 (2) make advisory recommendations concerning the
17 appointment of a new State Museum ~~museum~~ director whenever
18 a vacancy occurs in that position, provided that the
19 Department shall have the sole authority to determine the
20 process used to identify and employ a new State Museum
21 Director, including but not limited to: (1) determining
22 how and when to involve or employ an individual or
23 business to aid in conducting a search for interested and
24 qualified individuals; (2) identifying qualified
25 individuals; (3) interviewing said individuals; (4) making
26 an offer of employment to the selected individual; and (5)

1 determining the compensation of the new State Museum

2 Director; and

3 (3) (blank);

4 (4) review the budget of the Illinois State Museum and
5 make recommendations to ~~with reference thereto to the~~
6 ~~Governor through~~ the Director of the Department.

7 (c) (Blank).

8 (Source: P.A. 102-303, eff. 1-1-22; 102-1005, eff. 5-27-22.)

9 (20 ILCS 801/20-15)

10 Sec. 20-15. Monies Collected by the Illinois State Museum
11 ~~Entrance fee. All monies paid to, collected by, or donated to~~
12 the State Museum ~~The Department may set by administrative rule~~
13 ~~an entrance fee for visitors to the Illinois State Museum. The~~
14 ~~fee assessed by this Section~~ shall be deposited into the
15 Illinois State Museum Fund for the Department to use to
16 support the Illinois State Museum. The monies deposited into
17 the Illinois State Museum Fund under this Section shall not be
18 subject to administrative charges or chargebacks unless
19 otherwise authorized by this Act.

20 (Source: P.A. 97-1136, eff. 1-1-13.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.