

1 AN ACT concerning reports to the General Assembly.

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

4 Section 5. The Illinois Administrative Procedure Act is
5 amended by changing Section 5-140 as follows:

6 (5 ILCS 100/5-140) (from Ch. 127, par. 1005-140)

7 Sec. 5-140. Reports to the General Assembly. The Joint
8 Committee shall report its findings, conclusions, and
9 recommendations, including suggested legislation, to the
10 General Assembly by February 1 of each year.

11 The requirement for reporting to the General Assembly
12 shall be satisfied by filing copies of the report with the
13 Speaker, the Minority Leader, and the Clerk of the House of
14 Representatives, the President, the Minority Leader, and the
15 Secretary of the Senate, and the Legislative Research Unit,
16 as required by Section 3.1 of the General Assembly
17 Organization Act,~~7-and-filing-additional-copies-with-the-State~~
18 ~~Government---Report---Distribution--Center--for--the--General~~
19 ~~Assembly-as-required-under-paragraph-(t)-of-Section-7-of--the~~
20 ~~State-Library-Act.~~

21 (Source: P.A. 87-823.)

22 Section 10. The Election Code is amended by changing
23 Section 1A-8 as follows:

24 (10 ILCS 5/1A-8) (from Ch. 46, par. 1A-8)

25 Sec. 1A-8. The State Board of Elections shall exercise
26 the following powers and perform the following duties in
27 addition to any powers or duties otherwise provided for by
28 law:

29 (1) Assume all duties and responsibilities of the

1 State Electoral Board and the Secretary of State as
2 heretofore provided in this Act;

3 (2) Disseminate information to and consult with
4 election authorities concerning the conduct of elections
5 and registration in accordance with the laws of this
6 State and the laws of the United States;

7 (3) Furnish to each election authority prior to
8 each primary and general election and any other election
9 it deems necessary, a manual of uniform instructions
10 consistent with the provisions of this Act which shall be
11 used by election authorities in the preparation of the
12 official manual of instruction to be used by the judges
13 of election in any such election. In preparing such
14 manual, the State Board shall consult with
15 representatives of the election authorities throughout
16 the State. The State Board may provide separate portions
17 of the uniform instructions applicable to different
18 election jurisdictions which administer elections under
19 different options provided by law. The State Board may by
20 regulation require particular portions of the uniform
21 instructions to be included in any official manual of
22 instructions published by election authorities. Any
23 manual of instructions published by any election
24 authority shall be identical with the manual of uniform
25 instructions issued by the Board, but may be adapted by
26 the election authority to accommodate special or unusual
27 local election problems, provided that all manuals
28 published by election authorities must be consistent with
29 the provisions of this Act in all respects and must
30 receive the approval of the State Board of Elections
31 prior to publication; provided further that if the State
32 Board does not approve or disapprove of a proposed manual
33 within 60 days of its submission, the manual shall be
34 deemed approved.

1 (4) Prescribe and require the use of such uniform
2 forms, notices, and other supplies not inconsistent with
3 the provisions of this Act as it shall deem advisable
4 which shall be used by election authorities in the
5 conduct of elections and registrations;

6 (5) Prepare and certify the form of ballot for any
7 proposed amendment to the Constitution of the State of
8 Illinois, or any referendum to be submitted to the
9 electors throughout the State or, when required to do so
10 by law, to the voters of any area or unit of local
11 government of the State;

12 (6) Require such statistical reports regarding the
13 conduct of elections and registration from election
14 authorities as may be deemed necessary;

15 (7) Review and inspect procedures and records
16 relating to conduct of elections and registration as may
17 be deemed necessary, and to report violations of election
18 laws to the appropriate State's Attorney;

19 (8) Recommend to the General Assembly legislation
20 to improve the administration of elections and
21 registration;

22 (9) Adopt, amend or rescind rules and regulations
23 in the performance of its duties provided that all such
24 rules and regulations must be consistent with the
25 provisions of this Article 1A or issued pursuant to
26 authority otherwise provided by law;

27 (10) Determine the validity and sufficiency of
28 petitions filed under Article XIV, Section 3, of the
29 Constitution of the State of Illinois of 1970;

30 (11) Maintain in its principal office a research
31 library that includes, but is not limited to, abstracts
32 of votes by precinct for general primary elections and
33 general elections, current precinct maps and current
34 precinct poll lists from all election jurisdictions

1 within the State. The research library shall be open to
2 the public during regular business hours. Such
3 abstracts, maps and lists shall be preserved as permanent
4 records and shall be available for examination and
5 copying at a reasonable cost;

6 (12) Supervise the administration of the
7 registration and election laws throughout the State;

8 (13) Obtain from the Department of Central
9 Management Services, under Section 405-250 of the
10 Department of Central Management Services Law (20 ILCS
11 405/405-250), such use of electronic data processing
12 equipment as may be required to perform the duties of the
13 State Board of Elections and to provide election-related
14 information to candidates, public and party officials,
15 interested civic organizations and the general public in
16 a timely and efficient manner; and

17 (14) To take such action as may be necessary or
18 required to give effect to directions of the State
19 central committee of an established political party under
20 Sections 7-8, 7-11 and 7-14.1 or such other provisions as
21 may be applicable pertaining to the selection of
22 delegates and alternate delegates to an established
23 political party's national nominating conventions.

24 The Board may by regulation delegate any of its duties or
25 functions under this Article, except that final
26 determinations and orders under this Article shall be issued
27 only by the Board.

28 The requirement for reporting to the General Assembly
29 shall be satisfied by filing copies of the report with the
30 Speaker, the Minority Leader and the Clerk of the House of
31 Representatives and the President, the Minority Leader and
32 the Secretary of the Senate and the Legislative Research
33 Unit, as required by Section 3.1 of the General Assembly
34 Organization Act ~~"An Act to revise the law in relation to the~~

1 General-Assembly", approved-February-25, 1874, as amended,
 2 and filing such additional copies with the State Government
 3 Report-Distribution-Center-for-the-General-Assembly-as-is
 4 required-under-paragraph-(t)-of-Section-7-of-the-State
 5 Library-Act.

6 (Source: P.A. 91-239, eff. 1-1-00.)

7 Section 15. The Executive Reorganization Implementation
 8 Act is amended by changing Section 11 as follows:

9 (15 ILCS 15/11) (from Ch. 127, par. 1811)

10 Sec. 11. Every agency created or assigned new functions
 11 pursuant to a reorganization shall report to the General
 12 Assembly not later than 6 months after the reorganization
 13 takes effect and annually thereafter for 3 years. This
 14 report shall include data on the economies effected by the
 15 reorganization and an analysis of the effect of the
 16 reorganization on State government. The report shall also
 17 include the agency's recommendations for further legislation
 18 relating to reorganization.

19 The requirement for reporting to the General Assembly
 20 shall be satisfied by filing copies of the report with the
 21 Speaker, the Minority Leader and the Clerk of the House of
 22 Representatives and the President, the Minority Leader and
 23 the Secretary of the Senate and the Legislative Research
 24 Unit, as required by Section 3.1 of the General Assembly
 25 Organization Act "An-Act-to-revise-the-law-in-relation-to-the
 26 General-Assembly", approved-February-25, 1874, as amended,
 27 and filing such additional copies with the State Government
 28 Report-Distribution-Center-for-the-General-Assembly-as-is
 29 required-under-paragraph-(t)-of-Section-7-of-the-State
 30 Library-Act.

31 (Source: P.A. 84-1438.)

1 Section 20. The State Library Act is amended by changing
2 Section 7 as follows:

3 (15 ILCS 320/7) (from Ch. 128, par. 107)

4 Sec. 7. Purposes of the State Library. The Illinois
5 State Library shall:

6 (a) Maintain a library for officials and employees of
7 the State, consisting of informational material and resources
8 pertaining to the phases of their work, and serve as the
9 State's library by extending its resources to citizens of
10 Illinois.

11 (b) Maintain and provide research library services for
12 all State agencies.

13 (c) Administer the Illinois Library System Act.

14 (d) Promote and administer the law relating to
15 Interstate Library Compacts.

16 (e) Enter into interagency agreements, pursuant to the
17 Intergovernmental Cooperation Act, including agreements to
18 promote access to information by Illinois students and the
19 general public.

20 (f) Promote and develop a cooperative library network
21 operating regionally or statewide for providing effective
22 coordination of the library resources of public, academic,
23 school, and special libraries.

24 (g) Administer grants of federal library funds pursuant
25 to federal law and requirements.

26 (h) Assist libraries in their plans for library
27 services, including funding the State-funded library systems
28 for the purpose of local library development and networking.

29 (i) Assist local library groups in developing programs
30 by which library services can be established and enhanced in
31 areas without those services.

32 (j) Be a clearing house, in an advisory capacity, for
33 questions and problems pertaining to the administration and

1 functioning of libraries in Illinois and to publish booklets
2 and pamphlets to implement this service.

3 (k) Seek the opinion of the Attorney General for legal
4 questions pertaining to public libraries and their function
5 as governmental agencies.

6 (l) Contract with any other library or library agency to
7 carry out the purposes of the State Library. If any such
8 contract requires payments by user libraries for goods and
9 services, the State Library may distribute billings from
10 contractors to applicable user libraries and may receive and
11 distribute payments from user libraries to contractors.
12 There is hereby created in the State Treasury the Library
13 Trust Fund, into which all moneys payable to contractors
14 which are received from user libraries under this paragraph
15 (l) shall be paid. The Treasurer shall pay such funds to
16 contractors at the direction of the State Librarian.

17 (m) Compile, preserve and publish public library
18 statistical information.

19 (n) Compile the annual report of local public libraries
20 and library systems submitted to the State Librarian pursuant
21 to law.

22 (o) Conduct and arrange for library training programs
23 for library personnel, library directors and others involved
24 in library services.

25 (p) Prepare an annual report for each fiscal year.

26 (q) Make available to the public, by means of access by
27 way of the largest nonproprietary nonprofit cooperative
28 public computer network, certain records of State agencies.

29 As used in this subdivision (q), "State agencies" means
30 all officers, boards, commissions and agencies created by the
31 Constitution; all officers, departments, boards, commissions,
32 agencies, institutions, authorities, universities, and bodies
33 politic and corporate of the State; administrative units or
34 corporate outgrowths of the State government which are

1 created by or pursuant to statute, other than units of local
2 government and their officers, school districts and boards of
3 election commissioners; and all administrative units and
4 corporate outgrowths of the above and as may be created by
5 executive order of the Governor; however, "State agencies"
6 does not include any agency, officer, or other entity of the
7 judicial or legislative branch.

8 As used in this subdivision (q), "records" means public
9 records, as defined in the Freedom of Information Act, that
10 are not exempt from inspection and copying under that Act.

11 The State Librarian and each appropriate State agency
12 shall specify the types and categories of records that shall
13 be accessible through the public computer network and the
14 types and categories of records that shall be inaccessible.
15 Records currently held by a State agency and documents that
16 are required to be provided to the Illinois State Library in
17 accordance with Section 21 shall be provided to the Illinois
18 State Library in an appropriate electronic format. The cost
19 to each State agency of making records accessible through the
20 public computer network or of providing records in an
21 appropriate electronic format shall be considered in making
22 determinations regarding accessibility.

23 As soon as possible and no later than 18 months after the
24 effective date of this amendatory Act of 1995, the types and
25 categories of information, specified by the State Librarian
26 and each appropriate State agency, shall be made available to
27 the public by means of access by way of the largest
28 nonproprietary, nonprofit cooperative public computer
29 network. The information shall be made available in one or
30 more formats and by one or more means in order to provide the
31 greatest feasible access to the general public in this State.
32 Any person who accesses the information may access all or any
33 part of the information. The information may also be made
34 available by any other means of access that would facilitate

1 public access to the information. The information shall be
2 made available in the shortest feasible time after it is
3 publicly available.

4 Any documentation that describes the electronic digital
5 formats of the information shall be made available by means
6 of access by way of the same public computer network.

7 Personal information concerning a person who accesses the
8 information may be maintained only for the purpose of
9 providing service to the person.

10 The electronic public access provided by way of the
11 public computer network shall be in addition to other
12 electronic or print distribution of the information.

13 No action taken under this subdivision (q) shall be
14 deemed to alter or relinquish any copyright or other
15 proprietary interest or entitlement of the State of Illinois
16 relating to any of the information made available under this
17 subdivision (q).

18 (r) Coordinate literacy programs for the Secretary of
19 State.

20 (s) Provide coordination of statewide preservation
21 planning, act as a focal point for preservation advocacy,
22 assess statewide needs and establish specific programs to
23 meet those needs, and manage state funds appropriated for
24 preservation work relating to the preservation of the library
25 and archival resources of Illinois.

26 (t) (Blank). ~~Create--and--maintain--a--State-Government~~
27 ~~Report-Distribution-Center-for--the--General--Assembly.---The~~
28 ~~Center--shall--receive--all--reports-in-all-formats-available~~
29 ~~required-by-law-or-resolution-to-be-filed--with--the--General~~
30 ~~Assembly-and-shall-furnish-copies-of-such-reports-on-the-same~~
31 ~~day--on-which-the-report-is-filed-with-the-Clerk-of-the-House~~
32 ~~of-Representatives--and--the--Secretary--of--the--Senate,--as~~
33 ~~required--by--the--General-Assembly-Organization-Act,--without~~
34 ~~charge-to-members-of-the-General-Assembly-upon-request.---This~~

1 paragraph--does-not-affect-the-requirements-of-Section--21--of
2 this--Act--relating-to-the-deposit-of-State-publications-with
3 the-State-library.

4 (Source: P.A. 91-507, eff. 8-13-99; 92-16, eff. 6-28-01;
5 92-617, eff. 1-1-03.)

6 Section 25. The Illinois Act on the Aging is amended by
7 changing Sections 4.02 and 7.09 as follows:

8 (20 ILCS 105/4.02) (from Ch. 23, par. 6104.02)

9 Sec. 4.02. The Department shall establish a program of
10 services to prevent unnecessary institutionalization of
11 persons age 60 and older in need of long term care or who are
12 established as persons who suffer from Alzheimer's disease or
13 a related disorder under the Alzheimer's Disease Assistance
14 Act, thereby enabling them to remain in their own homes or in
15 other living arrangements. Such preventive services, which
16 may be coordinated with other programs for the aged and
17 monitored by area agencies on aging in cooperation with the
18 Department, may include, but are not limited to, any or all
19 of the following:

- 20 (a) home health services;
- 21 (b) home nursing services;
- 22 (c) homemaker services;
- 23 (d) chore and housekeeping services;
- 24 (e) day care services;
- 25 (f) home-delivered meals;
- 26 (g) education in self-care;
- 27 (h) personal care services;
- 28 (i) adult day health services;
- 29 (j) habilitation services;
- 30 (k) respite care;
- 31 (l) other nonmedical social services that may
- 32 enable the person to become self-supporting; or

1 (m) clearinghouse for information provided by
2 senior citizen home owners who want to rent rooms to or
3 share living space with other senior citizens.

4 The Department shall establish eligibility standards for
5 such services taking into consideration the unique economic
6 and social needs of the target population for whom they are
7 to be provided. Such eligibility standards shall be based on
8 the recipient's ability to pay for services; provided,
9 however, that in determining the amount and nature of
10 services for which a person may qualify, consideration shall
11 not be given to the value of cash, property or other assets
12 held in the name of the person's spouse pursuant to a written
13 agreement dividing marital property into equal but separate
14 shares or pursuant to a transfer of the person's interest in
15 a home to his spouse, provided that the spouse's share of the
16 marital property is not made available to the person seeking
17 such services.

18 Beginning July 1, 2002, the Department shall require as a
19 condition of eligibility that all financially eligible
20 applicants and recipients apply for medical assistance under
21 Article V of the Illinois Public Aid Code in accordance with
22 rules promulgated by the Department.

23 The Department shall, in conjunction with the Department
24 of Public Aid, seek appropriate amendments under Sections
25 1915 and 1924 of the Social Security Act. The purpose of the
26 amendments shall be to extend eligibility for home and
27 community based services under Sections 1915 and 1924 of the
28 Social Security Act to persons who transfer to or for the
29 benefit of a spouse those amounts of income and resources
30 allowed under Section 1924 of the Social Security Act.
31 Subject to the approval of such amendments, the Department
32 shall extend the provisions of Section 5-4 of the Illinois
33 Public Aid Code to persons who, but for the provision of home
34 or community-based services, would require the level of care

1 provided in an institution, as is provided for in federal
2 law. Those persons no longer found to be eligible for
3 receiving noninstitutional services due to changes in the
4 eligibility criteria shall be given 60 days notice prior to
5 actual termination. Those persons receiving notice of
6 termination may contact the Department and request the
7 determination be appealed at any time during the 60 day
8 notice period. With the exception of the lengthened notice
9 and time frame for the appeal request, the appeal process
10 shall follow the normal procedure. In addition, each person
11 affected regardless of the circumstances for discontinued
12 eligibility shall be given notice and the opportunity to
13 purchase the necessary services through the Community Care
14 Program. If the individual does not elect to purchase
15 services, the Department shall advise the individual of
16 alternative services. The target population identified for
17 the purposes of this Section are persons age 60 and older
18 with an identified service need. Priority shall be given to
19 those who are at imminent risk of institutionalization. The
20 services shall be provided to eligible persons age 60 and
21 older to the extent that the cost of the services together
22 with the other personal maintenance expenses of the persons
23 are reasonably related to the standards established for care
24 in a group facility appropriate to the person's condition.
25 These non-institutional services, pilot projects or
26 experimental facilities may be provided as part of or in
27 addition to those authorized by federal law or those funded
28 and administered by the Department of Human Services. The
29 Departments of Human Services, Public Aid, Public Health,
30 Veterans' Affairs, and Commerce and Community Affairs and
31 other appropriate agencies of State, federal and local
32 governments shall cooperate with the Department on Aging in
33 the establishment and development of the non-institutional
34 services. The Department shall require an annual audit from

1 all chore/housekeeping and homemaker vendors contracting with
2 the Department under this Section. The annual audit shall
3 assure that each audited vendor's procedures are in
4 compliance with Department's financial reporting guidelines
5 requiring a 27% administrative cost split and a 73% employee
6 wages and benefits cost split. The audit is a public record
7 under the Freedom of Information Act. The Department shall
8 execute, relative to the nursing home prescreening project,
9 written inter-agency agreements with the Department of Human
10 Services and the Department of Public Aid, to effect the
11 following: (1) intake procedures and common eligibility
12 criteria for those persons who are receiving
13 non-institutional services; and (2) the establishment and
14 development of non-institutional services in areas of the
15 State where they are not currently available or are
16 undeveloped. On and after July 1, 1996, all nursing home
17 prescreenings for individuals 60 years of age or older shall
18 be conducted by the Department.

19 The Department is authorized to establish a system of
20 recipient copayment for services provided under this Section,
21 such copayment to be based upon the recipient's ability to
22 pay but in no case to exceed the actual cost of the services
23 provided. Additionally, any portion of a person's income
24 which is equal to or less than the federal poverty standard
25 shall not be considered by the Department in determining the
26 copayment. The level of such copayment shall be adjusted
27 whenever necessary to reflect any change in the officially
28 designated federal poverty standard.

29 The Department, or the Department's authorized
30 representative, shall recover the amount of moneys expended
31 for services provided to or in behalf of a person under this
32 Section by a claim against the person's estate or against the
33 estate of the person's surviving spouse, but no recovery may
34 be had until after the death of the surviving spouse, if any,

1 and then only at such time when there is no surviving child
2 who is under age 21, blind, or permanently and totally
3 disabled. This paragraph, however, shall not bar recovery,
4 at the death of the person, of moneys for services provided
5 to the person or in behalf of the person under this Section
6 to which the person was not entitled; provided that such
7 recovery shall not be enforced against any real estate while
8 it is occupied as a homestead by the surviving spouse or
9 other dependent, if no claims by other creditors have been
10 filed against the estate, or, if such claims have been filed,
11 they remain dormant for failure of prosecution or failure of
12 the claimant to compel administration of the estate for the
13 purpose of payment. This paragraph shall not bar recovery
14 from the estate of a spouse, under Sections 1915 and 1924 of
15 the Social Security Act and Section 5-4 of the Illinois
16 Public Aid Code, who precedes a person receiving services
17 under this Section in death. All moneys for services paid to
18 or in behalf of the person under this Section shall be
19 claimed for recovery from the deceased spouse's estate.
20 "Homestead", as used in this paragraph, means the dwelling
21 house and contiguous real estate occupied by a surviving
22 spouse or relative, as defined by the rules and regulations
23 of the Illinois Department of Public Aid, regardless of the
24 value of the property.

25 The Department shall develop procedures to enhance
26 availability of services on evenings, weekends, and on an
27 emergency basis to meet the respite needs of caregivers.
28 Procedures shall be developed to permit the utilization of
29 services in successive blocks of 24 hours up to the monthly
30 maximum established by the Department. Workers providing
31 these services shall be appropriately trained.

32 Beginning on the effective date of this Amendatory Act of
33 1991, no person may perform chore/housekeeping and homemaker
34 services under a program authorized by this Section unless

1 that person has been issued a certificate of pre-service to
2 do so by his or her employing agency. Information gathered
3 to effect such certification shall include (i) the person's
4 name, (ii) the date the person was hired by his or her
5 current employer, and (iii) the training, including dates and
6 levels. Persons engaged in the program authorized by this
7 Section before the effective date of this amendatory Act of
8 1991 shall be issued a certificate of all pre- and in-service
9 training from his or her employer upon submitting the
10 necessary information. The employing agency shall be
11 required to retain records of all staff pre- and in-service
12 training, and shall provide such records to the Department
13 upon request and upon termination of the employer's contract
14 with the Department. In addition, the employing agency is
15 responsible for the issuance of certifications of in-service
16 training completed to their employees.

17 The Department is required to develop a system to ensure
18 that persons working as homemakers and chore housekeepers
19 receive increases in their wages when the federal minimum
20 wage is increased by requiring vendors to certify that they
21 are meeting the federal minimum wage statute for homemakers
22 and chore housekeepers. An employer that cannot ensure that
23 the minimum wage increase is being given to homemakers and
24 chore housekeepers shall be denied any increase in
25 reimbursement costs.

26 The Department on Aging and the Department of Human
27 Services shall cooperate in the development and submission of
28 an annual report on programs and services provided under this
29 Section. Such joint report shall be filed with the Governor
30 and the General Assembly on or before September 30 each year.

31 The requirement for reporting to the General Assembly
32 shall be satisfied by filing copies of the report with the
33 Speaker, the Minority Leader and the Clerk of the House of
34 Representatives and the President, the Minority Leader and

1 the Secretary of the Senate and the Legislative Research
 2 Unit, as required by Section 3.1 of the General Assembly
 3 Organization Act and ~~filing such additional copies with the~~
 4 ~~State Government Report Distribution Center for the General~~
 5 ~~Assembly as is required under paragraph (t) of Section 7 of~~
 6 ~~the State Library Act.~~

7 Those persons previously found eligible for receiving
 8 non-institutional services whose services were discontinued
 9 under the Emergency Budget Act of Fiscal Year 1992, and who
 10 do not meet the eligibility standards in effect on or after
 11 July 1, 1992, shall remain ineligible on and after July 1,
 12 1992. Those persons previously not required to cost-share
 13 and who were required to cost-share effective March 1, 1992,
 14 shall continue to meet cost-share requirements on and after
 15 July 1, 1992. Beginning July 1, 1992, all clients will be
 16 required to meet eligibility, cost-share, and other
 17 requirements and will have services discontinued or altered
 18 when they fail to meet these requirements.

19 (Source: P.A. 92-597, eff. 6-28-02; 93-85, eff. 1-1-04.)

20 (20 ILCS 105/7.09) (from Ch. 23, par. 6107.09)

21 Sec. 7.09. The Council shall have the following powers
 22 and duties:

23 (1) review and comment upon reports of the Department to
 24 the Governor and the General Assembly;

25 (2) prepare and submit to the Governor, the General
 26 Assembly and the Director an annual report evaluating the
 27 level and quality of all programs, services and facilities
 28 provided to the aging by State agencies;

29 (3) review and comment upon the comprehensive state plan
 30 prepared by the Department;

31 (4) review and comment upon disbursements by the
 32 Department of public funds to private agencies;

33 (5) recommend candidates to the Governor for appointment

1 as Director of the Department;

2 (6) consult with the Director regarding the operations
3 of the Department.

4 The requirement for reporting to the General Assembly
5 shall be satisfied by filing copies of the report with the
6 Speaker, the Minority Leader and the Clerk of the House of
7 Representatives and the President, the Minority Leader and
8 the Secretary of the Senate and the Legislative Research
9 Unit, as required by Section 3.1 of the General Assembly
10 Organization Act "~~An Act to revise the law in relation to the~~
11 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
12 ~~and filing such additional copies with the State Government~~
13 ~~Report Distribution Center for the General Assembly as is~~
14 ~~required under paragraph (t) of Section 7 of the State~~
15 ~~Library Act.~~

16 (Source: P.A. 84-1438.)

17 Section 30. The Department of Central Management
18 Services Law is amended by changing Section 405-300 as
19 follows:

20 (20 ILCS 405/405-300) (was 20 ILCS 405/67.02)

21 Sec. 405-300. Lease or purchase of facilities; training
22 programs.

23 (a) To lease or purchase office and storage space,
24 buildings, land, and other facilities for all State agencies,
25 authorities, boards, commissions, departments, institutions,
26 and bodies politic and all other administrative units or
27 outgrowths of the executive branch of State government except
28 the Constitutional officers, the State Board of Education and
29 the State colleges and universities and their governing
30 bodies. However, before leasing or purchasing any office or
31 storage space, buildings, land or other facilities in any
32 municipality the Department shall survey the existing

1 State-owned and State-leased property to make a determination
2 of need.

3 The leases shall be for a term not to exceed 5 years,
4 except that the leases may contain a renewal clause subject
5 to acceptance by the State after that date or an option to
6 purchase. The purchases shall be made through contracts that
7 (i) may provide for the title to the property to transfer
8 immediately to the State or a trustee or nominee for the
9 benefit of the State, (ii) shall provide for the
10 consideration to be paid in installments to be made at stated
11 intervals during a certain term not to exceed 30 years from
12 the date of the contract, and (iii) may provide for the
13 payment of interest on the unpaid balance at a rate that does
14 not exceed a rate determined by adding 3 percentage points to
15 the annual yield on United States Treasury obligations of
16 comparable maturity as most recently published in the Wall
17 Street Journal at the time such contract is signed. The
18 leases and purchase contracts shall be and shall recite that
19 they are subject to termination and cancellation in any year
20 for which the General Assembly fails to make an appropriation
21 to pay the rent or purchase installments payable under the
22 terms of the lease or purchase contract. Additionally, the
23 purchase contract shall specify that title to the office and
24 storage space, buildings, land, and other facilities being
25 acquired under the contract shall revert to the Seller in
26 the event of the failure of the General Assembly to
27 appropriate suitable funds. However, this limitation on the
28 term of the leases does not apply to leases to and with the
29 Illinois Building Authority, as provided for in the Building
30 Authority Act. Leases to and with that Authority may be
31 entered into for a term not to exceed 30 years and shall be
32 and shall recite that they are subject to termination and
33 cancellation in any year for which the General Assembly fails
34 to make an appropriation to pay the rent payable under the

1 terms of the lease. These limitations do not apply if the
2 lease or purchase contract contains a provision limiting the
3 liability for the payment of the rentals or installments
4 thereof solely to funds received from the Federal government.

5 (b) To lease from an airport authority office, aircraft
6 hangar, and service buildings constructed upon a public
7 airport under the Airport Authorities Act for the use and
8 occupancy of the State Department of Transportation. The
9 lease may be entered into for a term not to exceed 30 years.

10 (c) To establish training programs for teaching State
11 leasing procedures and practices to new employees of the
12 Department and to keep all employees of the Department
13 informed about current leasing practices and developments in
14 the real estate industry.

15 (d) To enter into an agreement with a municipality or
16 county to construct, remodel, or convert a structure for the
17 purposes of its serving as a correctional institution or
18 facility pursuant to paragraph (c) of Section 3-2-2 of the
19 Unified Code of Corrections.

20 (e) To enter into an agreement with a private
21 individual, trust, partnership, or corporation or a
22 municipality or other unit of local government, when
23 authorized to do so by the Department of Corrections, whereby
24 that individual, trust, partnership, or corporation or
25 municipality or other unit of local government will
26 construct, remodel, or convert a structure for the purposes
27 of its serving as a correctional institution or facility and
28 then lease the structure to the Department for the use of the
29 Department of Corrections. A lease entered into pursuant to
30 the authority granted in this subsection shall be for a term
31 not to exceed 30 years but may grant to the State the option
32 to purchase the structure outright.

33 The leases shall be and shall recite that they are
34 subject to termination and cancellation in any year for which

1 the General Assembly fails to make an appropriation to pay
2 the rent payable under the terms of the lease.

3 (f) On and after September 17, 1983, the powers granted
4 to the Department under this Section shall be exercised
5 exclusively by the Department, and no other State agency may
6 concurrently exercise any such power unless specifically
7 authorized otherwise by a later enacted law. This subsection
8 is not intended to impair any contract existing as of
9 September 17, 1983.

10 However, no lease for more than 10,000 square feet of
11 space shall be executed unless the Director, in consultation
12 with the Executive Director of the Capital Development Board,
13 has certified that leasing is in the best interest of the
14 State, considering programmatic requirements, availability of
15 vacant State-owned space, the cost-benefits of purchasing or
16 constructing new space, and other criteria as he or she shall
17 determine. The Director shall not permit multiple leases for
18 less than 10,000 square feet to be executed in order to evade
19 this provision.

20 (g) To develop and implement, in cooperation with the
21 Interagency Energy Conservation Committee, a system for
22 evaluating energy consumption in facilities leased by the
23 Department, and to develop energy consumption standards for
24 use in evaluating prospective lease sites.

25 (h) (1) After June 1, 1998 (the effective date of Public
26 Act 90-520), the Department shall not enter into an
27 agreement for the installment purchase or lease purchase
28 of buildings, land, or facilities unless:

29 (A) the using agency certifies to the
30 Department that the agency reasonably expects that
31 the building, land, or facilities being considered
32 for purchase will meet a permanent space need;

33 (B) the building or facilities will be
34 substantially occupied by State agencies after

1 purchase (or after acceptance in the case of a build
2 to suit);

3 (C) the building or facilities shall be in new
4 or like new condition and have a remaining economic
5 life exceeding the term of the contract;

6 (D) no structural or other major building
7 component or system has a remaining economic life of
8 less than 10 years;

9 (E) the building, land, or facilities:

10 (i) is free of any identifiable
11 environmental hazard or

12 (ii) is subject to a management plan,
13 provided by the seller and acceptable to the
14 State, to address the known environmental
15 hazard;

16 (F) the building, land, or facilities satisfy
17 applicable handicap accessibility and applicable
18 building codes; and

19 (G) the State's cost to lease purchase or
20 installment purchase the building, land, or
21 facilities is less than the cost to lease space of
22 comparable quality, size, and location over the
23 lease purchase or installment purchase term.

24 (2) The Department shall establish the methodology
25 for comparing lease costs to the costs of installment or
26 lease purchases. The cost comparison shall take into
27 account all relevant cost factors, including, but not
28 limited to, debt service, operating and maintenance
29 costs, insurance and risk costs, real estate taxes,
30 reserves for replacement and repairs, security costs, and
31 utilities. The methodology shall also provide:

32 (A) that the comparison will be made using
33 level payment plans; and

34 (B) that a purchase price must not exceed the

1 fair market value of the buildings, land, or
2 facilities and that the purchase price must be
3 substantiated by an appraisal or by a competitive
4 selection process.

5 (3) If the Department intends to enter into an
6 installment purchase or lease purchase agreement for
7 buildings, land, or facilities under circumstances that
8 do not satisfy the conditions specified by this Section,
9 it must issue a notice to the Secretary of the Senate and
10 the Clerk of the House. The notice shall contain (i)
11 specific details of the State's proposed purchase,
12 including the amounts, purposes, and financing terms;
13 (ii) a specific description of how the proposed purchase
14 varies from the procedures set forth in this Section; and
15 (iii) a specific justification, signed by the Director,
16 stating why it is in the State's best interests to
17 proceed with the purchase. The Department may not
18 proceed with such an installment purchase or lease
19 purchase agreement if, within 60 calendar days after
20 delivery of the notice, the General Assembly, by joint
21 resolution, disapproves the transaction. Delivery may
22 take place on a day and at an hour when the Senate and
23 House are not in session so long as the offices of
24 Secretary and Clerk are open to receive the notice. In
25 determining the 60-day period within which the General
26 Assembly must act, the day on which delivery is made to
27 the Senate and House shall not be counted. If delivery
28 of the notice to the 2 houses occurs on different days,
29 the 60-day period shall begin on the day following the
30 later delivery.

31 (4) On or before February 15 of each year, the
32 Department shall submit an annual report to the Director
33 of the Governor's Office of Management and Budget Bureau
34 of ~~the~~ Budget and the General Assembly regarding

1 installment purchases or lease purchases of buildings,
 2 land, or facilities that were entered into during the
 3 preceding calendar year. The report shall include a
 4 summary statement of the aggregate amount of the State's
 5 obligations under those purchases; specific details
 6 pertaining to each purchase, including the amounts,
 7 purposes, and financing terms and payment schedule for
 8 each purchase; and any other matter that the Department
 9 deems advisable.

10 The requirement for reporting to the General
 11 Assembly shall be satisfied by filing copies of the
 12 report with the Auditor General, the Speaker, the
 13 Minority Leader, and the Clerk of the House of
 14 Representatives and the President, the Minority Leader,
 15 and the Secretary of the Senate, the Chairs of the
 16 Appropriations Committees, and the Legislative Research
 17 Unit, as required by Section 3.1 of the General Assembly
 18 Organization Act,~~7--and-filing-additional-copies-with-the~~
 19 ~~State--Government--Report--Distribution--Center--for--the~~
 20 ~~General-Assembly-as-is-required-under--paragraph--(t)--of~~
 21 ~~Section-7-of-the-State-Library-Act.~~

22 (Source: P.A. 90-520, eff. 6-1-98; 91-239, eff. 1-1-00;
 23 revised 8-23-03.)

24 Section 35. The Personnel Code is amended by changing
 25 Section 9 as follows:

26 (20 ILCS 415/9) (from Ch. 127, par. 63b109)

27 Sec. 9. Director, powers and duties. The Director, as
 28 executive head of the Department, shall direct and supervise
 29 all its administrative and technical activities. In addition
 30 to the duties imposed upon him elsewhere in this law, it
 31 shall be his duty:

32 (1) To apply and carry out this law and the rules

1 adopted thereunder.

2 (2) To attend meetings of the Commission.

3 (3) To establish and maintain a roster of all employees
4 subject to this Act, in which there shall be set forth, as to
5 each employee, the class, title, pay, status, and other
6 pertinent data.

7 (4) To appoint, subject to the provisions of this Act,
8 such employees of the Department and such experts and special
9 assistants as may be necessary to carry out effectively this
10 law.

11 (5) Subject to such exemptions or modifications as may
12 be necessary to assure the continuity of federal
13 contributions in those agencies supported in whole or in part
14 by federal funds, to make appointments to vacancies; to
15 approve all written charges seeking discharge, demotion, or
16 other disciplinary measures provided in this Act and to
17 approve transfers of employees from one geographical area to
18 another in the State, in offices, positions or places of
19 employment covered by this Act, after consultation with the
20 operating unit.

21 (6) To formulate and administer service wide policies
22 and programs for the improvement of employee effectiveness,
23 including training, safety, health, incentive recognition,
24 counseling, welfare and employee relations. The Department
25 shall formulate and administer recruitment plans and testing
26 of potential employees for agencies having direct contact
27 with significant numbers of non-English speaking or otherwise
28 culturally distinct persons. The Department shall require
29 each State agency to annually assess the need for employees
30 with appropriate bilingual capabilities to serve the
31 significant numbers of non-English speaking or culturally
32 distinct persons. The Department shall develop a uniform
33 procedure for assessing an agency's need for employees with
34 appropriate bilingual capabilities. Agencies shall establish

1 occupational titles or designate positions as "bilingual
2 option" for persons having sufficient linguistic ability or
3 cultural knowledge to be able to render effective service to
4 such persons. The Department shall ensure that any such
5 option is exercised according to the agency's needs
6 assessment and the requirements of this Code. The Department
7 shall make annual reports of the needs assessment of each
8 agency and the number of positions calling for non-English
9 linguistic ability to whom vacancy postings were sent, and
10 the number filled by each agency. Such policies and programs
11 shall be subject to approval by the Governor. Such policies,
12 program reports and needs assessment reports shall be filed
13 with the General Assembly by January 1 of each year and shall
14 be available to the public.

15 The Department shall include within the report required
16 above the number of persons receiving the bilingual pay
17 supplement established by Section 8a.2 of this Code. The
18 report shall provide the number of persons receiving the
19 bilingual pay supplement for languages other than English and
20 for signing. The report shall also indicate the number of
21 persons, by the categories of Hispanic and non-Hispanic, who
22 are receiving the bilingual pay supplement for language
23 skills other than signing, in a language other than English.

24 (7) To conduct negotiations affecting pay, hours of
25 work, or other working conditions of employees subject to
26 this Act.

27 (8) To make continuing studies to improve the efficiency
28 of State services to the residents of Illinois, including but
29 not limited to those who are non-English speaking or
30 culturally distinct, and to report his findings and
31 recommendations to the Commission and the Governor.

32 (9) To investigate from time to time the operation and
33 effect of this law and the rules made thereunder and to
34 report his findings and recommendations to the Commission and

1 to the Governor.

2 (10) To make an annual report regarding the work of the
3 Department, and such special reports as he may consider
4 desirable, to the Commission and to the Governor, or as the
5 Governor or Commission may request.

6 (11) To conduct research and planning regarding the
7 total manpower needs of all offices, including the Lieutenant
8 Governor, Secretary of State, State Treasurer, State
9 Comptroller, State Superintendent of Education, and Attorney
10 General, and of all departments, agencies, boards, and
11 commissions of the executive branch, except state-supported
12 colleges and universities, and for that purpose to prescribe
13 forms for the reporting of such personnel information as the
14 department may request both for positions covered by this Act
15 and for those exempt in whole or in part.

16 (12) To prepare and publish a semi-annual statement
17 showing the number of employees exempt and non-exempt from
18 merit selection in each department. This report shall be in
19 addition to other information on merit selection maintained
20 for public information under existing law.

21 (13) To authorize in every department or agency subject
22 to Jurisdiction C the use of flexible hours positions. A
23 flexible hours position is one that does not require an
24 ordinary work schedule as determined by the Department and
25 includes but is not limited to: 1) a part time job of 20
26 hours or more per week, 2) a job which is shared by 2
27 employees or a compressed work week consisting of an ordinary
28 number of working hours performed on fewer than the number of
29 days ordinarily required to perform that job. The Department
30 may define flexible time to include other types of jobs that
31 are defined above.

32 The Director and the director of each department or
33 agency shall together establish goals for flexible hours
34 positions to be available in every department or agency.

1 The Department shall give technical assistance to
 2 departments and agencies in achieving their goals, and shall
 3 report to the Governor and the General Assembly each year on
 4 the progress of each department and agency.

5 When a goal of 10% of the positions in a department or
 6 agency being available on a flexible hours basis has been
 7 reached, the Department shall evaluate the effectiveness and
 8 efficiency of the program and determine whether to expand the
 9 number of positions available for flexible hours to 20%.

10 When a goal of 20% of the positions in a department or
 11 agency being available on a flexible hours basis has been
 12 reached, the Department shall evaluate the effectiveness and
 13 efficiency of the program and determine whether to expand the
 14 number of positions available for flexible hours.

15 Each department shall develop a plan for implementation
 16 of flexible work requirements designed to reduce the need for
 17 day care of employees' children outside the home. Each
 18 department shall submit a report of its plan to the
 19 Department of Central Management Services and the General
 20 Assembly. This report shall be submitted biennially by March
 21 1, with the first report due March 1, 1993.

22 (14) To perform any other lawful acts which he may
 23 consider necessary or desirable to carry out the purposes and
 24 provisions of this law.

25 The requirement for reporting to the General Assembly
 26 shall be satisfied by filing copies of the report with the
 27 Speaker, the Minority Leader and the Clerk of the House of
 28 Representatives and the President, the Minority Leader and
 29 the Secretary of the Senate and the Legislative Research
 30 Unit, as required by Section 3.1 of the General Assembly
 31 Organization Act "~~An Act to revise the law in relation to the~~
 32 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
 33 ~~and filing such additional copies with the State Government~~
 34 ~~Report Distribution Center for the General Assembly as is~~

1 required-under-paragraph--(t)--of--Section--7--of--the--State
2 Library-Act.

3 (Source: P.A. 86-1004; 87-552; 87-1050.)

4 Section 40. The Children and Family Services Act is
5 amended by changing Section 5.15 as follows:

6 (20 ILCS 505/5.15)

7 Sec. 5.15. Daycare; Department of Human Services.

8 (a) For the purpose of ensuring effective statewide
9 planning, development, and utilization of resources for the
10 day care of children, operated under various auspices, the
11 Department of Human Services is designated to coordinate all
12 day care activities for children of the State and shall
13 develop or continue, and shall update every year, a State
14 comprehensive day-care plan for submission to the Governor
15 that identifies high-priority areas and groups, relating them
16 to available resources and identifying the most effective
17 approaches to the use of existing day care services. The
18 State comprehensive day-care plan shall be made available to
19 the General Assembly following the Governor's approval of
20 the plan.

21 The plan shall include methods and procedures for the
22 development of additional day care resources for children to
23 meet the goal of reducing short-run and long-run dependency
24 and to provide necessary enrichment and stimulation to the
25 education of young children. Recommendations shall be made
26 for State policy on optimum use of private and public, local,
27 State and federal resources, including an estimate of the
28 resources needed for the licensing and regulation of day care
29 facilities.

30 A written report shall be submitted to the Governor and
31 the General Assembly annually on April 15. The report shall
32 include an evaluation of developments over the preceding

1 fiscal year, including cost-benefit analyses of various
2 arrangements. Beginning with the report in 1990 submitted by
3 the Department's predecessor agency and every 2 years
4 thereafter, the report shall also include the following:

5 (1) An assessment of the child care services, needs
6 and available resources throughout the State and an
7 assessment of the adequacy of existing child care
8 services, including, but not limited to, services
9 assisted under this Act and under any other program
10 administered by other State agencies.

11 (2) A survey of day care facilities to determine
12 the number of qualified caregivers, as defined by rule,
13 attracted to vacant positions and any problems
14 encountered by facilities in attracting and retaining
15 capable caregivers. The report shall include an
16 assessment, based on the survey, of improvements in
17 employee benefits that may attract capable caregivers.

18 (3) The average wages and salaries and fringe
19 benefit packages paid to caregivers throughout the State,
20 computed on a regional basis, compared to similarly
21 qualified employees in other but related fields.

22 (4) The qualifications of new caregivers hired at
23 licensed day care facilities during the previous 2-year
24 period.

25 (5) Recommendations for increasing caregiver wages
26 and salaries to ensure quality care for children.

27 (6) Evaluation of the fee structure and income
28 eligibility for child care subsidized by the State.

29 The requirement for reporting to the General Assembly
30 shall be satisfied by filing copies of the report with the
31 Speaker, the Minority Leader, and the Clerk of the House of
32 Representatives, the President, the Minority Leader, and the
33 Secretary of the Senate, and the Legislative Research Unit,
34 as required by Section 3.1 of the General Assembly

1 Organization Act, and filing such additional copies with the
2 State Government Report Distribution Center for the General
3 Assembly as is required under paragraph (t) of Section 7 of
4 the State Library Act.

5 (b) The Department of Human Services shall establish
6 policies and procedures for developing and implementing
7 interagency agreements with other agencies of the State
8 providing child care services or reimbursement for such
9 services. The plans shall be annually reviewed and modified
10 for the purpose of addressing issues of applicability and
11 service system barriers.

12 (c) In cooperation with other State agencies, the
13 Department of Human Services shall develop and implement, or
14 shall continue, a resource and referral system for the State
15 of Illinois either within the Department or by contract with
16 local or regional agencies. Funding for implementation of
17 this system may be provided through Department appropriations
18 or other inter-agency funding arrangements. The resource and
19 referral system shall provide at least the following
20 services:

21 (1) Assembling and maintaining a data base on the
22 supply of child care services.

23 (2) Providing information and referrals for
24 parents.

25 (3) Coordinating the development of new child care
26 resources.

27 (4) Providing technical assistance and training to
28 child care service providers.

29 (5) Recording and analyzing the demand for child
30 care services.

31 (d) The Department of Human Services shall conduct day
32 care planning activities with the following priorities:

33 (1) Development of voluntary day care resources
34 wherever possible, with the provision for grants-in-aid

1 only where demonstrated to be useful and necessary as
2 incentives or supports. By January 1, 2002, the
3 Department shall design a plan to create more child care
4 slots as well as goals and timetables to improve quality
5 and accessibility of child care.

6 (2) Emphasis on service to children of recipients
7 of public assistance when such service will allow
8 training or employment of the parent toward achieving the
9 goal of independence.

10 (3) (Blank).

11 (4) Care of children from families in stress and
12 crises whose members potentially may become, or are in
13 danger of becoming, non-productive and dependent.

14 (5) Expansion of family day care facilities
15 wherever possible.

16 (6) Location of centers in economically depressed
17 neighborhoods, preferably in multi-service centers with
18 cooperation of other agencies. The Department shall
19 coordinate the provision of grants, but only to the
20 extent funds are specifically appropriated for this
21 purpose, to encourage the creation and expansion of
22 child care centers in high need communities to be issued
23 by the State, business, and local governments.

24 (7) Use of existing facilities free of charge or
25 for reasonable rental whenever possible in lieu of
26 construction.

27 (8) Development of strategies for assuring a more
28 complete range of day care options, including provision
29 of day care services in homes, in schools, or in centers,
30 which will enable a parent or parents to complete a
31 course of education or obtain or maintain employment and
32 the creation of more child care options for swing shift,
33 evening, and weekend workers and for working women with
34 sick children. The Department shall encourage companies

1 to provide child care in their own offices or in the
2 building in which the corporation is located so that
3 employees of all the building's tenants can benefit from
4 the facility.

5 (9) Development of strategies for subsidizing
6 students pursuing degrees in the child care field.

7 (10) Continuation and expansion of service programs
8 that assist teen parents to continue and complete their
9 education.

10 Emphasis shall be given to support services that will
11 help to ensure such parents' graduation from high school and
12 to services for participants in any programs of job training
13 conducted by the Department.

14 (e) The Department of Human Services shall actively
15 stimulate the development of public and private resources at
16 the local level. It shall also seek the fullest utilization
17 of federal funds directly or indirectly available to the
18 Department.

19 Where appropriate, existing non-governmental agencies or
20 associations shall be involved in planning by the Department.

21 (f) To better accommodate the child care needs of low
22 income working families, especially those who receive
23 Temporary Assistance for Needy Families (TANF) or who are
24 transitioning from TANF to work, or who are at risk of
25 depending on TANF in the absence of child care, the
26 Department shall complete a study using outcome-based
27 assessment measurements to analyze the various types of child
28 care needs, including but not limited to: child care homes;
29 child care facilities; before and after school care; and
30 evening and weekend care. Based upon the findings of the
31 study, the Department shall develop a plan by April 15, 1998,
32 that identifies the various types of child care needs within
33 various geographic locations. The plan shall include, but
34 not be limited to, the special needs of parents and guardians

1 in need of non-traditional child care services such as early
2 mornings, evenings, and weekends; the needs of very low
3 income families and children and how they might be better
4 served; and strategies to assist child care providers to meet
5 the needs and schedules of low income families.

6 (Source: P.A. 92-468, eff. 8-22-01.)

7 Section 45. The Energy Conservation Act is amended by
8 changing Section 4 as follows:

9 (20 ILCS 1120/4) (from Ch. 96 1/2, par. 7804)

10 Sec. 4. Authority. (1) The Department in addition to
11 its preparation of energy contingency plans, shall also
12 analyze, prepare, and recommend a comprehensive energy plan
13 for the State of Illinois.

14 The plan shall identify emerging trends related to energy
15 supply, demand, conservation, public health and safety
16 factors, and should specify the levels of statewide and
17 service area energy needs, past, present, and estimated
18 future demand, as well as the potential social, economic, or
19 environmental effects caused by the continuation of existing
20 trends and by the various alternatives available to the
21 State. The plan shall also conform to the requirements of
22 Section 8-402 of the Public Utilities Act. The Department
23 shall design programs as necessary to achieve the purposes of
24 this Act and the planning objectives of The Public Utilities
25 Act. The Department's energy plan, and any programs designed
26 pursuant to this Section shall be filed with the Commission
27 in accordance with the Commission's planning responsibilities
28 and hearing requirements related thereto. The Department
29 shall periodically review the plan, objectives and programs
30 at least every 2 years, and the results of such review and
31 any resulting changes in the Department's plan or programs
32 shall be filed with the Commission.

1 The Department's plan and programs and any review
 2 thereof, shall also be filed with the Governor, the General
 3 Assembly, and the Public Counsel, and shall be available to
 4 the public upon request.

5 The requirement for reporting to the General Assembly
 6 shall be satisfied by filing copies of the report with the
 7 Speaker, the Minority Leader and the Clerk of the House of
 8 Representatives and the President, the Minority Leader and
 9 the Secretary of the Senate and the Legislative Research
 10 Unit, as required by Section 3.1 of the General Assembly
 11 Organization Act ~~"An Act to revise the law in relation to the~~
 12 ~~General Assembly", approved February 25, 1874, as amended,~~
 13 ~~and filing such additional copies with the State Government~~
 14 ~~Report Distribution Center for the General Assembly as is~~
 15 ~~required under paragraph (t) of Section 7 of the State~~
 16 ~~Library Act.~~

17 (Source: P.A. 84-617.)

18 Section 50. The Disabled Persons Rehabilitation Act is
 19 amended by changing Section 3 as follows:

20 (20 ILCS 2405/3) (from Ch. 23, par. 3434)

21 Sec. 3. Powers and duties. The Department shall have the
 22 powers and duties enumerated herein:

23 (a) To co-operate with the federal government in the
 24 administration of the provisions of the federal
 25 Rehabilitation Act of 1973, as amended, of the Workforce
 26 Investment Act of 1998, and of the federal Social Security
 27 Act to the extent and in the manner provided in these Acts.

28 (b) To prescribe and supervise such courses of
 29 vocational training and provide such other services as may be
 30 necessary for the habilitation and rehabilitation of persons
 31 with one or more disabilities, including the administrative
 32 activities under subsection (e) of this Section, and to

1 co-operate with State and local school authorities and other
2 recognized agencies engaged in habilitation, rehabilitation
3 and comprehensive rehabilitation services; and to cooperate
4 with the Department of Children and Family Services regarding
5 the care and education of children with one or more
6 disabilities.

7 (c) (Blank).

8 (d) To report in writing, to the Governor, annually on
9 or before the first day of December, and at such other times
10 and in such manner and upon such subjects as the Governor may
11 require. The annual report shall contain (1) a statement of
12 the existing condition of comprehensive rehabilitation
13 services, habilitation and rehabilitation in the State; (2) a
14 statement of suggestions and recommendations with reference
15 to the development of comprehensive rehabilitation services,
16 habilitation and rehabilitation in the State; and (3) an
17 itemized statement of the amounts of money received from
18 federal, State and other sources, and of the objects and
19 purposes to which the respective items of these several
20 amounts have been devoted.

21 (e) (Blank).

22 (f) To establish a program of services to prevent
23 unnecessary institutionalization of persons with Alzheimer's
24 disease and related disorders or persons in need of long term
25 care who are established as blind or disabled as defined by
26 the Social Security Act, thereby enabling them to remain in
27 their own homes or other living arrangements. Such preventive
28 services may include, but are not limited to, any or all of
29 the following:

- 30 (1) home health services;
- 31 (2) home nursing services;
- 32 (3) homemaker services;
- 33 (4) chore and housekeeping services;
- 34 (5) day care services;

- 1 (6) home-delivered meals;
- 2 (7) education in self-care;
- 3 (8) personal care services;
- 4 (9) adult day health services;
- 5 (10) habilitation services;
- 6 (11) respite care; or
- 7 (12) other nonmedical social services that may
- 8 enable the person to become self-supporting.

9 The Department shall establish eligibility standards for
10 such services taking into consideration the unique economic
11 and social needs of the population for whom they are to be
12 provided. Such eligibility standards may be based on the
13 recipient's ability to pay for services; provided, however,
14 that any portion of a person's income that is equal to or
15 less than the "protected income" level shall not be
16 considered by the Department in determining eligibility. The
17 "protected income" level shall be determined by the
18 Department, shall never be less than the federal poverty
19 standard, and shall be adjusted each year to reflect changes
20 in the Consumer Price Index For All Urban Consumers as
21 determined by the United States Department of Labor.
22 Additionally, in determining the amount and nature of
23 services for which a person may qualify, consideration shall
24 not be given to the value of cash, property or other assets
25 held in the name of the person's spouse pursuant to a written
26 agreement dividing marital property into equal but separate
27 shares or pursuant to a transfer of the person's interest in
28 a home to his spouse, provided that the spouse's share of the
29 marital property is not made available to the person seeking
30 such services.

31 The services shall be provided to eligible persons to
32 prevent unnecessary or premature institutionalization, to the
33 extent that the cost of the services, together with the other
34 personal maintenance expenses of the persons, are reasonably

1 related to the standards established for care in a group
2 facility appropriate to their condition. These
3 non-institutional services, pilot projects or experimental
4 facilities may be provided as part of or in addition to those
5 authorized by federal law or those funded and administered by
6 the Illinois Department on Aging.

7 Personal care attendants shall be paid:

8 (i) A \$5 per hour minimum rate beginning July 1,
9 1995.

10 (ii) A \$5.30 per hour minimum rate beginning July
11 1, 1997.

12 (iii) A \$5.40 per hour minimum rate beginning July
13 1, 1998.

14 Solely for the purposes of coverage under the Illinois
15 Public Labor Relations Act (5 ILCS 315/), personal care
16 attendants and personal assistants providing services under
17 the Department's Home Services Program shall be considered to
18 be public employees and the State of Illinois shall be
19 considered to be their employer as of the effective date of
20 this amendatory Act of the 93rd General Assembly, but not
21 before. The State shall engage in collective bargaining with
22 an exclusive representative of personal care attendants and
23 personal assistants working under the Home Services Program
24 concerning their terms and conditions of employment that are
25 within the State's control. Nothing in this paragraph shall
26 be understood to limit the right of the persons receiving
27 services defined in this Section to hire and fire personal
28 care attendants and personal assistants or supervise them
29 within the limitations set by the Home Services Program. The
30 State shall not be considered to be the employer of personal
31 care attendants and personal assistants for any purposes not
32 specifically provided in this amendatory Act of the 93rd
33 General Assembly, including but not limited to, purposes of
34 vicarious liability in tort and purposes of statutory

1 retirement or health insurance benefits. Personal care
2 attendants and personal assistants shall not be covered by
3 the State Employees Group Insurance Act of 1971 (5 ILCS
4 375/).

5 The Department shall execute, relative to the nursing
6 home prescreening project, as authorized by Section 4.03 of
7 the Illinois Act on the Aging, written inter-agency
8 agreements with the Department on Aging and the Department of
9 Public Aid, to effect the following: (i) intake procedures
10 and common eligibility criteria for those persons who are
11 receiving non-institutional services; and (ii) the
12 establishment and development of non-institutional services
13 in areas of the State where they are not currently available
14 or are undeveloped. On and after July 1, 1996, all nursing
15 home prescreenings for individuals 18 through 59 years of age
16 shall be conducted by the Department.

17 The Department is authorized to establish a system of
18 recipient cost-sharing for services provided under this
19 Section. The cost-sharing shall be based upon the
20 recipient's ability to pay for services, but in no case shall
21 the recipient's share exceed the actual cost of the services
22 provided. Protected income shall not be considered by the
23 Department in its determination of the recipient's ability to
24 pay a share of the cost of services. The level of
25 cost-sharing shall be adjusted each year to reflect changes
26 in the "protected income" level. The Department shall deduct
27 from the recipient's share of the cost of services any money
28 expended by the recipient for disability-related expenses.

29 The Department, or the Department's authorized
30 representative, shall recover the amount of moneys expended
31 for services provided to or in behalf of a person under this
32 Section by a claim against the person's estate or against the
33 estate of the person's surviving spouse, but no recovery may
34 be had until after the death of the surviving spouse, if any,

1 and then only at such time when there is no surviving child
2 who is under age 21, blind, or permanently and totally
3 disabled. This paragraph, however, shall not bar recovery,
4 at the death of the person, of moneys for services provided
5 to the person or in behalf of the person under this Section
6 to which the person was not entitled; provided that such
7 recovery shall not be enforced against any real estate while
8 it is occupied as a homestead by the surviving spouse or
9 other dependent, if no claims by other creditors have been
10 filed against the estate, or, if such claims have been filed,
11 they remain dormant for failure of prosecution or failure of
12 the claimant to compel administration of the estate for the
13 purpose of payment. This paragraph shall not bar recovery
14 from the estate of a spouse, under Sections 1915 and 1924 of
15 the Social Security Act and Section 5-4 of the Illinois
16 Public Aid Code, who precedes a person receiving services
17 under this Section in death. All moneys for services paid to
18 or in behalf of the person under this Section shall be
19 claimed for recovery from the deceased spouse's estate.
20 "Homestead", as used in this paragraph, means the dwelling
21 house and contiguous real estate occupied by a surviving
22 spouse or relative, as defined by the rules and regulations
23 of the Illinois Department of Public Aid, regardless of the
24 value of the property.

25 The Department and the Department on Aging shall
26 cooperate in the development and submission of an annual
27 report on programs and services provided under this Section.
28 Such joint report shall be filed with the Governor and the
29 General Assembly on or before March 30 each year.

30 The requirement for reporting to the General Assembly
31 shall be satisfied by filing copies of the report with the
32 Speaker, the Minority Leader and the Clerk of the House of
33 Representatives and the President, the Minority Leader and
34 the Secretary of the Senate and the Legislative Research

1 Unit, as required by Section 3.1 of the General Assembly
2 Organization Act, ~~and filing additional copies with the State~~
3 ~~Government Report Distribution Center for the General~~
4 ~~Assembly as required under paragraph (t) of Section 7 of the~~
5 ~~State Library Act.~~

6 (g) To establish such subdivisions of the Department as
7 shall be desirable and assign to the various subdivisions the
8 responsibilities and duties placed upon the Department by
9 law.

10 (h) To cooperate and enter into any necessary agreements
11 with the Department of Employment Security for the provision
12 of job placement and job referral services to clients of the
13 Department, including job service registration of such
14 clients with Illinois Employment Security offices and making
15 job listings maintained by the Department of Employment
16 Security available to such clients.

17 (i) To possess all powers reasonable and necessary for
18 the exercise and administration of the powers, duties and
19 responsibilities of the Department which are provided for by
20 law.

21 (j) To establish a procedure whereby new providers of
22 personal care attendant services shall submit vouchers to the
23 State for payment two times during their first month of
24 employment and one time per month thereafter. In no case
25 shall the Department pay personal care attendants an hourly
26 wage that is less than the federal minimum wage.

27 (k) To provide adequate notice to providers of chore and
28 housekeeping services informing them that they are entitled
29 to an interest payment on bills which are not promptly paid
30 pursuant to Section 3 of the State Prompt Payment Act.

31 (l) To establish, operate and maintain a Statewide
32 Housing Clearinghouse of information on available, government
33 subsidized housing accessible to disabled persons and
34 available privately owned housing accessible to disabled

1 persons. The information shall include but not be limited to
2 the location, rental requirements, access features and
3 proximity to public transportation of available housing. The
4 Clearinghouse shall consist of at least a computerized
5 database for the storage and retrieval of information and a
6 separate or shared toll free telephone number for use by
7 those seeking information from the Clearinghouse. Department
8 offices and personnel throughout the State shall also assist
9 in the operation of the Statewide Housing Clearinghouse.
10 Cooperation with local, State and federal housing managers
11 shall be sought and extended in order to frequently and
12 promptly update the Clearinghouse's information.

13 (m) To assure that the names and case records of persons
14 who received or are receiving services from the Department,
15 including persons receiving vocational rehabilitation, home
16 services, or other services, and those attending one of the
17 Department's schools or other supervised facility shall be
18 confidential and not be open to the general public. Those
19 case records and reports or the information contained in
20 those records and reports shall be disclosed by the Director
21 only to proper law enforcement officials, individuals
22 authorized by a court, the General Assembly or any committee
23 or commission of the General Assembly, and other persons and
24 for reasons as the Director designates by rule. Disclosure
25 by the Director may be only in accordance with other
26 applicable law.

27 (Source: P.A. 92-84, eff. 7-1-02; 93-204, eff. 7-16-03.)

28 Section 55. The Department of State Police Law of the
29 Civil Administrative Code of Illinois is amended by changing
30 Section 2605-555 as follows:

31 (20 ILCS 2605/2605-555)

32 Sec. 2605-555. Pilot program; Project Exile.

1 (a) The Department shall establish a Project Exile pilot
2 program to combat gun violence.

3 (b) Through the pilot program, the Department, in
4 coordination with local law enforcement agencies, State's
5 Attorneys, and United States Attorneys, shall, to the extent
6 possible, encourage the prosecution in federal court of all
7 persons who illegally use, attempt to use, or threaten to use
8 firearms against the person or property of another, of all
9 persons who use or possess a firearm in connection with a
10 violation of the Cannabis Control Act or the Illinois
11 Controlled Substances Act, all persons who have been
12 convicted of a felony under the laws of this State or any
13 other jurisdiction who possess any weapon prohibited under
14 Section 24-1 of the Criminal Code of 1961 or any firearm or
15 any firearm ammunition, and of all persons who use or possess
16 a firearm in connection with a violation of an order of
17 protection issued under the Illinois Domestic Violence Act of
18 1986 or Article 112A of the Code of Criminal Procedure of
19 1963 or in connection with the offense of domestic battery.
20 The program shall also encourage public outreach by law
21 enforcement agencies.

22 (c) There is created the Project Exile Fund, a special
23 fund in the State treasury. Moneys appropriated for the
24 purposes of Project Exile and moneys from any other private
25 or public source, including without limitation grants from
26 the Department of Commerce and Community Affairs, shall be
27 deposited into the Fund. Moneys in the Fund, subject to
28 appropriation, may be used by the Department of State Police
29 to develop and administer the Project Exile pilot program.

30 (d) The Department shall report to the General Assembly
31 by March 1, 2003 regarding the implementation and effects of
32 the Project Exile pilot program and shall by that date make
33 recommendations to the General Assembly for changes in the
34 program that the Department deems appropriate.

1 The requirement for reporting to the General Assembly
 2 shall be satisfied by filing copies of the report with the
 3 Speaker, the Minority Leader, and the Clerk of the House of
 4 Representatives, with the President, the Minority Leader, and
 5 the Secretary of the Senate, and with the Legislative
 6 Research Unit, as required by Section 3.1 of the General
 7 Assembly Organization Act,~~and filing such additional copies~~
 8 ~~with the State Government Report Distribution Center for the~~
 9 ~~General Assembly as is required under paragraph (t) of~~
 10 ~~Section 7 of the State Library Act.~~

11 (Source: P.A. 92-332, eff. 8-10-01; 92-342, eff. 8-10-01;
 12 92-651, eff. 7-11-02.)

13 Section 60. The Department of Transportation Law of the
 14 Civil Administrative Code of Illinois is amended by changing
 15 Sections 2705-205 and 2705-430 as follows:

16 (20 ILCS 2705/2705-205) (was 20 ILCS 2705/49.21)

17 Sec. 2705-205. Study of demand for transportation. The
 18 Department has the power, in cooperation with State
 19 universities and other research oriented institutions, to
 20 study the extent and nature of the demand for transportation
 21 and to collect and assemble information regarding the most
 22 feasible, technical and socio-economic solutions for meeting
 23 that demand and the costs thereof. The Department has the
 24 power to report to the Governor and the General Assembly, by
 25 February 15 of each odd-numbered year, the results of the
 26 study and recommendations based on the study.

27 The requirement for reporting to the General Assembly
 28 shall be satisfied by filing copies of the report with the
 29 Speaker, the Minority Leader, and the Clerk of the House of
 30 Representatives and the President, the Minority Leader, and
 31 the Secretary of the Senate and the Legislative Research
 32 Unit, as required by Section 3.1 of the General Assembly

1 Organization Act and--by--filing--additional--copies--with--the
2 State--Government--Report--Distribution--Center--for--the--General
3 Assembly--as--is--required--under--paragraph--(t)--of--Section--7--of
4 the--State--Library--Act.

5 (Source: P.A. 91-239, eff. 1-1-00.)

6 (20 ILCS 2705/2705-430) (was 20 ILCS 2705/49.25g)

7 Sec. 2705-430. Railroad freight service assistance; lines
8 designated for discontinuation of service or subject to
9 abandonment. The Department shall enter into agreements with
10 any railroad as necessary to provide assistance for
11 continuous freight service on lines of railroads within
12 Illinois designated for discontinuation of service by the
13 United States Railway Association Final System Plan and not
14 conveyed to a railroad company other than Consolidated Rail
15 Corporation. The Department may enter into such agreements
16 with any railroad as necessary to provide assistance for
17 continuous rail freight service on lines of railroads within
18 Illinois subject to an abandonment proceeding in the
19 Interstate Commerce Commission or classified as potentially
20 subject to abandonment pursuant to Sections 10903 through
21 10905 of Title 49 of the United States Code or upon which a
22 certificate of discontinuance or abandonment has been issued.
23 The Department shall make rail continuation subsidy payments
24 pursuant to the agreements. The agreements shall provide for
25 a minimum level of service at least equivalent to that
26 provided in calendar year 1975. The agreements shall conform
27 to relevant federal law. The Department shall determine that
28 all payments under this Section are eligible for federal
29 share reimbursement.

30 Any nonfederal share of the assistance provided under
31 this Section shall be provided by the Department. The State
32 share may include funds, grants, gifts, or donations from the
33 federal government, any local public body, or any person.

1 Reimbursements shall be deposited in the State fund from
2 which the assistance was paid.

3 The Department shall provide technical assistance to any
4 local public body or rail user to ensure that rail freight
5 services under these agreements are, to the extent possible,
6 adequate to the needs of Illinois citizens.

7 The Department shall review the effects of the rail
8 freight service assistance provided under this Section and
9 shall report the results of its review to the General
10 Assembly each year not later than March 15, reporting
11 particularly on the service provided through the assistance,
12 the utilization of rail freight service by shippers, and the
13 cost effectiveness of this rail freight service assistance
14 program in relation to the economy of this State.

15 The requirement for reporting to the General Assembly
16 shall be satisfied by filing copies of the report with the
17 Speaker, the Minority Leader, and the Clerk of the House of
18 Representatives and the President, the Minority Leader, and
19 the Secretary of the Senate and the Legislative Research
20 Unit, as required by Section 3.1 of the General Assembly
21 Organization Act ~~and by filing additional copies with the~~
22 ~~State Government Report Distribution Center for the General~~
23 ~~Assembly as is required under paragraph (t) of Section 7 of~~
24 ~~the State Library Act.~~

25 For the purpose of promoting efficient rail freight
26 service, the Department shall have the power to either grant
27 or loan funds to any railroad or unit of local government in
28 the State to maintain, improve, and construct rail
29 facilities. The Department shall also have the power to grant
30 or loan funds to any rail users located on an abandoned line,
31 unit of local government, or an owner or lessee of an
32 abandoned railroad right-of-way to undertake substitute
33 service projects that reduce the social, economic, and
34 environmental costs associated with the loss of a particular

1 rail freight service in a manner less expensive than
2 continuing that rail freight service. To facilitate the
3 continuation of rail freight services, the Department shall
4 have the power to purchase railroad materials and supplies.

5 (Source: P.A. 91-239, eff. 1-1-00.)

6 Section 65. The Illinois Environmental Facilities
7 Financing Act is amended by changing Section 7 as follows:

8 (20 ILCS 3515/7) (from Ch. 127, par. 727)

9 Sec. 7. Powers. In addition to the powers otherwise
10 authorized by law, for the purposes of this Act, the State
11 authority shall have the following powers together with all
12 powers incidental thereto or necessary for the performance
13 thereof:

14 (1) to have perpetual succession as a body politic and
15 corporate;

16 (2) to adopt bylaws for the regulation of its affairs
17 and the conduct of its business;

18 (3) to sue and be sued and to prosecute and defend
19 actions in the courts;

20 (4) to have and to use a corporate seal and to alter the
21 same at pleasure;

22 (5) to maintain an office at such place or places as it
23 may designate;

24 (6) to determine the location, pursuant to the
25 Environmental Protection Act, and the manner of construction
26 of any environmental or hazardous waste treatment facility to
27 be financed under this Act and to acquire, construct,
28 reconstruct, repair, alter, improve, extend, own, finance,
29 lease, sell and otherwise dispose of the facility, to enter
30 into contracts for any and all of such purposes, to designate
31 a person as its agent to determine the location and manner of
32 construction of an environmental or hazardous waste treatment

1 facility undertaken by such person under the provisions of
2 this Act and as agent of the authority to acquire, construct,
3 reconstruct, repair, alter, improve, extend, own, lease, sell
4 and otherwise dispose of the facility, and to enter into
5 contracts for any and all of such purposes;

6 (7) to finance and to lease or sell to a person any or
7 all of the environmental or hazardous waste treatment
8 facilities upon such terms and conditions as the directing
9 body considers proper, and to charge and collect rent or
10 other payments therefor and to terminate any such lease or
11 sales agreement or financing agreement upon the failure of
12 the lessee, purchaser or debtor to comply with any of the
13 obligations thereof; and to include in any such lease or
14 other agreement, if desired, provisions that the lessee,
15 purchaser or debtor thereunder shall have options to renew
16 the term of the lease, sales or other agreement for such
17 period or periods and at such rent or other consideration as
18 shall be determined by the directing body or to purchase any
19 or all of the environmental or hazardous waste treatment
20 facilities for a nominal amount or otherwise or that at or
21 prior to the payment of all of the indebtedness incurred by
22 the authority for the financing of such environmental or
23 hazardous waste treatment facilities the authority may convey
24 any or all of the environmental or hazardous waste treatment
25 facilities to the lessee or purchaser thereof with or without
26 consideration;

27 (8) to issue bonds for any of its corporate purposes,
28 including a bond issuance for the purpose of financing a
29 group of projects involving environmental facilities, and to
30 refund those bonds, all as provided for in this Act and
31 subject to Section 13 of this Act;

32 (9) generally to fix and revise from time to time and
33 charge and collect rates, rents, fees and charges for the use
34 of and services furnished or to be furnished by any

1 environmental or hazardous waste treatment facility or any
2 portion thereof and to contract with any person, firm or
3 corporation or other body public or private in respect
4 thereof;

5 (10) to employ consulting engineers, architects,
6 attorneys, accountants, construction and financial experts,
7 superintendents, managers and such other employees and agents
8 as may be necessary in its judgment and to fix their
9 compensation;

10 (11) to receive and accept from any public agency loans
11 or grants for or in aid of the construction of any
12 environmental facility and any portion thereof, or for
13 equipping the facility, and to receive and accept grants,
14 gifts or other contributions from any source;

15 (12) to refund outstanding obligations incurred by any
16 person to finance the cost of an environmental or hazardous
17 waste treatment facility including obligations incurred for
18 environmental or hazardous waste treatment facilities
19 undertaken and completed prior to or after the enactment of
20 this Act when the authority finds that such financing is in
21 the public interest;

22 (13) to prohibit the financing of environmental
23 facilities for new coal-fired electric steam generating
24 plants and new coal-fired industrial boilers which do not use
25 Illinois coal as the primary source of fuel;

26 (14) to set and impose appropriate financial penalties
27 on any person who receives financing from the State authority
28 based on a commitment to use Illinois coal as the primary
29 source of fuel at a new coal-fired electric utility steam
30 generating plant or new coal-fired industrial boiler and
31 later uses non-Illinois coal as the primary source of fuel;

32 (15) to fix, determine, charge and collect any premiums,
33 fees, charges, costs and expenses, including, without
34 limitation, any application fees, program fees, commitment

1 fees, financing charges or publication fees in connection
2 with its activities under this Act; all expenses of the State
3 authority incurred in carrying out this Act are payable
4 solely from funds provided under the authority of this Act
5 and no liability shall be incurred by any authority beyond
6 the extent to which moneys are provided under this Act. All
7 fees and moneys accumulated by the Authority as provided in
8 this Act or the Illinois Finance Authority Act shall be held
9 outside of the State treasury and in the custody of the
10 Treasurer of the Authority; and

11 (16) to do all things necessary and convenient to carry
12 out the purposes of this Act.

13 The State authority may not operate any environmental or
14 hazardous waste treatment facility as a business except for
15 the purpose of protecting or maintaining such facility as
16 security for bonds of the State authority. No environmental
17 or hazardous waste treatment facilities completed prior to
18 January 1, 1970 may be financed by the State authority under
19 this Act, but additions and improvements to such
20 environmental or hazardous waste treatment facilities which
21 are commenced subsequent to January 1, 1970 may be financed
22 by the State authority. Any lease, sales agreement or other
23 financing agreement in connection with an environmental or
24 hazardous waste treatment facility entered into pursuant to
25 this Act must be for a term not shorter than the longest
26 maturity of any bonds issued to finance such environmental or
27 hazardous waste treatment facility or a portion thereof and
28 must provide for rentals or other payments adequate to pay
29 the principal of and interest and premiums, if any, on such
30 bonds as the same fall due and to create and maintain such
31 reserves and accounts for depreciation, if any, as the
32 directing body determines to be necessary.

33 The Authority shall give priority to providing financing
34 for the establishment of hazardous waste treatment facilities

1 necessary to achieve the goals of Section 22.6 of the
2 Environmental Protection Act.

3 The Authority shall give special consideration to small
4 businesses in authorizing the issuance of bonds for the
5 financing of environmental facilities pursuant to subsection
6 (c) of Section 2.

7 The Authority shall make a financial report on all
8 projects financed under this Section to the General Assembly,
9 to the Governor, and to the Illinois Economic and Fiscal
10 Commission by April 1 of each year. Such report shall be a
11 public record and open for inspection at the offices of the
12 Authority during normal business hours. The report shall
13 include: (a) all applications for loans and other financial
14 assistance presented to the members of the Authority during
15 such fiscal year, (b) all projects and owners thereof which
16 have received any form of financial assistance from the
17 Authority during such year, (c) the nature and amount of all
18 such assistance, and (d) projected activities of the
19 Authority for the next fiscal year, including projection of
20 the total amount of loans and other financial assistance
21 anticipated and the amount of revenue bonds or other
22 evidences of indebtedness that will be necessary to provide
23 the projected level of assistance during the next fiscal
24 year.

25 The requirement for reporting to the General Assembly
26 shall be satisfied by filing copies of the report with the
27 Speaker, the Minority Leader and the Clerk of the House of
28 Representatives and the President, the Minority Leader and
29 the Secretary of the Senate and the Legislative Research
30 Unit, as required by Section 3.1 of the General Assembly
31 Organization Act ~~"An Act to revise the law in relation to the~~
32 ~~General Assembly"~~, approved February 25, 1874, as amended,
33 and filing such additional copies with the State Government
34 Report Distribution Center for the General Assembly as is

1 required--under--paragraph--(t)--of--Section--7--of--the--State
2 Library-Act.

3 (Source: P.A. 93-205, eff. 1-1-04.)

4 Section 70. The Arts Council Act is amended by changing
5 Section 4 as follows:

6 (20 ILCS 3915/4) (from Ch. 127, par. 214.14)

7 Sec. 4. The Council has the power and duty (a) to survey
8 and assess the needs of the arts, both visual and performing,
9 throughout the State; (b) to identify existing legislation,
10 policies and programs which affect the arts and to evaluate
11 their effectiveness; (c) to stimulate public understanding
12 and recognition of the importance of cultural institutions in
13 Illinois; (d) to promote an encouraging atmosphere for
14 creative artists residing in Illinois; (e) to encourage the
15 use of local resources for the development and support of the
16 arts; and (f) to report to the Governor and to the General
17 Assembly biennially, on or about the third Monday in January
18 of each odd-numbered year, the results of and its
19 recommendations based upon its investigations.

20 The requirement for reporting to the General Assembly
21 shall be satisfied by filing copies of the report with the
22 Speaker, the Minority Leader and the Clerk of the House of
23 Representatives and the President, the Minority Leader and
24 the Secretary of the Senate and the Legislative Research
25 Unit, as required by Section 3.1 of the General Assembly
26 Organization Act "~~An-Act-to-revise-the-law-in-relation-to-the~~
27 ~~General-Assembly"~~, approved February 25, 1874, as amended,
28 and filing such additional copies with the State Government
29 Report Distribution Center for the General Assembly as is
30 required--under--paragraph--(t)--of--Section--7--of--the--State
31 Library-Act.

32 (Source: P.A. 84-1438.)

1 Section 75. The Illinois Criminal Justice Information
2 Act is amended by changing Section 7 as follows:

3 (20 ILCS 3930/7) (from Ch. 38, par. 210-7)

4 Sec. 7. Powers and Duties. The Authority shall have the
5 following powers, duties and responsibilities:

6 (a) To develop and operate comprehensive
7 information systems for the improvement and coordination
8 of all aspects of law enforcement, prosecution and
9 corrections;

10 (b) To define, develop, evaluate and correlate
11 State and local programs and projects associated with the
12 improvement of law enforcement and the administration of
13 criminal justice;

14 (c) To act as a central repository and clearing
15 house for federal, state and local research studies,
16 plans, projects, proposals and other information relating
17 to all aspects of criminal justice system improvement and
18 to encourage educational programs for citizen support of
19 State and local efforts to make such improvements;

20 (d) To undertake research studies to aid in
21 accomplishing its purposes;

22 (e) To monitor the operation of existing criminal
23 justice information systems in order to protect the
24 constitutional rights and privacy of individuals about
25 whom criminal history record information has been
26 collected;

27 (f) To provide an effective administrative forum
28 for the protection of the rights of individuals
29 concerning criminal history record information;

30 (g) To issue regulations, guidelines and procedures
31 which ensure the privacy and security of criminal history
32 record information consistent with State and federal
33 laws;

1 (h) To act as the sole administrative appeal body
2 in the State of Illinois to conduct hearings and make
3 final determinations concerning individual challenges to
4 the completeness and accuracy of criminal history record
5 information;

6 (i) To act as the sole, official, criminal justice
7 body in the State of Illinois to conduct annual and
8 periodic audits of the procedures, policies, and
9 practices of the State central repositories for criminal
10 history record information to verify compliance with
11 federal and state laws and regulations governing such
12 information;

13 (j) To advise the Authority's Statistical Analysis
14 Center;

15 (k) To apply for, receive, establish priorities
16 for, allocate, disburse and spend grants of funds that
17 are made available by and received on or after January 1,
18 1983 from private sources or from the United States
19 pursuant to the federal Crime Control Act of 1973, as
20 amended, and similar federal legislation, and to enter
21 into agreements with the United States government to
22 further the purposes of this Act, or as may be required
23 as a condition of obtaining federal funds;

24 (l) To receive, expend and account for such funds
25 of the State of Illinois as may be made available to
26 further the purposes of this Act;

27 (m) To enter into contracts and to cooperate with
28 units of general local government or combinations of such
29 units, State agencies, and criminal justice system
30 agencies of other states for the purpose of carrying out
31 the duties of the Authority imposed by this Act or by the
32 federal Crime Control Act of 1973, as amended;

33 (n) To enter into contracts and cooperate with
34 units of general local government outside of Illinois,

1 other states' agencies, and private organizations outside
2 of Illinois to provide computer software or design that
3 has been developed for the Illinois criminal justice
4 system, or to participate in the cooperative development
5 or design of new software or systems to be used by the
6 Illinois criminal justice system. Revenues received as a
7 result of such arrangements shall be deposited in the
8 Criminal Justice Information Systems Trust Fund.

9 (o) To establish general policies concerning
10 criminal justice information systems and to promulgate
11 such rules, regulations and procedures as are necessary
12 to the operation of the Authority and to the uniform
13 consideration of appeals and audits;

14 (p) To advise and to make recommendations to the
15 Governor and the General Assembly on policies relating to
16 criminal justice information systems;

17 (q) To direct all other agencies under the
18 jurisdiction of the Governor to provide whatever
19 assistance and information the Authority may lawfully
20 require to carry out its functions;

21 (r) To exercise any other powers that are
22 reasonable and necessary to fulfill the responsibilities
23 of the Authority under this Act and to comply with the
24 requirements of applicable federal law or regulation;

25 (s) To exercise the rights, powers and duties which
26 have been vested in the Authority by the "Illinois
27 Uniform Conviction Information Act", enacted by the 85th
28 General Assembly, as hereafter amended; and

29 (t) To exercise the rights, powers and duties which
30 have been vested in the Authority by the Illinois Motor
31 Vehicle Theft Prevention Act.

32 The requirement for reporting to the General Assembly
33 shall be satisfied by filing copies of the report with the
34 Speaker, the Minority Leader and the Clerk of the House of

1 Representatives and the President, the Minority Leader and
2 the Secretary of the Senate and the Legislative Research
3 Unit, as required by Section 3.1 of the General Assembly
4 Organization Act "~~An Act to revise the law in relation to the~~
5 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
6 ~~and filing such additional copies with the State Government~~
7 ~~Report Distribution Center for the General Assembly as is~~
8 ~~required under paragraph (t) of Section 7 of the State~~
9 ~~Library Act.~~

10 (Source: P.A. 85-922; 86-1408.)

11 Section 80. The Guardianship and Advocacy Act is amended
12 by changing Section 5 as follows:

13 (20 ILCS 3955/5) (from Ch. 91 1/2, par. 705)

14 Sec. 5. (a) The Commission shall establish throughout
15 the State such regions as it considers appropriate to
16 effectuate the purposes of the Authority under this Act,
17 taking into account the requirements of State and federal
18 statutes; population; civic, health and social service
19 boundaries; and other pertinent factors.

20 (b) The Commission shall act through its divisions as
21 provided in this Act.

22 (c) The Commission shall establish general policy
23 guidelines for the operation of the Legal Advocacy Service,
24 Authority and State Guardian in furtherance of this Act. Any
25 action taken by a regional authority is subject to the review
26 and approval of the Commission. The Commission may
27 disapprove any action of a regional authority, in which case
28 the regional authority shall cease such action.

29 (d) The Commission shall hire a Director and staff to
30 carry out the powers and duties of the Commission and its
31 divisions pursuant to this Act and the rules and regulations
32 promulgated by the Commission. All staff other than the

1 Director shall be subject to the Personnel Code.

2 (e) The Commission shall review and evaluate the
3 operations of the divisions.

4 (f) The Commission shall operate subject to the
5 provisions of The Illinois Purchasing Act.

6 (g) The Commission shall prepare its budget.

7 (h) The Commission shall prepare an annual report on its
8 operations and submit the report to the Governor and the
9 General Assembly.

10 The requirement for reporting to the General Assembly
11 shall be satisfied by filing copies of the report with the
12 Speaker, the Minority Leader and the Clerk of the House of
13 Representatives and the President, the Minority Leader and
14 the Secretary of the Senate and the Legislative Research
15 Unit, as required by Section 3.1 of the General Assembly
16 Organization Act "~~An Act to revise the law in relation to the~~
17 ~~General Assembly~~", ~~approved February 25, 1874~~, and filing
18 ~~such additional copies with the State Government Report~~
19 ~~Distribution Center for the General Assembly as is required~~
20 ~~under paragraph (t) of Section 7 of the State Library Act.~~

21 (i) The Commission shall establish rules and regulations
22 for the conduct of the work of its divisions, including rules
23 and regulations for the Legal Advocacy Service and the State
24 Guardian in evaluating an eligible person's or ward's
25 financial resources for the purpose of determining whether
26 the eligible person or ward has the ability to pay for legal
27 or guardianship services received. The determination of the
28 eligible person's financial ability to pay for legal services
29 shall be based upon the number of dependents in the eligible
30 person's family unit and the income, liquid assets and
31 necessary expenses, as prescribed by rule of the Commission
32 of: (1) the eligible person; (2) the eligible person's
33 spouse; and (3) the parents of minor eligible persons. The
34 determination of a ward's ability to pay for guardianship

1 services shall be based upon the ward's estate. An eligible
2 person or ward found to have sufficient financial resources
3 shall be required to pay the Commission in accordance with
4 standards established by the Commission. No fees may be
5 charged for legal services given unless the eligible person
6 is given notice at the start of such services that such fees
7 might be charged. No fees may be charged for guardianship
8 services given unless the ward is given notice of the request
9 for fees filed with the probate court and the court approves
10 the amount of fees to be assessed. All fees collected shall
11 be deposited with the State Treasurer and placed in the
12 Guardianship and Advocacy Fund. The Commission shall
13 establish rules and regulations regarding the procedures of
14 appeal for clients prior to termination or suspension of
15 legal services. Such rules and regulations shall include,
16 but not be limited to, client notification procedures prior
17 to the actual termination, the scope of issues subject to
18 appeal, and procedures specifying when a final administrative
19 decision is made.

20 (j) The Commission shall take such actions as it deems
21 necessary and appropriate to receive private, federal and
22 other public funds to help support the divisions and to
23 safeguard the rights of eligible persons. Private funds and
24 property may be accepted, held, maintained, administered and
25 disposed of by the Commission, as trustee, for such purposes
26 for the benefit of the People of the State of Illinois
27 pursuant to the terms of the instrument granting the funds or
28 property to the Commission.

29 (k) The Commission may expend funds under the State's
30 plan to protect and advocate the rights of persons with a
31 developmental disability established under the federal
32 Developmental Disabilities Services and Facilities
33 Construction Act (Public Law 94-103, Title II). If the
34 Governor designates the Commission to be the organization or

1 agency to provide the services called for in the State plan,
 2 the Commission shall make these protection and advocacy
 3 services available to persons with a developmental disability
 4 by referral or by contracting for these services to the
 5 extent practicable. If the Commission is unable to so make
 6 available such protection and advocacy services, it shall
 7 provide them through persons in its own employ.

8 (1) The Commission shall, to the extent funds are
 9 available, monitor issues concerning the rights of eligible
 10 persons and the care and treatment provided to those persons,
 11 including but not limited to the incidence of abuse or
 12 neglect of eligible persons. For purposes of that monitoring
 13 the Commission shall have access to reports of suspected
 14 abuse or neglect and information regarding the disposition of
 15 such reports, subject to the provisions of the Mental Health
 16 and Developmental Disabilities Confidentiality Act.

17 (Source: P.A. 88-380.)

18 Section 85. The General Assembly Organization Act is
 19 amended by changing Section 3.1 as follows:

20 (25 ILCS 5/3.1) (from Ch. 63, par. 3.1)

21 Sec. 3.1. Whenever any law or resolution requires a
 22 report to the General Assembly, that reporting requirement
 23 shall be satisfied by filing one copy of the report with each
 24 of the following: the Speaker, the Minority Leader and the
 25 Clerk of the House of Representatives and the President, the
 26 Minority Leader and the Secretary of the Senate and the
 27 Legislative Research Unit. In addition, the report shall be
 28 provided to the Legislative Research Unit in an electronic
 29 format acceptable to the Unit. ~~Additional--copies--shall--be~~
 30 ~~filed--with--the--State-Government-Report-Distribution-Center~~
 31 ~~for-the-General-Assembly-as-required-under-paragraph--(t)--of~~
 32 ~~Section-7-of-the-State-Library-Act.~~

1 (Source: P.A. 83-1257.)

2 Section 90. The Space Needs Act is amended by changing
3 Section 3.07 as follows:

4 (25 ILCS 125/3.07) (from Ch. 63, par. 223.07)

5 Sec. 3.07. To report to the General Assembly, by
6 February 1 of each regular session, the progress made since
7 the making of the last report in providing facilities
8 adequate for the needs of the legislative branch. Such a
9 report shall include a summary of the findings of the
10 Commission respecting the space needs of the legislative
11 branch, of the construction, remodeling or refurbishing done
12 to meet those needs, and of the Commission's recommendations
13 of further action necessary or desirable to meet those needs
14 and may include drafts of suggested legislation appropriate
15 for those purposes.

16 The requirement for reporting to the General Assembly
17 shall be satisfied by filing copies of the report with the
18 Speaker, the Minority Leader and the Clerk of the House of
19 Representatives and the President, the Minority Leader and
20 the Secretary of the Senate and the Legislative Research
21 Unit, as required by Section 3.1 of the General Assembly
22 Organization Act "~~An Act to revise the law in relation to the~~
23 ~~General Assembly~~", approved February 25, 1874, as amended,
24 and filing such additional copies with the State Government
25 Report Distribution Center for the General Assembly as is
26 required under paragraph (t) of Section 7 of the State
27 Library Act.

28 (Source: P.A. 84-1438.)

29 Section 95. The Legislative Commission Reorganization
30 Act of 1984 is amended by changing Sections 1-4 and 4-7 as
31 follows:

1 (25 ILCS 130/1-4) (from Ch. 63, par. 1001-4)

2 Sec. 1-4. In addition to its general policy making and
3 coordinating responsibilities for the legislative support
4 services agencies, the Joint Committee on Legislative Support
5 Services shall have the following powers and duties with
6 respect to such agencies:

7 (1) To approve the executive director pursuant to
8 Section 1-5(e);

9 (2) To establish uniform hiring practices and personnel
10 procedures, including affirmative action, to assure equality
11 of employment opportunity;

12 (3) To establish uniform contract procedures, including
13 affirmative action, to assure equality in the awarding of
14 contracts, and to maintain a list of all contracts entered
15 into;

16 (4) To establish uniform travel regulations and approve
17 all travel outside the State of Illinois;

18 (5) To coordinate all leases and rental of real
19 property;

20 (6) Except as otherwise expressly provided by law, to
21 coordinate and serve as the agency authorized to assign
22 studies to be performed by any legislative support services
23 agency. Any study requested by resolution or joint resolution
24 of either house of the General Assembly shall be subject to
25 the powers of the Joint Committee to allocate resources
26 available to the General Assembly hereunder; provided,
27 however, that nothing herein shall be construed to preclude
28 the participation by public members in such studies or
29 prohibit their reimbursement for reasonable and necessary
30 expenses in connection therewith;

31 (7) To make recommendations to the General Assembly
32 regarding the continuance of the various committees, boards
33 and commissions that are the subject of the statutory
34 provisions repealed March 31, 1985, under Article 11 of this

1 Act;

2 (8) To assist the Auditor General as necessary to assure
3 the orderly and efficient termination of the various
4 committees, boards and commissions that are subject to
5 Article 12 of this Act;

6 (9) To consider and make recommendations to the General
7 Assembly regarding further reorganization of the legislative
8 support services agencies, and other legislative committees,
9 boards and commissions, as it may from time to time determine
10 to be necessary;

11 (10) To consider and recommend a comprehensive
12 transition plan for the legislative support services
13 agencies, including but not limited to issues such as the
14 consolidation of the organizational structure, centralization
15 or decentralization of staff, appropriate level of member
16 participation, guidelines for policy development, further
17 reductions which may be necessary, and measures which can be
18 taken to improve efficiency, and ensure accountability. To
19 assist in such recommendations the Joint Committee may
20 appoint an Advisory Group. Recommendations of the Joint
21 Committee shall be reported to the members of the General
22 Assembly no later than November 13, 1984. The requirement for
23 reporting to the General Assembly shall be satisfied by
24 filing copies of the report with the Speaker, the Minority
25 Leader and the Clerk of the House of Representatives and the
26 President, the Minority Leader and the Secretary of the
27 Senate and the Legislative Research Unit, as required by
28 Section 3.1 of the General Assembly Organization Act,--and
29 ~~filing--such--additional--copies--with--the--State-Government~~
30 ~~Report-Distribution-Center-for-the-General-Assembly--as--is~~
31 ~~required--under--paragraph--(t)--of--Section--7--of--the-State~~
32 ~~Library-Act;~~

33 (11) To contract for the establishment of child care
34 services pursuant to the State Agency Employees Child Care

1 Services Act; and

2 (12) To use funds appropriated from the General Assembly
3 Computer Equipment Revolving Fund for the purchase of
4 computer equipment for the General Assembly and for related
5 expenses and for other operational purposes of the General
6 Assembly in accordance with Section 6 of the Legislative
7 Information System Act.

8 (Source: P.A. 91-357, eff. 7-29-99.)

9 (25 ILCS 130/4-7) (from Ch. 63, par. 1004-7)

10 Sec. 4-7. The Commission shall report to the Governor and
11 to the Legislature within fifteen days after the convening of
12 each General Assembly, and at such other time as it deems
13 appropriate. The members of all committees which it
14 establishes shall serve without compensation for such
15 service, but they shall be paid their necessary expenses in
16 carrying out their obligations under this Act. The Commission
17 may by contributions to the Council of State Governments,
18 participate with other states in maintaining the said
19 Council's district and central secretariats, and its other
20 governmental services.

21 The requirement for reporting to the General Assembly
22 shall be satisfied by filing copies of the report with the
23 Speaker, the Minority Leader and the Clerk of the House of
24 Representatives and the President, the Minority Leader and
25 the Secretary of the Senate and the Legislative Research
26 Unit, as required by Section 3.1 of the General Assembly
27 Organization Act "~~An Act to revise the law in relation to the~~
28 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
29 ~~and filing such additional copies with the State Government~~
30 ~~Report Distribution Center for the General Assembly as is~~
31 ~~required under paragraph (t) of Section 7 of the State~~
32 ~~Library Act.~~

33 (Source: P.A. 83-1257.)

1 Section 100. The Legislative Commission Reorganization
2 Act of 1984 is amended by changing Sections 10-6 and 11A-2 as
3 follows:

4 (25 ILCS 130/10-6) (from Ch. 63, par. 1010-6)

5 Sec. 10-6. Within a reasonable time after a report is
6 filed with the Legislative Research Unit in an electronic
7 format, as required by Section 3.1 of the General Assembly
8 Organization Act, the Unit, in cooperation with the
9 Legislative Information System, shall post an electronic copy
10 on the General Assembly's web site. Each month the
11 Legislative Research Unit shall prepare, in an electronic
12 format, and provide to each member of the General Assembly
13 abstracts and indexes of reports filed with it as reports to
14 the General Assembly. The Legislative Research Unit shall
15 post the abstracts and indexes, with the cooperation of the
16 Legislative Information System, on the General Assembly's web
17 site, and shall include hyperlinks to the full text of each
18 report. ~~With such abstracts and indexes the Legislative~~
19 ~~Research Unit shall include a convenient form by which each~~
20 ~~member of the General Assembly may request, from the State~~
21 ~~Government Report Distribution Center in the State Library,~~
22 ~~copies of such reports as the member may wish to receive. For~~
23 ~~the purpose of receiving reports filed under this Section the~~
24 ~~Legislative Research Unit shall succeed to the powers and~~
25 ~~duties formerly exercised by the Legislative Council.~~

26 (Source: P.A. 83-1257.)

27 (25 ILCS 130/11A-2) (from Ch. 63, par. 1011A-2)

28 Sec. 11A-2. (a) There are hereby created 7 Citizens
29 Advocacy Councils, to be known as:

- 30 (1) The Citizens Council on Children;
- 31 (2) The Citizens Council on Economic Development;
- 32 (3) The Citizens Council on Energy Resources;

1 (4) The Citizens Council on Mental Health and
2 Developmental Disabilities;

3 (5) The Citizens Council on Public Aid;

4 (6) The Citizens Council on School Problems; and

5 (7) The Citizens Council on Women.

6 (b) Each citizens council shall consist of 16 members,
7 of whom four shall be appointed by the Speaker of the House
8 of Representatives, four shall be appointed by the Minority
9 Leader of the House of Representatives, four shall be
10 appointed by the President of the Senate, and four shall be
11 appointed by the Minority Leader of the Senate. Each
12 appointing authority may appoint no more than two members of
13 the General Assembly to serve on each citizens council. All
14 appointments shall be in writing and filed with the Secretary
15 of State as a public record.

16 Any vacancy shall be filled by appointment in the same
17 manner as the original appointment. In the case of an
18 appointment of a member of the General Assembly, a vacancy
19 shall exist when a member no longer holds the elected
20 legislative office held at the time of the appointment.

21 Members appointed other than to fill a vacancy shall be
22 appointed for a 2-year term. The term of all members,
23 whether appointed to fill a vacancy or otherwise, shall
24 expire on February 1 of each odd-numbered year.

25 The members of each citizens council shall elect, during
26 February of each odd-numbered year, two co-chairpersons and
27 such other officers as they deem necessary. The
28 co-chairpersons of a citizens council may not be members
29 appointed by the same legislative leader, or by leaders of
30 the same political party or of the same house of the General
31 Assembly. If members of any citizens council cannot agree on
32 two co-chairpersons by September 1, 1985, or by March 1 of
33 any subsequent odd-numbered year, they shall be selected from
34 among the members by the Joint Committee on Legislative

1 Support Services. Each citizens council shall conduct at
 2 least four public hearings annually or more often upon the
 3 call of the chair or any nine members. A quorum of a
 4 citizens council shall consist of nine members.

5 Members of the citizens councils shall serve without
 6 compensation, but shall be reimbursed for expenses incurred
 7 in carrying out the duties of the citizens councils pursuant
 8 to rules and regulations adopted by the Joint Committee on
 9 Legislative Support Services for the legislative support
 10 service agencies.

11 (c) Each citizens council shall oversee, direct and
 12 approve all studies and responsibilities it assigns the
 13 Citizens Assembly, including a review of federal legislation
 14 and programs that pertain to its subject matter; provided,
 15 however, that this shall not be construed to supersede the
 16 authority granted the Citizens Assembly by law or rules and
 17 regulations adopted by the Joint Committee on Legislative
 18 Support Services.

19 (d) Each citizens council, upon completion of any study,
 20 shall report its findings and recommendations to the General
 21 Assembly. The requirement for reporting to the General
 22 Assembly shall be satisfied by filing copies of the report
 23 with the Speaker, the Minority Leader and the Clerk of the
 24 House of Representatives, and the President, the Minority
 25 Leader and the Secretary of the Senate, and the Legislative
 26 Research Unit, as required by Section 3.1 of the General
 27 Assembly Organization Act "~~An Act to revise the law in~~
 28 ~~relation to the General Assembly~~", ~~approved February 25,~~
 29 ~~1874, as amended, and filing such additional copies with the~~
 30 ~~State Government Report Distribution Center for the General~~
 31 ~~Assembly as may be required under paragraph (t) of Section 7~~
 32 ~~of the State Library Act.~~

33 (Source: P.A. 85-379.)

1 Section 105. The Legislative Reference Bureau Act is
2 amended by changing Sections 5.05 and 5.07 as follows:

3 (25 ILCS 135/5.05) (from Ch. 63, par. 29.5)

4 Sec. 5.05. Case Report. The Legislative Reference Bureau
5 shall review all reported decisions of Federal courts, the
6 Illinois Supreme Court, and the Illinois Appellate Court that
7 affect the interpretation of the Illinois Constitution or
8 statutes and shall report the results of its research to the
9 General Assembly by December 31 of each year. The report
10 shall recommend any necessary technical corrections in the
11 Illinois laws to comply with the decisions and may point out
12 where substantive issues arise, without making any judgment
13 on those issues. The requirement for reporting to the General
14 Assembly shall be satisfied by filing copies of the report as
15 required by Section 3.1 of the General Assembly Organization
16 Act and ~~paragraph (t) of Section 7 of the State Library Act.~~

17 (Source: P.A. 87-918.)

18 (25 ILCS 135/5.07) (from Ch. 63, par. 29.7)

19 Sec. 5.07. Uniform State Laws. The Legislative Reference
20 Bureau shall examine all subjects on which uniformity is
21 desirable with the laws of other states to ascertain the best
22 means to effect uniformity in the laws of the States. The
23 Legislative Reference Bureau shall supervise the
24 participation of the State of Illinois in the National
25 Conference of Commissioners on Uniform State Laws. To
26 represent the State of Illinois on the National Conference of
27 Commissioners on Uniform State Laws, there shall be 9
28 persons: 5 persons appointed by the Governor and one each by
29 the President of the Senate, the Senate Minority Leader, the
30 Speaker of the House, and the House Minority Leader, who
31 shall hold office for the term of 4 years, respectively, and
32 until their successors are appointed, and the Executive

1 Director of the Legislative Reference Bureau, who shall be an
 2 ex-officio member of the National Conference. The
 3 Legislative Reference Bureau shall report to the Governor by
 4 December 31 of each year, and the Governor shall submit the
 5 report to the General Assembly with his or her
 6 recommendations, if any, in reference to the report. The
 7 requirement for reporting to the General Assembly shall be
 8 satisfied by filing copies of the report as required by
 9 Section 3.1 of the General Assembly Organization Act and
 10 paragraph-(t)-of-Section-7-of-the-State-Library-Act.

11 (Source: P.A. 87-918.)

12 Section 110. The Legislative Information System Act is
 13 amended by changing Section 5.07 as follows:

14 (25 ILCS 145/5.07) (from Ch. 63, par. 42.15-7)

15 Sec. 5.07. To make a biennial report to the General
 16 Assembly, by April 1 of each odd-numbered year, summarizing
 17 its accomplishments in the preceding 2 years and its
 18 recommendations, including any proposed legislation it
 19 considers necessary or desirable to effectuate the purposes
 20 of this Act.

21 The requirement for reporting to the General Assembly
 22 shall be satisfied by filing copies of the report with the
 23 Speaker, the Minority Leader and the Clerk of the House of
 24 Representatives and the President, the Minority Leader and
 25 the Secretary of the Senate and the Legislative Research
 26 Unit, as required by Section 3.1 of the General Assembly
 27 Organization Act "~~An Act to revise the law in relation to the~~
 28 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
 29 ~~and filing such additional copies with the State Government~~
 30 ~~Report Distribution Center for the General Assembly as is~~
 31 ~~required under paragraph-(t)-of-Section-7-of-the-State~~
 32 ~~Library Act.~~

1 (Source: P.A. 84-1438.)

2 Section 115. The Legislative Audit Commission Act is
3 amended by changing Section 3 as follows:

4 (25 ILCS 150/3) (from Ch. 63, par. 106)

5 Sec. 3. The Commission shall receive the reports of the
6 Auditor General and other financial statements and shall
7 determine what remedial measures, if any, are needed, and
8 whether special studies and investigations are necessary. If
9 the Commission shall deem such studies and investigations to
10 be necessary, the Commission may direct the Auditor General
11 to undertake such studies or investigations.

12 When a disagreement between the Audit Commission and an
13 agency under the Governor's jurisdiction arises in the
14 process of the Audit Commission's review of audit reports
15 relating to such agency, the Audit Commission shall promptly
16 advise the Governor of such areas of disagreement. The
17 Governor shall respond to the Audit Commission within a
18 reasonable period of time, and in no event later than 60
19 days, expressing his views concerning such areas of
20 disagreement and indicating the corrective action taken by
21 his office with reference thereto or, if no action is taken,
22 indicating the reasons therefor.

23 The Audit Commission also promptly shall advise all other
24 responsible officials of the Executive, Judicial and
25 Legislative branches of the State government of areas of
26 disagreement arising in the process of the Commission's
27 review of their respective audit reports. With reference to
28 his particular office, each such responsible official shall
29 respond to the Audit Commission within a reasonable period of
30 time, and in no event later than 60 days, expressing his view
31 concerning such areas of disagreement and indicating the
32 corrective action taken with reference thereto or stating the

1 reasons that no action has been taken.

2 The Commission shall report its activities to the General
3 Assembly including such remedial measures as it deems to be
4 necessary. The report of the Commission shall be made to the
5 General Assembly not less often than annually and not later
6 than March 1 in each year.

7 The requirement for reporting to the General Assembly
8 shall be satisfied by filing copies of the report with the
9 Speaker, the Minority Leader and the Clerk of the House of
10 Representatives and the President, the Minority Leader and
11 the Secretary of the Senate and the Legislative Research
12 Unit, as required by Section 3.1 of the General Assembly
13 Organization Act ~~"An Act to revise the law in relation to the~~
14 ~~General Assembly", approved February 25, 1874, as amended,~~
15 ~~and filing such additional copies with the State Government~~
16 ~~Report Distribution Center for the General Assembly as is~~
17 ~~required under paragraph (t) of Section 7 of the State~~
18 ~~Library Act.~~

19 In addition, the Commission has the powers and duties
20 provided for in the "Illinois State Auditing Act", enacted by
21 the 78th General Assembly, and, if the provisions of that Act
22 are conflict with those of this Act, that Act prevails.

23 (Source: P.A. 84-1438.)

24 Section 120. The Illinois Economic and Fiscal Commission
25 Act is amended by changing Sections 3 and 4 as follows:

26 (25 ILCS 155/3) (from Ch. 63, par. 343)

27 Sec. 3. The Commission shall:

28 (1) Study from time to time and report to the General
29 Assembly on economic development and trends in the State.

30 (2) Make such special economic and fiscal studies as it
31 deems appropriate or desirable or as the General Assembly may
32 request.

1 (3) Based on its studies, recommend such State fiscal
2 and economic policies as it deems appropriate or desirable to
3 improve the functioning of State government and the economy
4 of the various regions within the State.

5 (4) Prepare annually a State economic report.

6 (5) Provide information for all appropriate legislative
7 organizations and personnel on economic trends in relation to
8 long range planning and budgeting.

9 (6) Study and make such recommendations as it deems
10 appropriate to the General Assembly on local and regional
11 economic and fiscal policy and on federal fiscal policy as it
12 may affect Illinois.

13 (7) Review capital expenditures, appropriations and
14 authorizations for both the State's general obligation and
15 revenue bonding authorities. At the direction of the
16 Commission, specific reviews may include economic feasibility
17 reviews of existing or proposed revenue bond projects to
18 determine the accuracy of the original estimate of useful
19 life of the projects, maintenance requirements and ability to
20 meet debt service requirements through their operating
21 expenses.

22 (8) Receive and review all executive agency and revenue
23 bonding authority annual and 3 year plans. The Commission
24 shall prepare a consolidated review of these plans, an
25 updated assessment of current State agency capital plans, a
26 report on the outstanding and unissued bond authorizations,
27 an evaluation of the State's ability to market further bond
28 issues and shall submit them as the "Legislative Capital Plan
29 Analysis" to the House and Senate Appropriations Committees
30 at least once a year. The Commission shall annually submit
31 to the General Assembly on the first Wednesday of April a
32 report on the State's long-term capital needs, with
33 particular emphasis upon and detail of the 5-year period in
34 the immediate future.

1 (9) Study and make recommendations it deems appropriate
2 to the General Assembly on State bond financing, bondability
3 guidelines, and debt management. At the direction of the
4 Commission, specific studies and reviews may take into
5 consideration short and long-run implications of State
6 bonding and debt management policy.

7 (10) Comply with the provisions of the "State Debt
8 Impact Note Act" as now or hereafter amended.

9 (11) Comply with the provisions of the Pension Impact
10 Note Act, as now or hereafter amended.

11 (12) By August 1st of each year, the Commission must
12 prepare and cause to be published a summary report of State
13 appropriations for the State fiscal year beginning the
14 previous July 1st. The summary report must discuss major
15 categories of appropriations, the issues the General Assembly
16 faced in allocating appropriations, comparisons with
17 appropriations for previous State fiscal years, and other
18 matters helpful in providing the citizens of Illinois with an
19 overall understanding of appropriations for that fiscal year.
20 The summary report must be written in plain language and
21 designed for readability. Publication must be in newspapers
22 of general circulation in the various areas of the State to
23 ensure distribution statewide. The summary report must also
24 be published on the General Assembly's web site.

25 The requirement for reporting to the General Assembly
26 shall be satisfied by filing copies of the report with the
27 Speaker, the Minority Leader and the Clerk of the House of
28 Representatives and the President, the Minority Leader and
29 the Secretary of the Senate and the Legislative Research
30 Unit, as required by Section 3.1 of the General Assembly
31 Organization Act ~~"An Act to revise the law in relation to the~~
32 ~~General Assembly"~~, approved February 25, 1874, as amended,
33 and filing such additional copies with the State Government
34 Report Distribution Center for the General Assembly as is

1 required--under--paragraph--(t)--of--Section--7--of--the--State
2 Library-Act.

3 (Source: P.A. 92-67, eff. 7-12-01.)

4 (25 ILCS 155/4) (from Ch. 63, par. 344)

5 Sec. 4. (a) The Commission shall publish, at the
6 convening of each regular session of the General Assembly, a
7 report on the estimated income of the State from all
8 applicable revenue sources for the next ensuing fiscal year
9 and of any other funds estimated to be available for such
10 fiscal year. On the third Wednesday in March after the
11 session convenes, the Commission shall issue a revised and
12 updated set of revenue figures reflecting the latest
13 available information. The House and Senate by joint
14 resolution shall adopt or modify such estimates as may be
15 appropriate. The joint resolution shall constitute the
16 General Assembly's estimate, under paragraph (b) of Section 2
17 of Article VIII of the Constitution, of the funds estimated
18 to be available during the next fiscal year.

19 (b) On the third Wednesday in March, the Commission
20 shall issue estimated:

- 21 (1) pension funding requirements under P.A. 86-273;
22 and
23 (2) liabilities of the State employee group health
24 insurance program.

25 These estimated costs shall be for the fiscal year
26 beginning the following July 1.

27 (c) The requirement for reporting to the General
28 Assembly shall be satisfied by filing copies of the report
29 with the Speaker, the Minority Leader and the Clerk of the
30 House of Representatives and the President, the Minority
31 Leader and the Secretary of the Senate and the Legislative
32 Research Unit, as required by Section 3.1 of the General
33 Assembly Organization Act "An--Act--to--revise--the--law--in

1 relation--to--the--General--Assembly",--approved-February-25,
2 1874,--as-amended,--and-filing-such-additional-copies-with--the
3 State--Government--Report-Distribution-Center-for-the-General
4 Assembly-as-is-required-under-paragraph-(t)-of-Section--7--of
5 the-State-Library-Act.

6 (Source: P.A. 87-1142.)

7 Section 125. The Illinois State Auditing Act is amended
8 by changing Section 3-15 as follows:

9 (30 ILCS 5/3-15) (from Ch. 15, par. 303-15)

10 Sec. 3-15. Reports of Auditor General. By March 1, each
11 year, the Auditor General shall submit to the Commission, the
12 General Assembly and the Governor an annual report
13 summarizing all audits, investigations and special studies
14 made under this Act during the last preceding calendar year.

15 Once each 3 months, the Auditor General shall submit to
16 the Commission a quarterly report concerning the operation of
17 his office, including relevant fiscal and personnel matters,
18 details of any contractual services utilized during that
19 period, a summary of audits and studies still in process and
20 such other information as the Commission requires.

21 The Auditor General shall prepare and distribute such
22 other reports as may be required by the Commission.

23 All post audits directed by resolution of the House or
24 Senate shall be reported to the members of the General
25 Assembly, unless the directing resolution specifies
26 otherwise.

27 The requirement for reporting to the General Assembly
28 shall be satisfied by filing copies of the report with the
29 Speaker, the Minority Leader and the Clerk of the House of
30 Representatives and the President, the Minority Leader and
31 the Secretary of the Senate and the Legislative Research
32 Unit, as required by Section 3.1 of the General Assembly

1 Organization Act "An Act to revise the law in relation to the
 2 General Assembly", approved February 25, 1874, as amended,
 3 and filing such additional copies with the State Government
 4 Report Distribution Center for the General Assembly as is
 5 required under paragraph (t) of Section 7 of the State
 6 Library Act.

7 (Source: P.A. 84-1438.)

8 Section 130. The Intergovernmental Drug Laws Enforcement
 9 Act is amended by changing Section 6 as follows:

10 (30 ILCS 715/6) (from Ch. 56 1/2, par. 1706)

11 Sec. 6. The Director shall report annually, no later
 12 than February 1, to the Governor and the General Assembly on
 13 the operations of the Metropolitan Enforcement Groups,
 14 including a breakdown of the appropriation for the current
 15 fiscal year indicating the amount of the State grant each MEG
 16 received or will receive.

17 The requirement for reporting to the General Assembly
 18 shall be satisfied by filing copies of the report with the
 19 Speaker, the Minority Leader and the Clerk of the House of
 20 Representatives and the President, the Minority Leader and
 21 the Secretary of the Senate and the Legislative Research
 22 Unit, as required by Section 3.1 of the General Assembly
 23 Organization Act "An Act to revise the law in relation to the
 24 General Assembly", approved February 25, 1874, as amended,
 25 and filing such additional copies with the State Government
 26 Report Distribution Center for the General Assembly as is
 27 required under paragraph (t) of Section 7 of the State
 28 Library Act.

29 (Source: P.A. 84-1438.)

30 Section 135. The State Mandates Act is amended by
 31 changing Section 7 as follows:

1 (30 ILCS 805/7) (from Ch. 85, par. 2207)

2 Sec. 7. Review of Existing Mandates. (a) Concurrently
3 with, or within 3 months subsequent to the publication of a
4 catalog of State mandates as prescribed in subsection (b) of
5 Section 4 the Department shall submit to the Governor and the
6 General Assembly a review and report on mandates enacted
7 prior to the effective date of this Act and remaining in
8 effect at the time of submittal of the report.

9 (b) The report shall include for each mandate the
10 following: (1) The factual information specified in
11 subsection (b) of Section 4 for the catalog; (2) extent to
12 which the enactment of the mandate was requested, supported,
13 encouraged or opposed by local governments or their
14 respective organization; (3) whether the mandate continues to
15 meet a Statewide policy objective or has achieved the initial
16 policy intent in whole or in part; (4) amendments if any are
17 required to make the mandate more effective; (5) whether the
18 mandate should be retained or rescinded; (6) whether State
19 financial participation in helping meet the identifiable
20 increased local costs arising from the mandate should be
21 initiated, and if so, recommended ratios and phasing-in
22 schedules; and (7) any other information or recommendations
23 which the Department considers pertinent.

24 (c) The appropriate committee of each house of the
25 General Assembly shall review the report and shall initiate
26 such legislation or other action as it deems necessary.

27 The requirement for reporting to the General Assembly
28 shall be satisfied by filing copies of the report with the
29 Speaker, the Minority Leader and the Clerk of the House of
30 Representatives and the President, the Minority Leader, the
31 Secretary of the Senate, the members of the committees
32 required to review the report under subsection (c) and the
33 Legislative Research Unit, as required by Section 3.1 of the
34 General Assembly Organization Act "~~An Act to revise the law~~

1 in--relation--to--the--General--Assembly",--approved--February--25,
2 1874,--as--amended,--and--filing--such--additional--copies--with--the
3 State--Government--Report--Distribution--Center--for--the--General
4 Assembly--as--is--required--under--paragraph--(t)--of--Section--7--of
5 the--State--Library--Act.

6 (Source: P.A. 84-1438.)

7 Section 140. The Illinois Pension Code is amended by
8 changing Sections 1A-108, 5-226, 6-220, and 21-120 as
9 follows:

10 (40 ILCS 5/1A-108)

11 Sec. 1A-108. Report to the Governor and General Assembly.
12 On or before October 1 following the convening of a regular
13 session of the General Assembly, the Division shall submit a
14 report to the Governor and General Assembly setting forth the
15 latest financial statements on the pension funds operating in
16 the State of Illinois, a summary of the current provisions
17 underlying these funds, and a report on any changes that have
18 occurred in these provisions since the date of the last such
19 report submitted by the Division.

20 The report shall also include the results of examinations
21 made by the Division of any pension fund and any specific
22 recommendations for legislative and administrative correction
23 that the Division deems necessary. The report may embody
24 general recommendations concerning desirable changes in any
25 existing pension, annuity, or retirement laws designed to
26 standardize and establish uniformity in their basic
27 provisions and to bring about an improvement in the financial
28 condition of the pension funds. The purposes of these
29 recommendations and the objectives sought shall be clearly
30 expressed in the report.

31 The requirement for reporting to the General Assembly
32 shall be satisfied by filing copies of the report with the

1 Speaker, the Minority Leader, and the Clerk of the House of
2 Representatives, the President, the Minority Leader, and the
3 Secretary of the Senate, and the Legislative Research Unit,
4 as required by Section 3.1 of the General Assembly
5 Organization Act,~~7--and-filing-additional-copies-with-the-State~~
6 ~~Government--Report--Distribution--Center--for---the---General~~
7 ~~Assembly--as-required-under-paragraph-(t)-of-Section-7-of-the~~
8 ~~State-Library-Act.~~

9 Upon request, the Division shall distribute additional
10 copies of the report at no charge to the secretary of each
11 pension fund established under Article 3 or 4, the treasurer
12 or fiscal officer of each municipality with an established
13 police or firefighter pension fund, the executive director of
14 every other pension fund established under this Code, and to
15 public libraries, State agencies, and police, firefighter,
16 and municipal organizations active in the public pension
17 area.

18 (Source: P.A. 90-507, eff. 8-22-97.)

19 (40 ILCS 5/5-226) (from Ch. 108 1/2, par. 5-226)

20 Sec. 5-226. Examination and report by Director of
21 Insurance. The Director of Insurance biennially shall make a
22 thorough examination of the fund provided for in this
23 Article. He or she shall report the results thereof with such
24 recommendations as he or she deems proper to the Governor for
25 transmittal to the General Assembly, and send a copy to the
26 board and to the city council of the city. The city council
27 shall file such report and recommendations in the official
28 record of its proceedings.

29 The requirement for reporting to the General Assembly
30 shall be satisfied by filing copies of the report with the
31 Speaker, the Minority Leader and the Clerk of the House of
32 Representatives and the President, the Minority Leader and
33 the Secretary of the Senate and the Legislative Research

1 Unit, as required by Section 3.1 of the General Assembly
 2 Organization Act "~~An Act to revise the law in relation to the~~
 3 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
 4 ~~and filing such additional copies with the State Government~~
 5 ~~Report Distribution Center for the General Assembly as is~~
 6 ~~required under paragraph (t) of Section 7 of the State~~
 7 ~~Library Act.~~

8 (Source: P.A. 84-1438.)

9 (40 ILCS 5/6-220) (from Ch. 108 1/2, par. 6-220)

10 Sec. 6-220. Examination and report by director of
 11 insurance. The Director of Insurance biennially shall make a
 12 thorough examination of the fund provided for in this
 13 Article. He or she shall report the results thereof with such
 14 recommendations as he or she deems proper to the Governor for
 15 transmittal to the General Assembly and send a copy to the
 16 board and to the city council of the city. The city council
 17 shall file such report and recommendations in the official
 18 record of its proceedings.

19 The requirement for reporting to the General Assembly
 20 shall be satisfied by filing copies of the report with the
 21 Speaker, the Minority Leader and the Clerk of the House of
 22 Representatives and the President, the Minority Leader and
 23 the Secretary of the Senate and the Legislative Research
 24 Unit, as required by Section 3.1 of the General Assembly
 25 Organization Act "~~An Act to revise the law in relation to the~~
 26 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
 27 ~~and filing such additional copies with the State Government~~
 28 ~~Report Distribution Center for the General Assembly as is~~
 29 ~~required under paragraph (t) of Section 7 of the State~~
 30 ~~Library Act.~~

31 (Source: P.A. 84-1438.)

32 (40 ILCS 5/21-120) (from Ch. 108 1/2, par. 21-120)

1 Sec. 21-120. Report. The State Agency shall submit a
 2 report to the General Assembly at the beginning of each
 3 Regular Session, covering the administration and operation of
 4 this Article during the preceding biennium, including such
 5 recommendations for amendments to this Article as it
 6 considers proper.

7 The requirement for reporting to the General Assembly
 8 shall be satisfied by filing copies of the report with the
 9 Speaker, the Minority Leader and the Clerk of the House of
 10 Representatives and the President, the Minority Leader and
 11 the Secretary of the Senate and the Legislative Research
 12 Unit, as required by Section 3.1 of the General Assembly
 13 Organization Act ~~"An Act to revise the law in relation to the~~
 14 ~~General Assembly"~~, ~~approved February 25, 1874, as amended,~~
 15 ~~and filing such additional copies with the State Government~~
 16 ~~Report Distribution Center for the General Assembly as is~~
 17 ~~required under paragraph (t) of Section 7 of the State~~
 18 ~~Library Act.~~

19 (Source: P.A. 84-1028.)

20 Section 145. The Illinois Fire Protection Training Act
 21 is amended by changing

22 (50 ILCS 740/13) (from Ch. 85, par. 543)

23 Sec. 13. Additional powers and Duties. In addition to
 24 the other powers and duties given to the Office by this Act,
 25 the Office:

26 (1) may employ a Director of Personnel Standards and
 27 Education and other necessary clerical and technical
 28 personnel;

29 (2) may make such reports and recommendations to the
 30 Governor and the General Assembly in regard to fire
 31 protection personnel, standards, education, and related
 32 topics as it deems proper;

1 (3) shall report to the Governor and the General
2 Assembly no later than March 1 of each year the affairs and
3 activities of the Office for the preceding year.

4 The requirement for reporting to the General Assembly
5 shall be satisfied by filing copies of the report with the
6 Speaker, the Minority Leader and the Clerk of the House of
7 Representatives and the President, the Minority Leader and
8 the Secretary of the Senate and the Legislative Research
9 Unit, as required by Section 3.1 of the General Assembly
10 Organization Act "~~An Act to revise the law in relation to the~~
11 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
12 ~~and filing such additional copies with the State Government~~
13 ~~Report Distribution Center for the General Assembly as is~~
14 ~~required under paragraph (t) of Section 7 of the State~~
15 ~~Library Act.~~

16 (Source: P.A. 84-1438.)

17 Section 150. The Emergency Telephone System Act is
18 amended by changing Section 13 as follows:

19 (50 ILCS 750/13) (from Ch. 134, par. 43)

20 Sec. 13. On or before February 16, 1979, and again on or
21 before February 16, 1981, the Commission shall report to the
22 General Assembly the progress in the implementation of
23 systems required by this Act. Such reports shall contain his
24 recommendations for additional legislation.

25 In December of 1979 and in December of 1980 the
26 Commission, with the advice and assistance of the Attorney
27 General, shall submit recommendations to the Bureau of the
28 Budget (now Governor's Office of Management and Budget) and
29 to the Governor specifying amounts necessary to further
30 implement the organization of telephone systems specified in
31 this Act during the succeeding fiscal year. The report
32 specified in this paragraph shall contain, in addition, an

1 estimate of the fiscal impact to local public agencies which
2 will be caused by implementation of this Act.

3 By March 1 in 1979 and every even-numbered year
4 thereafter, each telephone company shall file a report with
5 the Commission and the General Assembly specifying, in such
6 detail as the Commission has by rule or regulation required,
7 the extent to which it has implemented a planned emergency
8 telephone system and its projected further implementation of
9 such a system.

10 The requirement for reporting to the General Assembly
11 shall be satisfied by filing copies of the report with the
12 Speaker, the Minority Leader and the Clerk of the House of
13 Representatives and the President, the Minority Leader and
14 the Secretary of the Senate and the Legislative Research
15 Unit, as required by Section 3.1 of the General Assembly
16 Organization Act ~~"An Act to revise the law in relation to the~~
17 ~~General Assembly"~~, approved February 25, 1874, as amended,
18 and filing such additional copies with the State Government
19 Report Distribution Center for the General Assembly as is
20 required under paragraph (t) of Section 7 of the State
21 Library Act.

22 (Source: P.A. 84-1438; revised 8-23-03.)

23 Section 155. The Illinois Municipal Code is amended by
24 changing Section 11-4-5 as follows:

25 (65 ILCS 5/11-4-5) (from Ch. 24, par. 11-4-5)

26 Sec. 11-4-5. The books of the house of correction shall
27 be kept so as to clearly exhibit the state of the prisoners,
28 the number received and discharged, the number employed as
29 servants or in cultivating or improving the premises, the
30 number employed in each branch of industry carried on, and
31 the receipts from, and expenditures for, and on account of,
32 each department of business, or for improvement of the

1 premises. A quarterly statement shall be made out, which
 2 shall specify minutely, all receipts and expenditures, from
 3 whom received and to whom paid, and for what purpose, proper
 4 vouchers for each, to be audited and certified by the
 5 inspectors, and submitted to the comptroller of the city, and
 6 by him or her, to the corporate authorities thereof, for
 7 examination and approval. The accounts of the house of
 8 correction shall be annually closed and balanced on the first
 9 day of January of each year, and a full report of the
 10 operations of the preceding year shall be made out and
 11 submitted to the corporate authorities of the city, and to
 12 the Governor of the state, to be transmitted by the Governor
 13 to the General Assembly.

14 The requirement for reporting to the General Assembly
 15 shall be satisfied by filing copies of the report with the
 16 Speaker, the Minority Leader and the Clerk of the House of
 17 Representatives and the President, the Minority Leader and
 18 the Secretary of the Senate and the Legislative Research
 19 Unit, as required by Section 3.1 of the General Assembly
 20 Organization Act ~~"An Act to revise the law in relation to the~~
 21 ~~General Assembly", approved February 25, 1874, as amended,~~
 22 ~~and filing such additional copies with the State Government~~
 23 ~~Report Distribution Center for the General Assembly as is~~
 24 ~~required under paragraph (t) of Section 7 of the State~~
 25 ~~Library Act.~~

26 (Source: P.A. 84-1438.)

27 Section 160. The Interstate Airport Authorities Act is
 28 amended by changing Section 2 as follows:

29 (70 ILCS 10/2) (from Ch. 15 1/2, par. 252)

30 Sec. 2. (a) Governmental units in each of the party
 31 states are hereby authorized to combine in the creation of an
 32 airport authority for the purpose of jointly supporting and

1 operating an airport terminal and all properties attached
2 thereto. The number of such governmental units are not
3 limited as to character or size except that membership shall
4 be composed of an equal number of members from each party
5 state, designated or appointed by the legislative body of the
6 participating governmental unit: Provided, That the federal
7 government may be represented by a non-voting agent or
8 representative if authorized by federal law.

9 (b) The authorized airport authority shall come into
10 being upon the passage of resolutions or ordinances
11 containing identical agreement duly and legally enacted by
12 the legislative bodies of the governmental units to be
13 combined into the airport authority. If passage is by
14 resolution, it may be joint or several, however, the
15 resolution, ordinance or enabling legislation of the
16 combining governmental units shall provide for the number of
17 members, the residence requirements of the members, the
18 length of term of the members and shall authorize the
19 appointment of an additional member to be made by the
20 governor of each party state. If the member appointed by the
21 governor shall be selected from the membership or staff of
22 the Department of Aeronautics or its successor agency or
23 aeronautics commission of his state, there shall be no
24 limitation as to place of residence, and the length of tenure
25 of office shall be at the pleasure of the governor.

26 (c) The respective members of the airport authority,
27 except any member representing the federal government, shall
28 each be entitled to one vote. Any action of the membership of
29 the airport authority shall not be official unless taken at a
30 meeting in which a majority of the voting members from each
31 party state are present and unless a majority of those from
32 each state concur: Provided, That any action not binding for
33 such reason may be ratified within thirty days by the
34 concurrence of a majority of the members of each party state.

1 In the absence of any member, his vote may be cast by another
2 representative or member of his state if the representative
3 casting such vote shall have a written proxy in proper form
4 as may be required by the airport authority.

5 (d) The airport authority may sue and be sued, and shall
6 adopt an official seal.

7 (e) The airport authority shall have the power to
8 appoint and remove or discharge personnel as may be necessary
9 for the performance of the airport's functions irrespective
10 of the civil service, personnel or other merit system laws of
11 either of the party states.

12 (f) The airport authority shall elect annually, from its
13 membership, a chairman, a vice-chairman and a treasurer.

14 (g) The airport authority may establish and maintain or
15 participate in programs of employee benefits as may be
16 appropriate to afford employees of the airport authority
17 terms and conditions of employment similar to those enjoyed
18 by the employees of each of the party states.

19 (h) The airport authority may borrow, accept, or
20 contract for the services of personnel from any state or the
21 United States or any subdivision or agency thereof, from any
22 interstate agency, or from any institution, person, firm or
23 corporation.

24 (i) The airport authority may accept for any of its
25 purposes and functions any and all donations and grants of
26 money, equipment, supplies, materials and services,
27 conditional or otherwise, from any state, from the United
28 States, from any subdivision or agency thereof, from any
29 interstate agency, or from any institution, person, firm or
30 corporation; and may receive, utilize and dispose of the
31 same.

32 (j) The airport authority may establish and maintain
33 such facilities as may be necessary for the transaction of
34 its business. The airport authority may acquire, hold and

1 convey real and personal property and any interest therein,
 2 and may enter into such contracts for the improvements upon
 3 real estate appurtenant to the airport, including farming,
 4 extracting minerals, subleasing, subdividing, promoting and
 5 developing of such real estate as shall aid and encourage the
 6 development and service of the airport. The airport authority
 7 may engage contractors to provide airport services, and shall
 8 carefully observe all appropriate federal or state
 9 regulations in the operation of the air facility.

10 (k) The airport authority may adopt official rules and
 11 regulations for the conduct of its business, and may amend or
 12 rescind the same when necessary.

13 (l) The airport authority shall annually make a report
 14 to the governor of each party state concerning the activities
 15 of the airport authority for the preceding year; and shall
 16 embody in such report recommendations as may have been
 17 adopted by the airport authority. The copies of such report
 18 shall be submitted to the legislature or general assembly of
 19 each of the party states at any regular session of such
 20 legislative body. The airport authority may issue such
 21 additional reports as may be deemed necessary.

22 The requirement for reporting to the General Assembly
 23 shall be satisfied by filing copies of the report with the
 24 Speaker, the Minority Leader and the Clerk of the House of
 25 Representatives and the President, the Minority Leader and
 26 the Secretary of the Senate and the Legislative Research
 27 Unit, as required by Section 3.1 of the General Assembly
 28 Organization Act "~~An Act to revise the law in relation to the~~
 29 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
 30 ~~and filing such additional copies with the State Government~~
 31 ~~Report Distribution Center for the General Assembly as is~~
 32 ~~required under paragraph (t) of Section 7 of the State~~
 33 ~~Library Act.~~

34 (Source: P.A. 84-1438.)

1 Section 165. The Illinois Medical District Act is
2 amended by changing Section 2 as follows:

3 (70 ILCS 915/2) (from Ch. 111 1/2, par. 5002)

4 Sec. 2. Illinois Medical District Commission.

5 (a) There is hereby created a body politic and corporate
6 under the corporate name of Illinois Medical District
7 Commission, hereinafter called the Commission, whose general
8 purpose in addition to and not in limitation of those
9 purposes and powers set forth in other Sections of this Act
10 shall be to:

11 (1) maintain the proper surroundings for a medical
12 center and a related technology center in order to
13 attract, stabilize, and retain therein hospitals,
14 clinics, research facilities, educational facilities, or
15 other facilities permitted under this Act;

16 (2) provide for the orderly creation and expansion
17 of (i) various county, and local governmental facilities
18 as permitted under this Act, including, but not limited
19 to, juvenile detention facilities, (ii) other ancillary
20 or related facilities which the Commission may from time
21 to time determine are established and operated for any
22 aspect of the carrying out of the Commission's purposes
23 as set forth in this Act, or are established and operated
24 for the study, diagnosis, and treatment of human ailments
25 and injuries, whether physical or mental, or to promote
26 medical, surgical, and scientific research and knowledge
27 as permitted under this Act, and (iii) medical research
28 and high technology parks, together with the necessary
29 lands, buildings, facilities, equipment, and personal
30 property therefore.

31 (b) The Commission shall have perpetual succession,
32 power to contract and be contracted with, to sue and be sued
33 except in actions sounding in tort, to plead and be

1 impleaded, to have and use a common seal, and to alter the
2 same at pleasure. All actions sounding in tort against the
3 Commission shall be prosecuted in the Court of Claims. The
4 principal office of the Commission shall be in the city of
5 Chicago, and the Commission may establish such other offices
6 within the state of Illinois at such places as to the
7 Commission shall seem advisable. Such Commission shall
8 consist of 7 members, 4 of whom shall be appointed by the
9 Governor, 2 by the Mayor of Chicago, and one by the President
10 of the County Board of Cook County. All members shall hold
11 office for a term of 5 years and until their successors are
12 appointed as provided in this Act; provided, that as soon as
13 possible after the effective date of this amendatory Act, the
14 Governor shall appoint 4 members for terms expiring,
15 respectively, on June 30, 1952, 1953, 1954 and 1955. The
16 terms of all members heretofore appointed by the Governor
17 shall expire upon the commencement of the terms of the
18 members appointed pursuant to this amendatory Act. Any
19 vacancy in the membership of the Commission occurring by
20 reason of the death, resignation, disqualification, removal
21 or inability or refusal to act of any of the members of the
22 Commission shall be filled by the person who had appointed
23 the particular member, and for the unexpired term of office
24 of that particular member. A vacancy caused by the expiration
25 of the period for which the member was appointed shall be
26 filled by a new appointment for a term of 5 years from the
27 date of such expiration of the prior 5 year term
28 notwithstanding when such appointment is actually made. The
29 Commission shall obtain, pursuant to the provisions of the
30 Personnel Code, such personnel as to the Commission shall
31 seem advisable to carry out the purposes of this Act and the
32 work of the Commission. The Commission may appoint a General
33 Attorney and define the duties of that General Attorney.

34 The Commission shall hold regular meetings annually for

1 the election of a president, vice-president, secretary, and
 2 treasurer and for the adoption of a budget. Special meetings
 3 may be called by the President or by any 2 members. Each
 4 member shall take an oath of office for the faithful
 5 performance of his duties. Four members of the Commission
 6 shall constitute a quorum for the transaction of business.

7 The Commission shall submit, to the General Assembly not
 8 later than March 1 of each odd-numbered year, a detailed
 9 report covering its operations for the 2 preceding calendar
 10 years and a statement of its program for the next 2 years.

11 The requirement for reporting to the General Assembly
 12 shall be satisfied by filing copies of the report with the
 13 Speaker, the Minority Leader and the Clerk of the House of
 14 Representatives and the President, the Minority Leader and
 15 the Secretary of the Senate and the Legislative Research
 16 Unit, as required by Section 3.1 of the General Assembly
 17 Organization Act,~~and filing such additional copies with the~~
 18 ~~State Government Report Distribution Center for the General~~
 19 ~~Assembly as is required under paragraph (t) of Section 7 of~~
 20 ~~the State Library Act.~~

21 (Source: P.A. 89-356, eff. 8-17-95.)

22 Section 170. The Illinois Medical District at
 23 Springfield Act is amended by changing Section 10 as follows:

24 (70 ILCS 925/10)

25 Sec. 10. Illinois Medical District at Springfield
 26 Commission.

27 (a) There is created a body politic and corporate under
 28 the corporate name of the Illinois Medical District at
 29 Springfield Commission whose general purpose, in addition to
 30 and not in limitation of those purposes and powers set forth
 31 in this Act, is to:

32 (1) maintain the proper surroundings for a medical

1 center and a related technology center in order to
2 attract, stabilize, and retain within the District
3 hospitals, clinics, research facilities, educational
4 facilities, or other facilities permitted under this Act;
5 and

6 (2) provide for the orderly creation, maintenance,
7 development, and expansion of (i) health care facilities
8 and other ancillary or related facilities that the
9 Commission may from time to time determine are
10 established and operated (A) for any aspect of the
11 carrying out of the Commission's purposes as set forth in
12 this Act, (B) for the study, diagnosis, and treatment of
13 human ailments and injuries, whether physical or mental,
14 or (C) to promote medical, surgical, and scientific
15 research and knowledge as permitted under this Act; and
16 (ii) medical research and high technology parks, together
17 with the necessary lands, buildings, facilities,
18 equipment, and personal property for those parks.

19 (b) The Commission has perpetual succession and the
20 power to contract and be contracted with, to sue and be sued
21 except in actions sounding in tort, to plead and be
22 impleaded, to have and use a common seal, and to alter the
23 same at pleasure. All actions sounding in tort against the
24 Commission shall be prosecuted in the Court of Claims. The
25 principal office of the Commission shall be in the City of
26 Springfield.

27 (c) The Commission shall consist of the following
28 members: 4 members appointed by the Governor, with the
29 advice and consent of the Senate; 4 members appointed by the
30 Mayor of Springfield, with the advice and consent of the
31 Springfield city council; and one member appointed by the
32 Chairperson of the County Board of Sangamon County. The
33 initial members of the Commission appointed by the Governor
34 shall be appointed for terms ending, respectively on the

1 second, third, fourth, and fifth anniversaries of their
2 appointments. The initial members appointed by the Mayor of
3 Springfield shall be appointed 2 each for terms ending,
4 respectively, on the second and third anniversaries of their
5 appointments. The initial member appointed by the
6 Chairperson of the County Board of Sangamon County shall be
7 appointed for a term ending on the fourth anniversary of the
8 appointment. Thereafter, all the members shall be appointed
9 to hold office for a term of 5 years and until their
10 successors are appointed as provided in this Act.

11 (d) Any vacancy in the membership of the Commission
12 occurring by reason of the death, resignation,
13 disqualification, removal, or inability or refusal to act of
14 any of the members of the Commission shall be filled by the
15 authority that had appointed the particular member, and for
16 the unexpired term of office of that particular member. A
17 vacancy caused by the expiration of the period for which the
18 member was appointed shall be filled by a new appointment for
19 a term of 5 years from the date of the expiration of the
20 prior 5-year term notwithstanding when the appointment is
21 actually made. The Commission shall obtain, under the
22 provisions of the Personnel Code, such personnel as to the
23 Commission shall deem advisable to carry out the purposes of
24 this Act and the work of the Commission.

25 (e) The Commission shall hold regular meetings annually
26 for the election of a President, Vice-President, Secretary,
27 and Treasurer, for the adoption of a budget, and for such
28 other business as may properly come before it. The
29 Commission shall elect as the President a member of the
30 Commission appointed by the Mayor of Springfield and as the
31 Vice-President a member of the Commission appointed by the
32 Governor. The Commission shall establish the duties and
33 responsibilities of its officers by rule. The President or
34 any 3 members of the Commission may call special meetings of

1 the Commission. Each Commissioner shall take an oath of
2 office for the faithful performance of his or her duties.
3 The Commission may not transact business at a meeting of the
4 Commission unless there is present at the meeting a quorum
5 consisting of at least 5 Commissioners. Meetings may be
6 held by telephone conference or other communications
7 equipment by means of which all persons participating in the
8 meeting can communicate with each other.

9 (f) The Commission shall submit to the General Assembly,
10 not later than March 1 of each odd-numbered year, a detailed
11 report covering its operations for the 2 preceding calendar
12 years and a statement of its program for the next 2 years.

13 The requirement for reporting to the General Assembly
14 shall be satisfied by filing copies of the report with the
15 Speaker, the Minority Leader, and the Clerk of the House of
16 Representatives and the President, the Minority Leader, and
17 the Secretary of the Senate and with the Legislative Research
18 Unit, as required by Section 3.1 of the General Assembly
19 Organization Act,~~---and-by-filing-such-additional-copies-with~~
20 ~~the-State--Government--Report--Distribution--Center--for--the~~
21 ~~General--Assembly--as--is--required--under--paragraph--(t)--of~~
22 ~~Section-7-of-the-State-Library-Act.~~

23 (g) The Auditor General shall conduct audits of the
24 Commission in the same manner as the Auditor General conducts
25 audits of State agencies under the Illinois State Auditing
26 Act.

27 (h) Neither the Commission nor the District have any
28 power to tax.

29 (i) The Commission is a public body and subject to the
30 Open Meetings Act and the Freedom of Information Act.

31 (Source: P.A. 92-870, eff. 1-3-03.)

32 Section 175. The Metropolitan Water Reclamation District
33 Act is amended by changing Section 4b as follows:

1 (70 ILCS 2605/4b) (from Ch. 42, par. 323b)

2 Sec. 4b. The Governor shall appoint, by and with the
3 advice and consent of the Senate, a State Sanitary District
4 Observer. The term of the person first appointed shall
5 expire on the third Monday in January, 1969. If the Senate
6 is not in session when the first appointment is made, the
7 Governor shall make a temporary appointment as in the case of
8 a vacancy. Thereafter the term of office of the State
9 Sanitary District Observer shall be for 2 years commencing on
10 the third Monday in January of 1969 and each odd-numbered
11 year thereafter. Any person appointed to such office shall
12 hold office for the duration of his term and until his
13 successor is appointed and qualified.

14 The State Sanitary District Observer must have a
15 knowledge of the principles of sanitary engineering. He
16 shall be paid from the State Treasury an annual salary of
17 \$15,000 or as set by the Compensation Review Board, whichever
18 is greater, and shall also be reimbursed for necessary
19 expenses incurred in the performance of his duties.

20 The State Sanitary District Observer has the same right
21 as any Trustee or the General Superintendent to attend any
22 meeting in connection with the business of The Metropolitan
23 Sanitary District of Greater Chicago. He shall have access
24 to all records and works of the District. He may conduct
25 inquiries and investigations into the efficiency and adequacy
26 of the operations of the District, including the effect of
27 the operations of the District upon areas of the State
28 outside the boundaries of the District.

29 The State Sanitary District Observer shall report to the
30 Governor, the General Assembly, the Department of Natural
31 Resources, and the Environmental Protection Agency annually
32 and more frequently if requested by the Governor.

33 The requirement for reporting to the General Assembly
34 shall be satisfied by filing copies of the report with the

1 Speaker, the Minority Leader and the Clerk of the House of
 2 Representatives and the President, the Minority Leader and
 3 the Secretary of the Senate and the Legislative Research
 4 Unit, as required by Section 3.1 of the General Assembly
 5 Organization Act "~~An Act to revise the law in relation to the~~
 6 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
 7 ~~and filing such additional copies with the State Government~~
 8 ~~Report Distribution Center for the General Assembly as is~~
 9 ~~required under paragraph (t) of Section 7 of the State~~
 10 ~~Library Act.~~

11 (Source: P.A. 89-445, eff. 2-7-96.)

12 Section 180. The School Code is amended by changing
 13 Sections 1A-4, 1E-130, 1F-130, 2-3.87, 14B-7, and 34A-606 as
 14 follows:

15 (105 ILCS 5/1A-4) (from Ch. 122, par. 1A-4)

16 Sec. 1A-4. Powers and duties of the Board.

17 A. Upon the appointment of new Board members as provided
 18 in subsection (b) of Section 1A-1 and every 2 years
 19 thereafter, the chairperson of the Board shall be selected by
 20 the Governor, with the advice and consent of the Senate, from
 21 the membership of the Board to serve as chairperson for 2
 22 years.

23 B. The Board shall determine the qualifications of and
 24 appoint a chief education officer to be known as the State
 25 Superintendent of Education who shall serve at the pleasure
 26 of the Board and pursuant to a performance-based contract
 27 linked to statewide student performance and academic
 28 improvement within Illinois schools. No performance-based
 29 contract issued for the employment of the State
 30 Superintendent of Education shall be for a term longer than 3
 31 years and no contract shall be extended or renewed prior to
 32 its scheduled expiration unless the performance and

1 improvement goals contained in the contract have been met.
2 The State Superintendent of Education shall not serve as a
3 member of the State Board of Education. The Board shall set
4 the compensation of the State Superintendent of Education who
5 shall serve as the Board's chief executive officer. The Board
6 shall also establish the duties, powers and responsibilities
7 of the State Superintendent, which shall be included in the
8 State Superintendent's performance-based contract along with
9 the goals and indicators of student performance and academic
10 improvement used to measure the performance and effectiveness
11 of the State Superintendent. The State Board of Education may
12 delegate to the State Superintendent of Education the
13 authority to act on the Board's behalf, provided such
14 delegation is made pursuant to adopted board policy or the
15 powers delegated are ministerial in nature. The State Board
16 may not delegate authority under this Section to the State
17 Superintendent to (1) nonrecognize school districts, (2)
18 withhold State payments as a penalty, or (3) make final
19 decisions under the contested case provisions of the Illinois
20 Administrative Procedure Act unless otherwise provided by
21 law.

22 C. The powers and duties of the State Board of Education
23 shall encompass all duties delegated to the Office of
24 Superintendent of Public Instruction on January 12, 1975,
25 except as the law providing for such powers and duties is
26 thereafter amended, and such other powers and duties as the
27 General Assembly shall designate. The Board shall be
28 responsible for the educational policies and guidelines for
29 public schools, pre-school through grade 12 and Vocational
30 Education in the State of Illinois. The Board shall analyze
31 the present and future aims, needs, and requirements of
32 education in the State of Illinois and recommend to the
33 General Assembly the powers which should be exercised by the
34 Board. The Board shall recommend the passage and the

1 legislation necessary to determine the appropriate
2 relationship between the Board and local boards of education
3 and the various State agencies and shall recommend desirable
4 modifications in the laws which affect schools.

5 D. Two members of the Board shall be appointed by the
6 chairperson to serve on a standing joint Education Committee,
7 2 others shall be appointed from the Board of Higher
8 Education, 2 others shall be appointed by the chairperson of
9 the Illinois Community College Board, and 2 others shall be
10 appointed by the chairperson of the Human Resource Investment
11 Council. The Committee shall be responsible for making
12 recommendations concerning the submission of any workforce
13 development plan or workforce training program required by
14 federal law or under any block grant authority. The
15 Committee will be responsible for developing policy on
16 matters of mutual concern to elementary, secondary and higher
17 education such as Occupational and Career Education, Teacher
18 Preparation and Certification, Educational Finance,
19 Articulation between Elementary, Secondary and Higher
20 Education and Research and Planning. The joint Education
21 Committee shall meet at least quarterly and submit an annual
22 report of its findings, conclusions, and recommendations to
23 the State Board of Education, the Board of Higher Education,
24 the Illinois Community College Board, the Human Resource
25 Investment Council, the Governor, and the General Assembly.
26 All meetings of this Committee shall be official meetings for
27 reimbursement under this Act.

28 E. Five members of the Board shall constitute a quorum.
29 A majority vote of the members appointed, confirmed and
30 serving on the Board is required to approve any action.

31 The Board shall prepare and submit to the General
32 Assembly and the Governor on or before January 14, 1976 and
33 annually thereafter a report or reports of its findings and
34 recommendations. Such annual report shall contain a separate

1 section which provides a critique and analysis of the status
2 of education in Illinois and which identifies its specific
3 problems and recommends express solutions therefor. Such
4 annual report also shall contain the following information
5 for the preceding year ending on June 30: each act or
6 omission of a school district of which the State Board of
7 Education has knowledge as a consequence of scheduled,
8 approved visits and which constituted a failure by the
9 district to comply with applicable State or federal laws or
10 regulations relating to public education, the name of such
11 district, the date or dates on which the State Board of
12 Education notified the school district of such act or
13 omission, and what action, if any, the school district took
14 with respect thereto after being notified thereof by the
15 State Board of Education. The report shall also include the
16 statewide high school dropout rate by grade level, sex and
17 race and the annual student dropout rate of and the number of
18 students who graduate from, transfer from or otherwise leave
19 bilingual programs. The Auditor General shall annually
20 perform a compliance audit of the State Board of Education's
21 performance of the reporting duty imposed by this amendatory
22 Act of 1986. A regular system of communication with other
23 directly related State agencies shall be implemented.

24 The requirement for reporting to the General Assembly
25 shall be satisfied by filing copies of the report with the
26 Speaker, the Minority Leader and the Clerk of the House of
27 Representatives and the President, the Minority Leader and
28 the Secretary of the Senate and the Legislative Council, as
29 required by Section 3.1 of the General Assembly Organization
30 Act, ~~and filing such additional copies with the State~~
31 ~~Government Report Distribution Center for the General~~
32 ~~Assembly as is required under paragraph (t) of Section 7 of~~
33 ~~the State Library Act.~~

34 (Source: P.A. 89-430, eff. 12-15-95; 89-610, eff. 8-6-96;

1 89-698, eff. 1-14-97; 90-548, eff. 1-1-98.)

2 (105 ILCS 5/1E-130)

3 Sec. 1E-130. Reports.

4 (a) The Authority, upon taking office and annually
5 thereafter, shall prepare and submit to the Governor, General
6 Assembly, and State Superintendent a report that includes the
7 audited financial statement for the preceding fiscal year, an
8 approved financial plan, and a statement of the major steps
9 necessary to accomplish the objectives of the financial plan.

10 (b) Annual reports shall be submitted on or before March
11 1 of each year.

12 (c) The requirement for reporting to the General
13 Assembly shall be satisfied by filing copies of the report as
14 provided in Section 3.1 of the General Assembly Organization
15 Act ~~and by filing additional copies with the State Government~~
16 ~~Report Distribution Center for the General Assembly as~~
17 ~~required under subdivision (t) of Section 7 of the State~~
18 ~~Library Act.~~

19 (Source: P.A. 92-547, eff. 6-13-02.)

20 (105 ILCS 5/1F-130)

21 Sec. 1F-130. Reports.

22 (a) The Authority, upon taking office and annually
23 thereafter, shall prepare and submit to the Governor, General
24 Assembly, and State Superintendent a report that includes the
25 audited financial statement for the preceding fiscal year, an
26 approved financial plan, and a statement of the major steps
27 necessary to accomplish the objectives of the financial plan.

28 (b) Annual reports shall be submitted on or before March
29 1 of each year.

30 (c) The requirement for reporting to the General
31 Assembly shall be satisfied by filing copies of the report as
32 provided in Section 3.1 of the General Assembly Organization

1 Act and-by-filing-additional-copies-with-the-State-Government
2 Report--Distribution--Center--for--the--General--Assembly--as
3 required-under-subdivision-(t)-of--Section--7--of--the--State
4 Library-Act.

5 (Source: P.A. 92-855, eff. 12-6-02.)

6 (105 ILCS 5/2-3.87) (from Ch. 122, par. 2-3.87)

7 Sec. 2-3.87. Catalogue of reports. The State Board of
8 Education shall prepare, publish and submit to the General
9 Assembly and the Governor annually, on or before the second
10 Wednesday of January beginning in calendar year 1989, a
11 catalogue containing each report which the State Board of
12 Education was required to make during the preceding 12 month
13 period to the General Assembly or to the General Assembly and
14 the Governor. The catalogue shall be indexed, and with
15 respect to each report in the catalogue, the State Board of
16 Education shall cite the specific statutory provision or
17 provisions which required such report to be made. The
18 requirement for submitting the catalogue to the General
19 Assembly shall be satisfied by filing copies of the catalogue
20 with the Speaker, Minority Leader and Clerk of the House of
21 Representatives, with the President, Minority Leader and
22 Secretary of the Senate and with the Legislative Council, and
23 by-filing-such-additional-copies-of-the--catalogue--with--the
24 State--Government--Report-Distribution-Center-for-the-General
25 Assembly-in-the-same-manner-as-reports--are--required--to--be
26 filed--under--paragraph-(t)-of-Section-7-of-the-State-Library
27 Act.

28 (Source: P.A. 85-1209.)

29 (105 ILCS 5/14B-7) (from Ch. 122, par. 14B-7)

30 Sec. 14B-7. Rules and regulations. The State Board of
31 Education shall adopt such rules and regulations as are
32 necessary to enable it to carry out its duties and

1 responsibilities under this Article, including rules and
2 regulations which (a) prescribe the procedure by which
3 proposals shall be submitted for approval, (b) require the
4 submission of such reports as will permit the evaluation of
5 compensatory education programs and the accumulation of
6 information which will be useful in developing suggestions,
7 policies and requirements for improvement of such programs
8 generally.

9 By July 10, annually, the superintendent of the school
10 district or other chief administrative officer of the
11 applicant shall certify to the County Superintendent of
12 Schools, in whose county the largest number of children in
13 the program reside, upon forms prescribed by the
14 Superintendent of Public Instruction, the applicant's claim
15 for reimbursement for the school year ending on June 30th
16 next preceding. The County Superintendent of Schools shall
17 check all such claims to ascertain compliance with the
18 prescribed standards and upon his approval shall by July 25th
19 certify to the Superintendent of Public Instruction the
20 county report of claims for reimbursements. The State
21 Superintendent of Education shall check and upon approval
22 transmit by September 15th to the State Comptroller vouchers
23 showing the amounts due respective applicants for their
24 reimbursement claims. In any year the total reimbursements
25 paid to an applicant having a population of 500,000 or more
26 inhabitants shall not exceed 5/18 of the appropriation made
27 by the General Assembly for reimbursements to school
28 districts and other applicants under Section 14B-5 of this
29 Act, and the total amount of reimbursements to all other
30 applicants shall not exceed 2/9 of such appropriation. If the
31 amount appropriated for such reimbursements for any year is
32 insufficient to pay the claims in full, the total amount
33 shall be apportioned on the basis of the claims approved.

34 On or before January 20 of the odd numbered year the

1 State Superintendent of Education shall prepare for the
2 General Assembly a report on the programs and the claims,
3 including detailed accounts for the last two years which the
4 district superintendents have submitted to the State Board of
5 Education. This will enable the General Assembly to review in
6 detail the scope of the total program and the desirability of
7 whether or not to continue such a program.

8 The requirement for reporting to the General Assembly
9 shall be satisfied by filing copies of the report with the
10 Speaker, the Minority Leader and the Clerk of the House of
11 Representatives and the President, the Minority Leader and
12 the Secretary of the Senate and the Legislative Research
13 Unit, as required by Section 3.1 of the General Assembly
14 Organization Act "~~An Act to revise the law in relation to the~~
15 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
16 ~~and filing such additional copies with the State Government~~
17 ~~Report Distribution Center for the General Assembly as is~~
18 ~~required under paragraph (t) of Section 7 of the State~~
19 ~~Library Act.~~

20 (Source: P.A. 88-641, eff. 9-9-94.)

21 (105 ILCS 5/34A-606) (from Ch. 122, par. 34A-606)

22 Sec. 34A-606. Reports.

23 (a) The Directors, upon taking office and annually
24 thereafter, shall prepare and submit to the Governor, Mayor,
25 General Assembly, and City Council a report which shall
26 include the audited financial statement for the preceding
27 Fiscal Year of the Board, an approved Financial Plan or a
28 statement of reasons for the failure to adopt such a
29 Financial Plan, a statement of the major steps necessary to
30 accomplish the objectives of the Financial Plan, and a
31 request for any legislation necessary to achieve the
32 objectives of the Financial Plan.

33 (b) Annual reports shall be submitted on or before May 1

1 of each year.

2 (c) The requirement for reporting to the General
3 Assembly shall be satisfied by filing copies of the report
4 with the Board, the Governor, the Mayor and also the Speaker,
5 the Minority Leader and the Clerk of the House of
6 Representatives and the President, the Minority Leader and
7 the Secretary of the Senate and the Legislative Research
8 Unit, as required by Section 3.1 of the General Assembly
9 Organization Act "~~An Act to revise the law in relation to the~~
10 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
11 ~~and filing such additional copies with the State Government~~
12 ~~Report Distribution Center for the General Assembly as is~~
13 ~~required under paragraph (t) of Section 7 of the State~~
14 ~~Library Act.~~

15 (d) Each annual report required to be submitted through
16 May 1, 1995, shall also include: (i) a description of the
17 activities of the Authority; (ii) an analysis of the
18 educational performance of the Board for the preceding school
19 year; (iii) an Approved System-Wide Educational Reform Goals
20 and Objectives Plan or a statement of reasons for the failure
21 to adopt such an Approved System-Wide Educational Reform
22 Goals and Objectives Plan; (iv) a statement of the major
23 steps necessary to accomplish the goals of the Approved
24 System-Wide Educational Reform Goals and Objectives Plan; (v)
25 a commentary with respect to those Board policies and rules
26 and those provisions of The School Code and collective
27 bargaining agreements between the Board and its employees
28 which, in the opinion of the Authority, are obstacles and a
29 hindrance to fulfillment of any Approved System-Wide
30 Educational Reform Goals and Objectives Plan; and (vi) a
31 request for any legislative action necessary to achieve the
32 goals of the Approved System-Wide Educational Reform Goals
33 and Objectives Plan.

34 (Source: P.A. 85-1418; 86-1477.)

1 Section 185. The School District Educational
2 Effectiveness and Fiscal Efficiency Act is amended by
3 changing Sections 4 and 9.04 as follows:

4 (105 ILCS 205/4) (from Ch. 122, par. 874)

5 Sec. 4. Reports. The Superintendent of Public
6 Instruction shall, in cooperation with school districts
7 participating under this Act, report annually to the General
8 Assembly, the School Problems Commission and the Governor on
9 the progress made in implementing this Act.

10 The requirement for reporting to the General Assembly
11 shall be satisfied by filing copies of the report with the
12 Speaker, the Minority Leader and the Clerk of the House of
13 Representatives and the President, the Minority Leader and
14 the Secretary of the Senate and the Legislative Research
15 Unit, as required by Section 3.1 of the General Assembly
16 Organization Act ~~"An Act to revise the law in relation to the~~
17 ~~General Assembly"~~, approved February 25, 1874, as amended,
18 and filing such additional copies with the State Government
19 Report Distribution Center for the General Assembly as is
20 required under paragraph (t) of Section 7 of the State
21 Library Act.

22 (Source: P.A. 84-1438.)

23 (110 ILCS 205/9.04) (from Ch. 144, par. 189.04)

24 Sec. 9.04. To submit to the Governor and the General
25 Assembly a written report covering the activities engaged in
26 and recommendations made. This report shall be submitted in
27 accordance with the requirements of Section 3 of the State
28 Finance Act.

29 The requirement for reporting to the General Assembly
30 shall be satisfied by filing copies of the report with the
31 Speaker, the Minority Leader and the Clerk of the House of
32 Representatives and the President, the Minority Leader and

1 the Secretary of the Senate and the Legislative Research
2 Unit, as required by Section 3.1 of the General Assembly
3 Organization Act "~~An Act to revise the law in relation to the~~
4 ~~General Assembly~~", approved February 25, 1874, as amended,
5 and filing such additional copies with the State Government
6 Report Distribution Center for the General Assembly as is
7 required under paragraph (t) of Section 7 of the State
8 Library Act.

9 (Source: P.A. 90-730, eff. 8-10-98.)

10 Section 190. The Public Community College Act is amended
11 by changing Section 2-10 as follows:

12 (110 ILCS 805/2-10) (from Ch. 122, par. 102-10)

13 Sec. 2-10. The State Board shall make a thorough,
14 comprehensive and continuous study of the status of community
15 college education, its problems, needs for improvement, and
16 projected developments and shall make a detailed report
17 thereof to the General Assembly not later than March 1 of
18 each odd-numbered year and shall submit recommendations for
19 such legislation as it deems necessary.

20 The requirement for reporting to the General Assembly
21 shall be satisfied by filing copies of the report with the
22 Speaker, the Minority Leader and the Clerk of the House of
23 Representatives and the President, the Minority Leader and
24 the Secretary of the Senate and the Legislative Research
25 Unit, as required by Section 3.1 of the General Assembly
26 Organization Act "~~An Act to revise the law in relation to the~~
27 ~~General Assembly~~", approved February 25, 1874, as amended,
28 and filing such additional copies with the State Government
29 Report Distribution Center for the General Assembly as is
30 required under paragraph (t) of Section 7 of the State
31 Library Act.

32 (Source: P.A. 84-1438.)

1 Section 195. The Family Practice Residency Act is
2 amended by changing Section 9 as follows:

3 (110 ILCS 935/9) (from Ch. 144, par. 1459)

4 Sec. 9. The Department shall annually report to the
5 General Assembly and the Governor the results and progress of
6 the programs established by this Act on or before March 15th.

7 The annual report to the General Assembly and the
8 Governor shall include the impact of programs established
9 under this Act on the ability of designated shortage areas to
10 attract and retain physicians and other health care
11 personnel. The report shall include recommendations to
12 improve that ability.

13 The requirement for reporting to the General Assembly
14 shall be satisfied by filing copies of the report with the
15 Speaker, the Minority Leader and the Clerk of the House of
16 Representatives and the President, the Minority Leader and
17 the Secretary of the Senate and the Legislative Research
18 Unit, as required by Section 3.1 of the General Assembly
19 Organization Act, ~~and filing such additional copies with the~~
20 ~~State Government Report Distribution Center for the General~~
21 ~~Assembly as is required under paragraph (t) of Section 7 of~~
22 ~~the State Library Act.~~

23 (Source: P.A. 86-965; 87-430; 87-633; 87-895.)

24 Section 200. The Governor's Scholars Board of Sponsors
25 Act is amended by changing Section 4 as follows:

26 (110 ILCS 940/4) (from Ch. 127, par. 63b134)

27 Sec. 4. The Board of Sponsors shall make a detailed
28 report of its activities and recommendations to the 77th
29 General Assembly and to the Governor not later than February
30 1, 1971 and by February 1 of each odd numbered year
31 thereafter and shall submit recommendations for such

1 legislation as it deems necessary.

2 The requirement for reporting to the General Assembly
3 shall be satisfied by filing copies of the report with the
4 Speaker, the Minority Leader and the Clerk of the House of
5 Representatives and the President, the Minority Leader and
6 the Secretary of the Senate and the Legislative Research
7 Unit, as required by Section 3.1 of the General Assembly
8 Organization Act "~~An Act to revise the law in relation to the~~
9 ~~General Assembly~~", approved February 25, 1874, as amended,
10 and filing such additional copies with the State Government
11 Report Distribution Center for the General Assembly as is
12 required under paragraph (t) of Section 7 of the State
13 Library Act.

14 (Source: P.A. 84-1438.)

15 Section 205. The Podiatric Scholarship and Residency Act
16 is amended by changing Section 25 as follows:

17 (110 ILCS 978/25)

18 Sec. 25. Annual reports. The Department shall annually
19 report to the General Assembly and the Governor the results
20 and progress of the programs established by this Act on or
21 before March 15th.

22 The Department shall, no later than July 1, 1994, report
23 to the General Assembly and the Governor concerning the
24 impact of programs established under this Act on the ability
25 of designated shortage areas to attract and retain podiatric
26 physicians and other health care personnel. The report shall
27 include recommendations to improve that ability.

28 The requirement for reporting to the General Assembly
29 shall be satisfied by filing copies of the report with the
30 Speaker, the Minority Leader and the Clerk of the House of
31 Representatives and the President, the Minority Leader and
32 the Secretary of the Senate and the Legislative Research

1 Unit, as required by Section 3.1 of the General Assembly
2 Organization Act, ~~and filing additional copies with the State~~
3 ~~Government Report Distribution Center for the General~~
4 ~~Assembly that are required under paragraph (t) of Section 7~~
5 ~~of the State Library Act.~~

6 (Source: P.A. 87-1195.)

7 Section 210. The Illinois Savings and Loan Act of 1985
8 is amended by changing Section 7-8 as follows:

9 (205 ILCS 105/7-8) (from Ch. 17, par. 3307-8)

10 Sec. 7-8. Commissioner's report to the Governor and the
11 General Assembly. The Commissioner shall prepare and transmit
12 to the Governor and the General Assembly of this State on or
13 before June 30 of each year an annual report on the condition
14 of all associations operating under this Act. Such report
15 shall include, but shall not be limited to, a condensed
16 report on the financial condition of all associations and a
17 listing and analysis of those instances where the
18 Commissioner is required to resort to the courts of this
19 State to enforce his orders, with recommendations as to
20 alternatives to such court action in each instance. The
21 Commissioner may cause a copy of such report, or any part
22 thereof, to be printed and circulated.

23 The requirement for reporting to the General Assembly
24 shall be satisfied by filing copies of the report with the
25 Speaker, the Minority Leader and the Clerk of the House of
26 Representatives and the President, the Minority Leader and
27 the Secretary of the Senate and the Legislative Research
28 Unit, as required by Section 3.1 of the General Assembly
29 Organization Act "~~An Act to revise the law in relation to the~~
30 ~~General Assembly~~", approved February 25, 1874, as amended,
31 ~~and filing such additional copies with the State Government~~
32 ~~Report Distribution Center for the General Assembly as is~~

1 required--under--paragraph--(t)--of--Section--7--of--the--State
2 Library-Act.

3 (Source: P.A. 84-543.)

4 Section 215. The Coal Mining Act is amended by changing
5 Section 4.18 as follows:

6 (225 ILCS 705/4.18) (from Ch. 96 1/2, par. 418)

7 Sec. 4.18. On the receipt of each State Mine Inspector's
8 report the Mining Board shall compile and summarize the data
9 to be included in the report of the Mining Board, known as
10 the Annual Coal Report, which shall within four months
11 thereafter, be printed, bound, and transmitted to the
12 Governor and General Assembly for the information of the
13 public. The printing and binding of the Annual Coal Reports
14 shall be provided for by the Department of Central Management
15 Services in like manner and numbers, as it provides for the
16 publication of other official reports.

17 The requirement for reporting to the General Assembly
18 shall be satisfied by filing copies of the report with the
19 Speaker, the Minority Leader and the Clerk of the House of
20 Representatives and the President, the Minority Leader and
21 the Secretary of the Senate and the Legislative Research
22 Unit, as required by Section 3.1 of the General Assembly
23 Organization Act "~~An-Act-to-revise-the-law-in-relation-to-the~~
24 ~~General-Assembly"~~, approved February 25, 1874, as amended,
25 and filing such additional copies with the State Government
26 Report Distribution Center for the General Assembly as is
27 required--under--paragraph--(t)--of--Section--7--of--the--State
28 Library-Act.

29 (Source: P.A. 84-1438.)

30 Section 220. The Illinois Public Aid Code is amended by
31 changing Sections 5-5, 5-5.8, and 12-5 as follows:

1 (305 ILCS 5/5-5) (from Ch. 23, par. 5-5)

2 Sec. 5-5. Medical services. The Illinois Department, by
3 rule, shall determine the quantity and quality of and the
4 rate of reimbursement for the medical assistance for which
5 payment will be authorized, and the medical services to be
6 provided, which may include all or part of the following: (1)
7 inpatient hospital services; (2) outpatient hospital
8 services; (3) other laboratory and X-ray services; (4)
9 skilled nursing home services; (5) physicians' services
10 whether furnished in the office, the patient's home, a
11 hospital, a skilled nursing home, or elsewhere; (6) medical
12 care, or any other type of remedial care furnished by
13 licensed practitioners; (7) home health care services; (8)
14 private duty nursing service; (9) clinic services; (10)
15 dental services; (11) physical therapy and related services;
16 (12) prescribed drugs, dentures, and prosthetic devices; and
17 eyeglasses prescribed by a physician skilled in the diseases
18 of the eye, or by an optometrist, whichever the person may
19 select; (13) other diagnostic, screening, preventive, and
20 rehabilitative services; (14) transportation and such other
21 expenses as may be necessary; (15) medical treatment of
22 sexual assault survivors, as defined in Section 1a of the
23 Sexual Assault Survivors Emergency Treatment Act, for
24 injuries sustained as a result of the sexual assault,
25 including examinations and laboratory tests to discover
26 evidence which may be used in criminal proceedings arising
27 from the sexual assault; (16) the diagnosis and treatment of
28 sickle cell anemia; and (17) any other medical care, and any
29 other type of remedial care recognized under the laws of this
30 State, but not including abortions, or induced miscarriages
31 or premature births, unless, in the opinion of a physician,
32 such procedures are necessary for the preservation of the
33 life of the woman seeking such treatment, or except an
34 induced premature birth intended to produce a live viable

1 child and such procedure is necessary for the health of the
2 mother or her unborn child. The Illinois Department, by rule,
3 shall prohibit any physician from providing medical
4 assistance to anyone eligible therefor under this Code where
5 such physician has been found guilty of performing an
6 abortion procedure in a wilful and wanton manner upon a woman
7 who was not pregnant at the time such abortion procedure was
8 performed. The term "any other type of remedial care" shall
9 include nursing care and nursing home service for persons who
10 rely on treatment by spiritual means alone through prayer for
11 healing.

12 Notwithstanding any other provision of this Section, a
13 comprehensive tobacco use cessation program that includes
14 purchasing prescription drugs or prescription medical devices
15 approved by the Food and Drug administration shall be covered
16 under the medical assistance program under this Article for
17 persons who are otherwise eligible for assistance under this
18 Article.

19 Notwithstanding any other provision of this Code, the
20 Illinois Department may not require, as a condition of
21 payment for any laboratory test authorized under this
22 Article, that a physician's handwritten signature appear on
23 the laboratory test order form. The Illinois Department may,
24 however, impose other appropriate requirements regarding
25 laboratory test order documentation.

26 The Illinois Department of Public Aid shall provide the
27 following services to persons eligible for assistance under
28 this Article who are participating in education, training or
29 employment programs operated by the Department of Human
30 Services as successor to the Department of Public Aid:

- 31 (1) dental services, which shall include but not be
32 limited to prosthodontics; and
33 (2) eyeglasses prescribed by a physician skilled in
34 the diseases of the eye, or by an optometrist, whichever

1 the person may select.

2 The Illinois Department, by rule, may distinguish and
3 classify the medical services to be provided only in
4 accordance with the classes of persons designated in Section
5 5-2.

6 The Illinois Department shall authorize the provision of,
7 and shall authorize payment for, screening by low-dose
8 mammography for the presence of occult breast cancer for
9 women 35 years of age or older who are eligible for medical
10 assistance under this Article, as follows: a baseline
11 mammogram for women 35 to 39 years of age and an annual
12 mammogram for women 40 years of age or older. All screenings
13 shall include a physical breast exam, instruction on
14 self-examination and information regarding the frequency of
15 self-examination and its value as a preventative tool. As
16 used in this Section, "low-dose mammography" means the x-ray
17 examination of the breast using equipment dedicated
18 specifically for mammography, including the x-ray tube,
19 filter, compression device, image receptor, and cassettes,
20 with an average radiation exposure delivery of less than one
21 rad mid-breast, with 2 views for each breast.

22 Any medical or health care provider shall immediately
23 recommend, to any pregnant woman who is being provided
24 prenatal services and is suspected of drug abuse or is
25 addicted as defined in the Alcoholism and Other Drug Abuse
26 and Dependency Act, referral to a local substance abuse
27 treatment provider licensed by the Department of Human
28 Services or to a licensed hospital which provides substance
29 abuse treatment services. The Department of Public Aid shall
30 assure coverage for the cost of treatment of the drug abuse
31 or addiction for pregnant recipients in accordance with the
32 Illinois Medicaid Program in conjunction with the Department
33 of Human Services.

34 All medical providers providing medical assistance to

1 pregnant women under this Code shall receive information from
2 the Department on the availability of services under the Drug
3 Free Families with a Future or any comparable program
4 providing case management services for addicted women,
5 including information on appropriate referrals for other
6 social services that may be needed by addicted women in
7 addition to treatment for addiction.

8 The Illinois Department, in cooperation with the
9 Departments of Human Services (as successor to the Department
10 of Alcoholism and Substance Abuse) and Public Health, through
11 a public awareness campaign, may provide information
12 concerning treatment for alcoholism and drug abuse and
13 addiction, prenatal health care, and other pertinent programs
14 directed at reducing the number of drug-affected infants born
15 to recipients of medical assistance.

16 Neither the Illinois Department of Public Aid nor the
17 Department of Human Services shall sanction the recipient
18 solely on the basis of her substance abuse.

19 The Illinois Department shall establish such regulations
20 governing the dispensing of health services under this
21 Article as it shall deem appropriate. In formulating these
22 regulations the Illinois Department shall consult with and
23 give substantial weight to the recommendations offered by the
24 Citizens Assembly/Council on Public Aid. The Department
25 should seek the advice of formal professional advisory
26 committees appointed by the Director of the Illinois
27 Department for the purpose of providing regular advice on
28 policy and administrative matters, information dissemination
29 and educational activities for medical and health care
30 providers, and consistency in procedures to the Illinois
31 Department.

32 The Illinois Department may develop and contract with
33 Partnerships of medical providers to arrange medical services
34 for persons eligible under Section 5-2 of this Code.

1 Implementation of this Section may be by demonstration
2 projects in certain geographic areas. The Partnership shall
3 be represented by a sponsor organization. The Department, by
4 rule, shall develop qualifications for sponsors of
5 Partnerships. Nothing in this Section shall be construed to
6 require that the sponsor organization be a medical
7 organization.

8 The sponsor must negotiate formal written contracts with
9 medical providers for physician services, inpatient and
10 outpatient hospital care, home health services, treatment for
11 alcoholism and substance abuse, and other services determined
12 necessary by the Illinois Department by rule for delivery by
13 Partnerships. Physician services must include prenatal and
14 obstetrical care. The Illinois Department shall reimburse
15 medical services delivered by Partnership providers to
16 clients in target areas according to provisions of this
17 Article and the Illinois Health Finance Reform Act, except
18 that:

19 (1) Physicians participating in a Partnership and
20 providing certain services, which shall be determined by
21 the Illinois Department, to persons in areas covered by
22 the Partnership may receive an additional surcharge for
23 such services.

24 (2) The Department may elect to consider and
25 negotiate financial incentives to encourage the
26 development of Partnerships and the efficient delivery of
27 medical care.

28 (3) Persons receiving medical services through
29 Partnerships may receive medical and case management
30 services above the level usually offered through the
31 medical assistance program.

32 Medical providers shall be required to meet certain
33 qualifications to participate in Partnerships to ensure the
34 delivery of high quality medical services. These

1 qualifications shall be determined by rule of the Illinois
2 Department and may be higher than qualifications for
3 participation in the medical assistance program. Partnership
4 sponsors may prescribe reasonable additional qualifications
5 for participation by medical providers, only with the prior
6 written approval of the Illinois Department.

7 Nothing in this Section shall limit the free choice of
8 practitioners, hospitals, and other providers of medical
9 services by clients. In order to ensure patient freedom of
10 choice, the Illinois Department shall immediately promulgate
11 all rules and take all other necessary actions so that
12 provided services may be accessed from therapeutically
13 certified optometrists to the full extent of the Illinois
14 Optometric Practice Act of 1987 without discriminating
15 between service providers.

16 The Department shall apply for a waiver from the United
17 States Health Care Financing Administration to allow for the
18 implementation of Partnerships under this Section.

19 The Illinois Department shall require health care
20 providers to maintain records that document the medical care
21 and services provided to recipients of Medical Assistance
22 under this Article. The Illinois Department shall require
23 health care providers to make available, when authorized by
24 the patient, in writing, the medical records in a timely
25 fashion to other health care providers who are treating or
26 serving persons eligible for Medical Assistance under this
27 Article. All dispensers of medical services shall be
28 required to maintain and retain business and professional
29 records sufficient to fully and accurately document the
30 nature, scope, details and receipt of the health care
31 provided to persons eligible for medical assistance under
32 this Code, in accordance with regulations promulgated by the
33 Illinois Department. The rules and regulations shall require
34 that proof of the receipt of prescription drugs, dentures,

1 prosthetic devices and eyeglasses by eligible persons under
2 this Section accompany each claim for reimbursement submitted
3 by the dispenser of such medical services. No such claims for
4 reimbursement shall be approved for payment by the Illinois
5 Department without such proof of receipt, unless the Illinois
6 Department shall have put into effect and shall be operating
7 a system of post-payment audit and review which shall, on a
8 sampling basis, be deemed adequate by the Illinois Department
9 to assure that such drugs, dentures, prosthetic devices and
10 eyeglasses for which payment is being made are actually being
11 received by eligible recipients. Within 90 days after the
12 effective date of this amendatory Act of 1984, the Illinois
13 Department shall establish a current list of acquisition
14 costs for all prosthetic devices and any other items
15 recognized as medical equipment and supplies reimbursable
16 under this Article and shall update such list on a quarterly
17 basis, except that the acquisition costs of all prescription
18 drugs shall be updated no less frequently than every 30 days
19 as required by Section 5-5.12.

20 The rules and regulations of the Illinois Department
21 shall require that a written statement including the required
22 opinion of a physician shall accompany any claim for
23 reimbursement for abortions, or induced miscarriages or
24 premature births. This statement shall indicate what
25 procedures were used in providing such medical services.

26 The Illinois Department shall require all dispensers of
27 medical services, other than an individual practitioner or
28 group of practitioners, desiring to participate in the
29 Medical Assistance program established under this Article to
30 disclose all financial, beneficial, ownership, equity, surety
31 or other interests in any and all firms, corporations,
32 partnerships, associations, business enterprises, joint
33 ventures, agencies, institutions or other legal entities
34 providing any form of health care services in this State

1 under this Article.

2 The Illinois Department may require that all dispensers
3 of medical services desiring to participate in the medical
4 assistance program established under this Article disclose,
5 under such terms and conditions as the Illinois Department
6 may by rule establish, all inquiries from clients and
7 attorneys regarding medical bills paid by the Illinois
8 Department, which inquiries could indicate potential
9 existence of claims or liens for the Illinois Department.

10 Enrollment of a vendor that provides non-emergency
11 medical transportation, defined by the Department by rule,
12 shall be conditional for 180 days. During that time, the
13 Department of Public Aid may terminate the vendor's
14 eligibility to participate in the medical assistance program
15 without cause. That termination of eligibility is not
16 subject to the Department's hearing process.

17 The Illinois Department shall establish policies,
18 procedures, standards and criteria by rule for the
19 acquisition, repair and replacement of orthotic and
20 prosthetic devices and durable medical equipment. Such rules
21 shall provide, but not be limited to, the following services:
22 (1) immediate repair or replacement of such devices by
23 recipients without medical authorization; and (2) rental,
24 lease, purchase or lease-purchase of durable medical
25 equipment in a cost-effective manner, taking into
26 consideration the recipient's medical prognosis, the extent
27 of the recipient's needs, and the requirements and costs for
28 maintaining such equipment. Such rules shall enable a
29 recipient to temporarily acquire and use alternative or
30 substitute devices or equipment pending repairs or
31 replacements of any device or equipment previously authorized
32 for such recipient by the Department. Rules under clause (2)
33 above shall not provide for purchase or lease-purchase of
34 durable medical equipment or supplies used for the purpose of

1 oxygen delivery and respiratory care.

2 The Department shall execute, relative to the nursing
3 home prescreening project, written inter-agency agreements
4 with the Department of Human Services and the Department on
5 Aging, to effect the following: (i) intake procedures and
6 common eligibility criteria for those persons who are
7 receiving non-institutional services; and (ii) the
8 establishment and development of non-institutional services
9 in areas of the State where they are not currently available
10 or are undeveloped.

11 The Illinois Department shall develop and operate, in
12 cooperation with other State Departments and agencies and in
13 compliance with applicable federal laws and regulations,
14 appropriate and effective systems of health care evaluation
15 and programs for monitoring of utilization of health care
16 services and facilities, as it affects persons eligible for
17 medical assistance under this Code. The Illinois Department
18 shall report regularly the results of the operation of such
19 systems and programs to the Citizens Assembly/Council on
20 Public Aid to enable the Committee to ensure, from time to
21 time, that these programs are effective and meaningful.

22 The Illinois Department shall report annually to the
23 General Assembly, no later than the second Friday in April of
24 1979 and each year thereafter, in regard to:

25 (a) actual statistics and trends in utilization of
26 medical services by public aid recipients;

27 (b) actual statistics and trends in the provision
28 of the various medical services by medical vendors;

29 (c) current rate structures and proposed changes in
30 those rate structures for the various medical vendors;
31 and

32 (d) efforts at utilization review and control by
33 the Illinois Department.

34 The period covered by each report shall be the 3 years

1 ending on the June 30 prior to the report. The report shall
2 include suggested legislation for consideration by the
3 General Assembly. The filing of one copy of the report with
4 the Speaker, one copy with the Minority Leader and one copy
5 with the Clerk of the House of Representatives, one copy with
6 the President, one copy with the Minority Leader and one copy
7 with the Secretary of the Senate, one copy with the
8 Legislative Research Unit, as required by Section 3.1 of the
9 General Assembly Organization Act, ~~such additional copies~~
10 ~~with the State Government Report Distribution Center for the~~
11 ~~General Assembly as is required under paragraph (t) of~~
12 ~~Section 7 of the State Library Act~~ and one copy with the
13 Citizens Assembly/Council on Public Aid or its successor
14 shall be deemed sufficient to comply with this Section.

15 (Source: P.A. 91-344, eff. 1-1-00; 91-462, eff. 8-6-99;
16 91-666, eff. 12-22-99; 92-16, eff. 6-28-01; 92-651, eff.
17 7-11-02; 92-789, eff. 8-6-02.)

18 (305 ILCS 5/5-5.8) (from Ch. 23, par. 5-5.8)

19 Sec. 5-5.8. Report on nursing home reimbursement. The
20 Illinois Department shall report annually to the General
21 Assembly, no later than the first Monday in April of 1982,
22 and each year thereafter, in regard to:

23 (a) the rate structure used by the Illinois Department
24 to reimburse nursing facilities;

25 (b) changes in the rate structure for reimbursing
26 nursing facilities;

27 (c) the administrative and program costs of reimbursing
28 nursing facilities;

29 (d) the availability of beds in nursing facilities for
30 public aid recipients; and

31 (e) the number of closings of nursing facilities, and
32 the reasons for those closings.

33 The requirement for reporting to the General Assembly

1 shall be satisfied by filing copies of the report with the
2 Speaker, the Minority Leader and the Clerk of the House of
3 Representatives and the President, the Minority Leader and
4 the Secretary of the Senate and the Legislative Research
5 Unit, as required by Section 3.1 of the General Assembly
6 Organization Act "~~An Act to revise the law in relation to the~~
7 ~~General Assembly~~", approved February 25, 1874, as amended,
8 and filing such additional copies with the State Government
9 Report Distribution Center for the General Assembly as is
10 required under paragraph (t) of Section 7 of the State
11 Library Act.

12 (Source: P.A. 84-1438.)

13 (305 ILCS 5/12-5) (from Ch. 23, par. 12-5)

14 Sec. 12-5. Appropriations; uses; federal grants; report
15 to General Assembly. From the sums appropriated by the
16 General Assembly, the Illinois Department shall order for
17 payment by warrant from the State Treasury grants for public
18 aid under Articles III, IV, and V, including grants for
19 funeral and burial expenses, and all costs of administration
20 of the Illinois Department and the County Departments
21 relating thereto. Moneys appropriated to the Illinois
22 Department for public aid under Article VI may be used, with
23 the consent of the Governor, to co-operate with federal,
24 State, and local agencies in the development of work projects
25 designed to provide suitable employment for persons receiving
26 public aid under Article VI. The Illinois Department, with
27 the consent of the Governor, may be the agent of the State
28 for the receipt and disbursement of federal funds or
29 commodities for public aid purposes under Article VI and for
30 related purposes in which the co-operation of the Illinois
31 Department is sought by the federal government, and, in
32 connection therewith, may make necessary expenditures from
33 moneys appropriated for public aid under any Article of this

1 Code and for administration. The Illinois Department, with
2 the consent of the Governor, may be the agent of the State
3 for the receipt and disbursement of federal funds pursuant to
4 the Immigration Reform and Control Act of 1986 and may make
5 necessary expenditures from monies appropriated to it for
6 operations, administration, and grants, including payment to
7 the Health Insurance Reserve Fund for group insurance costs
8 at the rate certified by the Department of Central Management
9 Services. All amounts received by the Illinois Department
10 pursuant to the Immigration Reform and Control Act of 1986
11 shall be deposited in the Immigration Reform and Control
12 Fund. All amounts received into the Immigration Reform and
13 Control Fund as reimbursement for expenditures from the
14 General Revenue Fund shall be transferred to the General
15 Revenue Fund.

16 All grants received by the Illinois Department for
17 programs funded by the Federal Social Services Block Grant
18 shall be deposited in the Social Services Block Grant Fund.
19 All funds received into the Social Services Block Grant Fund
20 as reimbursement for expenditures from the General Revenue
21 Fund shall be transferred to the General Revenue Fund. All
22 funds received into the Social Services Block Grant fund for
23 reimbursement for expenditure out of the Local Initiative
24 Fund shall be transferred into the Local Initiative Fund.
25 Any other federal funds received into the Social Services
26 Block Grant Fund shall be transferred to the Special Purposes
27 Trust Fund. All federal funds received by the Illinois
28 Department as reimbursement for Employment and Training
29 Programs for expenditures made by the Illinois Department
30 from grants, gifts, or legacies as provided in Section
31 12-4.18 or made by an entity other than the Illinois
32 Department shall be deposited into the Employment and
33 Training Fund, except that federal funds received as
34 reimbursement as a result of the appropriation made for the

1 costs of providing adult education to public assistance
2 recipients under the "Adult Education, Public Assistance
3 Fund" shall be deposited into the General Revenue Fund;
4 provided, however, that all funds, except those that are
5 specified in an interagency agreement between the Illinois
6 Community College Board and the Illinois Department, that are
7 received by the Illinois Department as reimbursement under
8 Title IV-A of the Social Security Act for expenditures that
9 are made by the Illinois Community College Board or any
10 public community college of this State shall be credited to a
11 special account that the State Treasurer shall establish and
12 maintain within the Employment and Training Fund for the
13 purpose of segregating the reimbursements received for
14 expenditures made by those entities. As reimbursements are
15 deposited into the Employment and Training Fund, the Illinois
16 Department shall certify to the State Comptroller and State
17 Treasurer the amount that is to be credited to the special
18 account established within that Fund as a reimbursement for
19 expenditures under Title IV-A of the Social Security Act made
20 by the Illinois Community College Board or any of the public
21 community colleges. All amounts credited to the special
22 account established and maintained within the Employment and
23 Training Fund as provided in this Section shall be held for
24 transfer to the TANF Opportunities Fund as provided in
25 subsection (d) of Section 12-10.3, and shall not be
26 transferred to any other fund or used for any other purpose.

27 Any or all federal funds received as reimbursement for
28 food and shelter assistance under the Emergency Food and
29 Shelter Program authorized by Section 12-4.5 may be
30 deposited, with the consent of the Governor, into the
31 Homelessness Prevention Fund.

32 Eighty percent of the federal financial participation
33 funds received by the Illinois Department under the Title
34 IV-A Emergency Assistance program as reimbursement for

1 expenditures made from the Illinois Department of Children
2 and Family Services appropriations for the costs of providing
3 services in behalf of Department of Children and Family
4 Services clients shall be deposited into the DCFS Children's
5 Services Fund.

6 All federal funds, except those covered by the foregoing
7 3 paragraphs, received as reimbursement for expenditures from
8 the General Revenue Fund shall be deposited in the General
9 Revenue Fund for administrative and distributive expenditures
10 properly chargeable by federal law or regulation to aid
11 programs established under Articles III through XII and
12 Titles IV, XVI, XIX and XX of the Federal Social Security
13 Act. Any other federal funds received by the Illinois
14 Department under Sections 12-4.6, 12-4.18 and 12-4.19 that
15 are required by Section 12-10 of this Code to be paid into
16 the Special Purposes Trust Fund shall be deposited into the
17 Special Purposes Trust Fund. Any other federal funds
18 received by the Illinois Department pursuant to the Child
19 Support Enforcement Program established by Title IV-D of the
20 Social Security Act shall be deposited in the Child Support
21 Enforcement Trust Fund as required under Section 12-10.2 of
22 this Code. Any other federal funds received by the Illinois
23 Department for medical assistance program expenditures made
24 under Title XIX of the Social Security Act and Article V of
25 this Code that are required by Section 5-4.21 of this Code to
26 be paid into the Medicaid Developmentally Disabled Provider
27 Participation Fee Trust Fund shall be deposited into the
28 Medicaid Developmentally Disabled Provider Participation Fee
29 Trust Fund. Any other federal funds received by the Illinois
30 Department for medical assistance program expenditures made
31 under Title XIX of the Social Security Act and Article V of
32 this Code that are required by Section 5-4.31 of this Code to
33 be paid into the Medicaid Long Term Care Provider
34 Participation Fee Trust Fund shall be deposited into the

1 Medicaid Long Term Care Provider Participation Fee Trust
2 Fund. Any other federal funds received by the Illinois
3 Department for hospital inpatient, hospital ambulatory care,
4 and disproportionate share hospital expenditures made under
5 Title XIX of the Social Security Act and Article V of this
6 Code that are required by Section 14-2 of this Code to be
7 paid into the Hospital Services Trust Fund shall be deposited
8 into the Hospital Services Trust Fund. Any other federal
9 funds received by the Illinois Department for expenditures
10 made under Title XIX of the Social Security Act and Articles
11 V and VI of this Code that are required by Section 15-2 of
12 this Code to be paid into the County Provider Trust Fund
13 shall be deposited into the County Provider Trust Fund. Any
14 other federal funds received by the Illinois Department for
15 hospital inpatient, hospital ambulatory care, and
16 disproportionate share hospital expenditures made under Title
17 XIX of the Social Security Act and Article V of this Code
18 that are required by Section 5A-8 of this Code to be paid
19 into the Hospital Provider Fund shall be deposited into the
20 Hospital Provider Fund. Any other federal funds received by
21 the Illinois Department for medical assistance program
22 expenditures made under Title XIX of the Social Security Act
23 and Article V of this Code that are required by Section 5B-8
24 of this Code to be paid into the Long-Term Care Provider Fund
25 shall be deposited into the Long-Term Care Provider Fund.
26 Any other federal funds received by the Illinois Department
27 for medical assistance program expenditures made under Title
28 XIX of the Social Security Act and Article V of this Code
29 that are required by Section 5C-7 of this Code to be paid
30 into the Developmentally Disabled Care Provider Fund shall be
31 deposited into the Developmentally Disabled Care Provider
32 Fund. Any other federal funds received by the Illinois
33 Department for trauma center adjustment payments that are
34 required by Section 5-5.03 of this Code and made under Title

1 XIX of the Social Security Act and Article V of this Code
2 shall be deposited into the Trauma Center Fund. Any other
3 federal funds received by the Illinois Department as
4 reimbursement for expenses for early intervention services
5 paid from the Early Intervention Services Revolving Fund
6 shall be deposited into that Fund.

7 The Illinois Department shall consult with the Citizens
8 Assembly/Council on Public Aid in respect to the expenditure
9 of federal funds from the Special Purposes Trust Fund under
10 Section 12-10 and the Local Initiative Fund under Section
11 12-10.1. It shall report to the General Assembly at the end
12 of each fiscal quarter the amount of all funds received and
13 paid into the Social Service Block Grant Fund and the Local
14 Initiative Fund and the expenditures and transfers of such
15 funds for services, programs and other purposes authorized by
16 law. Such report shall be filed with the Speaker, Minority
17 Leader and Clerk of the House, with the President, Minority
18 Leader and Secretary of the Senate, with the Chairmen of the
19 House and Senate Appropriations Committees, the House Human
20 Resources Committee and the Senate Public Health, Welfare and
21 Corrections Committee, or the successor standing Committees
22 of each as provided by the rules of the House and Senate,
23 respectively, with the Legislative Research Unit, as required
24 by Section 3.1 of the General Assembly Organization Act, and
25 ~~with--the-State-Government-Report-Distribution-Center-for-the~~
26 ~~General-Assembly--as--is--required--under--paragraph--(t)--of~~
27 ~~Section--7--of--the--State--Library-Act~~ and one copy with the
28 Citizens Assembly/Council on Public Aid or its successor
29 shall be deemed sufficient to comply with this Section.

30 (Source: P.A. 92-111, eff. 1-1-02.)

31 Section 225. The Interagency Board for Children who are
32 Deaf or Hard-of-Hearing and have an Emotional or Behavioral
33 Disorder Act is amended by changing Section 11 as follows:

1 (325 ILCS 35/11) (from Ch. 23, par. 6711)

2 Sec. 11. Reports. The Board shall make a report of its
3 work annually to the State Superintendent of Education and to
4 the Governor and to each regular session of the General
5 Assembly.

6 The requirement for reporting to the General Assembly
7 shall be satisfied by filing copies of the report with the
8 Speaker, the Minority Leader and the Clerk of the House of
9 Representatives and the President, the Minority Leader and
10 the Secretary of the Senate and the Legislative Research
11 Unit, as required by Section 3.1 of the General Assembly
12 Organization Act ~~and filing such additional copies with the~~
13 ~~State Government Report Distribution Center for the General~~
14 ~~Assembly as is required under paragraph (t) of Section 7 of~~
15 ~~the State Library Act.~~

16 (Source: P.A. 86-1200; 87-1127.)

17 Section 230. The Environmental Protection Act is amended
18 by changing Section 6.1 as follows:

19 (415 ILCS 5/6.1) (from Ch. 111 1/2, par. 1006.1)

20 Sec. 6.1. The Department of Commerce and Community
21 Affairs shall conduct studies of the effects of all State and
22 federal sulfur dioxide regulations and emission standards on
23 the use of Illinois coal and other fuels, and shall report
24 the results of such studies to the Governor and the General
25 Assembly. The reports shall be made by July 1, 1980 and
26 biennially thereafter.

27 The requirement for reporting to the General Assembly
28 shall be satisfied by filing copies of the report with the
29 Speaker, the Minority Leader and the Clerk of the House of
30 Representatives and the President, the Minority Leader and
31 the Secretary of the Senate and the Legislative Research
32 Unit, as required by Section 3.1 of the General Assembly

1 Organization Act "An Act to revise the law in relation to the
2 General Assembly", approved February 25, 1874, as amended,
3 and filing such additional copies with the State Government
4 Report Distribution Center for the General Assembly as is
5 required under paragraph (t) of Section 7 of the State
6 Library Act.

7 (Source: P.A. 89-445, eff. 2-7-96.)

8 Section 235. The Illinois Highway Code is amended by
9 changing Section 4-201.16 as follows:

10 (605 ILCS 5/4-201.16) (from Ch. 121, par. 4-201.16)

11 Sec. 4-201.16. Land acquired for highway purposes,
12 including buildings or improvements upon such property, may
13 be rented between the time of acquisition and the time when
14 the land is needed for highway purposes.

15 The Department shall file an annual report with the
16 General Assembly, by October 1 of each year, which details,
17 by county, the number of rented parcels, the total amount of
18 rent received from these parcels, and the number of parcels
19 which include buildings or improvements.

20 The requirement for reporting to the General Assembly
21 shall be satisfied by filing copies of the report with the
22 Speaker, the Minority Leader and the Clerk of the House of
23 Representatives and the President, the Minority Leader and
24 the Secretary of the Senate and the Legislative Research
25 Unit, as required by Section 3.1 of the General Assembly
26 Organization Act "An Act to revise the law in relation to the
27 General Assembly", approved February 25, 1874, as amended,
28 and filing such additional copies with the State Government
29 Report Distribution Center for the General Assembly as is
30 required under paragraph (t) of Section 7 of the State
31 Library Act.

32 (Source: P.A. 84-1438.)

1 Section 240. The Rivers, Lakes, and Streams Act is
2 amended by changing Sections 14a, 16, and 20 as follows:

3 (615 ILCS 5/14a) (from Ch. 19, par. 61a)

4 Sec. 14a. It is the express intention of this
5 legislation that close cooperation shall exist between the
6 Pollution Control Board, the Environmental Protection Agency,
7 and the Department of Natural Resources and that every
8 resource of State government shall be applied to the proper
9 preservation and utilization of the waters of Lake Michigan.

10 The Environmental Protection Agency shall work in close
11 cooperation with the City of Chicago and other affected units
12 of government to: (1) terminate discharge of pollutional
13 waste materials to Lake Michigan from vessels in both
14 intra-state and inter-state navigation, and (2) abate
15 domestic, industrial, and other pollution to assure that Lake
16 Michigan beaches in Illinois are suitable for full body
17 contact sports, meeting criteria of the Pollution Control
18 Board.

19 The Environmental Protection Agency shall regularly
20 conduct water quality and lake bed surveys to evaluate the
21 ecology and the quality of water in Lake Michigan. Results of
22 such surveys shall be made available, without charge, to all
23 interested persons and agencies. It shall be the
24 responsibility of the Director of the Environmental
25 Protection Agency to report annually or at such other times
26 as the Governor shall direct; such report shall provide
27 hydrologic, biologic, and chemical data together with
28 recommendations to the Governor and members of the General
29 Assembly.

30 The requirement for reporting to the General Assembly
31 shall be satisfied by filing copies of the report with the
32 Speaker, the Minority Leader and the Clerk of the House of
33 Representatives and the President, the Minority Leader and

1 the Secretary of the Senate and the Legislative Research
2 Unit, as required by Section 3.1 of the General Assembly
3 Organization Act "~~An Act to revise the law in relation to the~~
4 ~~General Assembly~~", ~~approved February 25, 1874, as amended,~~
5 ~~and filing such additional copies with the State Government~~
6 ~~Report Distribution Center for the General Assembly as is~~
7 ~~required under paragraph (t) of Section 7 of the State~~
8 ~~Library Act.~~

9 In meeting the requirements of this Act, the Pollution
10 Control Board, Environmental Protection Agency and Department
11 of Natural Resources are authorized to be in direct contact
12 with individuals, municipalities, public and private
13 corporations and other organizations which are or may be
14 contributing to the discharge of pollution to Lake Michigan.
15 (Source: P.A. 89-445, eff. 2-7-96.)

16 (615 ILCS 5/16) (from Ch. 19, par. 63)

17 Sec. 16. The Department of Natural Resources shall plan
18 and devise methods, ways and means for the preservation and
19 beautifying of the public bodies of water of the State, and
20 for making the same more available for the use of the public,
21 and it shall from time to time report its findings and
22 conclusions to the Governor and general assembly, and from
23 time to time submit to the general assembly drafts of such
24 measures as it may deem necessary to be enacted for the
25 accomplishment of such purpose, or for the protection of such
26 bodies of water.

27 The requirement for reporting to the General Assembly
28 shall be satisfied by filing copies of the report with the
29 Speaker, the Minority Leader and the Clerk of the House of
30 Representatives and the President, the Minority Leader and
31 the Secretary of the Senate and the Legislative Research
32 Unit, as required by Section 3.1 of the General Assembly
33 Organization Act "~~An Act to revise the law in relation to the~~

1 General-Assembly", approved-February-25, 1874, as amended,
2 and filing such additional copies with the State Government
3 Report-Distribution-Center-for-the-General-Assembly-as-is
4 required under paragraph (t) of Section 7 of the State
5 Library Act.

6 (Source: P.A. 89-445, eff. 2-7-96.)

7 (615 ILCS 5/20) (from Ch. 19, par. 67)

8 Sec. 20. The Department of Natural Resources shall
9 obtain data and information as to the availability of the
10 various streams of Illinois for water power, and preserve all
11 such data, and report to the Governor and the general
12 assembly such facts as to the amount of water power which can
13 be so developed, from time to time, as in its judgment should
14 be communicated, looking to the preservation of the rights of
15 the State of Illinois in the water power and navigation of
16 this State.

17 The requirement for reporting to the General Assembly
18 shall be satisfied by filing copies of the report with the
19 Speaker, the Minority Leader and the Clerk of the House of
20 Representatives and the President, the Minority Leader and
21 the Secretary of the Senate and the Legislative Research
22 Unit, as required by Section 3.1 of the General Assembly
23 Organization Act "An Act to revise the law in relation to the
24 General-Assembly", approved-February-25, 1874, as amended,
25 and filing such additional copies with the State Government
26 Report-Distribution-Center-for-the-General-Assembly-as-is
27 required under paragraph (t) of Section 7 of the State
28 Library Act.

29 (Source: P.A. 89-445, eff. 2-7-96.)

30 Section 245. The Flood Control Act of 1945 is amended by
31 changing Section 5 as follows:

1 (615 ILCS 15/5) (from Ch. 19, par. 126e)

2 Sec. 5. It shall be the duty of the Department of
3 Natural Resources to execute examinations and surveys of the
4 scope necessary and practical under this Act: The Director of
5 Natural Resources may in his discretion or at the direction
6 of the General Assembly cause an examination of any project
7 for the improvement of any of the rivers and waters of
8 Illinois for any improvements authorized under this Act and a
9 report on the improvements shall be submitted to the
10 Governor, the members of the General Assembly of the
11 Legislative Districts in which the improvements are located,
12 and the General Assembly. The requirement for reporting to
13 the General Assembly shall be satisfied by filing copies of
14 the report with the Speaker, the Minority Leader, and the
15 Clerk of the House of Representatives; and the President, the
16 Minority Leader, and the Secretary of the Senate; and the
17 Legislative Research Unit, as required by Section 3.1 of the
18 General Assembly Organization Act,~~7--and-filing-any-additional~~
19 ~~copies-with-the-State-Government-Report--Distribution--Center~~
20 ~~for--the--General-Assembly-as-required-under-paragraph-(t)-of~~
21 ~~Section-7-of--the--State--Library--Act.~~ All reports shall
22 include, as may be practicable, a comprehensive study of the
23 watersheds involved, any other matter required by the
24 Director of Natural Resources, and any or all data as may be
25 pertinent in regard to:

26 (a) the extent and character of the area affected;

27 (b) the hydrography of the area affected, including
28 rainfall and run-off, frequency and severity of floods,
29 frequency and degree of low flows;

30 (c) flood damages to rural property, growing crops,
31 urban property, industrial property, and communications,
32 including highways, railways, and waterways;

33 (d) the probable effect upon any navigable water or
34 waterway;

1 (e) the possible economical development and
2 utilization of water power;

3 (f) the possible economical reclamation and
4 drainage of the bottomland and upland areas;

5 (g) any other allied uses that may be properly
6 related to or coordinated with the project, including but
7 not limited to, any benefits for public water supply
8 uses, public recreational uses, or wild life
9 conservation;

10 (h) the estimated cost of the improvement and a
11 statement of special or local benefit that will accrue to
12 localities affected by the improvement and a statement of
13 general or state wide benefits, with recommendations as
14 to what local cooperation, participation, and cost
15 sharing should be required, if any, on account of the
16 special or local benefit.

17 The heads of the several Departments of the State shall,
18 upon the request of the Director of Natural Resources, detail
19 representatives from their respective Departments to assist
20 the Department of Natural Resources in the study of the
21 watersheds, to the end that duplication of work may be
22 avoided and the various services of the State economically
23 coordinated therein.

24 In the exercise of its duties under this Section, the
25 Department may accept or amend a work plan of the United
26 States government. The federal work plan as accepted by the
27 Department shall be filed as provided for in this Section.

28 (Source: P.A. 88-517; 89-445, eff. 2-7-96.)

29 Section 250. The Illinois Vehicle Code is amended by
30 changing Section 15-203 as follows:

31 (625 ILCS 5/15-203) (from Ch. 95 1/2, par. 15-203)

32 Sec. 15-203. Records of violations. The Department of

1 State Police shall maintain records of the number of
2 violators of such acts apprehended and the number of
3 convictions obtained. A resume of such records shall be
4 included in the Department's annual report to the Governor;
5 and the Department shall also present such resume to each
6 regular session of the General Assembly.

7 The requirement for reporting to the General Assembly
8 shall be satisfied by filing copies of the report with the
9 Speaker, the Minority Leader and the Clerk of the House of
10 Representatives and the President, the Minority Leader and
11 the Secretary of the Senate and the Legislative Research
12 Unit, as required by Section 3.1 of the General Assembly
13 Organization Act ~~"An Act to revise the law in relation to the~~
14 ~~General Assembly"~~, approved February 25, 1874, as amended,
15 and filing such additional copies with the State Government
16 Report Distribution Center for the General Assembly as is
17 required under paragraph (t) of Section 7 of the State
18 Library Act.

19 (Source: P.A. 84-1438.)

20 Section 255. The Illinois Abortion Law of 1975 is
21 amended by changing Section 10 as follows:

22 (720 ILCS 510/10) (from Ch. 38, par. 81-30)

23 Sec. 10. A report of each abortion performed shall be
24 made to the Department on forms prescribed by it. Such report
25 forms shall not identify the patient by name, but by an
26 individual number to be noted in the patient's permanent
27 record in the possession of the physician, and shall include
28 information concerning:

29 (1) Identification of the physician who performed the
30 abortion and the facility where the abortion was performed
31 and a patient identification number;

32 (2) State in which the patient resides;

- 1 (3) Patient's date of birth, race and marital status;
- 2 (4) Number of prior pregnancies;
- 3 (5) Date of last menstrual period;
- 4 (6) Type of abortion procedure performed;
- 5 (7) Complications and whether the abortion resulted in a
6 live birth;
- 7 (8) The date the abortion was performed;
- 8 (9) Medical indications for any abortion performed when
9 the fetus was viable;
- 10 (10) The information required by Sections 6(1)(b) and
11 6(4)(b) of this Act, if applicable;
- 12 (11) Basis for any medical judgment that a medical
13 emergency existed when required under Sections 6(2)(a) and
14 6(6) and when required to be reported in accordance with this
15 Section by any provision of this Law; and
- 16 (12) The pathologist's test results pursuant to Section
17 12 of this Act.

18 Such form shall be completed by the hospital or other
19 licensed facility, signed by the physician who performed the
20 abortion or pregnancy termination, and transmitted to the
21 Department not later than 10 days following the end of the
22 month in which the abortion was performed.

23 In the event that a complication of an abortion occurs or
24 becomes known after submission of such form, a correction
25 using the same patient identification number shall be
26 submitted to the Department within 10 days of its becoming
27 known.

28 The Department may prescribe rules and regulations
29 regarding the administration of this Law and shall prescribe
30 regulations to secure the confidentiality of the woman's
31 identity in the information to be provided under the "Vital
32 Records Act". All reports received by the Department shall
33 be treated as confidential and the Department shall secure
34 the woman's anonymity. Such reports shall be used only for

1 statistical purposes.

2 Upon 30 days public notice, the Department is empowered
3 to require reporting of any additional information which, in
4 the sound discretion of the Department, is necessary to
5 develop statistical data relating to the protection of
6 maternal or fetal life or health, or is necessary to enforce
7 the provisions of this Law, or is necessary to develop useful
8 criteria for medical decisions. The Department shall
9 annually report to the General Assembly all statistical data
10 gathered under this Law and its recommendations to further
11 the purpose of this Law.

12 The requirement for reporting to the General Assembly
13 shall be satisfied by filing copies of the report with the
14 Speaker, the Minority Leader and the Clerk of the House of
15 Representatives and the President, the Minority Leader and
16 the Secretary of the Senate and the Legislative Research
17 Unit, as required by Section 3.1 of the General Assembly
18 Organization Act ~~"An Act to revise the law in relation to the~~
19 ~~General Assembly", approved February 25, 1874, as amended,~~
20 ~~and filing such additional copies with the State Government~~
21 ~~Report Distribution Center for the General Assembly as is~~
22 ~~required under paragraph (t) of Section 7 of the State~~
23 ~~Library Act.~~

24 (Source: P.A. 84-1438.)

25 Section 260. The Code of Criminal Procedure of 1963 is
26 amended by changing Sections 108A-11 and 108B-13 as follows:

27 (725 ILCS 5/108A-11) (from Ch. 38, par. 108A-11)

28 Sec. 108A-11. Reports Concerning Use of Eavesdropping
29 Devices. (a) In January of each year the State's Attorney of
30 each county in which eavesdropping devices were used pursuant
31 to the provisions of this Article shall report to the
32 Department of State Police the following with respect to each

1 application for an order authorizing the use of an
2 eavesdropping device, or an extension thereof, made during
3 the preceding calendar year:

4 (1) the fact that such an order, extension, or
5 subsequent approval of an emergency was applied for;

6 (2) the kind of order or extension applied for;

7 (3) a statement as to whether the order or extension was
8 granted as applied for was modified, or was denied;

9 (4) the period authorized by the order or extensions in
10 which an eavesdropping device could be used;

11 (5) the felony specified in the order extension or
12 denied application;

13 (6) the identity of the applying investigative or law
14 enforcement officer and agency making the application and the
15 State's Attorney authorizing the application; and

16 (7) the nature of the facilities from which or the place
17 where the eavesdropping device was to be used.

18 (b) Such report shall also include the following:

19 (1) a general description of the uses of eavesdropping
20 devices actually made under such order to overheard or record
21 conversations, including: (a) the approximate nature and
22 frequency of incriminating conversations overheard, (b) the
23 approximate nature and frequency of other conversations
24 overheard, (c) the approximate number of persons whose
25 conversations were overheard, and (d) the approximate nature,
26 amount, and cost of the manpower and other resources used
27 pursuant to the authorization to use an eavesdropping device;

28 (2) the number of arrests resulting from authorized uses
29 of eavesdropping devices and the offenses for which arrests
30 were made;

31 (3) the number of trials resulting from such uses of
32 eavesdropping devices;

33 (4) the number of motions to suppress made with respect
34 to such uses, and the number granted or denied; and

1 (5) the number of convictions resulting from such uses
2 and the offenses for which the convictions were obtained and
3 a general assessment of the importance of the convictions.

4 (c) In April of each year, the Department of State
5 Police shall transmit to the General Assembly a report
6 including information on the number of applications for
7 orders authorizing the use of eavesdropping devices, the
8 number of orders and extensions granted or denied during the
9 preceding calendar year, and the convictions arising out of
10 such uses.

11 The requirement for reporting to the General Assembly
12 shall be satisfied by filing copies of the report with the
13 Speaker, the Minority Leader and the Clerk of the House of
14 Representatives and the President, the Minority Leader and
15 the Secretary of the Senate and the Legislative Research
16 Unit, as required by Section 3.1 of the General Assembly
17 Organization Act ~~"An Act to revise the law in relation to the~~
18 ~~General Assembly"~~, approved February 25, 1874, as amended,
19 and filing such additional copies with the State Government
20 Report Distribution Center for the General Assembly as is
21 required under paragraph (t) of Section 7 of the State
22 Library Act.

23 (Source: P.A. 86-391.)

24 (725 ILCS 5/108B-13) (from Ch. 38, par. 108B-13)

25 Sec. 108B-13. Reports concerning use of eavesdropping
26 devices.

27 (a) Within 30 days after the expiration of an order and
28 each extension thereof authorizing an interception, or within
29 30 days after the denial of an application or disapproval of
30 an application subsequent to any alleged emergency situation,
31 the State's Attorney shall report to the Department of State
32 Police the following:

33 (1) the fact that such an order, extension, or

1 subsequent approval of an emergency was applied for;

2 (2) the kind of order or extension applied for;

3 (3) a statement as to whether the order or
4 extension was granted as applied for was modified, or was
5 denied;

6 (4) the period authorized by the order or
7 extensions in which an eavesdropping device could be
8 used;

9 (5) the offense enumerated in Section 108B-3 which
10 is specified in the order or extension or in the denied
11 application;

12 (6) the identity of the applying electronic
13 criminal surveillance officer and agency making the
14 application and the State's Attorney authorizing the
15 application; and

16 (7) the nature of the facilities from which or the
17 place where the eavesdropping device was to be used.

18 (b) In January of each year the State's Attorney of each
19 county in which an interception occurred pursuant to the
20 provisions of this Article shall report to the Department of
21 State Police the following:

22 (1) a general description of the uses of
23 eavesdropping devices actually made under such order to
24 overhear or record conversations, including: (a) the
25 approximate nature and frequency of incriminating
26 conversations overheard, (b) the approximate nature and
27 frequency of other conversations overheard, (c) the
28 approximate number of persons whose conversations were
29 overheard, and (d) the approximate nature, amount, and
30 cost of the manpower and other resources used pursuant to
31 the authorization to use an eavesdropping device;

32 (2) the number of arrests resulting from authorized
33 uses of eavesdropping devices and the offenses for which
34 arrests were made;

1 (3) the number of trials resulting from such uses
2 of eavesdropping devices;

3 (4) the number of motions to suppress made with
4 respect to such uses, and the number granted or denied;
5 and

6 (5) the number of convictions resulting from such
7 uses and the offenses for which the convictions were
8 obtained and a general assessment of the importance of
9 the convictions.

10 On or before March 1 of each year, the Director of the
11 Department of State Police shall submit to the Governor a
12 report of all intercepts as defined herein conducted pursuant
13 to this Article and terminated during the preceding calendar
14 year. Such report shall include:

15 (1) the reports of State's Attorneys forwarded to
16 the Director as required in this Section;

17 (2) the number of Department personnel authorized
18 to possess, install, or operate electronic, mechanical,
19 or other devices;

20 (3) the number of Department and other law
21 enforcement personnel who participated or engaged in the
22 seizure of intercepts pursuant to this Article during the
23 preceding calendar year;

24 (4) the number of electronic criminal surveillance
25 officers trained by the Department;

26 (5) the total cost to the Department of all
27 activities and procedures relating to the seizure of
28 intercepts during the preceding calendar year, including
29 costs of equipment, manpower, and expenses incurred as
30 compensation for use of facilities or technical
31 assistance provided to or by the Department; and

32 (6) a summary of the use of eavesdropping devices
33 pursuant to orders of interception including (a) the
34 frequency of use in each county, (b) the frequency of use

1 for each crime enumerated in Section 108B-3 of the Code
2 of Criminal Procedure of 1963, as amended, (c) the type
3 and frequency of eavesdropping device use, and (d) the
4 frequency of use by each police department or law
5 enforcement agency of this State.

6 (d) In April of each year, the Director of the
7 Department of State Police and the Governor shall each
8 transmit to the General Assembly reports including
9 information on the number of applications for orders
10 authorizing the use of eavesdropping devices, the number of
11 orders and extensions granted or denied during the preceding
12 calendar year, the convictions arising out of such uses, and
13 a summary of the information required by subsections (a) and
14 (b) of this Section.

15 The requirement for reporting to the General Assembly
16 shall be satisfied by filing copies of the report with the
17 Speaker, the Minority Leader and the Clerk of the House of
18 Representatives and the President, the Minority Leader and
19 the Secretary of the Senate and the Legislative Research
20 Unit, as required by Section 3.1 of the General Assembly
21 Organization Act, ~~and filing such additional copies with the~~
22 ~~State Government Report Distribution Center for the General~~
23 ~~Assembly as is required under paragraph (t) of Section 7 of~~
24 ~~the State Library Act.~~

25 (Source: P.A. 85-1203; 86-1226; 86-1475.)

26 Section 265. The State Appellate Defender Act is amended
27 by changing Section 10 as follows:

28 (725 ILCS 105/10) (from Ch. 38, par. 208-10)

29 Sec. 10. Powers and duties of State Appellate Defender.

30 (a) The State Appellate Defender shall represent
31 indigent persons on appeal in criminal and delinquent minor
32 proceedings, when appointed to do so by a court under a

1 Supreme Court Rule or law of this State.

2 (b) The State Appellate Defender shall submit a budget
3 for the approval of the State Appellate Defender Commission.

4 (c) The State Appellate Defender may:

5 (1) maintain a panel of private attorneys available
6 to serve as counsel on a case basis;

7 (2) establish programs, alone or in conjunction
8 with law schools, for the purpose of utilizing volunteer
9 law students as legal assistants;

10 (3) cooperate and consult with state agencies,
11 professional associations, and other groups concerning
12 the causes of criminal conduct, the rehabilitation and
13 correction of persons charged with and convicted of
14 crime, the administration of criminal justice, and, in
15 counties of less than 1,000,000 population, study,
16 design, develop and implement model systems for the
17 delivery of trial level defender services, and make an
18 annual report to the General Assembly;

19 (4) provide investigative services to appointed
20 counsel and county public defenders;

21 (5) in cases in which a death sentence is an
22 authorized disposition, provide trial counsel with the
23 assistance of expert witnesses, investigators, and
24 mitigation specialists from funds appropriated to the
25 State Appellate Defender specifically for that purpose by
26 the General Assembly. The Office of State Appellate
27 Defender shall not be appointed to serve as trial counsel
28 in capital cases.

29 (d) For each State fiscal year, the State Appellate
30 Defender shall appear before the General Assembly and request
31 appropriations to be made from the Capital Litigation Trust
32 Fund to the State Treasurer for the purpose of providing
33 defense assistance in capital cases outside of Cook County.
34 The State Appellate Defender may appear before the General

1 Assembly at other times during the State's fiscal year to
2 request supplemental appropriations from the Trust Fund to
3 the State Treasurer.

4 (e) The requirement for reporting to the General
5 Assembly shall be satisfied by filing copies of the report
6 with the Speaker, the Minority Leader and the Clerk of the
7 House of Representatives and the President, the Minority
8 Leader and the Secretary of the Senate and the Legislative
9 Research Unit, as required by Section 3.1 of the General
10 Assembly Organization Act ~~and filing such additional copies~~
11 ~~with the State Government Report Distribution Center for the~~
12 ~~General Assembly as is required under paragraph (t) of~~
13 ~~Section 7 of the State Library Act.~~

14 (Source: P.A. 91-589, eff. 1-1-00.)

15 Section 270. The State's Attorneys Appellate
16 Prosecutor's Act is amended by changing Section 4.06 as
17 follows:

18 (725 ILCS 210/4.06) (from Ch. 14, par. 204.06)

19 Sec. 4.06. The board shall submit an annual report to
20 the General Assembly and Governor regarding the operation of
21 the Office of the State's Attorneys Appellate Prosecutor.

22 The requirement for reporting to the General Assembly
23 shall be satisfied by filing copies of the report with the
24 Speaker, the Minority Leader and the Clerk of the House of
25 Representatives and the President, the Minority Leader and
26 the Secretary of the Senate and the Legislative Research
27 Unit, as required by Section 3.1 of the General Assembly
28 Organization Act ~~"An Act to revise the law in relation to the~~
29 ~~General Assembly", approved February 25, 1874, as amended,~~
30 ~~and filing such additional copies with the State Government~~
31 ~~Report Distribution Center for the General Assembly as is~~
32 ~~required under paragraph (t) of Section 7 of the State~~

1 Library-Act.

2 (Source: P.A. 84-1438.)

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10 ILCS 5/1A-8 from Ch. 46, par. 1A-8
15 ILCS 15/11 from Ch. 127, par. 1811
15 ILCS 320/7 from Ch. 128, par. 107
20 ILCS 105/4.02 from Ch. 23, par. 6104.02
20 ILCS 105/7.09 from Ch. 23, par. 6107.09
20 ILCS 405/405-300 was 20 ILCS 405/67.02
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20 ILCS 505/5.15
20 ILCS 1120/4 from Ch. 96 1/2, par. 7804
20 ILCS 2405/3 from Ch. 23, par. 3434
20 ILCS 2605/2605-555
20 ILCS 2705/2705-205 was 20 ILCS 2705/49.21
20 ILCS 2705/2705-430 was 20 ILCS 2705/49.25g
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25 ILCS 5/3.1 from Ch. 63, par. 3.1
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