

1 "Agency", however, does not include the following:

2 (1) The House of Representatives and Senate and
3 their respective standing and service committees,
4 including without limitation the Board of the Office of
5 the Architect of the Capitol and the Architect of the
6 Capitol established under the Legislative Commission
7 Reorganization Act of 1984.

8 (2) The Governor.

9 (3) The justices and judges of the Supreme and
10 Appellate Courts.

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

12 Section 10. The Civil Administrative Code of Illinois is
13 amended by changing Section 5-630 as follows:

14 (20 ILCS 5/5-630) (was 20 ILCS 5/17)

15 Sec. 5-630. Department offices. Each department shall
16 maintain a central office in ~~the-Capitol-Building, Centennial~~
17 ~~Building,--or--State-Office-Building-at~~ Springfield, in space
18 ~~rooms~~ provided by the Secretary of State, ~~or--in--the--Armory~~
19 ~~Building--at-Springfield,--in-rooms-provided-by~~ the Department
20 of Central Management Services, or the Architect of the
21 Capitol, excepting the Department of Agriculture, which shall
22 maintain a central office at the State fair grounds at
23 Springfield, and the Department of Transportation, which
24 shall also maintain a Division of Aeronautics at Capital
25 Airport. The director of each department (see Section 5-10 of
26 this Law for the definition of "director") may, in the
27 director's discretion and with the approval of the Governor,
28 establish and maintain, at places other than the seat of
29 government, branch offices for the conduct of any one or more
30 functions of the director's department.

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

1 Section 13. The Governor's Office of Management and
2 Budget Act is amended by changing Section 5.1 as follows:

3 (20 ILCS 3005/5.1) (from Ch. 127, par. 415)

4 Sec. 5.1. Under such regulations as the Governor may
5 prescribe, every State agency, other than State colleges and
6 universities, agencies of legislative and judicial branches
7 of State government, and elected State executive officers not
8 including the Governor, shall file with the Legislative
9 Research Unit Illinois--Commission--on--Intergovernmental
10 Cooperation all applications for federal grants, contracts
11 and agreements. The Legislative Research Unit Commission-on
12 Intergovernmental-Cooperation shall immediately forward all
13 such materials to the Office for the Office's approval. Any
14 application for federal funds which has not received Office
15 approval shall be considered void and any funds received as a
16 result of such application shall be returned to the federal
17 government before they are spent. Each State agency subject
18 to this Section shall, at least 45 days before submitting its
19 application to the federal agency, report in detail to the
20 Legislative Research Unit Commission--on--Intergovernmental
21 Cooperation what the grant is intended to accomplish and the
22 specific plans for spending the federal dollars received
23 pursuant to the grant. The Legislative Research Unit
24 Commission-on-Intergovernmental-Cooperation shall immediately
25 forward such materials to the Office. The Office may approve
26 the submission of an application to the federal agency in
27 less than 45 days after its receipt by the Office when the
28 Office determines that the circumstances require an expedited
29 application. Such reports of applications and plans of
30 expenditure shall include but shall not be limited to:

- 31 (1) an estimate of both the direct and indirect costs in
32 non-federal revenues of participation in the federal program;
- 33 (2) the probable length of duration of the program, a

1 schedule of fund receipts and an estimate of the cost to the
2 State of maintaining the program if and when the federal
3 financial assistance or grant is terminated;

4 (3) a list of State or local agencies utilizing the
5 financial assistance as direct recipients or subgrantees;

6 (4) a description of each program proposed to be funded
7 by the financial assistance or grant; and

8 (5) a description of any financial, program or planning
9 commitment on the part of the State required by the federal
10 government as a requirement for receipt of the financial
11 assistance or grant.

12 All State agencies subject to this Section shall
13 immediately file with the Legislative Research Unit Illinois
14 Commission-on-Intergovernmental-Cooperation, any awards of
15 federal funds and any and all changes in the programs, in
16 awards, in program duration, in schedule of fund receipts,
17 and in estimated costs to the State of maintaining the
18 program if and when federal assistance is terminated, or in
19 direct and indirect costs, of any grant under which they are
20 or expect to be receiving federal funds. The Legislative
21 Research Unit Commission--on--Intergovernmental-Cooperation
22 shall immediately forward such materials to the Office.

23 The Office in cooperation with the Legislative Research
24 Unit Commission---on--Intergovernmental--Cooperation shall
25 develop standard forms and a system of identifying numbers
26 for the applications and reports required by this Section.
27 Upon receipt from the State agencies of each application and
28 report, the Legislative Research Unit Commission shall
29 promptly designate the appropriate identifying number
30 therefor and communicate such number to the respective State
31 agency, the Comptroller and the Office.

32 Each State agency subject to this Section shall include
33 in each report to the Comptroller of the receipt of federal
34 funds the identifying number applicable to the grant under

1 which such funds are received.

2 (Source: P.A. 93-25, eff. 6-20-03.)

3 Section 15. The Illinois Construction Evaluation Act is
4 amended by changing Section 2 as follows:

5 (20 ILCS 3015/2) (from Ch. 127, par. 3202)

6 Sec. 2. (a) There is hereby created the Construction
7 Evaluation Council, hereinafter the "Council", which shall
8 consist of the Architect of the Capitol ~~the--Executive~~
9 ~~Director-of-the-Space-Needs-Commission~~, the Director of the
10 Governor's Office of Management and Budget ~~Bureau-of-the~~
11 ~~Budget~~, and the Director of ~~the--Department--of~~ Central
12 Management Services or their designees. The members of the
13 Council shall select from among themselves one person to act
14 as chairman for a term of 2 years.

15 (b) Members of the Council shall serve without pay, but
16 shall be reimbursed for necessary and reasonable costs
17 incurred in the performance of their duties.

18 (c) The Council shall meet at the call of the chairman.

19 (Source: P.A. 84-859; revised 8-23-03.)

20 Section 20. The Capital Development Board Act is amended
21 by changing Section 1.1 as follows:

22 (20 ILCS 3105/1.1) (from Ch. 127, par. 771.1)

23 Sec. 1.1. Nothing herein applies to the design,
24 planning, construction, reconstruction, improvement, and
25 installation of capital facilities within the State Capitol
26 Building and other areas of the legislative complex, as
27 defined in Section 8A-15 of the Legislative Commission
28 Reorganization Act of 1984, which functions shall be within
29 the exclusive jurisdiction of the Architect of the Capitol
30 ~~Space--Needs--Commission--created--by--"The-Space-Needs-Act"~~,

1 approved-September-8, 1967, as--now-and-hereafter-amended.

2 (Source: P.A. 79-835.)

3 Section 25. The Government Buildings Energy Cost
4 Reduction Act of 1991 is amended by changing Section 20 as
5 follows:

6 (20 ILCS 3953/20) (from Ch. 96 1/2, par. 9820)

7 Sec. 20. Powers and duties. The Interagency Energy
8 Conservation Committee shall have the authority:

9 (a) to prepare an annual assessment of opportunities for
10 energy cost reduction in State owned and leased buildings and
11 facilities designated by the committee. Each assessment
12 shall be completed by September 15 of each year, beginning in
13 1992, shall be available to the public and shall include:

14 (1) data on energy consumption and costs for each
15 State building and facility designated by the committee
16 for the preceding 5 years and anticipated energy
17 consumption and cost data projected for the next 3 years;

18 (2) energy conservation measures deployed in State
19 buildings and facilities designated by the committee
20 during the preceding year;

21 (3) evaluation studies of the cost reductions and
22 other benefits realized through the deployment of such
23 measures; and

24 (4) energy conservation opportunities (based on
25 audits, technical analyses or other methods of
26 determining such opportunities) and associated energy
27 saving operation and maintenance procedures and capital
28 projects for each State building or facility designated
29 by the committee.

30 (b) to conduct such surveys, audits, technical analyses
31 and other research or investigations as may be necessary to
32 support the preparation of the annual plan and the objectives

1 of this Act.

2 (c) to review all proposed capital projects and energy
3 cost operating budgets of State agencies designated by the
4 committee and recommend energy conservation measures which
5 would reduce operating costs in buildings or facilities
6 affected by such capital projects.

7 (d) to develop, after study of existing or emerging
8 energy conservation technologies, guidelines as may be
9 necessary or desirable to further the objectives of this Act
10 or to aid the work of the Committee.

11 (e) to provide, at the request of the Secretary of
12 State, the Architect of the Capitol, Legislative-Space-Needs
13 Commission or any other officer or entity of State
14 government, technical and consultative assistance concerning
15 energy cost management or conservation.

16 (f) to annually recommend to the Governor by November
17 15, beginning in 1992, specific operations and maintenance
18 procedure modifications and capital projects for State owned
19 and leased buildings and facilities designed to reduce energy
20 consumption and costs.

21 (g) to issue a report to the Governor and General
22 Assembly by March 31 of each odd-numbered year, beginning in
23 1993, describing the status of government building energy
24 cost reduction and management efforts in the State, listing
25 obstacles to building energy efficiency improvement together
26 with related recommendations for statutory change, and
27 identifying opportunities for public sector energy cost
28 reductions not addressed by this Act or the programs
29 developed pursuant hereto.

30 (Source: P.A. 87-852.)

31 Section 30. The Pension Impact Note Act is amended by
32 changing Section 2 as follows:

1 (25 ILCS 55/2) (from Ch. 63, par. 42.42)

2 Sec. 2. Pension impact notes. The Illinois Economic and
3 Fiscal Pension--Laws Commission, hereafter in this Act
4 referred to as the "Commission", shall prepare a written
5 pension system impact note in relation to any bill introduced
6 in either house of the General Assembly which proposes to
7 amend, revise, or add to any provision of the Illinois
8 Pension Code or the State Pension Funds Continuing
9 Appropriation Act. Upon the introduction of any such bill,
10 the Clerk of the House or the Secretary of the Senate shall
11 forward the bill to the Commission, which shall prepare such
12 a note within 7 calendar days after receiving the request.
13 The bill shall be held on second reading until the note has
14 been received.

15 Copies of each pension impact note shall be furnished by
16 the Commission to the presiding officer of each house, the
17 minority leader of each house, the Clerk of the House of
18 Representatives, the Secretary of the Senate, the sponsor of
19 the bill which is the subject of the note, the member, if
20 any, who initiated the request for the note, the Chairman of
21 the House Committee on Personnel and Pensions, and the
22 Chairman of the Senate Committee on Insurance, Pensions and
23 Licensed Activities.

24 (Source: P.A. 89-113, eff. 7-7-95.)

25 (25 ILCS 125/Act rep.)

26 Section 35. The Space Needs Act is repealed.

27 Section 40. The Legislative Commission Reorganization
28 Act of 1984 is amended by changing Sections 1-3, 1-5, 3A-1,
29 4-1, 4-3, 4-4, 4-7, 4-9, 10-3, and 10-6, by changing and
30 resectioning Section 4-2 as Sections 4-2 and 4-2.1, and by
31 adding Article 8A as follows:

(25 ILCS 130/1-3) (from Ch. 63, par. 1001-3)

Sec. 1-3. Legislative support services agencies. The Joint Committee on Legislative Support Services is responsible for establishing general policy and coordinating activities among the legislative support services agencies. The legislative support services agencies include the following:

(1) Joint Committee on Administrative Rules;

(2) Illinois Economic and Fiscal Commission;

~~(3) Illinois Commission on Intergovernmental Cooperation;~~

~~(3)~~ (4) Legislative Information System;

~~(4)~~ (5) Legislative Reference Bureau;

~~(5)~~ (6) Legislative Audit Commission;

~~(7) Space Needs Commission;~~

~~(6)~~ (8) Legislative Printing Unit;

~~(7)~~ (9) Legislative Research Unit; and

~~(10) Citizens Assembly; and~~

~~(11) Pension Laws Commission~~

(8) Office of the Architect of the Capitol.

(Source: P.A. 89-113, eff. 7-7-95.)

(25 ILCS 130/1-5) (from Ch. 63, par. 1001-5)

Sec. 1-5. Composition of agencies; directors.

(a)(1) Each legislative support services agency listed in Section 1-3 is hereafter in this Section referred to as the Agency.

~~(2) (Blank). The Citizens Assembly shall consist of the 14 co-chairpersons of the Citizens Councils created under Article 11A.~~

~~(2.1) (Blank). The Pension Laws Commission shall consist of 8 members of the General Assembly, of whom 2 shall be appointed by the President of the Senate, 2 shall be appointed by the Minority Leader of the Senate, 2 shall be~~

1 appointed-by-the-Speaker-of-the-House-of-Representatives, and
 2 2 shall be appointed by the Minority Leader of the House of
 3 Representatives; plus 8 public members with knowledge of
 4 privately-funded-and-operated-pension-plans, of whom 2 shall
 5 be appointed by the President of the Senate, 2 shall be
 6 appointed by the Minority Leader of the Senate, 2 shall be
 7 appointed by the Speaker of the House of Representatives, and
 8 2 shall be appointed by the Minority Leader of the House of
 9 Representatives. All appointments shall be in writing and
 10 filed with the Secretary of State as a public record.

11 Legislative members of the Pension Laws Commission shall
 12 be appointed during the month of January in each odd-numbered
 13 year for 2-year terms beginning February 1. Any vacancy on
 14 the Commission shall be filled by appointment for the balance
 15 of the term in the same manner as the original appointment.
 16 A vacancy exists when a legislative member ceases to hold the
 17 elected legislative office held at the time of appointment.
 18 The initial legislative members of the Commission shall be
 19 appointed as soon as practicable after the effective date of
 20 this amendatory Act and shall serve until January 31, 1997.

21 (2.5) The Board of the Office of the Architect of the
 22 Capitol shall consist of the Secretary and Assistant
 23 Secretary of the Senate and the Clerk and Assistant Clerk of
 24 the House of Representatives.

25 (3) The other legislative support services agencies
 26 shall each consist of 12 members of the General Assembly, of
 27 whom 3 shall be appointed by the President of the Senate, 3
 28 shall be appointed by the Minority Leader of the Senate, 3
 29 shall be appointed by the Speaker of the House of
 30 Representatives, and 3 shall be appointed by the Minority
 31 Leader of the House of Representatives. All appointments
 32 shall be in writing and filed with the Secretary of State as
 33 a public record.

34 Members shall serve a 2-year two-year term, and must be

1 appointed by the Joint Committee during the month of January
 2 in each odd-numbered year for terms beginning February 1.
 3 Any vacancy in an Agency shall be filled by appointment for
 4 the balance of the term in the same manner as the original
 5 appointment. A vacancy shall exist when a member no longer
 6 holds the elected legislative office held at the time of the
 7 appointment or at the termination of the member's legislative
 8 service.

9 (b) (Blank).

10 ~~(c) Every two years the members of each Agency shall~~
 11 ~~elect,~~ During the month of February of each odd-numbered
 12 year, the Joint Committee on Legislative Support Services
 13 shall select from the members of each agency, other than the
 14 Office of the Architect of the Capitol, 2 co-chairmen and
 15 such other officers as the Joint Committee deems they deem
 16 necessary. ~~If members of the Agency cannot agree on the~~
 17 ~~co-chairmen by March 1 of the odd-numbered year, the~~
 18 ~~co-chairmen shall be selected from among the members by the~~
 19 ~~Joint Committee on Legislative Support Services.~~ The
 20 co-chairmen of each Agency shall serve for a 2-year two-year
 21 term, beginning February 1 of the odd-numbered year, and the
 22 2 co-chairmen shall not be members of or identified with the
 23 same house or the same political party. The co-chairmen of
 24 the Board of the Office of the Architect of the Capitol shall
 25 be the Secretary of the Senate and the Clerk of the House of
 26 Representatives, each ex officio. ~~If a co-chairman of the~~
 27 ~~Citizens Assembly is not a member of the General Assembly, he~~
 28 ~~shall be considered to be identified with the house and the~~
 29 ~~political party of the legislative leader by whom he was~~
 30 ~~appointed.~~ ~~The co-chairmen of the Pension Laws Commission~~
 31 ~~shall be legislative members of the Commission.~~

32 Each Agency shall meet twice annually or more often upon
 33 the call of the chair or any 9 members (or any 3 members in
 34 the case of the Office of the Architect of the Capitol). A

1 quorum of the Agency shall consist of a majority of the
2 appointed members.

3 (d) Members of each Agency shall serve without
4 compensation, but shall be reimbursed for expenses incurred
5 in carrying out the duties of the Agency pursuant to rules
6 and regulations adopted by the Joint Committee on Legislative
7 Support Services.

8 (e) Beginning February 1, 1985, and every 2 two years
9 thereafter, the Joint Committee shall select an Executive
10 Director who shall be the chief executive officer and staff
11 director of each Agency. The Executive Director shall
12 receive a salary as fixed by the Joint Committee and shall be
13 authorized to employ and fix the compensation of necessary
14 professional, technical and secretarial staff and prescribe
15 their duties, sign contracts, and issue vouchers for the
16 payment of obligations pursuant to rules and regulations
17 adopted by the Joint Committee on Legislative Support
18 Services. The Executive Director and other employees of the
19 Agency shall not be subject to the Personnel Code.

20 The executive director of the Office of the Architect of
21 the Capitol shall be known as the Architect of the Capitol.

22 (Source: P.A. 89-113, eff. 7-7-95.)

23 (25 ILCS 130/3A-1)

24 Sec. 3A-1. Economic and Fiscal Pension--Laws Commission;
25 pension laws.

26 (a) The Economic and Fiscal Pension-Laws Commission is
27 hereby-established-as-a-legislative-support-services--agency.
28 The--Commission-is-subject-to-the-provisions-of-this-Act.--It
29 shall have the powers, and-perform-the duties, and delegated
30 to--it--under--this-Act, the Pension-Impact-Note-Act, and the
31 Illinois-Pension-Code-and-shall-perform-any--other functions
32 that may be provided by law.

33 (b) The Pension-Laws Commission shall make a continuing

1 study of the laws and practices pertaining to pensions and
 2 related retirement and disability benefits for persons in
 3 State or local government service and their survivors and
 4 dependents, shall evaluate existing laws and practices, and
 5 shall review and make recommendations on proposed changes to
 6 those laws and practices.

7 (c) The Commission shall be responsible for the
 8 preparation of Pension Impact Notes as provided in the
 9 Pension Impact Note Act.

10 (d) The Commission shall report to the General Assembly
 11 annually or as it deems necessary or useful on the results of
 12 its studies and the performance of its duties.

13 (e) The Commission may request assistance from any other
 14 entity as necessary or useful for the performance of its
 15 duties.

16 (f) For purposes of the Successor Agency Act and Section
 17 9b of the State Finance Act, the Economic and Fiscal
 18 Commission is the successor to the Pension Laws Commission.
 19 The Economic and Fiscal Commission succeeds to and assumes
 20 all powers, duties, rights, responsibilities, personnel,
 21 assets, liabilities, and indebtedness of the Pension Laws
 22 Commission. Any reference in any law, rule, form, or other
 23 document to the Pension Laws Commission is deemed to be a
 24 reference to the Economic and Fiscal Commission. The Illinois
 25 Economic and Fiscal Commission shall continue to perform the
 26 functions and duties that are being transferred from it to
 27 the Pension Laws Commission by this amendatory Act of 1995
 28 until the Pension Laws Commission has been appointed and
 29 funded and is prepared to begin its operations.

30 (Source: P.A. 89-113, eff. 7-7-95; 90-14, eff. 7-1-97.)

31 (25 ILCS 130/4-1) (from Ch. 63, par. 1004-1)

32 Sec. 4-1. For purposes of the Successor Agency Act and
 33 Section 9b of the State Finance Act, the Legislative Research

1 Unit is the successor to the Illinois Commission on
 2 Intergovernmental Cooperation. The Legislative Research Unit
 3 succeeds to and assumes all powers, duties, rights,
 4 responsibilities, personnel, assets, liabilities, and
 5 indebtedness of the Illinois Commission on Intergovernmental
 6 Cooperation. Any reference in any law, rule, form, or other
 7 document to the Illinois Commission on Intergovernmental
 8 Cooperation is deemed to be a reference to the Legislative
 9 Research Unit. The Illinois Commission on Intergovernmental
 10 Cooperation, hereinafter referred to as the "Commission", is
 11 hereby established as a legislative support services agency.
 12 The Commission shall perform the powers and duties delegated
 13 to it under this Act and such other functions as may be
 14 provided by law.

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

16 (25 ILCS 130/4-2) (from Ch. 63, par. 1004-2)

17 Sec. 4-2. Intergovernmental functions. It shall be the
 18 function of the Legislative Research Unit this Commission:

19 (1) To carry forward the participation of this State as
 20 a member of the Council of State Governments.

21 (2) To encourage and assist the legislative, executive,
 22 administrative and judicial officials and employees of this
 23 State to develop and maintain friendly contact by
 24 correspondence, by conference, and otherwise, with officials
 25 and employees of the other States, of the Federal Government,
 26 and of local units of government.

27 (3) To endeavor to advance cooperation between this
 28 State and other units of government whenever it seems
 29 advisable to do so by formulating proposals for, and by
 30 facilitating:

31 (a) The adoption of compacts.

32 (b) The enactment of uniform or reciprocal
 33 statutes.

1 (c) The adoption of uniform or reciprocal
2 administrative rules and regulations.

3 (d) The informal cooperation of governmental
4 offices with one another.

5 (e) The personal cooperation of governmental
6 officials and employees with one another individually.

7 (f) The interchange and clearance of research and
8 information.

9 (g) Any other suitable process, and

10 (h) To do all such acts as will enable this State
11 to do its part in forming a more perfect union among the
12 various governments in the United States and in
13 developing the Council of State Governments for that
14 purpose.

15 (Source: P.A. 87-961; revised 8-23-03.)

16 (25 ILCS 130/4-2.1 new)

17 Sec. 4-2.1. Federal program functions. (4) The
18 Legislative Research Unit ~~Commission~~ is established as the
19 information center for the General Assembly in the field of
20 federal-state relations and as State Central Information
21 Reception Agency for the purpose of receiving information
22 from federal agencies under the United States Office of
23 Management and Budget circular A-98 and the United States
24 Department of the Treasury Circular TC-1082 or any successor
25 circulars promulgated under authority of the United States
26 Inter-governmental Cooperation Act of 1968. Its powers and
27 duties in this capacity include, but are not limited to:

28 (a) Compiling and maintaining current information
29 on available and pending federal aid programs for the use
30 of the General Assembly and legislative agencies;

31 (b) Analyzing the relationship of federal aid
32 programs with state and locally financed programs, and
33 assessing the impact of federal aid programs on the State

1 generally;

2 (c) Reporting annually to the General Assembly on
3 the adequacy of programs financed by federal aid in the
4 State, the types and nature of federal aid programs in
5 which State agencies or local governments did not
6 participate, and to make recommendations on such matters;

7 (d) Cooperating with the Governor's Office of
8 Management and Budget Illinois-Bureau-of-the--Budget and
9 with any State of Illinois offices located in Washington,
10 D.C., in obtaining information concerning federal
11 grant-in-aid legislation and proposals having an impact
12 on the State of Illinois;

13 (e) Cooperating with the Governor's Office of
14 Management and Budget Bureau-of-the-Budget in developing
15 forms and identifying number systems for the
16 documentation of applications, awards, receipts and
17 expenditures of federal funds by State agencies;

18 (f) Receiving from every State agency, other than
19 State colleges and universities, agencies of legislative
20 and judicial branches of State government, and elected
21 State executive officers not including the Governor, all
22 applications for federal grants, contracts and agreements
23 and notification of any awards of federal funds and any
24 and all changes in the programs, in awards, in program
25 duration, in schedule of fund receipts, and in estimated
26 costs to the State of maintaining the program if and when
27 federal assistance is terminated, or in direct and
28 indirect costs, of any grant under which they are or
29 expect to be receiving federal funds;

30 (g) Forwarding to the Governor's Office of
31 Management and Budget Bureau-of-the-Budget all documents
32 received under paragraph (f) after assigning an
33 appropriate, State application identifier number to all
34 applications; and

1 (h) Reporting such information as is received under
2 subparagraph (f) to the President and Minority Leader of
3 the Senate and the Speaker and Minority Leader of the
4 House of Representatives and their respective
5 appropriation staffs and to any member of the General
6 Assembly on a monthly basis at the request of the member.

7 The State colleges and universities, the agencies of the
8 legislative and judicial branches of State government, and
9 the elected State executive officers, not including the
10 Governor, shall submit to the Legislative Research Unit
11 Commission, in a manner prescribed by the Legislative
12 Research Unit Commission, summaries of applications for
13 federal funds filed and grants of federal funds awarded.

14 (Source: P.A. 87-961; revised 8-23-03.)

15 (25 ILCS 130/4-3) (from Ch. 63, par. 1004-3)

16 Sec. 4-3. The Legislative Research Unit Commission shall
17 establish such committees as it deems advisable, in order
18 that they may confer and formulate proposals concerning
19 effective means to secure intergovernmental harmony, and may
20 perform other functions for the Unit Commission in obedience
21 to its decision. Subject to the approval of the Unit
22 Commission, the member or members of each such committee
23 shall be appointed by the co-chairmen Chairman of the Unit
24 Commission. State officials or employees who are not members
25 of the Unit Commission-on-Intergovernmental-Cooperation may
26 be appointed as members of any such committee, but private
27 citizens holding no governmental position in this State shall
28 not be eligible. The Unit Commission may provide such other
29 rules as it considers appropriate concerning the membership
30 and the functioning of any such committee. The Unit
31 Commission may provide for advisory boards for itself and for
32 its various committees, and may authorize private citizens to
33 serve on such boards.

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

2 (25 ILCS 130/4-4) (from Ch. 63, par. 1004-4)

3 Sec. 4-4. The General Assembly finds that the most
4 efficient and productive use of federal block grant funds can
5 be achieved through the coordinated efforts of the
6 Legislature, the Executive, State and local agencies and
7 private citizens. Such coordination is possible through the
8 creation of an Advisory Committee on Block Grants empowered
9 to review, analyze and make recommendations through the
10 Legislative Research Unit Commission to the General Assembly
11 and the Governor on the use of federally funded block grants.

12 The Legislative Research Unit Commission shall establish
13 an Advisory Committee on Block Grants. The primary purpose
14 of the Advisory Committee shall be the oversight of the
15 distribution and use of federal block grant funds.

16 The Advisory Committee shall consist of 4 public members
17 appointed by the Joint Committee on Legislative Support
18 Services and the members of the Legislative Research Unit
19 Commission. A chairperson shall be chosen by the members of
20 the Advisory Committee.

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

22 (25 ILCS 130/4-7) (from Ch. 63, par. 1004-7)

23 Sec. 4-7. The Legislative Research Unit Commission shall
24 report to the Governor and to the Legislature within 15
25 fifteen days after the convening of each General Assembly,
26 and at such other time as it deems appropriate. The members
27 of all committees which it establishes shall serve without
28 compensation for such service, but they shall be paid their
29 necessary expenses in carrying out their obligations under
30 this Act. The Unit Commission may by contributions to the
31 Council of State Governments, participate with other states
32 in maintaining the said Council's district and central

1 secretariats, and its other governmental services.

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 "An Act to revise the law
8 in relation to the General Assembly", approved February 25,
9 1874, as amended, and filing such additional copies with the
10 State Government Report Distribution Center for the General
11 Assembly as is required under paragraph (t) of Section 7 of
12 the State Library Act.

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

14 (25 ILCS 130/4-9) (from Ch. 63, par. 1004-9)

15 Sec. 4-9. Intergovernmental Cooperation Conference Fund.

16 (a) There is hereby created the Intergovernmental
17 Cooperation Conference Fund, hereinafter called the "Fund".
18 The Fund shall be outside the State treasury, but the State
19 Treasurer shall act as ex-officio custodian of the Fund.

20 (b) The Legislative Research Unit Commission may charge
21 and collect fees from participants at conferences held in
22 connection with the Unit's Commission's exercise of its
23 powers and duties. The fees shall be charged in an amount
24 calculated to cover the cost of the conferences and shall be
25 deposited in the Fund.

26 (c) Monies in the Fund shall be used to pay the costs of
27 the conferences. As soon as may be practicable after the
28 close of business on June 30 of each year, the Unit
29 Commission shall notify the Comptroller of the amount
30 remaining in the Fund which is not necessary to pay the
31 expenses of conferences held during the expiring fiscal year.
32 Such amount shall be transferred by the Comptroller and the
33 Treasurer from the Fund to the General Revenue Fund. If,

1 during any fiscal year, the monies in the Fund are
2 insufficient to pay the costs of conferences held during that
3 fiscal year, the difference shall be paid from other monies
4 which may be available to the Commission.

5 (Source: P.A. 85-491.)

6 (25 ILCS 130/Art. 8A heading new)

7 ARTICLE 8A

8 (25 ILCS 130/8A-5 new)

9 Sec. 8A-5. Architect of the Capitol.

10 (a) The Architect of the Capitol must be an architect
11 licensed under the Illinois Architecture Practice Act of 1989
12 and must have at least 5 years of experience in the field of
13 architecture, historic preservation, or both.

14 (b) The offices of the Architect of the Capitol and his
15 or her staff shall be located in Springfield, Illinois, in a
16 building or facility occupied in whole or in part by the
17 legislative branch.

18 (c) The Architect of the Capitol shall have the powers
19 and duties provided by law and by the Board of the Office of
20 the Architect of the Capitol.

21 (25 ILCS 130/8A-10 new)

22 Sec. 8A-10. Capitol Historic Preservation Board.

23 (a) The Capitol Historic Preservation Board shall
24 consist of 10 persons. One member shall be appointed by each
25 of the following: the President and Minority Leader of the
26 Senate, the Speaker and Minority Leader of the House of
27 Representatives, the Governor, the Secretary of State, the
28 Attorney General, the Chief Justice of the Illinois Supreme
29 Court, and the Mayor of the City of Springfield. Knowledge
30 and experience in the areas of architecture and historic
31 preservation may be considered, in addition to other

1 appropriate qualifications, in appointing members of the
2 Board. In addition, the Executive Director of the Capital
3 Development Board, ex officio, shall serve as a member.

4 (b) Appointed members of the Board shall serve 4-year
5 terms, except that the members initially appointed by the
6 President and Minority Leader of the Senate, the Speaker and
7 Minority Leader of the House of Representatives, and the
8 Governor shall serve 2-year terms. Members shall serve
9 without compensation but shall be reimbursed for expenses
10 incurred in the performance of their duties.

11 (c) The Capitol Historic Preservation Board shall serve
12 as an advisory body to the Architect of the Capitol and shall
13 perform such advisory functions as provided by law or
14 requested by the Architect of the Capitol or the Board of the
15 Office of the Architect of the Capitol.

16 (25 ILCS 130/8A-15 new)

17 Sec. 8A-15. Master plan.

18 (a) The term "legislative complex" means (i) the
19 buildings and facilities located in Springfield, Illinois,
20 and occupied in whole or in part by the General Assembly or
21 any of its support service agencies, (ii) the grounds,
22 walkways, and tunnels surrounding or connected to those
23 buildings and facilities, and (iii) the off-street parking
24 areas serving those buildings and facilities.

25 (b) The Architect of the Capitol shall prepare and
26 implement a long-range master plan of development for the
27 State Capitol Building and the remaining portions of the
28 legislative complex that addresses the improvement,
29 construction, historic preservation, restoration,
30 maintenance, repair, and landscaping needs of the State
31 Capitol Building and the remaining portions of the
32 legislative complex. The Architect of the Capitol shall
33 submit the master plan to the Capitol Historic Preservation

1 Board for its review and comment. The Board must confine its
2 review and comment to those portions of the master plan that
3 relate to areas of the legislative complex other than the
4 State Capitol Building. The Architect may incorporate
5 suggestions of the Board into the master plan. The master
6 plan must be submitted to and approved by the Board of the
7 Office of the Architect of the Capitol before its
8 implementation.

9 The Architect of the Capitol may change the master plan
10 and shall submit changes in the master plan that relate to
11 areas of the legislative complex other than the State Capitol
12 Building to the Capitol Historic Preservation Board for its
13 review and comment. All changes in the master plan must be
14 submitted to and approved by the Board of the Office of the
15 Architect of the Capitol before implementation.

16 (c) The Architect of the Capitol must review the master
17 plan every 5 years or at the direction of the Board of the
18 Office of the Architect of the Capitol. Changes in the master
19 plan resulting from this review must be made in accordance
20 with the procedure provided in subsection (b).

21 (d) Notwithstanding any other law to the contrary, the
22 Architect of the Capitol has the sole authority to contract
23 for all materials and services necessary for the
24 implementation of the master plan. The Architect (i) may
25 comply with the procedures established by the Joint Committee
26 on Legislative Support Services under Section 1-4 or (ii)
27 upon approval of the Board of the Office of the Architect of
28 the Capitol, may, but is not required to, comply with a
29 portion or all of the Illinois Procurement Code when entering
30 into contracts under this subsection. The Architect's
31 compliance with the Illinois Procurement Code shall not be
32 construed to subject the Architect or any other entity of the
33 legislative branch to the Illinois Procurement Code with
34 respect to any other contract.

1 The Architect may enter into agreements with other State
2 agencies for the provision of materials or performance of
3 services necessary for the implementation of the master plan.

4 State officers and agencies providing normal, day-to-day
5 repair, maintenance, or landscaping or providing security,
6 commissary, utility, parking, banking, tour guide, event
7 scheduling, or other operational services for buildings and
8 facilities within the legislative complex immediately prior
9 to the effective date of this amendatory Act of the 93rd
10 General Assembly shall continue to provide that normal,
11 day-to-day repair, maintenance, or landscaping or those
12 services on the same basis, whether by contract or employees,
13 that the repair, maintenance, landscaping, or services were
14 provided immediately prior to the effective date of this
15 amendatory Act of the 93rd General Assembly, subject to the
16 provisions of the master plan and as otherwise directed by
17 the Architect of the Capitol.

18 (e) The Architect of the Capitol shall monitor
19 construction, preservation, restoration, maintenance, repair,
20 and landscaping work in the legislative complex and all other
21 activities that alter the historic integrity of the
22 legislative complex.

23 (25 ILCS 130/8A-20 new)

24 Sec. 8A-20. Space allocation. The Architect of the
25 Capitol has the power and duty, subject to direction by the
26 Board of the Office of the Architect of the Capitol, to make
27 space allocations for the use of the General Assembly and its
28 related agencies.

29 (25 ILCS 130/8A-25 new)

30 Sec. 8A-25. Historic items. In addition to any property
31 control activities required by law, the Architect of the
32 Capitol shall maintain an inventory and registry of all

1 historic items in the legislative complex. The Architect may
2 purchase or accept donations of historic items for use or
3 display in the legislative complex.

4 (25 ILCS 130/8A-30 new)

5 Sec. 8A-30. Acquisition of land; contract review. The
6 Architect of the Capitol, upon the approval of the Board of
7 the Office of the Architect of the Capitol, may acquire land
8 in Springfield, Illinois, within the area bounded by
9 Washington, Third, Cook, and Pasfield Streets for the purpose
10 of providing space for the operation and expansion of the
11 legislative complex or other State facilities. The Architect
12 of the Capitol must review and either approve or disapprove
13 all contracts for the repair, rehabilitation, construction,
14 or alteration of all State buildings within the bounded area,
15 except the Supreme Court Building and the Fourth District
16 Appellate Court Building.

17 (25 ILCS 130/8A-35 new)

18 Sec. 8A-35. Capitol Restoration Trust Fund;
19 appropriations.

20 (a) The Capitol Restoration Trust Fund is created as a
21 special fund within the State treasury. The Fund may accept
22 deposits from any source, whether private or public, and may
23 be appropriated only for the use of the Architect of the
24 Capitol in the performance of his or her powers and duties.
25 The Architect of the Capitol may seek private and public
26 funds for deposit into the Capitol Restoration Trust Fund.

27 (b) The Architect of the Capitol shall submit all budget
28 requests to implement the master plan that relate to areas of
29 the legislative complex other than the State Capitol Building
30 to the Capitol Historic Preservation Board for review and
31 comment. The Architect of the Capitol shall submit all
32 budget requests to the Board of the Office of the Architect

1 of the Capitol for approval.

2 (25 ILCS 130/8A-40 new)

3 Sec. 8A-40. Annual report. The Architect of the Capitol
4 annually shall report to the Board of the Office of the
5 Architect of the Capitol, the Capitol Historic Preservation
6 Board, and the appointing authorities of the Capitol Historic
7 Preservation Board. The report shall summarize (i) the
8 master plan, (ii) the master plan projects completed since
9 the previous annual report, (iii) the projects, and their
10 estimated costs, proposed or approved for the next 5 years
11 under the master plan, and (iv) the amount and sources of
12 moneys deposited into the Capitol Restoration Trust Fund from
13 sources other than the State since the previous annual
14 report.

15 (25 ILCS 130/8A-45 new)

16 Sec. 8A-45. State agency cooperation. The Architect of
17 the Capitol may request and shall receive the cooperation of
18 any State officer or agency in the performance of the
19 Architect's powers and duties.

20 (25 ILCS 130/8A-50 new)

21 Sec. 8A-50. Rules. The Architect of the Capitol may
22 promulgate rules necessary for the performance of his or her
23 powers and duties, subject to approval by the Board of the
24 Office of the Architect of the Capitol.

25 (25 ILCS 130/8A-55 new)

26 Sec. 8A-55. Successor agency. For purposes of the
27 Successor Agency Act and Section 9b of the State Finance Act,
28 the Office of the Architect of the Capitol is the successor
29 to the Space Needs Commission. The Office of the Architect of
30 the Capitol succeeds to and assumes all powers, duties,

1 rights, responsibilities, personnel, assets, liabilities, and
 2 indebtedness of the Space Needs Commission. Any reference in
 3 any law, rule, form, or other document to the Space Needs
 4 Commission is deemed to be a reference to the Office of the
 5 Architect of the Capitol.

6 (25 ILCS 130/10-3) (from Ch. 63, par. 1010-3)
 7 Sec. 10-3. The Legislative Research Unit may administer a
 8 legislative staff internship program in cooperation with a
 9 university in the State designated by the Legislative
 10 Research Unit. For---the--purpose--of--advising--in--the
 11 administration--of--such--a--program,--there--is--created--a
 12 sponsoring---committee---for--legislative--staff--internships
 13 consisting-of-the-chairman-of-the-Legislative--Research--Unit
 14 or-a-member-designated-by-him,--the-President-of-the-Senate-or
 15 a--Senator--designated--by--him,--the-Speaker-of-the-House-of
 16 Representatives-or-a-Representative-designated--by--him,--the
 17 Minority-Leader-of-the-Senate-or-a-Senator-designated-by-him,
 18 and--the-Minority-Leader-of-the-House-of-Representatives-or-a
 19 Representative-designated-by-him,--as-plenary-members,--and--as
 20 associate-members,--one-person-from-the-academic-staff-of-each
 21 university--designated--by-the-Legislative-Research-Unit-as-a
 22 cooperating-university-and-agreeing-to-cooperate,--such-person
 23 to-be-appointed-by-the--ranking--academic--official--of--such
 24 university.-----Until--the--Legislative--Research--Unit,--by
 25 resolution,---determines---otherwise,---such---cooperating
 26 universities--are-Northwestern-University,--Illinois-Institute
 27 of-Technology,--University-of-Chicago,--University-of-Illinois,
 28 Roosevelt-University,--Western--Illinois--University,--Loyola
 29 University--of--Chicago,--Southern-Illinois-University,--DePaul
 30 University,--Eastern-Illinois--University,--Northern--Illinois
 31 University,--Sangamon--State--University,--and-Illinois-State
 32 University.---Associate-members-shall-serve-at-the-pleasure-of
 33 their-respective--appointing--authorities.---Members--of--the

1 ~~sponsoring--committee--shall--serve--without--compensation, but~~
2 ~~shall be reimbursed for necessary expenses in connection with~~
3 ~~the performance of their duties.~~

4 (Source: P.A. 83-1257; revised 11-6-02.)

5 (25 ILCS 130/10-6) (from Ch. 63, par. 1010-6)

6 Sec. 10-6. Each quarter of the calendar year month the
7 Legislative Research Unit shall prepare and provide to each
8 member of the General Assembly abstracts and indexes of
9 reports filed with it as reports to the General Assembly.
10 With such abstracts and indexes the Legislative Research Unit
11 shall include a convenient form by which each member of the
12 General Assembly may request, from the State Government
13 Report Distribution Center in the State Library, copies of
14 such reports as the member may wish to receive. For the
15 purpose of receiving reports filed under this Section the
16 Legislative Research Unit shall succeed to the powers and
17 duties formerly exercised by the Legislative Council.

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

19 (25 ILCS 130/Art. 8 rep.)

20 (25 ILCS 130/Art. 11A rep.)

21 Section 45. The Legislative Commission Reorganization
22 Act of 1984 is amended by repealing Articles 8 and 11A.

23 Section 50. The Legislative Reference Bureau Act is
24 amended by changing Section 6 as follows:

25 (25 ILCS 135/6) (from Ch. 63, par. 30)

26 Sec. 6. The Architect of the Capitol Secretary--of--State
27 shall provide the Legislative said Reference Bureau with
28 suitable offices in the legislative complex, as defined in
29 the Legislative Commission Reorganization Act of 1984 State
30 Capitol, convenient to the place of meeting of the General

1 Assembly, and shall further provide said reference bureau
2 with the necessary furniture, stationery and supplies.

3 (Source: Laws 1913, p. 391.)

4 Section 55. The Legislative Information System Act is
5 amended by changing Sections 4, 5.07, and 8 as follows:

6 (25 ILCS 145/4) (from Ch. 63, par. 42.14)

7 Sec. 4. The Architect of the Capitol Secretary of State
8 shall furnish the System with suitable office space in the
9 legislative complex, as defined in the Legislative Commission
10 Reorganization Act of 1984 State Capitol, situated in a
11 location convenient to the chambers of the Senate and the
12 House of Representatives.

13 The Secretary of State shall, as State librarian,
14 cooperate with the System by making accessible to the System
15 the library collection and providing, on a loan basis, such
16 books, periodicals and other materials as relate to the
17 purposes of this Act.

18 (Source: P.A. 80-683.)

19 (25 ILCS 145/5.07) (from Ch. 63, par. 42.15-7)

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

26 The requirement for reporting to the General Assembly
27 shall be satisfied by filing copies of the report with the
28 Speaker, the Minority Leader and the Clerk of the House of
29 Representatives and the President, the Minority Leader and
30 the Secretary of the Senate and the Legislative Research
31 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 (25 ILCS 145/8) (from Ch. 63, par. 42.18)

9 Sec. 8. The System may utilize the services of an
 10 advisory committee for conceptualization, design and
 11 implementation of applications considered or adopted by the
 12 System. The advisory committee shall be comprised of (a) 8
 13 legislative staff assistants, 2 to be appointed by the
 14 Speaker of the House of Representatives, 2 by the Minority
 15 Leader thereof, 2 by the President of the Senate and 2 by the
 16 Minority Leader thereof, but at least one of the appointments
 17 by each legislative leader must be from the staff of
 18 legislative appropriation committees; (b) one professional
 19 staff member from the Legislative Reference Bureau, appointed
 20 by the Executive Director thereof; and one from the
 21 Legislative Research Unit, appointed by the Executive
 22 Director thereof; ~~and one from the Intergovernmental~~
 23 ~~Cooperation Commission, appointed by the Executive Director~~
 24 thereof and (c) the Executive Director of the Legislative
 25 Information System, who shall serve as temporary chairman of
 26 the advisory committee until a permanent chairman is chosen
 27 from among its members. Members of the advisory committee
 28 shall have no vote on the Joint Committee.

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

30 Section 60. The Legislative Audit Commission Act is
 31 amended by changing Section 5 as follows:

1 (25 ILCS 150/5) (from Ch. 63, par. 108)

2 Sec. 5. The permanent office of the Legislative Audit
3 Commission shall be in the legislative complex, as defined in
4 the Legislative Commission Reorganization Act of 1984 State
5 Capitol--Complex, wherein the Architect of the Capitol
6 Secretary--of--State shall provide suitable and sufficient
7 offices.

8 (Source: P.A. 78-884.)

9 Section 65. The Illinois Economic and Fiscal Commission
10 Act is amended by changing Sections 3, 4, and 6.2 as follows:

11 (25 ILCS 155/3) (from Ch. 63, par. 343)

12 Sec. 3. The Commission shall:

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

15 (2) Make such special economic and fiscal studies as it
16 deems appropriate or desirable or as the General Assembly may
17 request.

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

22 (4) Prepare annually a State economic report.

23 (5) Provide information for all appropriate legislative
24 organizations and personnel on economic trends in relation to
25 long range planning and budgeting.

26 (6) Study and make such recommendations as it deems
27 appropriate to the General Assembly on local and regional
28 economic and fiscal policy and on federal fiscal policy as it
29 may affect Illinois.

30 (7) Review capital expenditures, appropriations and
31 authorizations for both the State's general obligation and
32 revenue bonding authorities. At the direction of the

1 Commission, specific reviews may include economic feasibility
2 reviews of existing or proposed revenue bond projects to
3 determine the accuracy of the original estimate of useful
4 life of the projects, maintenance requirements and ability to
5 meet debt service requirements through their operating
6 expenses.

7 (8) Receive and review all executive agency and revenue
8 bonding authority annual and 3 year plans. The Commission
9 shall prepare a consolidated review of these plans, an
10 updated assessment of current State agency capital plans, a
11 report on the outstanding and unissued bond authorizations,
12 an evaluation of the State's ability to market further bond
13 issues and shall submit them as the "Legislative Capital Plan
14 Analysis" to the House and Senate Appropriations Committees
15 at least once a year. The Commission shall annually submit
16 to the General Assembly on the first Wednesday of April a
17 report on the State's long-term capital needs, with
18 particular emphasis upon and detail of the 5-year period in
19 the immediate future.

20 (9) Study and make recommendations it deems appropriate
21 to the General Assembly on State bond financing, bondability
22 guidelines, and debt management. At the direction of the
23 Commission, specific studies and reviews may take into
24 consideration short and long-run implications of State
25 bonding and debt management policy.

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

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

30 (12) By August 1st of each year, the Commission must
31 prepare and cause to be published a summary report of State
32 appropriations for the State fiscal year beginning the
33 previous July 1st. The summary report must discuss major
34 categories of appropriations, the issues the General Assembly

1 faced in allocating appropriations, comparisons with
2 appropriations for previous State fiscal years, and other
3 matters helpful in providing the citizens of Illinois with an
4 overall understanding of appropriations for that fiscal year.
5 The summary report must be written in plain language and
6 designed for readability. Publication must be in newspapers
7 of general circulation in the various areas of the State to
8 ensure distribution statewide. The summary report must also
9 be published on the General Assembly's web site.

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. 92-67, eff. 7-12-01.)

23 (25 ILCS 155/4) (from Ch. 63, par. 344)

24 Sec. 4. (a) The Commission shall publish, at the
25 convening of each regular session of the General Assembly, a
26 report on the estimated income of the State from all
27 applicable revenue sources for the next ensuing fiscal year
28 and of any other funds estimated to be available for such
29 fiscal year. On the third Wednesday in March after the
30 session convenes, the Commission shall issue a revised and
31 updated set of revenue figures reflecting the latest
32 available information. The House and Senate by joint
33 resolution shall adopt or modify such estimates as may be

1 appropriate. The joint resolution shall constitute the
2 General Assembly's estimate, under paragraph (b) of Section 2
3 of Article VIII of the Constitution, of the funds estimated
4 to be available during the next fiscal year.

5 (b) On the third Wednesday in March, the Commission
6 shall issue estimated:

7 (1) pension funding requirements under P.A. 86-273;
8 and

9 (2) liabilities of the State employee group health
10 insurance program.

11 These estimated costs shall be for the fiscal year
12 beginning the following July 1.

13 (c) The requirement for reporting to the General
14 Assembly shall be satisfied by filing copies of the report
15 with the Speaker, the Minority Leader and the Clerk of the
16 House of Representatives and the President, the Minority
17 Leader and the Secretary of the Senate and the Legislative
18 Research unit, as required by Section 3.1 of the General
19 Assembly Organization Act "~~An Act to revise the law in~~
20 ~~relation to the General Assembly~~", ~~approved February 25,~~
21 ~~1874, as amended~~, 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. 87-1142.)

26 (25 ILCS 155/6.2) (from Ch. 63, par. 346.2)

27 Sec. 6.2. Short title. This Act ~~shall be known and~~ may be
28 cited as the Illinois Economic and Fiscal Commission Act.

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

30 Section 70. The State Finance Act is amended by adding
31 Sections 5.620 and 9b-5 as follows:

1 (30 ILCS 105/5.620 new)

2 Sec. 5.620. The Capitol Restoration Trust Fund.

3 (30 ILCS 105/9b-5 new)

4 Sec. 9b-5. Appropriations for capital projects.

5 (a) Notwithstanding any other law to the contrary, a
6 construction agency, as defined in the Illinois Procurement
7 Code, that has unobligated funds appropriated for capital
8 projects relating to the legislative complex that it will not
9 expend during the fiscal year may enter into an agreement
10 with the Architect of the Capitol for the expenditure of the
11 funds by the Architect of the Capitol on the improvement,
12 construction, historic preservation, restoration,
13 maintenance, repair, and landscaping of buildings and
14 facilities within the legislative complex, as defined in
15 Article 8A of the Legislative Commission Reorganization Act
16 of 1984, during the fiscal year, including any lapse period,
17 in which the funds were appropriated to the construction
18 agency. The Architect of the Capitol shall file copies of the
19 agreement with the State Comptroller and the State Treasurer.

20 (b) Funds subject to an agreement authorized by
21 subsection (a) are deemed to have been appropriated to the
22 Architect of the Capitol for the improvement, construction,
23 historic preservation, restoration, maintenance, repair, and
24 landscaping of buildings and facilities within the
25 legislative complex, as defined in Article 8A of the
26 Legislative Commission Reorganization Act of 1984, to the
27 same extent as if the Architect of the Capitol and that
28 purpose were specifically named in the appropriation law.

29 (30 ILCS 500/30-43 rep.)

30 Section 80. The Illinois Procurement Code is amended by
31 repealing Section 30-43.

1 Section 85. The State Mandates Act is amended by
2 changing Section 4 as follows:

3 (30 ILCS 805/4) (from Ch. 85, par. 2204)

4 Sec. 4. Collection and maintenance of information
5 concerning state mandates.

6 (a) The Department of Commerce and Economic Opportunity
7 ~~Community--Affairs~~, hereafter referred to as the Department,
8 shall be responsible for:

9 (1) Collecting and maintaining information on State
10 mandates, including information required for effective
11 implementation of the provisions of this Act.

12 (2) Reviewing local government applications for
13 reimbursement submitted under this Act in cases in which
14 the General Assembly has appropriated funds to reimburse
15 local governments for costs associated with the
16 implementation of a State mandate. In cases in which
17 there is no appropriation for reimbursement, upon a
18 request for determination of a mandate by a unit of local
19 government, or more than one unit of local government
20 filing a single request, other than a school district or
21 a community college district, the Department shall
22 determine whether a Public Act constitutes a mandate and,
23 if so, the Statewide cost of implementation.

24 (3) Hearing complaints or suggestions from local
25 governments and other affected organizations as to
26 existing or proposed State mandates.

27 (4) Reporting each year to the Governor and the
28 General Assembly regarding the administration of
29 provisions of this Act and changes proposed to this Act.

30 The Legislative Research Unit Illinois--Commission-on
31 ~~Intergovernmental-Cooperation~~ shall conduct an-annual public
32 hearings as needed hearing to review the information
33 collected and the recommendations made by the Department

1 under this subsection (a). The Department shall cooperate
2 fully with the Legislative Research Unit Commission,
3 providing any information, supporting documentation and other
4 assistance required by the Legislative Research Unit
5 Commission to facilitate the conduct of the hearing.

6 (b) Within 2 years following the effective date of this
7 Act, the Department shall collect and tabulate relevant
8 information as to the nature and scope of each existing State
9 mandate, including but not necessarily limited to (i)
10 identity of type of local government and local government
11 agency or official to whom the mandate is directed; (ii)
12 whether or not an identifiable local direct cost is
13 necessitated by the mandate and the estimated annual amount;
14 (iii) extent of State financial participation, if any, in
15 meeting identifiable costs; (iv) State agency, if any,
16 charged with supervising the implementation of the mandate;
17 and (v) a brief description of the mandate and a citation of
18 its origin in statute or regulation.

19 (c) The resulting information from subsection (b) shall
20 be published in a catalog available to members of the General
21 Assembly, State and local officials, and interested citizens.
22 As new mandates are enacted they shall be added to the
23 catalog, and each January 31 the Department shall list each
24 new mandate enacted at the preceding session of the General
25 Assembly, and the estimated additional identifiable direct
26 costs, if any imposed upon local governments. A revised
27 version of the catalog shall be published every 2 years
28 beginning with the publication date of the first catalog.

29 (d) Failure of the General Assembly to appropriate
30 adequate funds for reimbursement as required by this Act
31 shall not relieve the Department of Commerce and Economic
32 Opportunity Community-Affairs from its obligations under this
33 Section.

34 (Source: P.A. 89-304, eff. 8-11-95; 90-372, eff. 7-1-98.)

1 Section 90. The Illinois Pension Code is amended by
2 changing Sections 3-109.3, 14-108.3, 15-158.3, 16-133.3,
3 22-803, 22-1001, 22-1002, and 22-1003 as follows:

4 (40 ILCS 5/3-109.3)

5 Sec. 3-109.3. Self-managed plan.

6 (a) Purpose. The General Assembly finds that it is
7 important for municipalities to be able to attract and retain
8 the most qualified police officers and that in order to
9 attract and retain these police officers, municipalities
10 should have the flexibility to provide a defined contribution
11 plan as an alternative for eligible employees who elect not
12 to participate in a defined benefit retirement program
13 provided under this Article. Accordingly, a self-managed
14 plan shall be provided, which shall offer participating
15 employees the opportunity to accumulate assets for retirement
16 through a combination of employee and employer contributions
17 that may be invested in mutual funds, collective investment
18 funds, or other investment products and used to purchase
19 annuity contracts, either fixed or variable, or a combination
20 thereof. The plan must be qualified under the Internal
21 Revenue Code of 1986.

22 (b) Study by Commission; Adoption of plan. The Illinois
23 Pension Laws Commission (or its successor, the Economic and
24 Fiscal Commission) shall study and evaluate the creation of a
25 statewide self-managed plan for eligible employees under this
26 Article. The Commission shall report its findings and
27 recommendations to the General Assembly no later than January
28 1, 2002.

29 In accordance with the recommendations of the Commission
30 and any action taken by the General Assembly in response to
31 those recommendations, a statewide self-managed plan shall be
32 adopted for eligible employees under this Article. The
33 self-managed plan shall take effect as specified in the plan,

1 but in no event earlier than July 1, 2002 or the date of its
2 approval by the U.S. Internal Revenue Service, whichever
3 occurs later.

4 The self-managed plan shall include a plan document and
5 shall provide for the adoption of such rules and procedures
6 as are necessary or desirable for the administration of the
7 self-managed plan. Consistent with fiduciary duty to the
8 participants and beneficiaries of the self-managed plan, it
9 may provide for delegation of suitable aspects of plan
10 administration to companies authorized to do business in this
11 State.

12 (c) Selection of service providers and funding vehicles.
13 The principal administrator of the self-managed plan shall
14 solicit proposals to provide administrative services and
15 funding vehicles for the self-managed plan from insurance and
16 annuity companies and mutual fund companies, banks, trust
17 companies, or other financial institutions authorized to do
18 business in this State. In reviewing the proposals received
19 and approving and contracting with no fewer than 2 and no
20 more than 7 companies, the principal administrator shall
21 consider, among other things, the following criteria:

22 (1) the nature and extent of the benefits that
23 would be provided to the participants;

24 (2) the reasonableness of the benefits in relation
25 to the premium charged;

26 (3) the suitability of the benefits to the needs
27 and interests of the participating employees and the
28 employer;

29 (4) the ability of the company to provide benefits
30 under the contract and the financial stability of the
31 company; and

32 (5) the efficacy of the contract in the recruitment
33 and retention of employees.

34 The principal administrator shall periodically review

1 each approved company. A company may continue to provide
2 administrative services and funding vehicles for the
3 self-managed plan only so long as it continues to be an
4 approved company under contract with the principal
5 administrator.

6 (d) Employee Direction. Employees who are participating
7 in the program must be allowed to direct the transfer of
8 their account balances among the various investment options
9 offered, subject to applicable contractual provisions. The
10 participant shall not be deemed a fiduciary by reason of
11 providing such investment direction. A person who is a
12 fiduciary shall not be liable for any loss resulting from
13 such investment direction and shall not be deemed to have
14 breached any fiduciary duty by acting in accordance with that
15 direction. The self-managed plan does not guarantee any of
16 the investments in the employee's account balances.

17 (e) Participation. An eligible employee must make a
18 written election in accordance with the provisions of Section
19 3-109.2 and the procedures established under the self-managed
20 plan. Participation in the self-managed plan by an eligible
21 employee who elects to participate in the self-managed plan
22 shall begin on the first day of the first pay period
23 following the later of the date the employee's election is
24 filed with the fund or the employer, but in no event sooner
25 than the effective date of the self-managed plan.

26 A police officer who has elected to participate in the
27 self-managed plan under this Section must continue
28 participation while employed in an eligible position, and may
29 not participate in any other retirement program administered
30 by the municipality while employed as a police officer by
31 that municipality. Participation in the self-managed plan
32 under this Section shall constitute membership in an Article
33 3 pension fund.

34 (f) No Duplication of Service Credit. Notwithstanding

1 any other provision of this Article, a police officer may not
2 purchase or receive service or service credit applicable to
3 any other retirement program administered by a fund under
4 this Article for any period during which the police officer
5 was a participant in the self-managed plan established under
6 this Section.

7 (g) Contributions. The self-managed plan shall be
8 funded by contributions from participants in the self-managed
9 plan and employer contributions as provided in this Section.

10 The contribution rate for a participant in the
11 self-managed plan under this Section shall be a minimum of
12 10% of his or her salary. This required contribution shall
13 be made as an "employer pick-up" under Section 414(h) of the
14 Internal Revenue Code of 1986 or any successor Section
15 thereof. An employee may make additional contributions to
16 the self-managed plan in accordance with the terms of the
17 plan.

18 The self-managed plan shall provide for employer
19 contributions to be credited to each self-managed plan
20 participant at a rate of 10% of the participating employee's
21 salary, less the amount of the employer contribution used to
22 provide disability benefits for the employee. The amounts so
23 credited shall be paid into the participant's self-managed
24 plan accounts in the manner prescribed by the plan.

25 An amount of employer contribution, not exceeding 1.5% of
26 the participating employee's salary, shall be used for the
27 purpose of providing disability benefits to the participating
28 employee. Prior to the beginning of each plan year under the
29 self-managed plan, the principal administrator shall
30 determine, as a percentage of salary, the amount of employer
31 contributions to be allocated during that plan year for
32 providing disability benefits for employees in the
33 self-managed plan.

34 (h) Vesting; Withdrawal; Return to Service. A

1 participant in the self-managed plan becomes fully vested in
2 the employer contributions credited to his or her account in
3 the self-managed plan on the earliest to occur of the
4 following:

5 (1) completion of 6 years of service with the
6 municipality; or

7 (2) the death of the participating employee while
8 employed by the municipality, if the participant has
9 completed at least 1.5 years of service.

10 A participant in the self-managed plan who receives a
11 distribution of his or her vested amounts from the
12 self-managed plan upon or after termination of employment
13 shall forfeit all service credit and accrued rights in the
14 fund of his or her employer; if subsequently re-employed, the
15 participant shall be considered a new employee. If a former
16 participant again becomes a participating employee and
17 continues as such for at least 2 years, all such rights,
18 service credit, and previous status as a participant shall be
19 restored upon repayment of the amount of the distribution
20 without interest.

21 (i) Benefit amounts. If a participating employee who is
22 fully vested in employer contributions terminates employment,
23 the participating employee shall be entitled to a benefit
24 which is based on the account values attributable to both
25 employer and employee contributions and any investment return
26 thereon.

27 If a participating employee who is not fully vested in
28 employer contributions terminates employment, the employee
29 shall be entitled to a benefit based on the account values
30 attributable to the employee's contributions and any
31 investment return thereon, plus the following percentage of
32 employer contributions and any investment return thereon: 20%
33 after the second year; 40% after the third year; 60% after
34 the fourth year; 80% after the fifth year; and 100% after the

1 sixth year. The remainder of employer contributions and
2 investment return thereon shall be forfeited. Any employer
3 contributions that are forfeited shall be held in escrow by
4 the company investing those contributions and shall be used
5 as directed by the municipality for future allocations of
6 employer contributions or for the restoration of amounts
7 previously forfeited by former participants who again become
8 participating employees.

9 (Source: P.A. 91-939, eff. 2-1-01.)

10 (40 ILCS 5/14-108.3)

11 Sec. 14-108.3. Early retirement incentives.

12 (a) To be eligible for the benefits provided in this
13 Section, a person must:

14 (1) be a member of this System who, on any day
15 during June, 2002, is (i) in active payroll status in a
16 position of employment with a department and an active
17 contributor to this System with respect to that
18 employment, and terminates that employment before the
19 retirement annuity under this Article begins, or (ii) on
20 layoff status from such a position with a right of
21 re-employment or recall to service, or (iii) receiving
22 benefits under Section 14-123, 14-123.1 or 14-124, but
23 only if the member has not been receiving those benefits
24 for a continuous period of more than 2 years as of the
25 date of application;

26 (2) not have received any retirement annuity under
27 this Article beginning earlier than August 1, 2002;

28 (3) file with the Board on or before December 31,
29 2002 a written application requesting the benefits
30 provided in this Section;

31 (4) terminate employment under this Article no
32 later than December 31, 2002 (or the date established
33 under subsection (d), if applicable);

1 (5) by the date of termination of service, have at
2 least 8 years of creditable service under this Article,
3 without the use of any creditable service established
4 under this Section;

5 (6) by the date of termination of service, have at
6 least 5 years of membership service earned while an
7 employee under this Article, which may include military
8 service for which credit is established under Section
9 14-105(b), service during the qualifying period for which
10 credit is established under Section 14-104(a), and
11 service for which credit has been established by repaying
12 a refund under Section 14-130, but shall not include
13 service for which any other optional service credit has
14 been established; and

15 (7) not receive any early retirement benefit under
16 Section 16-133.3 of this Code.

17 (b) An eligible person may establish up to 5 years of
18 creditable service under this Article, in increments of one
19 month, by making the contributions specified in subsection
20 (c). In addition, for each month of creditable service
21 established under this Section, a person's age at retirement
22 shall be deemed to be one month older than it actually is.

23 The creditable service established under this Section may
24 be used for all purposes under this Article and the
25 Retirement Systems Reciprocal Act, except for the computation
26 of final average compensation under Section 14-103.12 or the
27 determination of compensation under this or any other Article
28 of this Code.

29 The age enhancement established under this Section may
30 not be used to enable any person to begin receiving a
31 retirement annuity calculated under Section 14-110 before
32 actually attaining age 50 (without any age enhancement under
33 this Section). The age enhancement established under this
34 Section may be used for all other purposes under this Article

1 (including calculation of a proportionate annuity payable by
2 this System under the Retirement Systems Reciprocal Act),
3 except for purposes of the level income option in Section
4 14-112, the reversionary annuity under Section 14-113, and
5 the required distributions under Section 14-121.1.

6 The age enhancement established under this Section may be
7 used in determining benefits payable under Article 16 of this
8 Code under the Retirement Systems Reciprocal Act, if the
9 person has at least 5 years of service credit in the Article
10 16 system that was earned while participating in that system
11 as a teacher (as defined in Section 16-106) employed by a
12 department (as defined in Section 14-103.04). Age
13 enhancement established under this Section shall not
14 otherwise be used in determining benefits payable under other
15 Articles of this Code under the Retirement Systems Reciprocal
16 Act.

17 (c) For all creditable service established under this
18 Section, a person must pay to the System an employee
19 contribution to be determined by the System, based on the
20 member's rate of compensation on June 1, 2002 (or the last
21 date before June 1, 2002 for which a rate can be determined)
22 and the retirement contribution rate in effect on June 1,
23 2002 for the member (or for members with the same social
24 security and alternative formula status as the member).

25 If the member receives a lump sum payment for accumulated
26 vacation, sick leave and personal leave upon withdrawal from
27 service, and the net amount of that lump sum payment is at
28 least as great as the amount of the contribution required
29 under this Section, the entire contribution must be paid by
30 the employee by payroll deduction. If there is no such lump
31 sum payment, or if it is less than the contribution required
32 under this Section, the member shall make an initial payment
33 by payroll deduction, equal to the net amount of the lump sum
34 payment for accumulated vacation, sick leave, and personal

1 leave, and have the remaining amount due treated as a
2 reduction from the retirement annuity in 24 equal monthly
3 installments beginning in the month in which the retirement
4 annuity takes effect. The required contribution may be paid
5 as a pre-tax deduction from earnings. For federal and
6 Illinois tax purposes, the monthly amount by which the
7 annuitant's benefit is reduced shall not be treated as a
8 contribution by the annuitant, but rather as a reduction of
9 the annuitant's monthly benefit.

10 (c-5) The reduction in retirement annuity provided in
11 subsection (c) of Section 14-108 does not apply to the
12 annuity of a person who retires under this Section. A person
13 who has received any age enhancement or creditable service
14 under this Section may begin to receive an unreduced
15 retirement annuity upon attainment of age 55 with at least 25
16 years of creditable service (including any age enhancement
17 and creditable service established under this Section).

18 (d) In order to ensure that the efficient operation of
19 State government is not jeopardized by the simultaneous
20 retirement of large numbers of key personnel, the director or
21 other head of a department may, for key employees of that
22 department, extend the December 31, 2002 deadline for
23 terminating employment under this Article established in
24 subdivision (a)(4) of this Section to a date not later than
25 April 30, 2003 by so notifying the System in writing by
26 December 31, 2002.

27 (e) Notwithstanding Section 14-111, a person who has
28 received any age enhancement or creditable service under this
29 Section and who reenters service under this Article (or as an
30 employee of a department under Article 16) other than as a
31 temporary employee thereby forfeits that age enhancement and
32 creditable service and is entitled to a refund of the
33 contributions made pursuant to this Section.

34 (f) The System shall determine the amount of the

1 increase in unfunded accrued liability resulting from the
2 granting of early retirement incentives under this Section
3 and shall report that amount to the Governor and the Pension
4 Laws Commission (or its successor, the Economic and Fiscal
5 Commission) on or before November 15, 2003. The increase in
6 liability reported under this subsection (f) shall not be
7 included in the calculation of the required State
8 contribution under Section 14-131.

9 (g) The System shall determine the amount of the annual
10 State contribution necessary to amortize on a level
11 dollar-payment basis, over a period of 10 years at 8.5%
12 interest, compounded annually, an amount equal to the
13 increase in unfunded accrued liability determined under
14 subsection (f) minus \$70,000,000. The System shall certify
15 the amount of this annual State contribution to the Governor,
16 the State Comptroller, the Governor's Office of Management
17 and Budget (formerly Bureau of the Budget), and the Pension
18 Laws Commission (or its successor, the Economic and Fiscal
19 Commission) on or before November 15, 2003.

20 In addition to the contributions otherwise required under
21 this Article, the State shall appropriate and pay to the
22 System (1) an amount equal to \$70,000,000 in State fiscal
23 year 2004 and (2) in each of State fiscal years 2005 through
24 2013, an amount equal to the annual State contribution
25 certified by the System under this subsection (g).

26 (h) The Pension Laws Commission (or its successor, the
27 Economic and Fiscal Commission) shall determine and report to
28 the General Assembly, on or before January 1, 2004 and
29 annually thereafter through the year 2013, its estimate of
30 (1) the annual amount of payroll savings likely to be
31 realized by the State as a result of the early retirement of
32 persons receiving early retirement incentives under this
33 Section and (2) the net annual savings or cost to the State
34 from the program of early retirement incentives created under

1 this Section.

2 The System, the Department of Central Management
3 Services, the Governor's Office of Management and Budget
4 (formerly Bureau of the Budget), and all other departments
5 shall provide to the Commission any assistance that the
6 Commission may request with respect to its reports under this
7 Section. The Commission may require departments to provide
8 it with any information that it deems necessary or useful
9 with respect to its reports under this Section, including
10 without limitation information about (1) the final earnings
11 of former department employees who elected to receive
12 benefits under this Section, (2) the earnings of current
13 department employees holding the positions vacated by persons
14 who elected to receive benefits under this Section, and (3)
15 positions vacated by persons who elected to receive benefits
16 under this Section that have not yet been refilled.

17 (i) The changes made to this Section by this amendatory
18 Act of the 92nd General Assembly do not apply to persons who
19 retired under this Section on or before May 1, 1992.

20 (Source: P.A. 92-566, eff. 6-25-02; revised 8-23-03.)

21 (40 ILCS 5/15-158.3)

22 Sec. 15-158.3. Reports on cost reduction; effect on
23 retirement at any age with 30 years of service.

24 (a) On or before November 15, 2001 and on or before
25 November 15th of each year thereafter, the Board shall have
26 the System's actuary prepare a report showing, on a fiscal
27 year by fiscal year basis, the actual rate of participation
28 in the self-managed plan authorized by Section 15-158.2, (i)
29 by employees of the System's covered higher educational
30 institutions who were hired on or after the implementation
31 date of the self-managed plan and (ii) by other System
32 participants.

33 The actuary's report must also quantify the extent to

1 which employee optional retirement plan participation has
2 reduced the State's required contributions to the System,
3 expressed both in dollars and as a percentage of covered
4 payroll, in relation to what the State's contributions to the
5 System would have been (1) if the self-managed plan had not
6 been implemented, and (2) if 45% of employees of the System's
7 covered higher educational institutions who were hired on or
8 after the implementation date of the self-managed plan had
9 elected to participate in the self-managed plan and 10% of
10 other System participants had transferred to the self-managed
11 plan following its implementation.

12 (b) On or before November 15th of 2001 and on or before
13 November 15th of each year thereafter, the Illinois Board of
14 Higher Education, in conjunction with the
15 Bureau of the Budget (now Governor's Office of Management and
16 Budget) shall prepare a report showing, on a fiscal year by
17 fiscal year basis, the amount by which the costs associated
18 with compensable sick leave have been reduced as a result of
19 the termination of compensable sick leave accrual on and
20 after January 1, 1998 by employees of higher education
21 institutions who are participants in the System.

22 (c) On or before November 15 of 2001 and on or before
23 November 15th of each year thereafter, the Department of
24 Central Management Services shall prepare a report showing,
25 on a fiscal year by fiscal year basis, the amount by which
26 the State's cost for health insurance coverage under the
27 State Employees Group Insurance Act of 1971 for retirees of
28 the State's universities and their survivors has declined as
29 a result of requiring some of those retirees and survivors to
30 contribute to the cost of their basic health insurance.
31 These year-by-year reductions in cost must be quantified both
32 in dollars and as a level percentage of payroll covered by
33 the System.

34 (d) The reports required under subsections (a), (b), and

1 (c) shall be disseminated to the Board, the Pension Laws
2 Commission (until it ceases to exist), the Illinois Economic
3 and Fiscal Commission, the Illinois Board of Higher
4 Education, and the Governor.

5 (e) The reports required under subsections (a), (b), and
6 (c) shall be taken into account by the Pension Laws
7 Commission (or its successor, the Economic and Fiscal
8 Commission) in making any recommendation to extend by
9 legislation beyond December 31, 2002 the provision that
10 allows a System participant to retire at any age with 30 or
11 more years of service as authorized in Section 15-135. If
12 that provision is extended beyond December 31, 2002, and if
13 the most recent report under subsection (a) indicates that
14 actual State contributions to the System for the period
15 during which the self-managed plan has been in operation have
16 exceeded the projected State contributions under the
17 assumptions in clause (2) of subsection (a), then any
18 extension of the provision beyond December 31, 2002 must
19 require that the System's higher educational institutions and
20 agencies cover any funding deficiency through an annual
21 payment to the System out of appropriate resources of their
22 own.

23 (Source: P.A. 90-9, eff. 7-1-97; 90-766, eff. 8-14-98;
24 revised 8-23-03.)

25 (40 ILCS 5/16-133.3) (from Ch. 108 1/2, par. 16-133.3)
26 Sec. 16-133.3. Early retirement incentives for State
27 employees.

28 (a) To be eligible for the benefits provided in this
29 Section, a person must:

30 (1) be a member of this System who, on any day
31 during June, 2002, is (i) in active payroll status as a
32 full-time teacher employed by a department and an active
33 contributor to this System with respect to that

1 employment, or (ii) on layoff status from such a position
2 with a right of re-employment or recall to service, or
3 (iii) receiving a disability benefit under Section 16-149
4 or 16-149.1, but only if the member has not been
5 receiving that benefit for a continuous period of more
6 than 2 years as of the date of application;

7 (2) not have received any retirement annuity under
8 this Article beginning earlier than August 1, 2002;

9 (3) file with the Board on or before December 31,
10 2002 a written application requesting the benefits
11 provided in this Section;

12 (4) terminate employment under this Article no
13 later than December 31, 2002 (or the date established
14 under subsection (d), if applicable);

15 (5) by the date of termination of service, have at
16 least 8 years of creditable service under this Article,
17 without the use of any creditable service established
18 under this Section;

19 (6) by the date of termination of service, have at
20 least 5 years of service credit earned while
21 participating in the System as a teacher employed by a
22 department; and

23 (7) not receive any early retirement benefit under
24 Section 14-108.3 of this Code.

25 For the purposes of this Section, "department" means a
26 department as defined in Section 14-103.04 that employs a
27 teacher as defined in this Article.

28 (b) An eligible person may establish up to 5 years of
29 creditable service under this Article by making the
30 contributions specified in subsection (c). In addition, for
31 each period of creditable service established under this
32 Section, a person's age at retirement shall be deemed to be
33 enhanced by an equivalent period.

34 The creditable service established under this Section may

1 be used for all purposes under this Article and the
2 Retirement Systems Reciprocal Act, except for the computation
3 of final average salary, the determination of salary or
4 compensation under this Article or any other Article of this
5 Code, or the determination of eligibility for or the
6 computation of benefits under Section 16-133.2.

7 The age enhancement established under this Section may be
8 used for all purposes under this Article (including
9 calculation of a proportionate annuity payable by this System
10 under the Retirement Systems Reciprocal Act), except for
11 purposes of a retirement annuity under Section 16-133(a)(A),
12 a reversionary annuity under Section 16-136, the required
13 distributions under Section 16-142.3, and the determination
14 of eligibility for or the computation of benefits under
15 Section 16-133.2. Age enhancement established under this
16 Section may be used in determining benefits payable under
17 Article 14 of this Code under the Retirement Systems
18 Reciprocal Act (subject to the limitations on the use of age
19 enhancement provided in Section 14-108.3); age enhancement
20 established under this Section shall not be used in
21 determining benefits payable under other Articles of this
22 Code under the Retirement Systems Reciprocal Act.

23 (c) For all creditable service established under this
24 Section, a person must pay to the System an employee
25 contribution to be determined by the System, equal to 9.0% of
26 the member's highest annual salary rate that would be used in
27 the determination of the average salary for retirement
28 annuity purposes if the member retired immediately after
29 withdrawal, for each year of creditable service established
30 under this Section.

31 If the member receives a lump sum payment for accumulated
32 vacation, sick leave, and personal leave upon withdrawal from
33 service, and the net amount of that lump sum payment is at
34 least as great as the amount of the contribution required

1 under this Section, the entire contribution must be paid by
2 the employee by payroll deduction. If there is no such lump
3 sum payment, or if it is less than the contribution required
4 under this Section, the member shall make an initial payment
5 by payroll deduction, equal to the net amount of the lump sum
6 payment for accumulated vacation, sick leave, and personal
7 leave, and have the remaining amount due treated as a
8 reduction from the retirement annuity in 24 equal monthly
9 installments beginning in the month in which the retirement
10 annuity takes effect. The required contribution may be paid
11 as a pre-tax deduction from earnings.

12 (d) In order to ensure that the efficient operation of
13 State government is not jeopardized by the simultaneous
14 retirement of large numbers of key personnel, the director or
15 other head of a department may, for key employees of that
16 department, extend the December 31, 2002 deadline for
17 terminating employment under this Article established in
18 subdivision (a)(4) of this Section to a date not later than
19 April 30, 2003 by so notifying the System in writing by
20 December 31, 2002.

21 (e) A person who has received any age enhancement or
22 creditable service under this Section and who reenters
23 contributing service under this Article or Article 14 shall
24 thereby forfeit that age enhancement and creditable service,
25 and become entitled to a refund of the contributions made
26 pursuant to this Section.

27 (f) The System shall determine the amount of the
28 increase in unfunded accrued liability resulting from the
29 granting of early retirement incentives under this Section
30 and shall report that amount to the Governor and the Pension
31 Laws Commission (or its successor, the Economic and Fiscal
32 Commission) on or before November 15, 2003. The increase in
33 liability reported under this subsection (f) shall not be
34 included in the calculation of the required State

1 contribution under Section 16-158.

2 (g) The System shall determine the amount of the annual
3 State contribution necessary to amortize on a level
4 dollar-payment basis, over a period of 10 years at 8.5%
5 interest, compounded annually, an amount equal to the
6 increase in unfunded accrued liability determined under
7 subsection (f) minus \$1,000,000. The System shall certify
8 the amount of this annual State contribution to the Governor,
9 the State Comptroller, the Governor's Office of Management
10 and Budget (formerly Bureau of the Budget), and the Pension
11 Laws Commission (or its successor, the Economic and Fiscal
12 Commission) on or before November 15, 2003.

13 In addition to the contributions otherwise required under
14 this Article, the State shall appropriate and pay to the
15 System (1) an amount equal to \$1,000,000 in State fiscal year
16 2004 and (2) in each of State fiscal years 2005 through 2013,
17 an amount equal to the annual State contribution certified by
18 the System under this subsection (g).

19 (h) The Pension Laws Commission (or its successor, the
20 Economic and Fiscal Commission) shall determine and report to
21 the General Assembly, on or before January 1, 2004 and
22 annually thereafter through the year 2013, its estimate of
23 (1) the annual amount of payroll savings likely to be
24 realized by the State as a result of the early retirement of
25 persons receiving early retirement incentives under this
26 Section and (2) the net annual savings or cost to the State
27 from the program of early retirement incentives created under
28 this Section.

29 The System, the Department of Central Management
30 Services, the Governor's Office of Management and Budget
31 (formerly Bureau of the Budget), and all other departments
32 shall provide to the Commission any assistance that the
33 Commission may request with respect to its reports under this
34 Section. The Commission may require departments to provide

1 it with any information that it deems necessary or useful
 2 with respect to its reports under this Section, including
 3 without limitation information about (1) the final earnings
 4 of former department employees who elected to receive
 5 benefits under this Section, (2) the earnings of current
 6 department employees holding the positions vacated by persons
 7 who elected to receive benefits under this Section, and (3)
 8 positions vacated by persons who elected to receive benefits
 9 under this Section that have not yet been refilled.

10 (i) The changes made to this Section by this amendatory
 11 Act of the 92nd General Assembly do not apply to persons who
 12 retired under this Section on or before May 1, 1992.

13 (Source: P.A. 92-566, eff. 6-25-02; revised 8-23-03.)

14 (40 ILCS 5/22-803)

15 Sec. 22-803. Economic and Fiscal Pension-Laws Commission.
 16 The Illinois State Board of Investment and all pension funds
 17 and retirement systems subject to this Code shall cooperate
 18 with the Economic and Fiscal Pension-Laws Commission and
 19 shall upon request provide the Commission with such
 20 information and other assistance as it may find necessary or
 21 useful for the performance of its duties.

22 (Source: P.A. 89-113, eff. 7-7-95.)

23 (40 ILCS 5/22-1001) (from Ch. 108 1/2, par. 22-1001)

24 Sec. 22-1001. Submission of information. By March 1 of
 25 each year, the retirement systems created under Articles 2,
 26 14, 15, 16 and 18 of this Code shall each submit the
 27 following information to the Economic and Fiscal Pension-Laws
 28 Commission:

29 (1) the most recent actuarial valuation computed using
 30 the projected unit credit actuarial cost method for
 31 retirement and ancillary benefits.

32 (2) a full disclosure of the provisions of the plan;

1 economic, mortality, termination, and demographic assumptions
2 used for the valuation; methods used to determine the
3 actuarial values; the impact of significant changes in the
4 actuarial assumptions and methods; the most recent experience
5 review; and other information affecting the plan's actuarial
6 status.

7 (3) the State's share of the amount necessary to fund
8 the normal cost plus interest on the unfunded accrued
9 liability for the next fiscal year as determined by the
10 projected unit credit computations.

11 (4) a five-year history of the system's liabilities,
12 assets (valued at cost), and unfunded liabilities.

13 (5) the July 1 market value of system assets and a
14 five-year history of annual and annualized investment returns
15 of the system's total portfolio and each segment of the
16 portfolio; and

17 (6) measures of financial status, including ten-year
18 trends of: unfunded liabilities, funded ratios, quick
19 liability ratios, current reserves, and other solvency tests
20 requested by the Commission.

21 For plan years ending prior to December 31, 1984, the
22 historical data submitted by the retirement systems pursuant
23 to items (4) and (6) above may be based on a cost method
24 other than the projected unit credit actuarial cost method.
25 In submitting the data, the retirement systems shall specify
26 the method used.

27 (Source: P.A. 89-113, eff. 7-7-95.)

28 (40 ILCS 5/22-1002) (from Ch. 108 1/2, par. 22-1002)
29 Sec. 22-1002. Within 3 days of the Governor's submission
30 of the State Budget, the Director of the Governor's Office of
31 Management and Budget Bureau-~~of-the-Budget~~ shall provide the
32 Illinois Economic and Fiscal Commission and ~~the Pension--Laws~~
33 ~~Commission~~ with the recommendations for budgeted annual

1 appropriations for each system as specified in the Governor's
2 budget recommendations.

3 (Source: P.A. 89-113, eff. 7-7-95; revised 8-23-03.)

4 (40 ILCS 5/22-1003) (from Ch. 108 1/2, par. 22-1003)
5 Sec. 22-1003. The Economic and Fiscal Pension-Laws
6 Commission shall receive the information specified in Section
7 22-1001 and Section 22-1002 of this Act. Commission staff
8 shall examine the information and submit a report of the
9 analysis thereof to the General Assembly. The report shall
10 also include either an analysis of the effect of the
11 different economic assumptions used by the 5 systems, or
12 supplemental valuations using the same economic assumptions
13 for all 5 systems. The Commission shall compare (1) each
14 system's required actuarial funding computed using the
15 projected unit credit actuarial cost method, and (2) the
16 required State contribution levels established by Public Act
17 88-593. The report shall also identify the amount of the
18 required funding for each system expected to come from (i)
19 budgeted annual appropriations and (ii) continuing
20 appropriations under the State Pension Funds Continuing
21 Appropriation Act.

22 The Commission shall also compute multiple year
23 projections showing the effect on system liabilities and the
24 State's annual cost (1) if the systems were to be funded
25 according to actuarial recommendations that the Commission
26 deems reasonable, (2) if each system were to be funded
27 according to recommendations made by the system's actuary,
28 and (3) if the systems were to be funded according to the
29 required State contribution levels established by Public Act
30 88-593; including (i) comparisons of State costs with
31 projected benefit payments, payroll, and the general funds
32 budget, and (ii) comparisons of unfunded liabilities, funded
33 ratios, solvency tests, and projected reserves. The

1 Commission may conduct additional analyses and projections as
2 it deems useful.

3 (Source: P.A. 89-113, eff. 7-7-95.)

4 Section 95. The Midwestern Higher Education Compact Act
5 is amended by changing Section 2a as follows:

6 (45 ILCS 155/2a) (from Ch. 144, par. 2803)

7 Sec. 2a. The Legislative Research Unit Illinois
8 ~~Commission--on--Intergovernmental--Cooperation~~ in order to
9 ensure the purposes of this Act as determined by Section 1,
10 shall in January of 1993 and each January thereafter report
11 to the Governor and General Assembly. This report shall
12 contain a program evaluation and recommendations as to the
13 advisability of the continued participation of Illinois in
14 the Midwestern Higher Education Compact.

15 (Source: P.A. 87-147.)

16 Section 100. The Quad Cities Regional Economic
17 Development Authority Act, approved September 22, 1987, is
18 amended by changing Section 6 as follows:

19 (70 ILCS 510/6) (from Ch. 85, par. 6206)

20 Sec. 6. Records and Reports of the Authority. The
21 secretary shall keep a record of the proceedings of the
22 Authority. The treasurer of the Authority shall be custodian
23 of all Authority funds, and shall be bonded in such amount as
24 the other members of the Authority may designate. The
25 accounts and bonds of the Authority shall be set up and
26 maintained in a manner approved by the Auditor General, and
27 the Authority shall file with the Auditor General a certified
28 annual report within 120 days after the close of its fiscal
29 year. The Authority shall also file with the Governor, the
30 Secretary of the Senate, the Clerk of the House of

1 Representatives, and the Legislative Research Unit Illinois
2 Commission--on--Intergovernmental--Coöperation, by March 1 of
3 each year, a written report covering its activities and any
4 activities of any instrumentality corporation established
5 pursuant to this Act for the previous fiscal year. In its
6 report to be filed by March 1, 1988, the Authority shall
7 present an economic development strategy for the Quad Cities
8 region for the year beginning July 1, 1988 and for the 4
9 years next ensuing. In each annual report thereafter, the
10 Authority shall make modifications in such economic
11 development strategy for the 4 years beginning on the next
12 ensuing July 1, to reflect changes in economic conditions or
13 other factors, including the policies of the Authority and
14 the State of Illinois. It also shall present an economic
15 development strategy for the fifth year beginning after the
16 next ensuing July 1. The strategy shall recommend specific
17 legislative and administrative action by the State, the
18 Authority, units of local government or other governmental
19 agencies. Such recommendations may include, but are not
20 limited to, new programs, modifications to existing programs,
21 credit enhancements for bonds issued by the Authority, and
22 amendments to this Act. When filed, such report shall be a
23 public record and open for inspection at the offices of the
24 Authority during normal business hours.

25 (Source: P.A. 85-713.)

26 Section 105. The Quad Cities Regional Economic
27 Development Authority Act, certified December 30, 1987, is
28 amended by changing Section 6 as follows:

29 (70 ILCS 515/6) (from Ch. 85, par. 6506)

30 Sec. 6. Records and Reports of the Authority. The
31 secretary shall keep a record of the proceedings of the
32 Authority. The treasurer of the Authority shall be custodian

1 of all Authority funds, and shall be bonded in such amount as
2 the other members of the Authority may designate. The
3 accounts and bonds of the Authority shall be set up and
4 maintained in a manner approved by the Auditor General, and
5 the Authority shall file with the Auditor General a certified
6 annual report within 120 days after the close of its fiscal
7 year. The Authority shall also file with the Governor, the
8 Secretary of the Senate, the Clerk of the House of
9 Representatives, and the Legislative Research Unit Illinois
10 Commission-on-Intergovernmental-Cooperation, by March 1 of
11 each year, a written report covering its activities and any
12 activities of any instrumentality corporation established
13 pursuant to this Act for the previous fiscal year. In its
14 report to be filed by March 1, 1988, the Authority shall
15 present an economic development strategy for the Quad Cities
16 region for the year beginning July 1, 1988 and for the 4
17 years next ensuing. In each annual report thereafter, the
18 Authority shall make modifications in such economic
19 development strategy for the 4 years beginning on the next
20 ensuing July 1, to reflect changes in economic conditions or
21 other factors, including the policies of the Authority and
22 the State of Illinois. It also shall present an economic
23 development strategy for the fifth year beginning after the
24 next ensuing July 1. The strategy shall recommend specific
25 legislative and administrative action by the State, the
26 Authority, units of local government or other governmental
27 agencies. Such recommendations may include, but are not
28 limited to, new programs, modifications to existing programs,
29 credit enhancements for bonds issued by the Authority, and
30 amendments to this Act. When filed, such report shall be a
31 public record and open for inspection at the offices of the
32 Authority during normal business hours.

33 (Source: P.A. 85-988.)

1 Section 110. The Illinois Public Aid Code is amended by
2 changing Sections 3-13, 5-5, 5-5.5, 5-15, 9-6.1, 9-8, 11-5,
3 12-4.30, 12-5, and 12-8 as follows:

4 (305 ILCS 5/3-13) (from Ch. 23, par. 3-13)

5 Sec. 3-13. Federal program - Declaration of
6 responsibilities: It is the position of this State that the
7 Federal Government should meet its obligation to provide
8 financial aid to those aged, blind or disabled persons
9 eligible under Article III hereof so as to assure those
10 persons a standard of living compatible with health and
11 well-being, including any supplementary aid program provided
12 to meet special or emergency needs, and it is the position of
13 this State that the Federal Government should meet its
14 obligation to provide continuing supplemental nutritional aid
15 for such persons through the Federal Food Stamp Program or
16 through full reimbursement for expenditures made in lieu of
17 such Food Stamp Program.

18 (a) The Illinois Department may, from federal
19 reimbursements received under this Section, make
20 disbursements to any attorney, or advocate working under the
21 supervision of an attorney, who represents a recipient of
22 assistance under Article VI of this Code in a program
23 administered by the Illinois Department, in an appeal of any
24 claim for federal Supplemental Security Income benefits
25 before an administrative law judge which is decided in favor
26 of such recipient. The amount of such disbursement shall be
27 equal to 25% of the maximum federal Supplemental Security
28 Income grant payable to an individual for a period of one
29 year. No such disbursement shall be made unless a petition
30 and a copy of the favorable decision is submitted by such
31 attorney or advocate to the Illinois Department within 60
32 days of the date of such decision. The disbursement shall be
33 made within 30 days after the petition is received. The

1 Illinois Department shall promulgate rules and regulations
2 necessary to implement this subsection.

3 (b) The Illinois Department shall institute a State
4 program to fully supplement the federal Supplemental Security
5 Income grants of all persons in the aged, blind, or disabled
6 categories who meet the eligibility and need requirements of
7 this Code, ~~after having given prior notice to and having~~
8 ~~consulted with the Citizens Assembly/Council on Public Aid~~
9 ~~under the procedures established by Section 12-4.11 hereof.~~

10 The amount or amounts of such supplementary payments shall be
11 established by the Director of the Illinois Department in a
12 manner consistent with the other provisions of this Article
13 III.

14 (c) The Illinois Department, the Comptroller and the
15 Treasurer, are authorized to disburse to the Federal
16 Government amounts appropriated to the Illinois Department
17 for use in furnishing aid to persons eligible under Article
18 III of this Code, to receive reimbursements from the Federal
19 Government therefor, and to establish administrative
20 procedures necessary for the accomplishment of such a payment
21 system.

22 (Source: P.A. 89-21, eff. 7-1-95.)

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

24 Sec. 5-5. Medical services. The Illinois Department, by
25 rule, shall determine the quantity and quality of and the
26 rate of reimbursement for the medical assistance for which
27 payment will be authorized, and the medical services to be
28 provided, which may include all or part of the following: (1)
29 inpatient hospital services; (2) outpatient hospital
30 services; (3) other laboratory and X-ray services; (4)
31 skilled nursing home services; (5) physicians' services
32 whether furnished in the office, the patient's home, a
33 hospital, a skilled nursing home, or elsewhere; (6) medical

1 care, or any other type of remedial care furnished by
2 licensed practitioners; (7) home health care services; (8)
3 private duty nursing service; (9) clinic services; (10)
4 dental services; (11) physical therapy and related services;
5 (12) prescribed drugs, dentures, and prosthetic devices; and
6 eyeglasses prescribed by a physician skilled in the diseases
7 of the eye, or by an optometrist, whichever the person may
8 select; (13) other diagnostic, screening, preventive, and
9 rehabilitative services; (14) transportation and such other
10 expenses as may be necessary; (15) medical treatment of
11 sexual assault survivors, as defined in Section 1a of the
12 Sexual Assault Survivors Emergency Treatment Act, for
13 injuries sustained as a result of the sexual assault,
14 including examinations and laboratory tests to discover
15 evidence which may be used in criminal proceedings arising
16 from the sexual assault; (16) the diagnosis and treatment of
17 sickle cell anemia; and (17) any other medical care, and any
18 other type of remedial care recognized under the laws of this
19 State, but not including abortions, or induced miscarriages
20 or premature births, unless, in the opinion of a physician,
21 such procedures are necessary for the preservation of the
22 life of the woman seeking such treatment, or except an
23 induced premature birth intended to produce a live viable
24 child and such procedure is necessary for the health of the
25 mother or her unborn child. The Illinois Department, by rule,
26 shall prohibit any physician from providing medical
27 assistance to anyone eligible therefor under this Code where
28 such physician has been found guilty of performing an
29 abortion procedure in a wilful and wanton manner upon a woman
30 who was not pregnant at the time such abortion procedure was
31 performed. The term "any other type of remedial care" shall
32 include nursing care and nursing home service for persons who
33 rely on treatment by spiritual means alone through prayer for
34 healing.

1 Notwithstanding any other provision of this Section, a
2 comprehensive tobacco use cessation program that includes
3 purchasing prescription drugs or prescription medical devices
4 approved by the Food and Drug administration shall be covered
5 under the medical assistance program under this Article for
6 persons who are otherwise eligible for assistance under this
7 Article.

8 Notwithstanding any other provision of this Code, the
9 Illinois Department may not require, as a condition of
10 payment for any laboratory test authorized under this
11 Article, that a physician's handwritten signature appear on
12 the laboratory test order form. The Illinois Department may,
13 however, impose other appropriate requirements regarding
14 laboratory test order documentation.

15 The Illinois Department of Public Aid shall provide the
16 following services to persons eligible for assistance under
17 this Article who are participating in education, training or
18 employment programs operated by the Department of Human
19 Services as successor to the Department of Public Aid:

20 (1) dental services, which shall include but not be
21 limited to prosthodontics; and

22 (2) eyeglasses prescribed by a physician skilled in
23 the diseases of the eye, or by an optometrist, whichever
24 the person may select.

25 The Illinois Department, by rule, may distinguish and
26 classify the medical services to be provided only in
27 accordance with the classes of persons designated in Section
28 5-2.

29 The Illinois Department shall authorize the provision of,
30 and shall authorize payment for, screening by low-dose
31 mammography for the presence of occult breast cancer for
32 women 35 years of age or older who are eligible for medical
33 assistance under this Article, as follows: a baseline
34 mammogram for women 35 to 39 years of age and an annual

1 mammogram for women 40 years of age or older. All screenings
2 shall include a physical breast exam, instruction on
3 self-examination and information regarding the frequency of
4 self-examination and its value as a preventative tool. As
5 used in this Section, "low-dose mammography" means the x-ray
6 examination of the breast using equipment dedicated
7 specifically for mammography, including the x-ray tube,
8 filter, compression device, image receptor, and cassettes,
9 with an average radiation exposure delivery of less than one
10 rad mid-breast, with 2 views for each breast.

11 Any medical or health care provider shall immediately
12 recommend, to any pregnant woman who is being provided
13 prenatal services and is suspected of drug abuse or is
14 addicted as defined in the Alcoholism and Other Drug Abuse
15 and Dependency Act, referral to a local substance abuse
16 treatment provider licensed by the Department of Human
17 Services or to a licensed hospital which provides substance
18 abuse treatment services. The Department of Public Aid shall
19 assure coverage for the cost of treatment of the drug abuse
20 or addiction for pregnant recipients in accordance with the
21 Illinois Medicaid Program in conjunction with the Department
22 of Human Services.

23 All medical providers providing medical assistance to
24 pregnant women under this Code shall receive information from
25 the Department on the availability of services under the Drug
26 Free Families with a Future or any comparable program
27 providing case management services for addicted women,
28 including information on appropriate referrals for other
29 social services that may be needed by addicted women in
30 addition to treatment for addiction.

31 The Illinois Department, in cooperation with the
32 Departments of Human Services (as successor to the Department
33 of Alcoholism and Substance Abuse) and Public Health, through
34 a public awareness campaign, may provide information

1 concerning treatment for alcoholism and drug abuse and
2 addiction, prenatal health care, and other pertinent programs
3 directed at reducing the number of drug-affected infants born
4 to recipients of medical assistance.

5 Neither the Illinois Department of Public Aid nor the
6 Department of Human Services shall sanction the recipient
7 solely on the basis of her substance abuse.

8 The Illinois Department shall establish such regulations
9 governing the dispensing of health services under this
10 Article as it shall deem appropriate. ~~In--formulating--these~~
11 ~~regulations--the--Illinois--Department--shall--consult--with--and~~
12 ~~give--substantial--weight--to--the--recommendations--offered--by--the~~
13 ~~Citizens--Assembly/Council--on--Public--Aid.~~ The Department
14 should seek the advice of formal professional advisory
15 committees appointed by the Director of the Illinois
16 Department for the purpose of providing regular advice on
17 policy and administrative matters, information dissemination
18 and educational activities for medical and health care
19 providers, and consistency in procedures to the Illinois
20 Department.

21 The Illinois Department may develop and contract with
22 Partnerships of medical providers to arrange medical services
23 for persons eligible under Section 5-2 of this Code.
24 Implementation of this Section may be by demonstration
25 projects in certain geographic areas. The Partnership shall
26 be represented by a sponsor organization. The Department, by
27 rule, shall develop qualifications for sponsors of
28 Partnerships. Nothing in this Section shall be construed to
29 require that the sponsor organization be a medical
30 organization.

31 The sponsor must negotiate formal written contracts with
32 medical providers for physician services, inpatient and
33 outpatient hospital care, home health services, treatment for
34 alcoholism and substance abuse, and other services determined

1 necessary by the Illinois Department by rule for delivery by
2 Partnerships. Physician services must include prenatal and
3 obstetrical care. The Illinois Department shall reimburse
4 medical services delivered by Partnership providers to
5 clients in target areas according to provisions of this
6 Article and the Illinois Health Finance Reform Act, except
7 that:

8 (1) Physicians participating in a Partnership and
9 providing certain services, which shall be determined by
10 the Illinois Department, to persons in areas covered by
11 the Partnership may receive an additional surcharge for
12 such services.

13 (2) The Department may elect to consider and
14 negotiate financial incentives to encourage the
15 development of Partnerships and the efficient delivery of
16 medical care.

17 (3) Persons receiving medical services through
18 Partnerships may receive medical and case management
19 services above the level usually offered through the
20 medical assistance program.

21 Medical providers shall be required to meet certain
22 qualifications to participate in Partnerships to ensure the
23 delivery of high quality medical services. These
24 qualifications shall be determined by rule of the Illinois
25 Department and may be higher than qualifications for
26 participation in the medical assistance program. Partnership
27 sponsors may prescribe reasonable additional qualifications
28 for participation by medical providers, only with the prior
29 written approval of the Illinois Department.

30 Nothing in this Section shall limit the free choice of
31 practitioners, hospitals, and other providers of medical
32 services by clients. In order to ensure patient freedom of
33 choice, the Illinois Department shall immediately promulgate
34 all rules and take all other necessary actions so that

1 provided services may be accessed from therapeutically
2 certified optometrists to the full extent of the Illinois
3 Optometric Practice Act of 1987 without discriminating
4 between service providers.

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

8 The Illinois Department shall require health care
9 providers to maintain records that document the medical care
10 and services provided to recipients of Medical Assistance
11 under this Article. The Illinois Department shall require
12 health care providers to make available, when authorized by
13 the patient, in writing, the medical records in a timely
14 fashion to other health care providers who are treating or
15 serving persons eligible for Medical Assistance under this
16 Article. All dispensers of medical services shall be
17 required to maintain and retain business and professional
18 records sufficient to fully and accurately document the
19 nature, scope, details and receipt of the health care
20 provided to persons eligible for medical assistance under
21 this Code, in accordance with regulations promulgated by the
22 Illinois Department. The rules and regulations shall require
23 that proof of the receipt of prescription drugs, dentures,
24 prosthetic devices and eyeglasses by eligible persons under
25 this Section accompany each claim for reimbursement submitted
26 by the dispenser of such medical services. No such claims for
27 reimbursement shall be approved for payment by the Illinois
28 Department without such proof of receipt, unless the Illinois
29 Department shall have put into effect and shall be operating
30 a system of post-payment audit and review which shall, on a
31 sampling basis, be deemed adequate by the Illinois Department
32 to assure that such drugs, dentures, prosthetic devices and
33 eyeglasses for which payment is being made are actually being
34 received by eligible recipients. Within 90 days after the

1 effective date of this amendatory Act of 1984, the Illinois
2 Department shall establish a current list of acquisition
3 costs for all prosthetic devices and any other items
4 recognized as medical equipment and supplies reimbursable
5 under this Article and shall update such list on a quarterly
6 basis, except that the acquisition costs of all prescription
7 drugs shall be updated no less frequently than every 30 days
8 as required by Section 5-5.12.

9 The rules and regulations of the Illinois Department
10 shall require that a written statement including the required
11 opinion of a physician shall accompany any claim for
12 reimbursement for abortions, or induced miscarriages or
13 premature births. This statement shall indicate what
14 procedures were used in providing such medical services.

15 The Illinois Department shall require all dispensers of
16 medical services, other than an individual practitioner or
17 group of practitioners, desiring to participate in the
18 Medical Assistance program established under this Article to
19 disclose all financial, beneficial, ownership, equity, surety
20 or other interests in any and all firms, corporations,
21 partnerships, associations, business enterprises, joint
22 ventures, agencies, institutions or other legal entities
23 providing any form of health care services in this State
24 under this Article.

25 The Illinois Department may require that all dispensers
26 of medical services desiring to participate in the medical
27 assistance program established under this Article disclose,
28 under such terms and conditions as the Illinois Department
29 may by rule establish, all inquiries from clients and
30 attorneys regarding medical bills paid by the Illinois
31 Department, which inquiries could indicate potential
32 existence of claims or liens for the Illinois Department.

33 Enrollment of a vendor that provides non-emergency
34 medical transportation, defined by the Department by rule,

1 shall be conditional for 180 days. During that time, the
2 Department of Public Aid may terminate the vendor's
3 eligibility to participate in the medical assistance program
4 without cause. That termination of eligibility is not
5 subject to the Department's hearing process.

6 The Illinois Department shall establish policies,
7 procedures, standards and criteria by rule for the
8 acquisition, repair and replacement of orthotic and
9 prosthetic devices and durable medical equipment. Such rules
10 shall provide, but not be limited to, the following services:
11 (1) immediate repair or replacement of such devices by
12 recipients without medical authorization; and (2) rental,
13 lease, purchase or lease-purchase of durable medical
14 equipment in a cost-effective manner, taking into
15 consideration the recipient's medical prognosis, the extent
16 of the recipient's needs, and the requirements and costs for
17 maintaining such equipment. Such rules shall enable a
18 recipient to temporarily acquire and use alternative or
19 substitute devices or equipment pending repairs or
20 replacements of any device or equipment previously authorized
21 for such recipient by the Department. Rules under clause (2)
22 above shall not provide for purchase or lease-purchase of
23 durable medical equipment or supplies used for the purpose of
24 oxygen delivery and respiratory care.

25 The Department shall execute, relative to the nursing
26 home prescreening project, written inter-agency agreements
27 with the Department of Human Services and the Department on
28 Aging, to effect the following: (i) intake procedures and
29 common eligibility criteria for those persons who are
30 receiving non-institutional services; and (ii) the
31 establishment and development of non-institutional services
32 in areas of the State where they are not currently available
33 or are undeveloped.

34 The Illinois Department shall develop and operate, in

1 cooperation with other State Departments and agencies and in
2 compliance with applicable federal laws and regulations,
3 appropriate and effective systems of health care evaluation
4 and programs for monitoring of utilization of health care
5 services and facilities, as it affects persons eligible for
6 medical assistance under this Code. ~~The Illinois Department~~
7 ~~shall report regularly the results of the operation of such~~
8 ~~systems and programs to the Citizens Assembly/Council on~~
9 ~~Public Aid to enable the Committee to ensure, from time to~~
10 ~~time, that these programs are effective and meaningful.~~

11 The Illinois Department shall report annually to the
12 General Assembly, no later than the second Friday in April of
13 1979 and each year thereafter, in regard to:

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

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

18 (c) current rate structures and proposed changes in
19 those rate structures for the various medical vendors;
20 and

21 (d) efforts at utilization review and control by
22 the Illinois Department.

23 The period covered by each report shall be the 3 years
24 ending on the June 30 prior to the report. The report shall
25 include suggested legislation for consideration by the
26 General Assembly. The filing of one copy of the report with
27 the Speaker, one copy with the Minority Leader and one copy
28 with the Clerk of the House of Representatives, one copy with
29 the President, one copy with the Minority Leader and one copy
30 with the Secretary of the Senate, one copy with the
31 Legislative Research Unit, and such additional copies with
32 the State Government Report Distribution Center for the
33 General Assembly as is required under paragraph (t) of
34 Section 7 of the State Library Act and one copy with the

1 ~~Citizens-Assembly/Council-on--Public--Aid--or--its--successor~~
2 shall be deemed sufficient to comply with this Section.

3 (Source: P.A. 91-344, eff. 1-1-00; 91-462, eff. 8-6-99;
4 91-666, eff. 12-22-99; 92-16, eff. 6-28-01; 92-651, eff.
5 7-11-02; 92-789, eff. 8-6-02.)

6 (305 ILCS 5/5-5.5) (from Ch. 23, par. 5-5.5)

7 Sec. 5-5.5. Elements of Payment Rate.

8 (a) The Department of Public Aid shall develop a
9 prospective method for determining payment rates for skilled
10 nursing and intermediate care services in nursing facilities
11 composed of the following cost elements:

12 (1) Standard Services, with the cost of this
13 component being determined by taking into account the
14 actual costs to the facilities of these services subject
15 to cost ceilings to be defined in the Department's rules.

16 (2) Resident Services, with the cost of this
17 component being determined by taking into account the
18 actual costs, needs and utilization of these services, as
19 derived from an assessment of the resident needs in the
20 nursing facilities. The Department shall adopt rules
21 governing reimbursement for resident services as listed
22 in Section 5-1.1. Surveys or assessments of resident
23 needs under this Section shall include a review by the
24 facility of the results of such assessments and a
25 discussion of issues in dispute with authorized survey
26 staff, unless the facility elects not to participate in
27 such a review process. Surveys or assessments of
28 resident needs under this Section may be conducted
29 semi-annually and payment rates relating to resident
30 services may be changed on a semi-annual basis. The
31 Illinois Department shall initiate a project, either on a
32 pilot basis or Statewide, to reimburse the cost of
33 resident services based on a methodology which utilizes

1 an assessment of resident needs to determine the level of
2 reimbursement. This methodology shall be different from
3 the payment criteria for resident services utilized by
4 the Illinois Department on July 1, 1981. On March 1,
5 1982, and each year thereafter, until such time when the
6 Illinois Department adopts the methodology used in such
7 project for use statewide ~~or--the--Illinois--Department~~
8 ~~reports--to--the--Citizens-Assembly/Council-on-Public-Aid~~
9 ~~that-the-methodology-did-not-meet-the-Department's--goals~~
10 ~~and-objectives-and-therefore-is-ceasing-such-project,~~ the
11 Illinois Department shall report to the General Assembly
12 on the implementation and progress of such project. The
13 report shall include:

14 (A) A statement of the Illinois Department's
15 goals and objectives for such project;

16 (B) A description of such project, including
17 the number and type of nursing facilities involved
18 in the project;

19 (C) A description of the methodology used in
20 such project;

21 (D) A description of the Illinois Department's
22 application of the methodology;

23 (E) A statement on the methodology's effect on
24 the quality of care given to residents in the sample
25 nursing facilities; and

26 (F) A statement on the cost of the methodology
27 used in such project and a comparison of this cost
28 with the cost of the current payment criteria.

29 (3) Ancillary Services, with the payment rate being
30 developed for each individual type of service. Payment
31 shall be made only when authorized under procedures
32 developed by the Department of Public Aid.

33 (4) Nurse's Aide Training, with the cost of this
34 component being determined by taking into account the

1 actual cost to the facilities of such training.

2 (5) Real Estate Taxes, with the cost of this
3 component being determined by taking into account the
4 figures contained in the most currently available cost
5 reports (with no imposition of maximums) updated to the
6 midpoint of the current rate year for long term care
7 services rendered between July 1, 1984 and June 30, 1985,
8 and with the cost of this component being determined by
9 taking into account the actual 1983 taxes for which the
10 nursing homes were assessed (with no imposition of
11 maximums) updated to the midpoint of the current rate
12 year for long term care services rendered between July 1,
13 1985 and June 30, 1986.

14 (b) In developing a prospective method for determining
15 payment rates for skilled nursing and intermediate care
16 services in nursing facilities, the Department of Public Aid
17 shall consider the following cost elements:

18 (1) Reasonable capital cost determined by utilizing
19 incurred interest rate and the current value of the
20 investment, including land, utilizing composite rates, or
21 by utilizing such other reasonable cost related methods
22 determined by the Department. However, beginning with the
23 rate reimbursement period effective July 1, 1987, the
24 Department shall be prohibited from establishing,
25 including, and implementing any depreciation factor in
26 calculating the capital cost element.

27 (2) Profit, with the actual amount being produced
28 and accruing to the providers in the form of a return on
29 their total investment, on the basis of their ability to
30 economically and efficiently deliver a type of service.
31 The method of payment may assure the opportunity for a
32 profit, but shall not guarantee or establish a specific
33 amount as a cost.

34 (c) The Illinois Department may implement the amendatory

1 changes to this Section made by this amendatory Act of 1991
2 through the use of emergency rules in accordance with the
3 provisions of Section 5.02 of the Illinois Administrative
4 Procedure Act. For purposes of the Illinois Administrative
5 Procedure Act, the adoption of rules to implement the
6 amendatory changes to this Section made by this amendatory
7 Act of 1991 shall be deemed an emergency and necessary for
8 the public interest, safety and welfare.

9 (d) No later than January 1, 2001, the Department of
10 Public Aid shall file with the Joint Committee on
11 Administrative Rules, pursuant to the Illinois Administrative
12 Procedure Act, a proposed rule, or a proposed amendment to an
13 existing rule, regarding payment for appropriate services,
14 including assessment, care planning, discharge planning, and
15 treatment provided by nursing facilities to residents who
16 have a serious mental illness.

17 (Source: P.A. 91-799, eff. 6-13-00.)

18 (305 ILCS 5/5-15) (from Ch. 23, par. 5-15)

19 Sec. 5-15. (a) The Illinois Department is authorized to
20 contract with community based organizations serving low
21 income communities for a three year period to demonstrate how
22 and the extent to which preventive health programs can
23 decrease utilization of medical care services and/or improve
24 health status.

25 (b) As used in this Section (1) a community based
26 organization is an organization established as a
27 not-for-profit corporation under laws of the State of
28 Illinois which serves a defined geographic community and is
29 governed by members of that community; and (2) a preventive
30 health program is any program, service or intervention the
31 purpose of which is to identify, resolve, or ameliorate
32 problems which contribute to the utilization of medical
33 services.

1 (c) The Illinois Department is authorized, for
2 evaluation purposes, to release names of recipients and other
3 pertinent identification and medical utilization information
4 to the community organizations under contract.

5 (d) Contractors shall maintain strict confidentiality of
6 information released by the Illinois Department by following
7 guidelines established by the Illinois Department, which
8 shall require that recipients sign a release for any further
9 use or disclosure of such information.

10 ~~(e) The Illinois Department shall report to the Citizens
11 Assembly/Council on Public Aid annually on the costs and
12 benefits of preventive health care projects.~~

13 (Source: P.A. 86-651.)

14 (305 ILCS 5/9-6.1) (from Ch. 23, par. 9-6.1)

15 Sec. 9-6.1. Housing Education Program. The Illinois
16 Department, ~~upon consultation with and advice of the Citizens
17 Assembly/Council on Public Aid,~~ shall establish, either
18 directly or by contract, a pilot project for a housing
19 education program that will provide persons receiving aid
20 under Articles III, IV, V, and VI with instructions in the
21 care and maintenance of dwelling units, in the essentials of
22 adequate housekeeping, and the problems of urban living. If
23 in accord with Federal law and regulations governing grants
24 to this State for public aid purposes, the Department may
25 require recipients to attend a housing education program.
26 Non-recipients to whom services have been extended under the
27 provisions of Section 9-8 may also attend and participate in
28 a housing education program established hereunder.

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

30 (305 ILCS 5/9-8) (from Ch. 23, par. 9-8)

31 Sec. 9-8. Extension of Coverage.) If appropriate and
32 sufficient facilities are not available through other

1 agencies, and--upon--consultation--with--and--advice--of--the
2 Citizens---Assembly/Council---on--Public--Aid, the Illinois
3 Department may extend those services provided in this Article
4 which relate to work adjustment, education, training, and
5 counseling and guidance on problems of child care, family
6 relationships, home and money management, transportation, and
7 health, to one or both of the following:

8 (1) persons and families who have been recipients of aid
9 within 1 year preceding their request for the services, and
10 who are likely to become recipients of aid again unless
11 needed services are provided;

12 (2) other persons and families who request the services
13 and whose economic, personal or social situation is such as
14 to make it likely that without counseling, training or other
15 services financial aid could reasonably be expected to be
16 required within 6 months.

17 The services may be continued for such time as may be
18 necessary to overcome the conditions which may result in
19 dependency upon financial aid but each case shall be reviewed
20 at least quarterly to assure that the services are not
21 continued beyond a reasonable period of time.

22 Any extension of services under the foregoing provisions
23 shall be limited to a pilot county or counties, or other test
24 area, until the cost and effectiveness of the services
25 provided are determined to be in the public interest. The
26 initiation-in-any-county-or-the-extension-in-any--county,--of
27 the-services-specified-in-the-first-paragraph-of-this-Section
28 shall--require--prior--consultation--with--and--advice-of-the
29 Citizens-Assembly/Council-on-Public-Aid.

30 Upon--consultation--with--and--advice--of--the---Citizens
31 Assembly/Council--on--Public-Aid, The Illinois Department may
32 also extend the educational and vocational training programs
33 provided under Section 9-5 or Section 9-7 to persons whose
34 income does not exceed the standard established to determine

1 eligibility for aid as a medically indigent person under
2 Article V, subject to the minimum quarterly review
3 requirement established in this Section for persons
4 designated in subparagraphs (1) and (2).

5 (Source: P.A. 86-651.)

6 (305 ILCS 5/11-5) (from Ch. 23, par. 11-5)

7 Sec. 11-5. Investigation of applications. The County
8 Department or local governmental unit shall promptly, upon
9 receipt of an application, make the necessary investigation,
10 as prescribed by rule of the Illinois Department, for
11 determining the eligibility of the applicant for aid.

12 A report of every investigation shall be made in writing
13 and become a part of the record in each case.

14 The Illinois Department, ~~upon consultation with and~~
15 ~~advice of the Citizens Assembly/Council on Public Aid,~~ may by
16 rule prescribe the circumstances under which information
17 furnished by applicants in respect to their eligibility may
18 be presumed prima facie correct, subject to all civil and
19 criminal penalties and recoveries provided in this Code if
20 the additional investigation establishes that the applicant
21 made false statements or was otherwise ineligible for aid.

22 (Source: P.A. 86-651.)

23 (305 ILCS 5/12-4.30) (from Ch. 23, par. 12-4.30)

24 Sec. 12-4.30. Demonstration programs. Establish
25 demonstration programs, authorized by federal law and
26 pursuant to State regulations. Such demonstration programs
27 ~~shall be subject to the prior review of the Citizens~~
28 ~~Assembly/Citizens Council on Public Aid and~~ may include, but
29 shall not be limited to: cashing out welfare benefits such
30 as, but not limited to, food stamps, energy assistance
31 payments and medical benefits; providing medical benefits
32 through the purchase of health insurance; and capping grant

1 amounts at certain levels regardless of the number of persons
2 in the case. Such demonstration programs may be limited to
3 particular geographic areas.

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

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

6 Sec. 12-5. Appropriations; uses; federal grants; report
7 to General Assembly. From the sums appropriated by the
8 General Assembly, the Illinois Department shall order for
9 payment by warrant from the State Treasury grants for public
10 aid under Articles III, IV, and V, including grants for
11 funeral and burial expenses, and all costs of administration
12 of the Illinois Department and the County Departments
13 relating thereto. Moneys appropriated to the Illinois
14 Department for public aid under Article VI may be used, with
15 the consent of the Governor, to co-operate with federal,
16 State, and local agencies in the development of work projects
17 designed to provide suitable employment for persons receiving
18 public aid under Article VI. The Illinois Department, with
19 the consent of the Governor, may be the agent of the State
20 for the receipt and disbursement of federal funds or
21 commodities for public aid purposes under Article VI and for
22 related purposes in which the co-operation of the Illinois
23 Department is sought by the federal government, and, in
24 connection therewith, may make necessary expenditures from
25 moneys appropriated for public aid under any Article of this
26 Code and for administration. 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 pursuant to
29 the Immigration Reform and Control Act of 1986 and may make
30 necessary expenditures from monies appropriated to it for
31 operations, administration, and grants, including payment to
32 the Health Insurance Reserve Fund for group insurance costs
33 at the rate certified by the Department of Central Management

1 Services. All amounts received by the Illinois Department
2 pursuant to the Immigration Reform and Control Act of 1986
3 shall be deposited in the Immigration Reform and Control
4 Fund. All amounts received into the Immigration Reform and
5 Control Fund as reimbursement for expenditures from the
6 General Revenue Fund shall be transferred to the General
7 Revenue Fund.

8 All grants received by the Illinois Department for
9 programs funded by the Federal Social Services Block Grant
10 shall be deposited in the Social Services Block Grant Fund.
11 All funds received into the Social Services Block Grant Fund
12 as reimbursement for expenditures from the General Revenue
13 Fund shall be transferred to the General Revenue Fund. All
14 funds received into the Social Services Block Grant fund for
15 reimbursement for expenditure out of the Local Initiative
16 Fund shall be transferred into the Local Initiative Fund.
17 Any other federal funds received into the Social Services
18 Block Grant Fund shall be transferred to the Special Purposes
19 Trust Fund. All federal funds received by the Illinois
20 Department as reimbursement for Employment and Training
21 Programs for expenditures made by the Illinois Department
22 from grants, gifts, or legacies as provided in Section
23 12-4.18 or made by an entity other than the Illinois
24 Department shall be deposited into the Employment and
25 Training Fund, except that federal funds received as
26 reimbursement as a result of the appropriation made for the
27 costs of providing adult education to public assistance
28 recipients under the "Adult Education, Public Assistance
29 Fund" shall be deposited into the General Revenue Fund;
30 provided, however, that all funds, except those that are
31 specified in an interagency agreement between the Illinois
32 Community College Board and the Illinois Department, that are
33 received by the Illinois Department as reimbursement under
34 Title IV-A of the Social Security Act for expenditures that

1 are made by the Illinois Community College Board or any
2 public community college of this State shall be credited to a
3 special account that the State Treasurer shall establish and
4 maintain within the Employment and Training Fund for the
5 purpose of segregating the reimbursements received for
6 expenditures made by those entities. As reimbursements are
7 deposited into the Employment and Training Fund, the Illinois
8 Department shall certify to the State Comptroller and State
9 Treasurer the amount that is to be credited to the special
10 account established within that Fund as a reimbursement for
11 expenditures under Title IV-A of the Social Security Act made
12 by the Illinois Community College Board or any of the public
13 community colleges. All amounts credited to the special
14 account established and maintained within the Employment and
15 Training Fund as provided in this Section shall be held for
16 transfer to the TANF Opportunities Fund as provided in
17 subsection (d) of Section 12-10.3, and shall not be
18 transferred to any other fund or used for any other purpose.

19 Any or all federal funds received as reimbursement for
20 food and shelter assistance under the Emergency Food and
21 Shelter Program authorized by Section 12-4.5 may be
22 deposited, with the consent of the Governor, into the
23 Homelessness Prevention Fund.

24 Eighty percent of the federal financial participation
25 funds received by the Illinois Department under the Title
26 IV-A Emergency Assistance program as reimbursement for
27 expenditures made from the Illinois Department of Children
28 and Family Services appropriations for the costs of providing
29 services in behalf of Department of Children and Family
30 Services clients shall be deposited into the DCFS Children's
31 Services Fund.

32 All federal funds, except those covered by the foregoing
33 3 paragraphs, received as reimbursement for expenditures from
34 the General Revenue Fund shall be deposited in the General

1 Revenue Fund for administrative and distributive expenditures
2 properly chargeable by federal law or regulation to aid
3 programs established under Articles III through XII and
4 Titles IV, XVI, XIX and XX of the Federal Social Security
5 Act. Any other federal funds received by the Illinois
6 Department under Sections 12-4.6, 12-4.18 and 12-4.19 that
7 are required by Section 12-10 of this Code to be paid into
8 the Special Purposes Trust Fund shall be deposited into the
9 Special Purposes Trust Fund. Any other federal funds
10 received by the Illinois Department pursuant to the Child
11 Support Enforcement Program established by Title IV-D of the
12 Social Security Act shall be deposited in the Child Support
13 Enforcement Trust Fund as required under Section 12-10.2 of
14 this Code. Any other federal funds received by the Illinois
15 Department for medical assistance program expenditures made
16 under Title XIX of the Social Security Act and Article V of
17 this Code that are required by Section 5-4.21 of this Code to
18 be paid into the Medicaid Developmentally Disabled Provider
19 Participation Fee Trust Fund shall be deposited into the
20 Medicaid Developmentally Disabled Provider Participation Fee
21 Trust Fund. Any other federal funds received by the Illinois
22 Department for medical assistance program expenditures made
23 under Title XIX of the Social Security Act and Article V of
24 this Code that are required by Section 5-4.31 of this Code to
25 be paid into the Medicaid Long Term Care Provider
26 Participation Fee Trust Fund shall be deposited into the
27 Medicaid Long Term Care Provider Participation Fee Trust
28 Fund. Any other federal funds received by the Illinois
29 Department for hospital inpatient, hospital ambulatory care,
30 and disproportionate share hospital expenditures made under
31 Title XIX of the Social Security Act and Article V of this
32 Code that are required by Section 14-2 of this Code to be
33 paid into the Hospital Services Trust Fund shall be deposited
34 into the Hospital Services Trust Fund. Any other federal

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

33 The Illinois Department shall-consult-with-the-Citizens
34 Assembly/Council-on-Public-Aid-in-respect-to-the--expenditure

1 of--federal--funds--from--the--Special--Purposes--Trust--Fund--under
 2 Section--12-10--and--the--Local--Initiative--Fund--under--Section
 3 12-10-1.---It shall report to the General Assembly at the end
 4 of each fiscal quarter the amount of all funds received and
 5 paid into the Social Service Block Grant Fund and the Local
 6 Initiative Fund and the expenditures and transfers of such
 7 funds for services, programs and other purposes authorized by
 8 law. Such report shall be filed with the Speaker, Minority
 9 Leader and Clerk of the House, with the President, Minority
 10 Leader and Secretary of the Senate, with the Chairmen of the
 11 House and Senate Appropriations Committees, the House Human
 12 Resources Committee and the Senate Public Health, Welfare and
 13 Corrections Committee, or the successor standing Committees
 14 of each as provided by the rules of the House and Senate,
 15 respectively, with the Legislative Research Unit and with the
 16 State Government Report Distribution Center for the General
 17 Assembly as is required under paragraph (t) of Section 7 of
 18 the State Library Act and--one--copy--with--the--Citizens
 19 Assembly/Council--on--Public--Aid--or--its--successor shall be
 20 deemed sufficient to comply with this Section.

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

22 (305 ILCS 5/12-8) (from Ch. 23, par. 12-8)

23 Sec. 12-8. Public Assistance Emergency Revolving Fund -
 24 Uses. The Public Assistance Emergency Revolving Fund,
 25 established by Act approved July 8, 1955 shall be held by the
 26 Illinois Department and shall be used for the following
 27 purposes:

- 28 1. To provide immediate financial aid to applicants
 29 in acute need who have been determined eligible for aid
 30 under Articles III, IV, or V.
- 31 2. To provide emergency aid to recipients under
 32 said Articles who have failed to receive their grants
 33 because of mail box or other thefts, or who are victims

1 of a burnout, eviction, or other circumstances causing
2 privation, in which cases the delays incident to the
3 issuance of grants from appropriations would cause
4 hardship and suffering.

5 3. To provide emergency aid for transportation,
6 meals and lodging to applicants who are referred to
7 cities other than where they reside for physical
8 examinations to establish blindness or disability, or to
9 determine the incapacity of the parent of a dependent
10 child.

11 4. To provide emergency transportation expense
12 allowances to recipients engaged in vocational training
13 and rehabilitation projects.

14 5. To assist public aid applicants in obtaining
15 copies of birth certificates, death certificates,
16 marriage licenses or other similar legal documents which
17 may facilitate the verification of eligibility for public
18 aid under this Code.

19 6. To provide immediate payments to current or
20 former recipients of child support enforcement services,
21 or refunds to responsible relatives, for child support
22 made to the Illinois Department under Title IV-D of the
23 Social Security Act when such recipients of services or
24 responsible relatives are legally entitled to all or part
25 of such child support payments under applicable State or
26 federal law.

27 7. To provide payments to individuals or providers
28 of transportation to and from medical care for the
29 benefit of recipients under Articles III, IV, V, and VI.

30 Disbursements from the Public Assistance Emergency
31 Revolving Fund shall be made by the Illinois Department.

32 Expenditures from the Public Assistance Emergency
33 Revolving Fund shall be for purposes which are properly
34 chargeable to appropriations made to the Illinois Department,

1 or, in the case of payments under subparagraph 6, to the
 2 Child Support Enforcement Trust Fund, except that no
 3 expenditure shall be made for purposes which are properly
 4 chargeable to appropriations for the following objects:
 5 personal services; extra help; state contributions to
 6 retirement system; state contributions to Social Security;
 7 state contributions for employee group insurance; contractual
 8 services; travel; commodities; printing; equipment;
 9 electronic data processing; operation of auto equipment;
 10 telecommunications services; library books; and refunds. The
 11 Illinois Department shall reimburse the Public Assistance
 12 Emergency Revolving Fund by warrants drawn by the State
 13 Comptroller on the appropriation or appropriations which are
 14 so chargeable, or, in the case of payments under subparagraph
 15 6, by warrants drawn on the Child Support Enforcement Trust
 16 Fund, payable to the Revolving Fund.

17 ~~The--Illinois--Department--shall--consult,--in--writing,--with~~
 18 ~~the--Citizens--Assembly/Council--on--Public--Aid--with--respect--to~~
 19 ~~the--investment--of--funds--from--the--Public--Assistance--Emergency~~
 20 ~~Revolving--Fund--outside--the--State--Treasury--in--certificates--of~~
 21 ~~deposit--or--other--interest--bearing--accounts.~~

22 (Source: P.A. 92-111, eff. 1-1-02; 92-590, eff. 7-1-02.)

23 Section 115. The Supreme Court Act is amended by
 24 changing Section 17 as follows:

25 (705 ILCS 5/17) (from Ch. 37, par. 22)

26 Sec. 17. The judges of the Supreme Court shall appoint a
 27 librarian for the Supreme Court Library, located at the
 28 Supreme Court Building State--Capitol, and prescribe his
 29 duties and fix his compensation to be paid as other expenses
 30 of the Supreme Court are paid. Such librarian, before
 31 entering upon the duties of his office, shall give bond
 32 payable to the People of the State of Illinois in the penal

1 sum of \$5,000 with security to be approved by 2 judges of
2 said court conditioned for the due preservation of the books
3 belonging to the library, in his charge, and for the faithful
4 performance of his duties as such librarian.

5 (Source: Laws 1965, p. 766.)

6 Section 999. Effective date. This Act takes effect on
7 February 1, 2004."