



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**SB1807**

Introduced 2/25/2005, by Sen. Dan Rutherford

**SYNOPSIS AS INTRODUCED:**

20 ILCS 210/6

from Ch. 127, par. 1706

Amends the State Fair Act. Provides that schedules of admission fees for the Illinois State Fair and the DuQuoin State Fair are subject to the rulemaking procedures of the Illinois Administrative Procedure Act. Prohibits the Department from establishing any exception to paid admissions to the Illinois State Fair and the DuQuoin State Fair, except for (i) employees of the Department of Agriculture, the Illinois State Fair, or the DuQuoin State Fair; (ii) police and emergency services personnel; (iii) exhibitors, concessionaires, and entertainers; and (iv) members of organizations individually volunteering services directly to the Department of Agriculture, the Illinois State Fair, or the DuQuoin State Fair. Requires the Department to deliver to the General Assembly an annual report of the number of paid admissions on a daily basis and the number of paid admissions exceptions granted on a daily basis for both the Illinois State Fair and the DuQuoin State Fair. Effective immediately.

LRB094 11114 LJB 42318 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning State government.

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

4 Section 5. The State Fair Act is amended by changing  
5 Section 6 as follows:

6 (20 ILCS 210/6) (from Ch. 127, par. 1706)

7 Sec. 6. Policies, procedures, and powers concerning the  
8 operation of fairs.

9 (a) Policies. The Department shall, pursuant to the  
10 Illinois Administrative Procedure Act, establish by rule:

11 (1) the policy for the operation of the Illinois State  
12 Fair and the DuQuoin State Fair, except those operations  
13 regarding contests as provided for in subparagraphs (b) and  
14 (c) of this Section, and

15 (2) the policies and procedures for the sale, barter,  
16 or exchange of tickets and for ticket refunds for cancelled  
17 events.

18 (b) Contests. The Department shall establish and make  
19 available, for all contestants and other interested persons,  
20 sufficient copies of a premium book or other publication that  
21 establishes the kinds and classes of events or exhibits for  
22 contests at the fairs, the conditions under which contestants  
23 shall be entered into contests, the qualification and  
24 disqualification requirements of contests, the drug testing  
25 requirements for contests (if applicable), the premiums to be  
26 offered to contest winners, the manner in which certificates of  
27 award shall be distributed and premiums paid to contest  
28 winners, the penalty for violations of a rule, condition,  
29 instruction, or directive, and requirements of contests,  
30 including but not limited to the return of all premiums paid,  
31 the forfeiture of awards, and the prohibition of participating  
32 in future contests, and all other rules and requirements for

1 contests. These rules, conditions, instructions, directives,  
2 and requirements shall be exempt from the rulemaking procedures  
3 of the Illinois Administrative Procedure Act. All such  
4 publications issued by the Department that relate to a contest,  
5 event, or exhibit shall be maintained as a public record at the  
6 Department's principal office in Springfield, Illinois, and  
7 made available for public inspection and copying during regular  
8 business hours.

9 (c) Fees. The Department shall establish and publish for  
10 the Illinois State Fair and the DuQuoin State Fair a schedule  
11 of admission fees, entry fees, concession fees, space rentals  
12 and other fees for activities offered or provided at each State  
13 Fair. These schedules of fees shall be maintained as a public  
14 record at the Department's principal office in Springfield,  
15 Illinois, and made available for public inspection and copying  
16 during regular business, but shall be exempt from the  
17 rulemaking procedures of the Illinois Administrative Procedure  
18 Act, except that schedules of admission fees shall be subject  
19 to the rulemaking procedures of the Illinois Administrative  
20 Procedure Act.

21 Subject to the rulemaking procedures of the Illinois  
22 Administrative Procedure Act, the Department shall not  
23 establish any exception to paid admission to the Illinois State  
24 Fair or the DuQuoin State Fair unless the exception is for one  
25 of the following:

26 (1) An employee of the Department of Agriculture, the  
27 Illinois State Fair, or the DuQuoin State Fair.

28 (2) Police and emergency services personnel.

29 (3) Exhibitors.

30 (4) Concessionaires.

31 (5) Entertainers.

32 (6) Members of organizations individually volunteering  
33 services directly to the Department of Agriculture, the  
34 Illinois State Fair, or the DuQuoin State Fair.

35 The Department shall prepare and deliver to the General  
36 Assembly an annual report including the number of paid

1 admissions on a daily basis and the number of exceptions to  
2 paid admissions on a daily basis.

3 (d) Facilities. The Department may negotiate and enter into  
4 contracts for activities and use of facilities for which there  
5 is not an established or published schedule. The contract  
6 criteria shall be established by rule, pursuant to the Illinois  
7 Administrative Procedure Act. The Department may lease any of  
8 its facilities for activities during the State Fair.

9 (e) Advertising. The Illinois State Fair in Springfield and  
10 the DuQuoin State Fair shall have the power and authority to  
11 sell or exchange advertising rights in all of its publications  
12 and printed materials. The sale of advertising shall be subject  
13 to the rules promulgated by the Department, pursuant to the  
14 Illinois Administrative Procedure Act. All income derived from  
15 the sale of advertising at the Illinois State Fair in  
16 Springfield shall be deposited into the State Fair Fund. All  
17 income derived from the sale of advertising at the DuQuoin  
18 State Fair shall be deposited into the Agricultural Premium  
19 Fund.

20 (f) Veterans. On the day set aside as Veterans Day,  
21 honorably discharged veterans and members of their families  
22 shall be admitted without admission charge upon presentation of  
23 identification of any of the following: honorable discharge  
24 certificate, or photostatic copy thereof, or a paid up  
25 membership card in any recognized veterans organization.

26 (g) Government functions. The Governor, Lieutenant  
27 Governor, Attorney General, Secretary of State, Treasurer,  
28 Comptroller, President and Minority Leader of the Senate, and  
29 Minority Leader of the House of Representatives shall be  
30 afforded space for official governmental functions, without  
31 charge, during the State Fair and the DuQuoin State Fair.

32 (Source: P.A. 93-1055, eff. 11-23-04.)

33 Section 99. Effective date. This Act takes effect upon  
34 becoming law.