



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3443

Introduced 2/14/2014, by Sen. Dan Kotowski

SYNOPSIS AS INTRODUCED:

See Index

Amends the State Budget Law of the Civil Administrative Code of Illinois. Removes a requirement that the Governor must distribute budget statements on all appropriated funds. Removes a requirement that the Governor's written quarterly financial reports must be prepared for each State agency and on a statewide level. Amends the Property Tax Code. Provides that certain information must be posted on the Department of Revenue's website. Repeals a provision of the Wholesale Drug Distribution Licensing Act requiring wholesale distributors to submit a bond. Amends the Liquor Control Act of 1934. Removes a provision requiring State parks to consent before alcohol may be sold at retail in buildings in the park. Repeals the High Blood Pressure Control Act. Amends the Environmental Control Act. Authorizes the transfer of moneys from the Hazardous Waste Occupational Licensing Fund to the Environmental Protection Permit and Inspection Fund. Repeals various boards and commissions. Amends the Animal Gastroenteritis Act to add members to the Swine Disease Control Committee. Provides that meetings shall only be held in the event of a disease outbreak. Repeals the Defense Contract Employment Discrimination Act. Effective immediately, except that some provisions take effect January 1, 2015.

LRB098 15945 HLH 55564 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Budget Law of the Civil Administrative
5 Code of Illinois is amended by changing Section 50-5 as
6 follows:

7 (15 ILCS 20/50-5)

8 Sec. 50-5. Governor to submit State budget.

9 (a) The Governor shall, as soon as possible and not later
10 than the second Wednesday in March in 2010 (March 10, 2010),
11 the third Wednesday in February in 2011, the fourth Wednesday
12 in February in 2012 (February 22, 2012), the first Wednesday in
13 March in 2013 (March 6, 2013), the fourth Wednesday in March in
14 2014 (March 26, 2014), and the third Wednesday in February of
15 each year thereafter, except as otherwise provided in this
16 Section, submit a State budget, embracing therein the amounts
17 recommended by the Governor to be appropriated to the
18 respective departments, offices, and institutions, and for all
19 other public purposes, the estimated revenues from taxation,
20 and the estimated revenues from sources other than taxation.
21 Except with respect to the capital development provisions of
22 the State budget, beginning with the revenue estimates prepared
23 for fiscal year 2012, revenue estimates shall be based solely

1 on: (i) revenue sources (including non-income resources),
2 rates, and levels that exist as of the date of the submission
3 of the State budget for the fiscal year and (ii) revenue
4 sources (including non-income resources), rates, and levels
5 that have been passed by the General Assembly as of the date of
6 the submission of the State budget for the fiscal year and that
7 are authorized to take effect in that fiscal year. Except with
8 respect to the capital development provisions of the State
9 budget, the Governor shall determine available revenue, deduct
10 the cost of essential government services, including, but not
11 limited to, pension payments and debt service, and assign a
12 percentage of the remaining revenue to each statewide
13 prioritized goal, as established in Section 50-25 of this Law,
14 taking into consideration the proposed goals set forth in the
15 report of the Commission established under that Section. The
16 Governor shall also demonstrate how spending priorities for the
17 fiscal year fulfill those statewide goals. The amounts
18 recommended by the Governor for appropriation to the respective
19 departments, offices and institutions shall be formulated
20 according to each department's, office's, and institution's
21 ability to effectively deliver services that meet the
22 established statewide goals. The amounts relating to
23 particular functions and activities shall be further
24 formulated in accordance with the object classification
25 specified in Section 13 of the State Finance Act. In addition,
26 the amounts recommended by the Governor for appropriation shall

1 take into account each State agency's effectiveness in
2 achieving its prioritized goals for the previous fiscal year,
3 as set forth in Section 50-25 of this Law, giving priority to
4 agencies and programs that have demonstrated a focus on the
5 prevention of waste and the maximum yield from resources.

6 Beginning in fiscal year 2011, the Governor shall
7 distribute written quarterly financial reports on operating
8 funds, which may include general, State, or federal funds and
9 may include funds related to agencies that have significant
10 impacts on State operations, ~~and budget statements on all~~
11 ~~appropriated funds~~ to the General Assembly and the State
12 Comptroller. The reports shall be submitted no later than 45
13 days after the last day of each quarter of the fiscal year and
14 shall be posted on the Governor's Office of Management and
15 Budget's website on the same day. The reports shall be prepared
16 and presented ~~for each State agency and on a statewide level~~ in
17 an executive summary format that may include, for the fiscal
18 year to date, individual itemizations for each significant
19 revenue type as well as itemizations of expenditures and
20 obligations, by agency, with an appropriate level of detail.
21 The reports shall include a calculation of the actual total
22 budget surplus or deficit for the fiscal year to date. The
23 Governor shall also present periodic budget addresses
24 throughout the fiscal year at the invitation of the General
25 Assembly.

26 The Governor shall not propose expenditures and the General

1 Assembly shall not enact appropriations that exceed the
2 resources estimated to be available, as provided in this
3 Section. Appropriations may be adjusted during the fiscal year
4 by means of one or more supplemental appropriation bills if any
5 State agency either fails to meet or exceeds the goals set
6 forth in Section 50-25 of this Law.

7 For the purposes of Article VIII, Section 2 of the 1970
8 Illinois Constitution, the State budget for the following funds
9 shall be prepared on the basis of revenue and expenditure
10 measurement concepts that are in concert with generally
11 accepted accounting principles for governments:

- 12 (1) General Revenue Fund.
- 13 (2) Common School Fund.
- 14 (3) Educational Assistance Fund.
- 15 (4) Road Fund.
- 16 (5) Motor Fuel Tax Fund.
- 17 (6) Agricultural Premium Fund.

18 These funds shall be known as the "budgeted funds". The
19 revenue estimates used in the State budget for the budgeted
20 funds shall include the estimated beginning fund balance, plus
21 revenues estimated to be received during the budgeted year,
22 plus the estimated receipts due the State as of June 30 of the
23 budgeted year that are expected to be collected during the
24 lapse period following the budgeted year, minus the receipts
25 collected during the first 2 months of the budgeted year that
26 became due to the State in the year before the budgeted year.

1 Revenues shall also include estimated federal reimbursements
2 associated with the recognition of Section 25 of the State
3 Finance Act liabilities. For any budgeted fund for which
4 current year revenues are anticipated to exceed expenditures,
5 the surplus shall be considered to be a resource available for
6 expenditure in the budgeted fiscal year.

7 Expenditure estimates for the budgeted funds included in
8 the State budget shall include the costs to be incurred by the
9 State for the budgeted year, to be paid in the next fiscal
10 year, excluding costs paid in the budgeted year which were
11 carried over from the prior year, where the payment is
12 authorized by Section 25 of the State Finance Act. For any
13 budgeted fund for which expenditures are expected to exceed
14 revenues in the current fiscal year, the deficit shall be
15 considered as a use of funds in the budgeted fiscal year.

16 Revenues and expenditures shall also include transfers
17 between funds that are based on revenues received or costs
18 incurred during the budget year.

19 Appropriations for expenditures shall also include all
20 anticipated statutory continuing appropriation obligations
21 that are expected to be incurred during the budgeted fiscal
22 year.

23 By March 15 of each year, the Commission on Government
24 Forecasting and Accountability shall prepare revenue and fund
25 transfer estimates in accordance with the requirements of this
26 Section and report those estimates to the General Assembly and

1 the Governor.

2 For all funds other than the budgeted funds, the proposed
3 expenditures shall not exceed funds estimated to be available
4 for the fiscal year as shown in the budget. Appropriation for a
5 fiscal year shall not exceed funds estimated by the General
6 Assembly to be available during that year.

7 (b) By February 24, 2010, the Governor must file a written
8 report with the Secretary of the Senate and the Clerk of the
9 House of Representatives containing the following:

10 (1) for fiscal year 2010, the revenues for all budgeted
11 funds, both actual to date and estimated for the full
12 fiscal year;

13 (2) for fiscal year 2010, the expenditures for all
14 budgeted funds, both actual to date and estimated for the
15 full fiscal year;

16 (3) for fiscal year 2011, the estimated revenues for
17 all budgeted funds, including without limitation the
18 affordable General Revenue Fund appropriations, for the
19 full fiscal year; and

20 (4) for fiscal year 2011, an estimate of the
21 anticipated liabilities for all budgeted funds, including
22 without limitation the affordable General Revenue Fund
23 appropriations, debt service on bonds issued, and the
24 State's contributions to the pension systems, for the full
25 fiscal year.

26 Between July 1 and August 31 of each fiscal year, the

1 members of the General Assembly and members of the public may
2 make written budget recommendations to the Governor.

3 Beginning with budgets prepared for fiscal year 2013, the
4 budgets submitted by the Governor and appropriations made by
5 the General Assembly for all executive branch State agencies
6 must adhere to a method of budgeting where each priority must
7 be justified each year according to merit rather than according
8 to the amount appropriated for the preceding year.

9 (Source: P.A. 97-669, eff. 1-13-12; 97-813, eff. 7-13-12; 98-2,
10 eff. 2-19-13; 98-626, eff. 2-5-14.)

11 Section 10. The Personnel Code is amended by changing
12 Section 9 as follows:

13 (20 ILCS 415/9) (from Ch. 127, par. 63b109)

14 Sec. 9. Director, powers and duties. The Director, as
15 executive head of the Department, shall direct and supervise
16 all its administrative and technical activities. In addition to
17 the duties imposed upon him elsewhere in this law, it shall be
18 his duty:

19 (1) To apply and carry out this law and the rules adopted
20 thereunder.

21 (2) To attend meetings of the Commission.

22 (3) To establish and maintain a roster of all employees
23 subject to this Act, in which there shall be set forth, as to
24 each employee, the class, title, pay, status, and other

1 pertinent data.

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

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

15 (6) To formulate and administer service wide policies and
16 programs for the improvement of employee effectiveness,
17 including training, safety, health, incentive recognition,
18 counseling, welfare and employee relations. The Department
19 shall formulate and administer recruitment plans and testing of
20 potential employees for agencies having direct contact with
21 significant numbers of non-English speaking or otherwise
22 culturally distinct persons. The Department shall require each
23 State agency to annually assess the need for employees with
24 appropriate bilingual capabilities to serve the significant
25 numbers of non-English speaking or culturally distinct
26 persons. The Department shall develop a uniform procedure for

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

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

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

1 (8) To make continuing studies to improve the efficiency of
2 State services to the residents of Illinois, including but not
3 limited to those who are non-English speaking or culturally
4 distinct, and to report his findings and recommendations to the
5 Commission and the Governor.

6 (9) To investigate from time to time the operation and
7 effect of this law and the rules made thereunder and to report
8 his findings and recommendations to the Commission and to the
9 Governor.

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

14 (11) (Blank). ~~To conduct research and planning regarding~~
15 ~~the total manpower needs of all offices, including the~~
16 ~~Lieutenant Governor, Secretary of State, State Treasurer,~~
17 ~~State Comptroller, State Superintendent of Education, and~~
18 ~~Attorney General, and of all departments, agencies, boards, and~~
19 ~~commissions of the executive branch, except state supported~~
20 ~~colleges and universities, and for that purpose to prescribe~~
21 ~~forms for the reporting of such personnel information as the~~
22 ~~department may request both for positions covered by this Act~~
23 ~~and for those exempt in whole or in part.~~

24 (12) To prepare and publish a semi-annual statement showing
25 the number of employees exempt and non-exempt from merit
26 selection in each department. This report shall be in addition

1 to other information on merit selection maintained for public
2 information under existing law.

3 (13) To authorize in every department or agency subject to
4 Jurisdiction C the use of flexible hours positions. A flexible
5 hours position is one that does not require an ordinary work
6 schedule as determined by the Department and includes but is
7 not limited to: 1) a part time job of 20 hours or more per week,
8 2) a job which is shared by 2 employees or a compressed work
9 week consisting of an ordinary number of working hours
10 performed on fewer than the number of days ordinarily required
11 to perform that job. The Department may define flexible time to
12 include other types of jobs that are defined above.

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

16 The Department shall give technical assistance to
17 departments and agencies in achieving their goals, and shall
18 report to the Governor and the General Assembly each year on
19 the progress of each department and agency.

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

25 When a goal of 20% of the positions in a department or
26 agency being available on a flexible hours basis has been

1 reached, the Department shall evaluate the effectiveness and
2 efficiency of the program and determine whether to expand the
3 number of positions available for flexible hours.

4 Each department shall develop a plan for implementation of
5 flexible work requirements designed to reduce the need for day
6 care of employees' children outside the home. Each department
7 shall submit a report of its plan to the Department of Central
8 Management Services and the General Assembly. This report shall
9 be submitted biennially by March 1, with the first report due
10 March 1, 1993.

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

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

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

1 (20 ILCS 605/605-345 rep.)

2 (20 ILCS 605/605-425 rep.)

3 Section 15. The Department of Commerce and Economic
4 Opportunity Law of the Civil Administrative Code of Illinois is
5 amended by repealing Sections 605-345 and 605-425.

6 Section 20. The Energy Conservation and Coal Development
7 Act is amended by changing Section 3 as follows:

8 (20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)

9 Sec. 3. Powers and Duties.

10 (a) In addition to its other powers, the Department has the
11 following powers:

12 (1) To administer for the State any energy programs and
13 activities under federal law, regulations or guidelines,
14 and to coordinate such programs and activities with other
15 State agencies, units of local government, and educational
16 institutions.

17 (2) To represent the State in energy matters involving
18 the federal government, other states, units of local
19 government, and regional agencies.

20 (3) To prepare energy contingency plans for
21 consideration by the Governor and the General Assembly.
22 Such plans shall include procedures for determining when a
23 foreseeable danger exists of energy shortages, including
24 shortages of petroleum, coal, nuclear power, natural gas,

1 and other forms of energy, and shall specify the actions to
2 be taken to minimize hardship and maintain the general
3 welfare during such energy shortages.

4 (4) To cooperate with State colleges and universities
5 and their governing boards in energy programs and
6 activities.

7 (5) (Blank).

8 (6) To accept, receive, expend, and administer,
9 including by contracts and grants to other State agencies,
10 any energy-related gifts, grants, cooperative agreement
11 funds, and other funds made available to the Department by
12 the federal government and other public and private
13 sources.

14 (7) To investigate practical problems, seek and
15 utilize financial assistance, implement studies and
16 conduct research relating to the production, distribution
17 and use of alcohol fuels.

18 (8) To serve as a clearinghouse for information on
19 alcohol production technology; provide assistance,
20 information and data relating to the production and use of
21 alcohol; develop informational packets and brochures, and
22 hold public seminars to encourage the development and
23 utilization of the best available technology.

24 (9) To coordinate with other State agencies in order to
25 promote the maximum flow of information and to avoid
26 unnecessary overlapping of alcohol fuel programs. In order

1 to effectuate this goal, the Director of the Department or
2 his representative shall consult with the Directors, or
3 their representatives, of the Departments of Agriculture,
4 Central Management Services, Transportation, and Revenue,
5 the Office of the State Fire Marshal, and the Environmental
6 Protection Agency.

7 (10) To operate, within the Department, an Office of
8 Coal Development and Marketing for the promotion and
9 marketing of Illinois coal both domestically and
10 internationally. The Department may use monies
11 appropriated for this purpose for necessary administrative
12 expenses.

13 The Office of Coal Development and Marketing shall
14 develop and implement an initiative to assist the coal
15 industry in Illinois to increase its share of the
16 international coal market.

17 (11) To assist the Department of Central Management
18 Services in establishing and maintaining a system to
19 analyze and report energy consumption of facilities leased
20 by the Department of Central Management Services.

21 (12) To consult with the Departments of Natural
22 Resources and Transportation and the Illinois
23 Environmental Protection Agency for the purpose of
24 developing methods and standards that encourage the
25 utilization of coal combustion by-products as value added
26 products in productive and benign applications.

1 (13) To provide technical assistance and information
2 to sellers and distributors of storage hot water heaters
3 doing business in Illinois, pursuant to Section 1 of the
4 Hot Water Heater Efficiency Act.

5 (b) (Blank).

6 (c) (Blank).

7 (d) The Department shall develop a package of educational
8 materials containing information regarding the necessity of
9 waste reduction and recycling to reduce dependence on landfills
10 and to maintain environmental quality. The Department shall
11 make this information available to the public on its website
12 and for schools to access for their development of materials.
13 Those materials developed shall be suitable for instructional
14 use in grades 3, 4 and 5. The Department shall distribute such
15 instructional material to all public elementary and unit school
16 districts and make the information available on the
17 Department's website no later than November 1, of each year.

18 (e) (Blank).

19 (f) (Blank).

20 (g) (Blank).

21 (h) (Blank).

22 (i) (Blank).

23 (Source: P.A. 98-44, eff. 6-28-13.)

24 (20 ILCS 1105/8 rep.)

25 Section 25. The Energy Conservation and Coal Development

1 Act is amended by repealing Section 8.

2 (20 ILCS 2310/2310-373 rep.)

3 (20 ILCS 2310/2310-396 rep.)

4 Section 35. The Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by repealing Sections 2310-373 and 2310-396.

7 (20 ILCS 2605/2605-420 rep.)

8 Section 40. The Department of State Police Law of the Civil
9 Administrative Code of Illinois is amended by repealing Section
10 2605-420.

11 Section 45. The Governor's Office of Management and Budget
12 Act is amended by changing Section 7.3 as follows:

13 (20 ILCS 3005/7.3)

14 Sec. 7.3. Annual economic and fiscal policy report. No
15 later than the 3rd business day in ~~By~~ January ~~±~~ of each year,
16 the Governor's Office of Management and Budget shall submit an
17 economic and fiscal policy report to the General Assembly. The
18 report must outline the long-term economic and fiscal policy
19 objectives of the State, the economic and fiscal policy
20 intentions for the upcoming fiscal year, and the economic and
21 fiscal policy intentions for the following 2 fiscal years. The
22 report must highlight the total level of revenue, expenditure,

1 deficit or surplus, and debt with respect to each of the
2 reporting categories. The report must be posted on the Office's
3 Internet website and allow members of the public to post
4 comments concerning the report.

5 (Source: P.A. 96-1354, eff. 7-28-10.)

6 Section 50. The Capital Spending Accountability Law is
7 amended by changing Section 805 as follows:

8 (20 ILCS 3020/805)

9 Sec. 805. Reports on capital spending. Not later than 45
10 days after ~~On the first day of~~ each quarterly period in each
11 fiscal year, the Governor's Office of Management and Budget
12 shall provide to the Comptroller, the Treasurer, the President
13 and the Minority Leader of the Senate, and the Speaker and the
14 Minority Leader of the House of Representatives a report on the
15 status of all capital projects in the State. The report may
16 ~~must~~ be provided in both written and electronic format. The
17 report must include all of the following:

18 (1) A brief description or stated purpose of each
19 capital project where applicable (as referred to in this
20 Section, "project").

21 (2) The amount and source of funds (whether from bond
22 funds or other revenues) appropriated for each project,
23 organized into categories including roads, mass transit,
24 schools, environment, civic centers and other categories

1 as applicable (as referred to in this Section, "category or
2 categories"), with subtotals for each category.

3 (3) The date the appropriation bill relating to each
4 project was signed by the Governor, organized into
5 categories.

6 (4) The date the written release of the Governor for
7 each project was submitted to the Comptroller or is
8 projected to be submitted and, if a release for any project
9 has not been submitted within 6 months after its
10 appropriation became law, an explanation why the project
11 has not yet been released, all organized into categories.

12 (5) The amount of expenditures to date by the State
13 relating to each project and estimated amount of total
14 State expenditures and proposed schedule of future State
15 expenditures relating to each project, all organized into
16 categories.

17 (6) A timeline for completion of each project,
18 including the dates, if applicable, of execution by the
19 State of any grant agreement, any required engineering or
20 design work or environmental approvals, and the estimated
21 or actual dates of the start and completion of
22 construction, all organized into categories. Any
23 substantial variances on any project from this reported
24 timeline must be explained in the next quarterly report.

25 (7) A summary report of the status of all projects,
26 including the amount of undisbursed funds intended to be

1 held or used in the next quarter.

2 (Source: P.A. 96-34, eff. 7-13-09.)

3 (30 ILCS 105/5.250 rep.)

4 Section 55. The State Finance Act is amended by repealing
5 Section 5.250.

6 Section 60. The General Obligation Bond Act is amended by
7 changing Section 13 as follows:

8 (30 ILCS 330/13) (from Ch. 127, par. 663)

9 Sec. 13. Appropriation of Proceeds from Sale of Bonds.

10 (a) At all times, the proceeds from the sale of Bonds
11 issued pursuant to this Act are subject to appropriation by the
12 General Assembly and, except as provided in Section 7.2, may be
13 obligated or expended only with the written approval of the
14 Governor, in such amounts, at such times, and for such purposes
15 as the respective State agencies, as defined in Section 1-7 of
16 the Illinois State Auditing Act, as amended, deem necessary or
17 desirable for the specific purposes contemplated in Sections 2
18 through 8 of this Act.

19 (b) (Blank). ~~Proceeds from the sale of Bonds for the~~
20 ~~purpose of development of coal and alternative forms of energy~~
21 ~~shall be expended in such amounts and at such times as the~~
22 ~~Department of Commerce and Economic Opportunity, with the~~
23 ~~advice and recommendation of the Illinois Coal Development~~

1 ~~Board for coal development projects, may deem necessary and~~
2 ~~desirable for the specific purpose contemplated by Section 7 of~~
3 ~~this Act. In considering the approval of projects to be funded,~~
4 ~~the Department of Commerce and Economic Opportunity shall give~~
5 ~~special consideration to projects designed to remove sulfur and~~
6 ~~other pollutants in the preparation and utilization of coal,~~
7 ~~and in the use and operation of electric utility generating~~
8 ~~plants and industrial facilities which utilize Illinois coal as~~
9 ~~their primary source of fuel.~~

10 (c) Except as directed in subsection (c-1) or (c-2), any
11 monies received by any officer or employee of the state
12 representing a reimbursement of expenditures previously paid
13 from general obligation bond proceeds shall be deposited into
14 the General Obligation Bond Retirement and Interest Fund
15 authorized in Section 14 of this Act.

16 (c-1) Any money received by the Department of
17 Transportation as reimbursement for expenditures for high
18 speed rail purposes pursuant to appropriations from the
19 Transportation Bond, Series B Fund for (i) CREATE (Chicago
20 Region Environmental and Transportation Efficiency), (ii) High
21 Speed Rail, or (iii) AMTRAK projects authorized by the federal
22 government under the provisions of the American Recovery and
23 Reinvestment Act of 2009 or the Safe Accountable Flexible
24 Efficient Transportation Equity Act—A Legacy for Users
25 (SAFETEA-LU), or any successor federal transportation
26 authorization Act, shall be deposited into the Federal High

1 Speed Rail Trust Fund.

2 (c-2) Any money received by the Department of
3 Transportation as reimbursement for expenditures for transit
4 capital purposes pursuant to appropriations from the
5 Transportation Bond, Series B Fund for projects authorized by
6 the federal government under the provisions of the American
7 Recovery and Reinvestment Act of 2009 or the Safe Accountable
8 Flexible Efficient Transportation Equity Act—A Legacy for
9 Users (SAFETEA-LU), or any successor federal transportation
10 authorization Act, shall be deposited into the Federal Mass
11 Transit Trust Fund.

12 (Source: P.A. 96-1488, eff. 12-30-10.)

13 (30 ILCS 720/Act rep.)

14 Section 65. The Industrial Development Assistance Law is
15 repealed.

16 (30 ILCS 750/9-4.5 rep.)

17 Section 70. The Build Illinois Act is amended by repealing
18 Section 9-4.5.

19 Section 75. The Property Tax Code is amended by changing
20 Sections 8-35, 17-20, and 17-40 as follows:

21 (35 ILCS 200/8-35)

22 Sec. 8-35. Notification requirements; procedure on

1 protest.

2 (a) Assessments made by the Department. Upon completion of
3 its original assessments, the Department shall publish a
4 complete list of the assessments on its official website. ~~in~~
5 ~~the State "official newspaper."~~ Any person feeling aggrieved by
6 any such assessment may, within 10 days of the date of
7 publication of the list, apply to the Department for a review
8 and correction of that assessment. Upon review of the
9 assessment, the Department shall make any correction as it
10 considers just.

11 If review of an assessment has been made and notice has
12 been given of the Department's decision, any party to the
13 proceeding who feels aggrieved by the decision, may file an
14 application for hearing. The application shall be in writing
15 and shall be filed with the Department within 20 days after
16 notice of the decision has been given by certified mail.
17 Petitions for hearing shall state concisely the mistakes
18 alleged to have been made or the new evidence to be presented.

19 No action for the judicial review of any assessment
20 decision of the Department shall be allowed unless the party
21 commencing such action has filed an application for a hearing
22 and the Department has acted upon the application.

23 The extension of taxes on an assessment shall not be
24 delayed by any proceeding under this Section. In cases where
25 the assessment is revised, the taxes extended upon the
26 assessment, or that part of the taxes as may be appropriate,

1 shall be abated or, if already paid, refunded.

2 (b) Exemption decisions made by the Department. Notice of
3 each exemption decision made by the Department under Section
4 15-25, 16-70, or 16-130 shall be given by certified mail to the
5 applicant for exemption.

6 If an exemption decision has been made by the Department
7 and notice has been given of the Department's decision, any
8 party to the proceeding who feels aggrieved by the decision may
9 file an application for hearing. The application shall be in
10 writing and shall be filed with the Department within 60 days
11 after notice of the decision has been given by certified mail.
12 Petitions for hearing shall state concisely the mistakes
13 alleged to have been made or the new evidence to be presented.

14 If a petition for hearing is filed, the Department shall
15 reconsider the exemption decision and shall grant any party to
16 the proceeding a hearing. As soon as practical after the
17 reconsideration and hearing, the Department shall issue a
18 notice of decision by mailing the notice by certified mail. The
19 notice shall set forth the Department's findings of fact and
20 the basis of the decision.

21 Within 30 days after the mailing of a notice of decision,
22 any party to the proceeding may file with the Director a
23 written request for rehearing in such form as the Department
24 may by rule prescribe, setting forth the grounds on which
25 rehearing is requested. If rehearing or Departmental review is
26 granted, as soon as practical after the rehearing or

1 Departmental review has been held, the Department shall issue a
2 revised decision to the party or the party's legal
3 representative as a result of the rehearing. The action of the
4 Department on a petition for hearing shall become final the
5 later of (i) 30 days after issuance of a notice of decision, if
6 no request for rehearing is made, or (ii) if a timely request
7 for rehearing is made, upon the issuance of the denial of the
8 request or the issuance of a notice of final decision.

9 No action for the judicial review of any exemption decision
10 of the Department shall be allowed unless the party commencing
11 the action has filed an application for a hearing and the
12 Department has acted upon the application.

13 The extension of taxes on an assessment shall not be
14 delayed by any proceeding under this Section. In cases when the
15 exemption is granted, in whole or in part, the taxes extended
16 upon the assessment, or that part of the taxes as may be
17 appropriate, shall be abated or, if already paid, refunded.

18 (Source: P.A. 92-658, eff. 7-16-02.)

19 (35 ILCS 200/17-20)

20 Sec. 17-20. Hearing on tentative equalization factor. The
21 Department shall, after publishing its tentative equalization
22 factor and giving notice of hearing to the public on its
23 official website ~~in a newspaper of general circulation in the~~
24 ~~county~~, hold a hearing on its estimate not less than 10 days
25 nor more than 30 days from the date of the publication. The

1 notice shall state the date and time of the hearing, which
2 shall be held in either Chicago or Springfield, the basis for
3 the estimate of the Department, and further information as the
4 Department may prescribe. The Department shall, after giving a
5 hearing to all interested parties and opportunity for
6 submitting testimony and evidence in support of or adverse to
7 the estimate as the Department considers requisite, either
8 confirm or revise the estimate so as to correctly represent the
9 considered judgment of the Department respecting the estimated
10 percentage to be added to or deducted from the aggregate
11 assessment of all locally assessed property in the county
12 except property assessed under Sections 10-110 through 10-140
13 or 10-170 through 10-200. Within 30 days after the conclusion
14 of the hearing the Department shall mail to the County Clerk,
15 by certified mail, its determination with respect to such
16 estimated percentage to be added to or deducted from the
17 aggregate assessment.

18 (Source: P.A. 91-555, eff. 1-1-00.)

19 (35 ILCS 200/17-40)

20 Sec. 17-40. Publication of final equalization factor. The
21 Department shall publish on its official website ~~in each county~~
22 the percentage and equalization factor certified to each county
23 clerk under Section 17-30. If the percentage differs from the
24 percentage derived from the initial estimate certified under
25 Section 17-15, a statement as to the basis for the final

1 percentage shall also be published. The Department shall
2 provide the statement to any member of the public upon request.
3 (Source: P.A. 79-703; 88-455.)

4 Section 80. The Adult Education Reporting Act is amended by
5 changing Section 1 as follows:

6 (105 ILCS 410/1) (from Ch. 122, par. 1851)

7 Sec. 1. As used in this Act, "agency" means: the
8 Departments of Corrections, ~~Public Aid~~, Commerce and Economic
9 Opportunity, Human Services, and Public Health; the Secretary
10 of State; the Illinois Community College Board; and the
11 Administrative Office of the Illinois Courts. On and after July
12 1, 2001, "agency" includes the State Board of Education and
13 does not include the Illinois Community College Board.

14 (Source: P.A. 94-793, eff. 5-19-06.)

15 Section 85. The Public Community College Act is amended by
16 changing Section 2-10 as follows:

17 (110 ILCS 805/2-10) (from Ch. 122, par. 102-10)

18 Sec. 2-10. The State Board shall make a thorough,
19 comprehensive and continuous study of the status of community
20 college education, its problems, needs for improvement, and
21 projected developments and shall make a detailed report thereof
22 to the General Assembly not later than March 1 of each

1 odd-numbered year and shall submit recommendations for such
2 legislation as it deems necessary.

3 The requirement for reporting to the General Assembly shall
4 be satisfied by electronically filing copies of the report with
5 the Speaker, the Minority Leader and the Clerk of the House of
6 Representatives and the President, the Minority Leader and the
7 Secretary of the Senate and the Legislative Research Unit, as
8 required by Section 3.1 of "An Act to revise the law in
9 relation to the General Assembly", approved February 25, 1874,
10 as amended, and electronically filing such additional copies
11 with the State Government Report Distribution Center for the
12 General Assembly as is required under paragraph (t) of Section
13 7 of the State Library Act. A copy of the report shall also be
14 posted on the State Board's website.

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

16 (215 ILCS 5/178 rep.)

17 Section 90. The Illinois Insurance Code is amended by
18 repealing Section 178.

19 (215 ILCS 5/Art. XVI rep.)

20 (215 ILCS 5/Art. XIXB rep.)

21 Section 95. The Illinois Insurance Code is amended by
22 repealing Articles XVI and XIXB.

23 (225 ILCS 120/24 rep.)

1 Section 100. The Wholesale Drug Distribution Licensing Act
2 is amended by repealing Section 24.

3 Section 105. The Solid Waste Site Operator Certification
4 Law is amended by changing Section 1011 as follows:

5 (225 ILCS 230/1011) (from Ch. 111, par. 7861)
6 Sec. 1011. Fees.

7 (a) Fees for the issuance or renewal of a Solid Waste Site
8 Operator Certificate shall be as follows:

9 (1) (A) \$400 for issuance or renewal for Class A Solid
10 Waste Site Operators; (B) \$200 for issuance or renewal for
11 Class B Solid Waste Site Operators; and (C) \$100 for
12 issuance or renewal for special waste endorsements.

13 (2) If the fee for renewal is not paid within the grace
14 period the above fees for renewal shall each be increased
15 by \$50.

16 (b) Before the effective date of this amendatory Act of the
17 98th General Assembly, all ~~All~~ fees collected by the Agency
18 under this Section shall be deposited into the Hazardous Waste
19 Occupational Licensing Fund. The Agency is authorized to use
20 monies in the Hazardous Waste Occupational Licensing Fund to
21 perform its functions, powers, and duties under this Section.

22 On and after the effective date of this amendatory Act of
23 the 98th General Assembly, all fees collected by the Agency
24 under this Section shall be deposited into the Environmental

1 Protection Permit and Inspection Fund to be used in accordance
2 with the provisions of Section 22.8 of the Environmental
3 Protection Act.

4 (Source: P.A. 86-1363.)

5 Section 110. The Illinois Athlete Agents Act is amended by
6 changing Section 180 as follows:

7 (225 ILCS 401/180)

8 Sec. 180. Civil penalties.

9 (a) In addition to any other penalty provided by law, any
10 person who violates this Act shall forfeit and pay a civil
11 penalty to the Department in an amount not to exceed \$10,000
12 for each violation as determined by the Department. The civil
13 penalty shall be assessed by the Department in accordance with
14 the provisions of this Act.

15 (b) The Department has the authority and power to
16 investigate any and all unlicensed activity.

17 (c) The civil penalty shall be paid within 60 days after
18 the effective date of the order imposing the civil penalty. The
19 order shall constitute a judgment and may be filed and
20 execution had thereon in the same manner as any judgment from
21 any court of record.

22 (d) All moneys collected under this Section shall be
23 deposited into the General Professions Dedicated Fund.

24 (Source: P.A. 96-1030, eff. 1-1-11.)

1 Section 115. The Illinois Horse Racing Act of 1975 is
2 amended by changing Section 30 as follows:

3 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

4 Sec. 30. (a) The General Assembly declares that it is the
5 policy of this State to encourage the breeding of thoroughbred
6 horses in this State and the ownership of such horses by
7 residents of this State in order to provide for: sufficient
8 numbers of high quality thoroughbred horses to participate in
9 thoroughbred racing meetings in this State, and to establish
10 and preserve the agricultural and commercial benefits of such
11 breeding and racing industries to the State of Illinois. It is
12 the intent of the General Assembly to further this policy by
13 the provisions of this Act.

14 (b) Each organization licensee conducting a thoroughbred
15 racing meeting pursuant to this Act shall provide at least two
16 races each day limited to Illinois conceived and foaled horses
17 or Illinois foaled horses or both. A minimum of 6 races shall
18 be conducted each week limited to Illinois conceived and foaled
19 or Illinois foaled horses or both. No horses shall be permitted
20 to start in such races unless duly registered under the rules
21 of the Department of Agriculture.

22 (c) Conditions of races under subsection (b) shall be
23 commensurate with past performance, quality, and class of
24 Illinois conceived and foaled and Illinois foaled horses

1 available. If, however, sufficient competition cannot be had
2 among horses of that class on any day, the races may, with
3 consent of the Board, be eliminated for that day and substitute
4 races provided.

5 (d) There is hereby created a special fund of the State
6 Treasury to be known as the Illinois Thoroughbred Breeders
7 Fund.

8 Except as provided in subsection (g) of Section 27 of this
9 Act, 8.5% of all the monies received by the State as privilege
10 taxes on Thoroughbred racing meetings shall be paid into the
11 Illinois Thoroughbred Breeders Fund.

12 (e) The Illinois Thoroughbred Breeders Fund shall be
13 administered by the Department of Agriculture with the advice
14 and assistance of the Advisory Board created in subsection (f)
15 of this Section.

16 (f) The Illinois Thoroughbred Breeders Fund Advisory Board
17 shall consist of the Director of the Department of Agriculture,
18 who shall serve as Chairman; a member of the Illinois Racing
19 Board, designated by it; 2 representatives of the organization
20 licensees conducting thoroughbred racing meetings, recommended
21 by them; 2 representatives of the Illinois Thoroughbred
22 Breeders and Owners Foundation, recommended by it; and 2
23 representatives of the Horsemen's Benevolent Protective
24 Association or any successor organization established in
25 Illinois comprised of the largest number of owners and
26 trainers, recommended by it, with one representative of the

1 Horsemen's Benevolent and Protective Association to come from
2 its Illinois Division, and one from its Chicago Division.
3 Advisory Board members shall serve for 2 years commencing
4 January 1 of each odd numbered year. If representatives of the
5 organization licensees conducting thoroughbred racing
6 meetings, the Illinois Thoroughbred Breeders and Owners
7 Foundation, and the Horsemen's Benevolent Protection
8 Association have not been recommended by January 1, of each odd
9 numbered year, the Director of the Department of Agriculture
10 shall make an appointment for the organization failing to so
11 recommend a member of the Advisory Board. Advisory Board
12 members shall receive no compensation for their services as
13 members but shall be reimbursed for all actual and necessary
14 expenses and disbursements incurred in the execution of their
15 official duties.

16 (g) No monies shall be expended from the Illinois
17 Thoroughbred Breeders Fund except as appropriated by the
18 General Assembly. Monies appropriated from the Illinois
19 Thoroughbred Breeders Fund shall be expended by the Department
20 of Agriculture, with the advice and assistance of the Illinois
21 Thoroughbred Breeders Fund Advisory Board, for the following
22 purposes only:

23 (1) To provide purse supplements to owners of horses
24 participating in races limited to Illinois conceived and
25 foaled and Illinois foaled horses. Any such purse
26 supplements shall not be included in and shall be paid in

1 addition to any purses, stakes, or breeders' awards offered
2 by each organization licensee as determined by agreement
3 between such organization licensee and an organization
4 representing the horsemen. No monies from the Illinois
5 Thoroughbred Breeders Fund shall be used to provide purse
6 supplements for claiming races in which the minimum
7 claiming price is less than \$7,500.

8 (2) To provide stakes and awards to be paid to the
9 owners of the winning horses in certain races limited to
10 Illinois conceived and foaled and Illinois foaled horses
11 designated as stakes races.

12 (2.5) To provide an award to the owner or owners of an
13 Illinois conceived and foaled or Illinois foaled horse that
14 wins a maiden special weight, an allowance, overnight
15 handicap race, or claiming race with claiming price of
16 \$10,000 or more providing the race is not restricted to
17 Illinois conceived and foaled or Illinois foaled horses.
18 Awards shall also be provided to the owner or owners of
19 Illinois conceived and foaled and Illinois foaled horses
20 that place second or third in those races. To the extent
21 that additional moneys are required to pay the minimum
22 additional awards of 40% of the purse the horse earns for
23 placing first, second or third in those races for Illinois
24 foaled horses and of 60% of the purse the horse earns for
25 placing first, second or third in those races for Illinois
26 conceived and foaled horses, those moneys shall be provided

1 from the purse account at the track where earned.

2 (3) To provide stallion awards to the owner or owners
3 of any stallion that is duly registered with the Illinois
4 Thoroughbred Breeders Fund Program prior to the effective
5 date of this amendatory Act of 1995 whose duly registered
6 Illinois conceived and foaled offspring wins a race
7 conducted at an Illinois thoroughbred racing meeting other
8 than a claiming race. Such award shall not be paid to the
9 owner or owners of an Illinois stallion that served outside
10 this State at any time during the calendar year in which
11 such race was conducted.

12 (4) To provide \$75,000 annually for purses to be
13 distributed to county fairs that provide for the running of
14 races during each county fair exclusively for the
15 thoroughbreds conceived and foaled in Illinois. The
16 conditions of the races shall be developed by the county
17 fair association and reviewed by the Department with the
18 advice and assistance of the Illinois Thoroughbred
19 Breeders Fund Advisory Board. There shall be no wagering of
20 any kind on the running of Illinois conceived and foaled
21 races at county fairs.

22 (4.1) To provide purse money for an Illinois stallion
23 stakes program.

24 (5) No less than 80% of all monies appropriated from
25 the Illinois Thoroughbred Breeders Fund shall be expended
26 for the purposes in (1), (2), (2.5), (3), (4), (4.1), and

1 (5) as shown above.

2 (6) To provide for educational programs regarding the
3 thoroughbred breeding industry.

4 (7) To provide for research programs concerning the
5 health, development and care of the thoroughbred horse.

6 (8) To provide for a scholarship and training program
7 for students of equine veterinary medicine.

8 (9) To provide for dissemination of public information
9 designed to promote the breeding of thoroughbred horses in
10 Illinois.

11 (10) To provide for all expenses incurred in the
12 administration of the Illinois Thoroughbred Breeders Fund.

13 (h) Whenever the Governor finds that the amount in the
14 Illinois Thoroughbred Breeders Fund is more than the total of
15 the outstanding appropriations from such fund, the Governor
16 shall notify the State Comptroller and the State Treasurer of
17 such fact. The Comptroller and the State Treasurer, upon
18 receipt of such notification, shall transfer such excess amount
19 from the Illinois Thoroughbred Breeders Fund to the General
20 Revenue Fund.

21 (i) A sum equal to 12 1/2% of the first prize money of
22 every purse won by an Illinois foaled or an Illinois conceived
23 and foaled horse in races not limited to Illinois foaled horses
24 or Illinois conceived and foaled horses, or both, shall be paid
25 by the organization licensee conducting the horse race meeting.
26 Such sum shall be paid from the organization licensee's share

1 of the money wagered as follows: 11 1/2% to the breeder of the
2 winning horse and 1% to the organization representing
3 thoroughbred breeders and owners whose representative serves
4 on the Illinois Thoroughbred Breeders Fund Advisory Board for
5 verifying the amounts of breeders' awards earned, assuring
6 their distribution in accordance with this Act, and servicing
7 and promoting the Illinois thoroughbred horse racing industry.
8 The organization representing thoroughbred breeders and owners
9 shall cause all expenditures of monies received under this
10 subsection (i) to be audited at least annually by a registered
11 public accountant. The organization shall file copies of each
12 annual audit with the Racing Board, the Clerk of the House of
13 Representatives and the Secretary of the Senate, and shall make
14 copies of each annual audit available to the public upon
15 request and upon payment of the reasonable cost of photocopying
16 the requested number of copies. Such payments shall not reduce
17 any award to the owner of the horse or reduce the taxes payable
18 under this Act. Upon completion of its racing meet, each
19 organization licensee shall deliver to the organization
20 representing thoroughbred breeders and owners whose
21 representative serves on the Illinois Thoroughbred Breeders
22 Fund Advisory Board a listing of all the Illinois foaled and
23 the Illinois conceived and foaled horses which won breeders'
24 awards and the amount of such breeders' awards under this
25 subsection to verify accuracy of payments and assure proper
26 distribution of breeders' awards in accordance with the

1 provisions of this Act. Such payments shall be delivered by the
2 organization licensee within 30 days of the end of each race
3 meeting.

4 (j) A sum equal to 12 1/2% of the first prize money won in
5 each race limited to Illinois foaled horses or Illinois
6 conceived and foaled horses, or both, shall be paid in the
7 following manner by the organization licensee conducting the
8 horse race meeting, from the organization licensee's share of
9 the money wagered: 11 1/2% to the breeders of the horses in
10 each such race which are the official first, second, third and
11 fourth finishers and 1% to the organization representing
12 thoroughbred breeders and owners whose representative serves
13 on the Illinois Thoroughbred Breeders Fund Advisory Board for
14 verifying the amounts of breeders' awards earned, assuring
15 their proper distribution in accordance with this Act, and
16 servicing and promoting the Illinois thoroughbred horse racing
17 industry. The organization representing thoroughbred breeders
18 and owners shall cause all expenditures of monies received
19 under this subsection (j) to be audited at least annually by a
20 registered public accountant. The organization shall file
21 copies of each annual audit with the Racing Board, the Clerk of
22 the House of Representatives and the Secretary of the Senate,
23 and shall make copies of each annual audit available to the
24 public upon request and upon payment of the reasonable cost of
25 photocopying the requested number of copies.

26 The 11 1/2% paid to the breeders in accordance with this

1 subsection shall be distributed as follows:

2 (1) 60% of such sum shall be paid to the breeder of the
3 horse which finishes in the official first position;

4 (2) 20% of such sum shall be paid to the breeder of the
5 horse which finishes in the official second position;

6 (3) 15% of such sum shall be paid to the breeder of the
7 horse which finishes in the official third position; and

8 (4) 5% of such sum shall be paid to the breeder of the
9 horse which finishes in the official fourth position.

10 Such payments shall not reduce any award to the owners of a
11 horse or reduce the taxes payable under this Act. Upon
12 completion of its racing meet, each organization licensee shall
13 deliver to the organization representing thoroughbred breeders
14 and owners whose representative serves on the Illinois
15 Thoroughbred Breeders Fund Advisory Board a listing of all the
16 Illinois foaled and the Illinois conceived and foaled horses
17 which won breeders' awards and the amount of such breeders'
18 awards in accordance with the provisions of this Act. Such
19 payments shall be delivered by the organization licensee within
20 30 days of the end of each race meeting.

21 (k) The term "breeder", as used herein, means the owner of
22 the mare at the time the foal is dropped. An "Illinois foaled
23 horse" is a foal dropped by a mare which enters this State on
24 or before December 1, in the year in which the horse is bred,
25 provided the mare remains continuously in this State until its
26 foal is born. An "Illinois foaled horse" also means a foal born

1 of a mare in the same year as the mare enters this State on or
2 before March 1, and remains in this State at least 30 days
3 after foaling, is bred back during the season of the foaling to
4 an Illinois Registered Stallion (unless a veterinarian
5 certifies that the mare should not be bred for health reasons),
6 and is not bred to a stallion standing in any other state
7 during the season of foaling. An "Illinois foaled horse" also
8 means a foal born in Illinois of a mare purchased at public
9 auction subsequent to the mare entering this State prior to
10 February 1 of the foaling year providing the mare is owned
11 solely by one or more Illinois residents or an Illinois entity
12 that is entirely owned by one or more Illinois residents.

13 (1) The Department of Agriculture shall, by rule, with the
14 advice and assistance of the Illinois Thoroughbred Breeders
15 Fund Advisory Board:

16 (1) Qualify stallions for Illinois breeding; such
17 stallions to stand for service within the State of Illinois
18 at the time of a foal's conception. Such stallion must not
19 stand for service at any place outside the State of
20 Illinois during the calendar year in which the foal is
21 conceived. The Department of Agriculture may assess and
22 collect application fees for the registration of
23 Illinois-eligible stallions. All fees collected are to be
24 paid into the Illinois Thoroughbred Breeders Fund.

25 (2) Provide for the registration of Illinois conceived
26 and foaled horses and Illinois foaled horses. No such horse

1 shall compete in the races limited to Illinois conceived
2 and foaled horses or Illinois foaled horses or both unless
3 registered with the Department of Agriculture. The
4 Department of Agriculture may prescribe such forms as are
5 necessary to determine the eligibility of such horses. The
6 Department of Agriculture may assess and collect
7 application fees for the registration of Illinois-eligible
8 foals. All fees collected are to be paid into the Illinois
9 Thoroughbred Breeders Fund. No person shall knowingly
10 prepare or cause preparation of an application for
11 registration of such foals containing false information.

12 (m) The Department of Agriculture, with the advice and
13 assistance of the Illinois Thoroughbred Breeders Fund Advisory
14 Board, shall provide that certain races limited to Illinois
15 conceived and foaled and Illinois foaled horses be stakes races
16 and determine the total amount of stakes and awards to be paid
17 to the owners of the winning horses in such races.

18 In determining the stakes races and the amount of awards
19 for such races, the Department of Agriculture shall consider
20 factors, including but not limited to, the amount of money
21 appropriated for the Illinois Thoroughbred Breeders Fund
22 program, organization licensees' contributions, availability
23 of stakes caliber horses as demonstrated by past performances,
24 whether the race can be coordinated into the proposed racing
25 dates within organization licensees' racing dates, opportunity
26 for colts and fillies and various age groups to race, public

1 wagering on such races, and the previous racing schedule.

2 (n) The Board and the organizational licensee shall notify
3 the Department of the conditions and minimum purses for races
4 limited to Illinois conceived and foaled and Illinois foaled
5 horses conducted for each organizational licensee conducting a
6 thoroughbred racing meeting. The Department of Agriculture
7 with the advice and assistance of the Illinois Thoroughbred
8 Breeders Fund Advisory Board may allocate monies for purse
9 supplements for such races. In determining whether to allocate
10 money and the amount, the Department of Agriculture shall
11 consider factors, including but not limited to, the amount of
12 money appropriated for the Illinois Thoroughbred Breeders Fund
13 program, the number of races that may occur, and the
14 organizational licensee's purse structure.

15 (o) (Blank). ~~In order to improve the breeding quality of~~
16 ~~thoroughbred horses in the State, the General Assembly~~
17 ~~recognizes that existing provisions of this Section to~~
18 ~~encourage such quality breeding need to be revised and~~
19 ~~strengthened. As such, a Thoroughbred Breeder's Program Task~~
20 ~~Force is to be appointed by the Governor by September 1, 1999~~
21 ~~to make recommendations to the General Assembly by no later~~
22 ~~than March 1, 2000. This task force is to be composed of 2~~
23 ~~representatives from the Illinois Thoroughbred Breeders and~~
24 ~~Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's~~
25 ~~Association, 3 from Illinois race tracks operating~~
26 ~~thoroughbred race meets for an average of at least 30 days in~~

1 ~~the past 3 years, the Director of Agriculture, the Executive~~
2 ~~Director of the Racing Board, who shall serve as Chairman.~~

3 (Source: P.A. 91-40, eff. 6-25-99.)

4 Section 120. The Liquor Control Act of 1934 is amended by
5 changing Section 6-15 as follows:

6 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

7 Sec. 6-15. No alcoholic liquors shall be sold or delivered
8 in any building belonging to or under the control of the State
9 or any political subdivision thereof except as provided in this
10 Act. The corporate authorities of any city, village,
11 incorporated town, township, or county may provide by
12 ordinance, however, that alcoholic liquor may be sold or
13 delivered in any specifically designated building belonging to
14 or under the control of the municipality, township, or county,
15 or in any building located on land under the control of the
16 municipality, township, or county; provided that such township
17 or county complies with all applicable local ordinances in any
18 incorporated area of the township or county. Alcoholic liquor
19 may be delivered to and sold under the authority of a special
20 use permit on any property owned by a conservation district
21 organized under the Conservation District Act, provided that
22 (i) the alcoholic liquor is sold only at an event authorized by
23 the governing board of the conservation district, (ii) the
24 issuance of the special use permit is authorized by the local

1 liquor control commissioner of the territory in which the
2 property is located, and (iii) the special use permit
3 authorizes the sale of alcoholic liquor for one day or less.
4 Alcoholic liquors may be delivered to and sold at any airport
5 belonging to or under the control of a municipality of more
6 than 25,000 inhabitants, or in any building or on any golf
7 course owned by a park district organized under the Park
8 District Code, subject to the approval of the governing board
9 of the district, or in any building or on any golf course owned
10 by a forest preserve district organized under the Downstate
11 Forest Preserve District Act, subject to the approval of the
12 governing board of the district, or on the grounds within 500
13 feet of any building owned by a forest preserve district
14 organized under the Downstate Forest Preserve District Act
15 during times when food is dispensed for consumption within 500
16 feet of the building from which the food is dispensed, subject
17 to the approval of the governing board of the district, or in a
18 building owned by a Local Mass Transit District organized under
19 the Local Mass Transit District Act, subject to the approval of
20 the governing Board of the District, or in Bicentennial Park,
21 or on the premises of the City of Mendota Lake Park located
22 adjacent to Route 51 in Mendota, Illinois, or on the premises
23 of Camden Park in Milan, Illinois, or in the community center
24 owned by the City of Loves Park that is located at 1000 River
25 Park Drive in Loves Park, Illinois, or, in connection with the
26 operation of an established food serving facility during times

1 when food is dispensed for consumption on the premises, and at
2 the following aquarium and museums located in public parks: Art
3 Institute of Chicago, Chicago Academy of Sciences, Chicago
4 Historical Society, Field Museum of Natural History, Museum of
5 Science and Industry, DuSable Museum of African American
6 History, John G. Shedd Aquarium and Adler Planetarium, or at
7 Lakeview Museum of Arts and Sciences in Peoria, or in
8 connection with the operation of the facilities of the Chicago
9 Zoological Society or the Chicago Horticultural Society on land
10 owned by the Forest Preserve District of Cook County, or on any
11 land used for a golf course or for recreational purposes owned
12 by the Forest Preserve District of Cook County, subject to the
13 control of the Forest Preserve District Board of Commissioners
14 and applicable local law, provided that dram shop liability
15 insurance is provided at maximum coverage limits so as to hold
16 the District harmless from all financial loss, damage, and
17 harm, or in any building located on land owned by the Chicago
18 Park District if approved by the Park District Commissioners,
19 or on any land used for a golf course or for recreational
20 purposes and owned by the Illinois International Port District
21 if approved by the District's governing board, or at any
22 airport, golf course, faculty center, or facility in which
23 conference and convention type activities take place belonging
24 to or under control of any State university or public community
25 college district, provided that with respect to a facility for
26 conference and convention type activities alcoholic liquors

1 shall be limited to the use of the convention or conference
2 participants or participants in cultural, political or
3 educational activities held in such facilities, and provided
4 further that the faculty or staff of the State university or a
5 public community college district, or members of an
6 organization of students, alumni, faculty or staff of the State
7 university or a public community college district are active
8 participants in the conference or convention, or in Memorial
9 Stadium on the campus of the University of Illinois at
10 Urbana-Champaign during games in which the Chicago Bears
11 professional football team is playing in that stadium during
12 the renovation of Soldier Field, not more than one and a half
13 hours before the start of the game and not after the end of the
14 third quarter of the game, or in the Pavilion Facility on the
15 campus of the University of Illinois at Chicago during games in
16 which the Chicago Storm professional soccer team is playing in
17 that facility, not more than one and a half hours before the
18 start of the game and not after the end of the third quarter of
19 the game, or in the Pavilion Facility on the campus of the
20 University of Illinois at Chicago during games in which the
21 WNBA professional women's basketball team is playing in that
22 facility, not more than one and a half hours before the start
23 of the game and not after the 10-minute mark of the second half
24 of the game, or by a catering establishment which has rented
25 facilities from a board of trustees of a public community
26 college district, or in a restaurant that is operated by a

1 commercial tenant in the North Campus Parking Deck building
2 that (1) is located at 1201 West University Avenue, Urbana,
3 Illinois and (2) is owned by the Board of Trustees of the
4 University of Illinois, or, if approved by the District board,
5 on land owned by the Metropolitan Sanitary District of Greater
6 Chicago and leased to others for a term of at least 20 years.
7 Nothing in this Section precludes the sale or delivery of
8 alcoholic liquor in the form of original packaged goods in
9 premises located at 500 S. Racine in Chicago belonging to the
10 University of Illinois and used primarily as a grocery store by
11 a commercial tenant during the term of a lease that predates
12 the University's acquisition of the premises; but the
13 University shall have no power or authority to renew, transfer,
14 or extend the lease with terms allowing the sale of alcoholic
15 liquor; and the sale of alcoholic liquor shall be subject to
16 all local laws and regulations. After the acquisition by
17 Winnebago County of the property located at 404 Elm Street in
18 Rockford, a commercial tenant who sold alcoholic liquor at
19 retail on a portion of the property under a valid license at
20 the time of the acquisition may continue to do so for so long
21 as the tenant and the County may agree under existing or future
22 leases, subject to all local laws and regulations regarding the
23 sale of alcoholic liquor. Alcoholic liquors may be delivered to
24 and sold at Memorial Hall, located at 211 North Main Street,
25 Rockford, under conditions approved by Winnebago County and
26 subject to all local laws and regulations regarding the sale of

1 alcoholic liquor. Each facility shall provide dram shop
2 liability in maximum insurance coverage limits so as to save
3 harmless the State, municipality, State university, airport,
4 golf course, faculty center, facility in which conference and
5 convention type activities take place, park district, Forest
6 Preserve District, public community college district,
7 aquarium, museum, or sanitary district from all financial loss,
8 damage or harm. Alcoholic liquors may be sold at retail in
9 buildings of golf courses owned by municipalities or Illinois
10 State University in connection with the operation of an
11 established food serving facility during times when food is
12 dispensed for consumption upon the premises. Alcoholic liquors
13 may be delivered to and sold at retail in any building owned by
14 a fire protection district organized under the Fire Protection
15 District Act, provided that such delivery and sale is approved
16 by the board of trustees of the district, and provided further
17 that such delivery and sale is limited to fundraising events
18 and to a maximum of 6 events per year. However, the limitation
19 to fundraising events and to a maximum of 6 events per year
20 does not apply to the delivery, sale, or manufacture of
21 alcoholic liquors at the building located at 59 Main Street in
22 Oswego, Illinois, owned by the Oswego Fire Protection District
23 if the alcoholic liquor is sold or dispensed as approved by the
24 Oswego Fire Protection District and the property is no longer
25 being utilized for fire protection purposes.

26 Alcoholic liquors may be served or sold in buildings under

1 the control of the Board of Trustees of the University of
2 Illinois for events that the Board may determine are public
3 events and not related student activities. The Board of
4 Trustees shall issue a written policy within 6 months of the
5 effective date of this amendatory Act of the 95th General
6 Assembly concerning the types of events that would be eligible
7 for an exemption. Thereafter, the Board of Trustees may issue
8 revised, updated, new, or amended policies as it deems
9 necessary and appropriate. In preparing its written policy, the
10 Board of Trustees shall, among other factors it considers
11 relevant and important, give consideration to the following:
12 (i) whether the event is a student activity or student related
13 activity; (ii) whether the physical setting of the event is
14 conducive to control of liquor sales and distribution; (iii)
15 the ability of the event operator to ensure that the sale or
16 serving of alcoholic liquors and the demeanor of the
17 participants are in accordance with State law and University
18 policies; (iv) regarding the anticipated attendees at the
19 event, the relative proportion of individuals under the age of
20 21 to individuals age 21 or older; (v) the ability of the venue
21 operator to prevent the sale or distribution of alcoholic
22 liquors to individuals under the age of 21; (vi) whether the
23 event prohibits participants from removing alcoholic beverages
24 from the venue; and (vii) whether the event prohibits
25 participants from providing their own alcoholic liquors to the
26 venue. In addition, any policy submitted by the Board of

1 Trustees to the Illinois Liquor Control Commission must require
2 that any event at which alcoholic liquors are served or sold in
3 buildings under the control of the Board of Trustees shall
4 require the prior written approval of the Office of the
5 Chancellor for the University campus where the event is
6 located. The Board of Trustees shall submit its policy, and any
7 subsequently revised, updated, new, or amended policies, to the
8 Illinois Liquor Control Commission, and any University event,
9 or location for an event, exempted under such policies shall
10 apply for a license under the applicable Sections of this Act.

11 Alcoholic liquors may be served or sold in buildings under
12 the control of the Board of Trustees of Northern Illinois
13 University for events that the Board may determine are public
14 events and not student-related activities. The Board of
15 Trustees shall issue a written policy within 6 months after
16 June 28, 2011 (the effective date of Public Act 97-45)
17 concerning the types of events that would be eligible for an
18 exemption. Thereafter, the Board of Trustees may issue revised,
19 updated, new, or amended policies as it deems necessary and
20 appropriate. In preparing its written policy, the Board of
21 Trustees shall, in addition to other factors it considers
22 relevant and important, give consideration to the following:
23 (i) whether the event is a student activity or student-related
24 activity; (ii) whether the physical setting of the event is
25 conducive to control of liquor sales and distribution; (iii)
26 the ability of the event operator to ensure that the sale or

1 serving of alcoholic liquors and the demeanor of the
2 participants are in accordance with State law and University
3 policies; (iv) the anticipated attendees at the event and the
4 relative proportion of individuals under the age of 21 to
5 individuals age 21 or older; (v) the ability of the venue
6 operator to prevent the sale or distribution of alcoholic
7 liquors to individuals under the age of 21; (vi) whether the
8 event prohibits participants from removing alcoholic beverages
9 from the venue; and (vii) whether the event prohibits
10 participants from providing their own alcoholic liquors to the
11 venue.

12 Alcoholic liquors may be served or sold in buildings under
13 the control of the Board of Trustees of Chicago State
14 University for events that the Board may determine are public
15 events and not student-related activities. The Board of
16 Trustees shall issue a written policy within 6 months after
17 August 2, 2013 (the effective date of Public Act 98-132) ~~this~~
18 ~~amendatory Act of the 98th General Assembly~~ concerning the
19 types of events that would be eligible for an exemption.
20 Thereafter, the Board of Trustees may issue revised, updated,
21 new, or amended policies as it deems necessary and appropriate.
22 In preparing its written policy, the Board of Trustees shall,
23 in addition to other factors it considers relevant and
24 important, give consideration to the following: (i) whether the
25 event is a student activity or student-related activity; (ii)
26 whether the physical setting of the event is conducive to

1 control of liquor sales and distribution; (iii) the ability of
2 the event operator to ensure that the sale or serving of
3 alcoholic liquors and the demeanor of the participants are in
4 accordance with State law and University policies; (iv) the
5 anticipated attendees at the event and the relative proportion
6 of individuals under the age of 21 to individuals age 21 or
7 older; (v) the ability of the venue operator to prevent the
8 sale or distribution of alcoholic liquors to individuals under
9 the age of 21; (vi) whether the event prohibits participants
10 from removing alcoholic beverages from the venue; and (vii)
11 whether the event prohibits participants from providing their
12 own alcoholic liquors to the venue.

13 Alcoholic liquors may be served or sold in buildings under
14 the control of the Board of Trustees of Illinois State
15 University for events that the Board may determine are public
16 events and not student-related activities. The Board of
17 Trustees shall issue a written policy within 6 months after the
18 effective date of this amendatory Act of the 97th General
19 Assembly concerning the types of events that would be eligible
20 for an exemption. Thereafter, the Board of Trustees may issue
21 revised, updated, new, or amended policies as it deems
22 necessary and appropriate. In preparing its written policy, the
23 Board of Trustees shall, in addition to other factors it
24 considers relevant and important, give consideration to the
25 following: (i) whether the event is a student activity or
26 student-related activity; (ii) whether the physical setting of

1 the event is conducive to control of liquor sales and
2 distribution; (iii) the ability of the event operator to ensure
3 that the sale or serving of alcoholic liquors and the demeanor
4 of the participants are in accordance with State law and
5 University policies; (iv) the anticipated attendees at the
6 event and the relative proportion of individuals under the age
7 of 21 to individuals age 21 or older; (v) the ability of the
8 venue operator to prevent the sale or distribution of alcoholic
9 liquors to individuals under the age of 21; (vi) whether the
10 event prohibits participants from removing alcoholic beverages
11 from the venue; and (vii) whether the event prohibits
12 participants from providing their own alcoholic liquors to the
13 venue.

14 Alcoholic liquor may be delivered to and sold at retail in
15 the Dorchester Senior Business Center owned by the Village of
16 Dolton if the alcoholic liquor is sold or dispensed only in
17 connection with organized functions for which the planned
18 attendance is 20 or more persons, and if the person or facility
19 selling or dispensing the alcoholic liquor has provided dram
20 shop liability insurance in maximum limits so as to hold
21 harmless the Village of Dolton and the State from all financial
22 loss, damage and harm.

23 Alcoholic liquors may be delivered to and sold at retail in
24 any building used as an Illinois State Armory provided:

25 (i) the Adjutant General's written consent to the
26 issuance of a license to sell alcoholic liquor in such

1 building is filed with the Commission;

2 (ii) the alcoholic liquor is sold or dispensed only in
3 connection with organized functions held on special
4 occasions;

5 (iii) the organized function is one for which the
6 planned attendance is 25 or more persons; and

7 (iv) the facility selling or dispensing the alcoholic
8 liquors has provided dram shop liability insurance in
9 maximum limits so as to save harmless the facility and the
10 State from all financial loss, damage or harm.

11 Alcoholic liquors may be delivered to and sold at retail in
12 the Chicago Civic Center, provided that:

13 (i) the written consent of the Public Building
14 Commission which administers the Chicago Civic Center is
15 filed with the Commission;

16 (ii) the alcoholic liquor is sold or dispensed only in
17 connection with organized functions held on special
18 occasions;

19 (iii) the organized function is one for which the
20 planned attendance is 25 or more persons;

21 (iv) the facility selling or dispensing the alcoholic
22 liquors has provided dram shop liability insurance in
23 maximum limits so as to hold harmless the Civic Center, the
24 City of Chicago and the State from all financial loss,
25 damage or harm; and

26 (v) all applicable local ordinances are complied with.

1 Alcoholic liquors may be delivered or sold in any building
2 belonging to or under the control of any city, village or
3 incorporated town where more than 75% of the physical
4 properties of the building is used for commercial or
5 recreational purposes, and the building is located upon a pier
6 extending into or over the waters of a navigable lake or stream
7 or on the shore of a navigable lake or stream. In accordance
8 with a license issued under this Act, alcoholic liquor may be
9 sold, served, or delivered in buildings and facilities under
10 the control of the Department of Natural Resources during
11 events or activities lasting no more than 7 continuous days
12 upon the written approval of the Director of Natural Resources
13 acting as the controlling government authority. The Director of
14 Natural Resources may specify conditions on that approval,
15 including but not limited to requirements for insurance and
16 hours of operation. Notwithstanding any other provision of this
17 Act, alcoholic liquor sold by a United States Army Corps of
18 Engineers or Department of Natural Resources concessionaire
19 who was operating on June 1, 1991 for on-premises consumption
20 only is not subject to the provisions of Articles IV and IX.
21 Beer and wine may be sold on the premises of the Joliet Park
22 District Stadium owned by the Joliet Park District when written
23 consent to the issuance of a license to sell beer and wine in
24 such premises is filed with the local liquor commissioner by
25 the Joliet Park District. Beer and wine may be sold in
26 buildings on the grounds of State veterans' homes when written

1 consent to the issuance of a license to sell beer and wine in
2 such buildings is filed with the Commission by the Department
3 of Veterans' Affairs, and the facility shall provide dram shop
4 liability in maximum insurance coverage limits so as to save
5 the facility harmless from all financial loss, damage or harm.
6 Such liquors may be delivered to and sold at any property owned
7 or held under lease by a Metropolitan Pier and Exposition
8 Authority or Metropolitan Exposition and Auditorium Authority.

9 Beer and wine may be sold and dispensed at professional
10 sporting events and at professional concerts and other
11 entertainment events conducted on premises owned by the Forest
12 Preserve District of Kane County, subject to the control of the
13 District Commissioners and applicable local law, provided that
14 dram shop liability insurance is provided at maximum coverage
15 limits so as to hold the District harmless from all financial
16 loss, damage and harm.

17 Nothing in this Section shall preclude the sale or delivery
18 of beer and wine at a State or county fair or the sale or
19 delivery of beer or wine at a city fair in any otherwise lawful
20 manner.

21 Alcoholic liquors may be sold at retail in buildings in
22 State parks under the control of the Department of Natural
23 Resources, provided:

- 24 a. the State park has overnight lodging facilities with
25 some restaurant facilities or, not having overnight
26 lodging facilities, has restaurant facilities which serve

1 complete luncheon and dinner or supper meals,

2 b. (blank), and ~~consent to the issuance of a license to~~
3 ~~sell alcoholic liquors in the buildings has been filed with~~
4 ~~the commission by the Department of Natural Resources, and~~

5 c. the alcoholic liquors are sold by the State park
6 lodge or restaurant concessionaire only during the hours
7 from 11 o'clock a.m. until 12 o'clock midnight.
8 Notwithstanding any other provision of this Act, alcoholic
9 liquor sold by the State park or restaurant concessionaire
10 is not subject to the provisions of Articles IV and IX.

11 Alcoholic liquors may be sold at retail in buildings on
12 properties under the control of the Historic Sites and
13 Preservation Division of the Historic Preservation Agency or
14 the Abraham Lincoln Presidential Library and Museum provided:

15 a. the property has overnight lodging facilities with
16 some restaurant facilities or, not having overnight
17 lodging facilities, has restaurant facilities which serve
18 complete luncheon and dinner or supper meals,

19 b. consent to the issuance of a license to sell
20 alcoholic liquors in the buildings has been filed with the
21 commission by the Historic Sites and Preservation Division
22 of the Historic Preservation Agency or the Abraham Lincoln
23 Presidential Library and Museum, and

24 c. the alcoholic liquors are sold by the lodge or
25 restaurant concessionaire only during the hours from 11
26 o'clock a.m. until 12 o'clock midnight.

1 The sale of alcoholic liquors pursuant to this Section does
2 not authorize the establishment and operation of facilities
3 commonly called taverns, saloons, bars, cocktail lounges, and
4 the like except as a part of lodge and restaurant facilities in
5 State parks or golf courses owned by Forest Preserve Districts
6 with a population of less than 3,000,000 or municipalities or
7 park districts.

8 Alcoholic liquors may be sold at retail in the Springfield
9 Administration Building of the Department of Transportation
10 and the Illinois State Armory in Springfield; provided, that
11 the controlling government authority may consent to such sales
12 only if

- 13 a. the request is from a not-for-profit organization;
- 14 b. such sales would not impede normal operations of the
15 departments involved;
- 16 c. the not-for-profit organization provides dram shop
17 liability in maximum insurance coverage limits and agrees
18 to defend, save harmless and indemnify the State of
19 Illinois from all financial loss, damage or harm;
- 20 d. no such sale shall be made during normal working
21 hours of the State of Illinois; and
- 22 e. the consent is in writing.

23 Alcoholic liquors may be sold at retail in buildings in
24 recreational areas of river conservancy districts under the
25 control of, or leased from, the river conservancy districts.
26 Such sales are subject to reasonable local regulations as

1 provided in Article IV; however, no such regulations may
2 prohibit or substantially impair the sale of alcoholic liquors
3 on Sundays or Holidays.

4 Alcoholic liquors may be provided in long term care
5 facilities owned or operated by a county under Division 5-21 or
6 5-22 of the Counties Code, when approved by the facility
7 operator and not in conflict with the regulations of the
8 Illinois Department of Public Health, to residents of the
9 facility who have had their consumption of the alcoholic
10 liquors provided approved in writing by a physician licensed to
11 practice medicine in all its branches.

12 Alcoholic liquors may be delivered to and dispensed in
13 State housing assigned to employees of the Department of
14 Corrections. No person shall furnish or allow to be furnished
15 any alcoholic liquors to any prisoner confined in any jail,
16 reformatory, prison or house of correction except upon a
17 physician's prescription for medicinal purposes.

18 Alcoholic liquors may be sold at retail or dispensed at the
19 Willard Ice Building in Springfield, at the State Library in
20 Springfield, and at Illinois State Museum facilities by (1) an
21 agency of the State, whether legislative, judicial or
22 executive, provided that such agency first obtains written
23 permission to sell or dispense alcoholic liquors from the
24 controlling government authority, or by (2) a not-for-profit
25 organization, provided that such organization:

26 a. Obtains written consent from the controlling

1 government authority;

2 b. Sells or dispenses the alcoholic liquors in a manner
3 that does not impair normal operations of State offices
4 located in the building;

5 c. Sells or dispenses alcoholic liquors only in
6 connection with an official activity in the building;

7 d. Provides, or its catering service provides, dram
8 shop liability insurance in maximum coverage limits and in
9 which the carrier agrees to defend, save harmless and
10 indemnify the State of Illinois from all financial loss,
11 damage or harm arising out of the selling or dispensing of
12 alcoholic liquors.

13 Nothing in this Act shall prevent a not-for-profit
14 organization or agency of the State from employing the services
15 of a catering establishment for the selling or dispensing of
16 alcoholic liquors at authorized functions.

17 The controlling government authority for the Willard Ice
18 Building in Springfield shall be the Director of the Department
19 of Revenue. The controlling government authority for Illinois
20 State Museum facilities shall be the Director of the Illinois
21 State Museum. The controlling government authority for the
22 State Library in Springfield shall be the Secretary of State.

23 Alcoholic liquors may be delivered to and sold at retail or
24 dispensed at any facility, property or building under the
25 jurisdiction of the Historic Sites and Preservation Division of
26 the Historic Preservation Agency or the Abraham Lincoln

1 Presidential Library and Museum where the delivery, sale or
2 dispensing is by (1) an agency of the State, whether
3 legislative, judicial or executive, provided that such agency
4 first obtains written permission to sell or dispense alcoholic
5 liquors from a controlling government authority, or by (2) an
6 individual or organization provided that such individual or
7 organization:

8 a. Obtains written consent from the controlling
9 government authority;

10 b. Sells or dispenses the alcoholic liquors in a manner
11 that does not impair normal workings of State offices or
12 operations located at the facility, property or building;

13 c. Sells or dispenses alcoholic liquors only in
14 connection with an official activity of the individual or
15 organization in the facility, property or building;

16 d. Provides, or its catering service provides, dram
17 shop liability insurance in maximum coverage limits and in
18 which the carrier agrees to defend, save harmless and
19 indemnify the State of Illinois from all financial loss,
20 damage or harm arising out of the selling or dispensing of
21 alcoholic liquors.

22 The controlling government authority for the Historic
23 Sites and Preservation Division of the Historic Preservation
24 Agency shall be the Director of the Historic Sites and
25 Preservation, and the controlling government authority for the
26 Abraham Lincoln Presidential Library and Museum shall be the

1 Director of the Abraham Lincoln Presidential Library and
2 Museum.

3 Alcoholic liquors may be delivered to and sold at retail or
4 dispensed for consumption at the Michael Bilandic Building at
5 160 North LaSalle Street, Chicago IL 60601, after the normal
6 business hours of any day care or child care facility located
7 in the building, by (1) a commercial tenant or subtenant
8 conducting business on the premises under a lease made pursuant
9 to Section 405-315 of the Department of Central Management
10 Services Law (20 ILCS 405/405-315), provided that such tenant
11 or subtenant who accepts delivery of, sells, or dispenses
12 alcoholic liquors shall procure and maintain dram shop
13 liability insurance in maximum coverage limits and in which the
14 carrier agrees to defend, indemnify, and save harmless the
15 State of Illinois from all financial loss, damage, or harm
16 arising out of the delivery, sale, or dispensing of alcoholic
17 liquors, or by (2) an agency of the State, whether legislative,
18 judicial, or executive, provided that such agency first obtains
19 written permission to accept delivery of and sell or dispense
20 alcoholic liquors from the Director of Central Management
21 Services, or by (3) a not-for-profit organization, provided
22 that such organization:

23 a. obtains written consent from the Department of
24 Central Management Services;

25 b. accepts delivery of and sells or dispenses the
26 alcoholic liquors in a manner that does not impair normal

1 operations of State offices located in the building;

2 c. accepts delivery of and sells or dispenses alcoholic
3 liquors only in connection with an official activity in the
4 building; and

5 d. provides, or its catering service provides, dram
6 shop liability insurance in maximum coverage limits and in
7 which the carrier agrees to defend, save harmless, and
8 indemnify the State of Illinois from all financial loss,
9 damage, or harm arising out of the selling or dispensing of
10 alcoholic liquors.

11 Nothing in this Act shall prevent a not-for-profit
12 organization or agency of the State from employing the services
13 of a catering establishment for the selling or dispensing of
14 alcoholic liquors at functions authorized by the Director of
15 Central Management Services.

16 Alcoholic liquors may be sold at retail or dispensed at the
17 James R. Thompson Center in Chicago, subject to the provisions
18 of Section 7.4 of the State Property Control Act, and 222 South
19 College Street in Springfield, Illinois by (1) a commercial
20 tenant or subtenant conducting business on the premises under a
21 lease or sublease made pursuant to Section 405-315 of the
22 Department of Central Management Services Law (20 ILCS
23 405/405-315), provided that such tenant or subtenant who sells
24 or dispenses alcoholic liquors shall procure and maintain dram
25 shop liability insurance in maximum coverage limits and in
26 which the carrier agrees to defend, indemnify and save harmless

1 the State of Illinois from all financial loss, damage or harm
2 arising out of the sale or dispensing of alcoholic liquors, or
3 by (2) an agency of the State, whether legislative, judicial or
4 executive, provided that such agency first obtains written
5 permission to sell or dispense alcoholic liquors from the
6 Director of Central Management Services, or by (3) a
7 not-for-profit organization, provided that such organization:

8 a. Obtains written consent from the Department of
9 Central Management Services;

10 b. Sells or dispenses the alcoholic liquors in a manner
11 that does not impair normal operations of State offices
12 located in the building;

13 c. Sells or dispenses alcoholic liquors only in
14 connection with an official activity in the building;

15 d. Provides, or its catering service provides, dram
16 shop liability insurance in maximum coverage limits and in
17 which the carrier agrees to defend, save harmless and
18 indemnify the State of Illinois from all financial loss,
19 damage or harm arising out of the selling or dispensing of
20 alcoholic liquors.

21 Nothing in this Act shall prevent a not-for-profit
22 organization or agency of the State from employing the services
23 of a catering establishment for the selling or dispensing of
24 alcoholic liquors at functions authorized by the Director of
25 Central Management Services.

26 Alcoholic liquors may be sold or delivered at any facility

1 owned by the Illinois Sports Facilities Authority provided that
2 dram shop liability insurance has been made available in a
3 form, with such coverage and in such amounts as the Authority
4 reasonably determines is necessary.

5 Alcoholic liquors may be sold at retail or dispensed at the
6 Rockford State Office Building by (1) an agency of the State,
7 whether legislative, judicial or executive, provided that such
8 agency first obtains written permission to sell or dispense
9 alcoholic liquors from the Department of Central Management
10 Services, or by (2) a not-for-profit organization, provided
11 that such organization:

12 a. Obtains written consent from the Department of
13 Central Management Services;

14 b. Sells or dispenses the alcoholic liquors in a manner
15 that does not impair normal operations of State offices
16 located in the building;

17 c. Sells or dispenses alcoholic liquors only in
18 connection with an official activity in the building;

19 d. Provides, or its catering service provides, dram
20 shop liability insurance in maximum coverage limits and in
21 which the carrier agrees to defend, save harmless and
22 indemnify the State of Illinois from all financial loss,
23 damage or harm arising out of the selling or dispensing of
24 alcoholic liquors.

25 Nothing in this Act shall prevent a not-for-profit
26 organization or agency of the State from employing the services

1 of a catering establishment for the selling or dispensing of
2 alcoholic liquors at functions authorized by the Department of
3 Central Management Services.

4 Alcoholic liquors may be sold or delivered in a building
5 that is owned by McLean County, situated on land owned by the
6 county in the City of Bloomington, and used by the McLean
7 County Historical Society if the sale or delivery is approved
8 by an ordinance adopted by the county board, and the
9 municipality in which the building is located may not prohibit
10 that sale or delivery, notwithstanding any other provision of
11 this Section. The regulation of the sale and delivery of
12 alcoholic liquor in a building that is owned by McLean County,
13 situated on land owned by the county, and used by the McLean
14 County Historical Society as provided in this paragraph is an
15 exclusive power and function of the State and is a denial and
16 limitation under Article VII, Section 6, subsection (h) of the
17 Illinois Constitution of the power of a home rule municipality
18 to regulate that sale and delivery.

19 Alcoholic liquors may be sold or delivered in any building
20 situated on land held in trust for any school district
21 organized under Article 34 of the School Code, if the building
22 is not used for school purposes and if the sale or delivery is
23 approved by the board of education.

24 Alcoholic liquors may be sold or delivered in buildings
25 owned by the Community Building Complex Committee of Boone
26 County, Illinois if the person or facility selling or

1 dispensing the alcoholic liquor has provided dram shop
2 liability insurance with coverage and in amounts that the
3 Committee reasonably determines are necessary.

4 Alcoholic liquors may be sold or delivered in the building
5 located at 1200 Centerville Avenue in Belleville, Illinois and
6 occupied by either the Belleville Area Special Education
7 District or the Belleville Area Special Services Cooperative.

8 Alcoholic liquors may be delivered to and sold at the Louis
9 Joliet Renaissance Center, City Center Campus, located at 214
10 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts
11 Department facilities, Main Campus, located at 1215 Houbolt
12 Road, Joliet, owned by or under the control of Joliet Junior
13 College, Illinois Community College District No. 525.

14 Alcoholic liquors may be delivered to and sold at Triton
15 College, Illinois Community College District No. 504.

16 Alcoholic liquors may be delivered to and sold at the
17 College of DuPage, Illinois Community College District No. 502.

18 Alcoholic liquors may be delivered to and sold at the
19 building located at 446 East Hickory Avenue in Apple River,
20 Illinois, owned by the Apple River Fire Protection District,
21 and occupied by the Apple River Community Association if the
22 alcoholic liquor is sold or dispensed only in connection with
23 organized functions approved by the Apple River Community
24 Association for which the planned attendance is 20 or more
25 persons and if the person or facility selling or dispensing the
26 alcoholic liquor has provided dram shop liability insurance in

1 maximum limits so as to hold harmless the Apple River Fire
2 Protection District, the Village of Apple River, and the Apple
3 River Community Association from all financial loss, damage,
4 and harm.

5 Alcoholic liquors may be delivered to and sold at the Sikia
6 Restaurant, Kennedy King College Campus, located at 740 West
7 63rd Street, Chicago, and at the Food Services in the Great
8 Hall/Washburne Culinary Institute Department facility, Kennedy
9 King College Campus, located at 740 West 63rd Street, Chicago,
10 owned by or under the control of City Colleges of Chicago,
11 Illinois Community College District No. 508.

12 (Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51,
13 eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11;
14 97-395, eff. 8-16-11; 97-813, eff. 7-13-12; 97-1166, eff.
15 3-1-13; 98-132, eff. 8-2-13; 98-201, eff. 8-9-13; revised
16 9-24-13.)

17 (320 ILCS 65/20 rep.)

18 Section 125. The Family Caregiver Act is amended by
19 repealing Section 20.

20 (410 ILCS 3/10 rep.)

21 Section 130. The Atherosclerosis Prevention Act is amended
22 by repealing Section 10.

23 (410 ILCS 425/Act rep.)

1 Section 135. The High Blood Pressure Control Act is
2 repealed.

3 Section 140. The Environmental Protection Act is amended by
4 changing Section 22.8 as follows:

5 (415 ILCS 5/22.8) (from Ch. 111 1/2, par. 1022.8)

6 Sec. 22.8. Environmental Protection Permit and Inspection
7 Fund.

8 (a) There is hereby created in the State Treasury a special
9 fund to be known as the Environmental Protection Permit and
10 Inspection Fund. All fees collected by the Agency pursuant to
11 this Section, Section 9.6, 12.2, 16.1, ~~22.2 (j) (6) (E) (v) (IV),~~
12 56.4, 56.5, 56.6, and subsection (f) of Section 5 of this Act,
13 or pursuant to Section 22 of the Public Water Supply Operations
14 Act or Section 1011 of the Solid Waste Site Operator
15 Certification Law, as well as ~~and~~ funds collected under
16 subsection (b.5) of Section 42 of this Act, shall be deposited
17 into the Fund. In addition to any monies appropriated from the
18 General Revenue Fund, monies in the Fund shall be appropriated
19 by the General Assembly to the Agency in amounts deemed
20 necessary for manifest, permit, and inspection activities and
21 for performing its functions, powers, and duties under the
22 Solid Waste Site Operator Certification Law ~~processing~~
23 ~~requests under Section 22.2 (j) (6) (E) (v) (IV).~~

24 The General Assembly may appropriate monies in the Fund

1 deemed necessary for Board regulatory and adjudicatory
2 proceedings.

3 (a-5) As soon as practicable after the effective date of
4 this amendatory Act of the 98th General Assembly, but no later
5 than January 1, 2014, the State Comptroller shall direct and
6 the State Treasurer shall transfer all monies in the Industrial
7 Hygiene Regulatory and Enforcement Fund to the Environmental
8 Protection Permit and Inspection Fund to be used in accordance
9 with the terms of the Environmental Protection Permit and
10 Inspection Fund.

11 (a-6) As soon as practicable after the effective date of
12 this amendatory Act of the 98th General Assembly, but no later
13 than December 31, 2014, the State Comptroller shall order the
14 transfer of, and the State Treasurer shall transfer, all moneys
15 in the Hazardous Waste Occupational Licensing Fund into the
16 Environmental Protection Permit and Inspection Fund to be used
17 in accordance with the terms of the Environmental Protection
18 Permit and Inspection Fund.

19 (b) The Agency shall collect from the owner or operator of
20 any of the following types of hazardous waste disposal sites or
21 management facilities which require a RCRA permit under
22 subsection (f) of Section 21 of this Act, or a UIC permit under
23 subsection (g) of Section 12 of this Act, an annual fee in the
24 amount of:

25 (1) \$35,000 (\$70,000 beginning in 2004) for a hazardous
26 waste disposal site receiving hazardous waste if the

1 hazardous waste disposal site is located off the site where
2 such waste was produced;

3 (2) \$9,000 (\$18,000 beginning in 2004) for a hazardous
4 waste disposal site receiving hazardous waste if the
5 hazardous waste disposal site is located on the site where
6 such waste was produced;

7 (3) \$7,000 (\$14,000 beginning in 2004) for a hazardous
8 waste disposal site receiving hazardous waste if the
9 hazardous waste disposal site is an underground injection
10 well;

11 (4) \$2,000 (\$4,000 beginning in 2004) for a hazardous
12 waste management facility treating hazardous waste by
13 incineration;

14 (5) \$1,000 (\$2,000 beginning in 2004) for a hazardous
15 waste management facility treating hazardous waste by a
16 method, technique or process other than incineration;

17 (6) \$1,000 (\$2,000 beginning in 2004) for a hazardous
18 waste management facility storing hazardous waste in a
19 surface impoundment or pile;

20 (7) \$250 (\$500 beginning in 2004) for a hazardous waste
21 management facility storing hazardous waste other than in a
22 surface impoundment or pile; and

23 (8) Beginning in 2004, \$500 for a large quantity
24 hazardous waste generator required to submit an annual or
25 biennial report for hazardous waste generation.

26 (c) Where two or more operational units are located within

1 a single hazardous waste disposal site, the Agency shall
2 collect from the owner or operator of such site an annual fee
3 equal to the highest fee imposed by subsection (b) of this
4 Section upon any single operational unit within the site.

5 (d) The fee imposed upon a hazardous waste disposal site
6 under this Section shall be the exclusive permit and inspection
7 fee applicable to hazardous waste disposal at such site,
8 provided that nothing in this Section shall be construed to
9 diminish or otherwise affect any fee imposed upon the owner or
10 operator of a hazardous waste disposal site by Section 22.2.

11 (e) The Agency shall establish procedures, no later than
12 December 1, 1984, relating to the collection of the hazardous
13 waste disposal site fees authorized by this Section. Such
14 procedures shall include, but not be limited to the time and
15 manner of payment of fees to the Agency, which shall be
16 quarterly, payable at the beginning of each quarter for
17 hazardous waste disposal site fees. Annual fees required under
18 paragraph (7) of subsection (b) of this Section shall accompany
19 the annual report required by Board regulations for the
20 calendar year for which the report applies.

21 (f) For purposes of this Section, a hazardous waste
22 disposal site consists of one or more of the following
23 operational units:

- 24 (1) a landfill receiving hazardous waste for disposal;
25 (2) a waste pile or surface impoundment, receiving
26 hazardous waste, in which residues which exhibit any of the

1 characteristics of hazardous waste pursuant to Board
2 regulations are reasonably expected to remain after
3 closure;

4 (3) a land treatment facility receiving hazardous
5 waste; or

6 (4) a well injecting hazardous waste.

7 (g) The Agency shall assess a fee for each manifest
8 provided by the Agency. For manifests provided on or after
9 January 1, 1989 but before July 1, 2003, the fee shall be \$1
10 per manifest. For manifests provided on or after July 1, 2003,
11 the fee shall be \$3 per manifest.

12 (Source: P.A. 98-78, eff. 7-15-13.)

13 Section 145. The Illinois Pesticide Act is amended by
14 changing Sections 19.3 and 22.2 as follows:

15 (415 ILCS 60/19.3)

16 Sec. 19.3. Agrichemical Facility Response Action Program.

17 (a) It is the policy of the State of Illinois that an
18 Agrichemical Facility Response Action Program be implemented
19 to reduce potential agrichemical pollution and minimize
20 environmental degradation risk potential at these sites. In
21 this Section, "agrichemical facility" means a site where
22 agrichemicals are stored or handled, or both, in preparation
23 for end use. "Agrichemical facility" does not include basic
24 manufacturing or central distribution sites utilized only for

1 wholesale purposes. As used in this Section, "agrchemical"
2 means pesticides or commercial fertilizers at an agrchemical
3 facility.

4 The program shall provide guidance for assessing the threat
5 of soil agrchemical contaminants to groundwater and
6 recommending which sites need to establish a voluntary
7 corrective action program.

8 The program shall establish appropriate site-specific soil
9 cleanup objectives, which shall be based on the potential for
10 the agrchemical contaminants to move from the soil to
11 groundwater and the potential of the specific soil agrchemical
12 contaminants to cause an exceedence of a Class I or Class III
13 groundwater quality standard or a health advisory level. The
14 Department shall use the information found and procedures
15 developed in the Agrchemical Facility Site Contamination
16 Study or other appropriate physical evidence to establish the
17 soil agrchemical contaminant levels of concern to groundwater
18 in the various hydrological settings to establish
19 site-specific cleanup objectives.

20 No remediation of a site may be recommended unless (i) the
21 agrchemical contamination level in the soil exceeds the
22 site-specific cleanup objectives or (ii) the agrchemical
23 contaminant level in the soil exceeds levels where physical
24 evidence and risk evaluation indicates probability of the site
25 causing an exceedence of a groundwater quality standard.

26 When a remediation plan must be carried out over a number

1 of years due to limited financial resources of the owner or
2 operator of the agrichemical facility, those soil agrichemical
3 contaminated areas that have the greatest potential to
4 adversely impact vulnerable Class I groundwater aquifers and
5 adjacent potable water wells shall receive the highest priority
6 rating and be remediated first.

7 (b) (Blank). ~~The Agrichemical Facility Response Action~~
8 ~~Program Board ("the Board") is created. The Board members shall~~
9 ~~consist of the following:~~

10 ~~(1) The Director or the Director's designee.~~

11 ~~(2) One member who represents pesticide manufacturers.~~

12 ~~(3) Two members who represent retail agrichemical~~
13 ~~dealers.~~

14 ~~(4) One member who represents agrichemical~~
15 ~~distributors.~~

16 ~~(5) One member who represents active farmers.~~

17 ~~(6) One member at large.~~

18 ~~The public members of the Board shall be appointed by the~~
19 ~~Governor for terms of 2 years. Those persons on the Board who~~
20 ~~represent pesticide manufacturers, agrichemical dealers,~~
21 ~~agrichemical distributors, and farmers shall be selected from~~
22 ~~recommendations made by the associations whose membership~~
23 ~~reflects those specific areas of interest. The members of the~~
24 ~~Board shall be appointed within 90 days after the effective~~
25 ~~date of this amendatory Act of 1995. Vacancies on the Board~~
26 ~~shall be filled within 30 days. The Board may fill any~~

1 ~~membership position vacant for a period exceeding 30 days.~~

2 ~~The members of the Board shall be paid no compensation, but~~
3 ~~shall be reimbursed for their expenses incurred in performing~~
4 ~~their duties. If a civil proceeding is commenced against a~~
5 ~~Board member arising out of an act or omission occurring within~~
6 ~~the scope of the Board member's performance of his or her~~
7 ~~duties under this Section, the State, as provided by rule,~~
8 ~~shall indemnify the Board member for any damages awarded and~~
9 ~~court costs and attorney's fees assessed as part of a final and~~
10 ~~unreversed judgement, or shall pay the judgment, unless the~~
11 ~~court or jury finds that the conduct or inaction that gave rise~~
12 ~~to the claim or cause of action was intentional, wilful or~~
13 ~~wanton misconduct and was not intended to serve or benefit~~
14 ~~interests of the State.~~

15 ~~The chairperson of the Board shall be selected by the Board~~
16 ~~from among the public members.~~

17 (c) (Blank). ~~The Board has the authority to do the~~
18 ~~following:~~

19 ~~(1) Cooperate with the Department and review and~~
20 ~~approve an agrichemical facility remediation program as~~
21 ~~outlined in the handbook or manual as set forth in~~
22 ~~subdivision (d) (8) of this Section.~~

23 ~~(2) Review and give final approval to each agrichemical~~
24 ~~facility corrective action plan.~~

25 ~~(3) Approve any changes to an agrichemical facility's~~
26 ~~corrective action plan that may be necessary.~~

1 ~~(4) Upon completion of the corrective action plan,~~
2 ~~recommend to the Department that the site specific cleanup~~
3 ~~objectives have been met and that a notice of closure be~~
4 ~~issued by the Department stating that no further remedial~~
5 ~~action is required to remedy the past agrichemical~~
6 ~~contamination.~~

7 ~~(5) When a soil agrichemical contaminant assessment~~
8 ~~confirms that remedial action is not required in accordance~~
9 ~~with the Agrichemical Facility Response Action Program,~~
10 ~~recommend that a notice of closure be issued by the~~
11 ~~Department stating that no further remedial action is~~
12 ~~required to remedy the past agrichemical contamination.~~

13 ~~(6) Periodically review the Department's~~
14 ~~administration of the Agrichemical Incident Response Trust~~
15 ~~Fund and actions taken with respect to the Fund. The Board~~
16 ~~shall also provide advice to the Interagency Committee on~~
17 ~~Pesticides regarding the proper handling of agrichemical~~
18 ~~incidents at agrichemical facilities in Illinois.~~

19 (d) The Director has the authority to do the following:

20 (1) When requested by the owner or operator of an
21 agrichemical facility, may investigate the agrichemical
22 facility site contamination.

23 (2) After completion of the investigation under item
24 ~~subdivision (d) (1) of this subsection Section,~~ recommend
25 to the owner or operator of an agrichemical facility that a
26 voluntary assessment be made of the soil agrichemical

1 contaminant when there is evidence that the evaluation of
2 risk indicates that groundwater could be adversely
3 impacted.

4 (3) Review and make recommendations on any corrective
5 action plan submitted by the owner or operator of an
6 agrchemical facility ~~to the Board for final approval.~~

7 (4) On approval by the Director Board, issue an order
8 to the owner or operator of an agrchemical facility that
9 has filed a voluntary corrective action plan that the owner
10 or operator may proceed with that plan.

11 (5) Provide remedial project oversight and ~~7~~ monitor
12 remedial work progress, ~~and report to the Board on the~~
13 ~~status of remediation projects.~~

14 (6) Provide staff to support program ~~the~~ activities ~~of~~
15 ~~the Board.~~

16 (7) (Blank). ~~Take appropriate action on the Board's~~
17 ~~recommendations regarding policy needed to carry out the~~
18 ~~Board's responsibilities under this Section.~~

19 (8) Incorporate ~~In cooperation with the Board,~~
20 ~~incorporate~~ the following into a handbook or manual: the
21 procedures for site assessment; pesticide constituents of
22 concern and associated parameters; guidance on remediation
23 techniques, land application, and corrective action plans;
24 and other information or instructions that the Department
25 may find necessary.

26 (9) Coordinate preventive response actions at

1 agrichemical facilities pursuant to the Groundwater
2 Quality Standards adopted pursuant to Section 8 of the
3 Illinois Groundwater Protection Act to mitigate resource
4 groundwater impairment.

5 Upon completion of the corrective action plan ~~and upon~~
6 ~~recommendation of the Board,~~ the Department shall issue a
7 notice of closure stating that site-specific cleanup
8 objectives have been met and no further remedial action is
9 required to remedy the past agrichemical contamination.

10 When a soil agrichemical contaminant assessment confirms
11 that remedial action is not required in accordance with the
12 Agrichemical Facility Response Action Program ~~and upon the~~
13 ~~recommendation of the Board,~~ a notice of closure shall be
14 issued by the Department stating that no further remedial
15 action is required to remedy the past agrichemical
16 contamination.

17 (e) Upon receipt of notification of an agrichemical
18 contaminant in groundwater pursuant to the Groundwater Quality
19 Standards, the Department shall evaluate the severity of the
20 agrichemical contamination and shall submit to the
21 Environmental Protection Agency an informational notice
22 characterizing it as follows:

23 (1) An agrichemical contaminant in Class I or Class III
24 groundwater has exceeded the levels of a standard adopted
25 pursuant to the Illinois Groundwater Protection Act or a
26 health advisory established by the Illinois Environmental

1 Protection Agency or the United States Environmental
2 Protection Agency; or

3 (2) An agrichemical has been detected at a level that
4 requires preventive notification pursuant to a standard
5 adopted pursuant to the Illinois Groundwater Protection
6 Act.

7 (f) When agrichemical contamination is characterized as in
8 subsection ~~subdivision~~ (e)(1) of this Section, a facility may
9 elect to participate in the Agrichemical Facility Response
10 Action Program. In these instances, the scope of the corrective
11 action plans developed, approved, and completed under this
12 program shall be limited to the soil agrichemical contamination
13 present at the site unless implementation of the plan is
14 coordinated with the Illinois Environmental Protection Agency
15 as follows:

16 (1) Upon receipt of notice of intent to include
17 groundwater in an action by a facility, the Department
18 shall also notify the Illinois Environmental Protection
19 Agency.

20 (2) Upon receipt of the corrective action plan, the
21 Department shall coordinate a joint review of the plan with
22 the Illinois Environmental Protection Agency.

23 (3) The Illinois Environmental Protection Agency may
24 provide a written endorsement of the corrective action
25 plan.

26 (4) The Illinois Environmental Protection Agency may

1 approve a groundwater management zone for a period of 5
2 years after the implementation of the corrective action
3 plan to allow for groundwater impairment mitigation
4 results.

5 (5) (Blank). ~~The Department, in cooperation with the~~
6 ~~Illinois Environmental Protection Agency, shall recommend~~
7 ~~a proposed corrective action plan to the Board for final~~
8 ~~approval to proceed with remediation. The recommendation~~
9 ~~shall be based on the joint review conducted under~~
10 ~~subdivision (f)(2) of this Section and the status of any~~
11 ~~endorsement issued under subdivision (f)(3) of this~~
12 ~~Section.~~

13 (6) The Department, in cooperation with the Illinois
14 Environmental Protection Agency, shall provide remedial
15 project oversight, monitor remedial work progress, ~~and~~
16 ~~report to the Board on the status of the remediation~~
17 ~~project.~~

18 (7) The Department shall, upon completion of the
19 corrective action plan ~~and recommendation of the Board,~~
20 issue a notice of closure stating that no further remedial
21 action is required to remedy the past agrichemical
22 contamination.

23 (g) When an owner or operator of an agrichemical facility
24 initiates a soil contamination assessment on the owner's or
25 operator's own volition and independent of any requirement
26 under this Section 19.3, information contained in that

1 assessment may be held as confidential information by the owner
2 or operator of the facility.

3 (h) Except as otherwise provided by Department rule, on and
4 after the effective date of this amendatory Act of the 98th
5 General Assembly, any Agrichemical Facility Response Action
6 Program requirement that may be satisfied by an industrial
7 hygienist licensed pursuant to the Industrial Hygienists
8 Licensure Act repealed in this amendatory Act may be satisfied
9 by a Certified Industrial Hygienist certified by the American
10 Board of Industrial Hygiene.

11 (Source: P.A. 98-78, eff. 7-15-13.)

12 (415 ILCS 60/22.2) (from Ch. 5, par. 822.2)

13 Sec. 22.2. (a) There is hereby created a trust fund in the
14 State Treasury to be known as the Agrichemical Incident
15 Response Trust Fund. Any funds received by the Director of
16 Agriculture from the mandates of Section 13.1 shall be
17 deposited with the Treasurer as ex-officio custodian and held
18 separate and apart from any public money of this State, with
19 accruing interest on the trust funds deposited into the trust
20 fund. Disbursement from the fund for purposes as set forth in
21 this Section shall be by voucher ordered by the Director and
22 paid by a warrant drawn by the State Comptroller and
23 countersigned by the State Treasurer. The Director shall order
24 disbursements from the Agrichemical Incident Response Trust
25 Fund only for payment of the expenses authorized by this Act.

1 Monies in this trust fund shall not be subject to appropriation
2 by the General Assembly but shall be subject to audit by the
3 Auditor General. Should the program be terminated, all
4 unobligated funds in the trust fund shall be transferred to a
5 trust fund to be used for purposes as originally intended or be
6 transferred to the Pesticide Control Fund. Interest earned on
7 the Fund shall be deposited in the Fund. Monies in the Fund may
8 be used by the Department of Agriculture for the following
9 purposes:

10 (1) for payment of costs of response action incurred by
11 owners or operators of agrichemical facilities as provided
12 in Section 22.3 of this Act;

13 (2) for the Department to take emergency action in
14 response to a release of agricultural pesticides from an
15 agrichemical facility that has created an imminent threat
16 to public health or the environment;

17 (3) for the costs of administering its activities
18 relative to the Fund as delineated in subsections (b) and
19 (c) of this Section; and

20 (4) for the Department to:

21 (A) (blank); and ~~reimburse members of the~~
22 ~~Agrichemical Facility Response Action Program Board~~
23 ~~for their expenses incurred in performing their duties~~
24 ~~as defined under Section 19.3 of this Act; and~~

25 (B) administer ~~provide staff to support the~~
26 ~~activities of~~ the Agrichemical Facility Response

1 Action Program ~~Board~~.

2 The total annual expenditures from the Fund for these
3 purposes under this paragraph (4) shall not be more than
4 \$120,000, and no expenditure from the Fund for these
5 purposes shall be made when the Fund balance becomes less
6 than \$750,000.

7 (b) The action undertaken shall be such as may be necessary
8 or appropriate to protect human health or the environment.

9 (c) The Director of Agriculture is authorized to enter into
10 contracts and agreements as may be necessary to carry out the
11 Department's duties under this Section.

12 (d) Neither the State, the Director, nor any State employee
13 shall be liable for any damages or injury arising out of or
14 resulting from any action taken under this Section.

15 (e) (Blank). ~~On a quarterly basis, the Department shall~~
16 ~~advise and consult with the Agrichemical Facility Response~~
17 ~~Action Program Board as to the Department's administration of~~
18 ~~the Fund.~~

19 (Source: P.A. 89-94, eff. 7-6-95.)

20 Section 150. The Hazardous Material Emergency Response
21 Reimbursement Act is amended by changing Sections 3, 4, and 5
22 as follows:

23 (430 ILCS 55/3) (from Ch. 127 1/2, par. 1003)

24 Sec. 3. Definitions. As used in this Act:

1 (a) "Emergency action" means any action taken at or near
2 the scene of a hazardous materials emergency incident to
3 prevent or minimize harm to human health, to property, or to
4 the environments from the unintentional release of a hazardous
5 material.

6 (b) "Emergency response agency" means a unit of local
7 government, volunteer fire protection organization, or the
8 American Red Cross that provides:

9 (1) firefighting services;

10 (2) emergency rescue services;

11 (3) emergency medical services;

12 (4) hazardous materials response teams;

13 (5) civil defense;

14 (6) technical rescue teams; or

15 (7) mass care or assistance to displaced persons.

16 (c) "Responsible party" means a person who:

17 (1) owns or has custody of hazardous material that is
18 involved in an incident requiring emergency action by an
19 emergency response agency; or

20 (2) owns or has custody of bulk or non-bulk packaging
21 or a transport vehicle that contains hazardous material
22 that is involved in an incident requiring emergency action
23 by an emergency response agency; and

24 (3) who causes or substantially contributed to the
25 cause of the incident.

26 (d) "Person" means an individual, a corporation, a

1 partnership, an unincorporated association, or any unit of
2 federal, State or local government.

3 (e) "Annual budget" means the cost to operate an emergency
4 response agency excluding personnel costs, which include
5 salary, benefits and training expenses; and costs to acquire
6 capital equipment including buildings, vehicles and other such
7 major capital cost items.

8 (f) "Hazardous material" means a substance or material in a
9 quantity and form determined by the United States Department of
10 Transportation to be capable of posing an unreasonable risk to
11 health and safety or property when transported in commerce.

12 (g) "Fund" means the Fire Prevention Fund ~~"Panel" means~~
13 ~~administrative panel.~~

14 (Source: P.A. 93-159, eff. 1-1-04; 94-96, eff. 1-1-06.)

15 (430 ILCS 55/4) (from Ch. 127 1/2, par. 1004)

16 Sec. 4. Establishment. The Emergency Response
17 Reimbursement Fund in the State Treasury, hereinafter called
18 the Fund, is hereby created. Appropriations shall be made from
19 the general revenue fund to the Fund. Monies in the Fund shall
20 be used as provided in this Act.

21 The Emergency Response Reimbursement Fund is dissolved as
22 of the effective date of this amendatory Act of the 98th
23 General Assembly. Any moneys remaining in the fund shall be
24 transferred to the Fire Prevention Fund.

25 (Source: P.A. 86-972.)

1 (430 ILCS 55/5) (from Ch. 127 1/2, par. 1005)

2 Sec. 5. Reimbursement to agencies.

3 (a) It shall be the duty of the responsible party to
4 reimburse, within 60 days after the receipt of a bill for the
5 hazardous material emergency incident, the emergency response
6 agencies responding to a hazardous material emergency
7 incident, and any private contractor responding to the incident
8 at the request of an emergency response agency, for the costs
9 incurred in the course of providing emergency action.

10 (b) In the event that the emergency response agencies are
11 not reimbursed by a responsible party as required under
12 subsection (a), monies in the Fund, subject to appropriation,
13 shall be used to reimburse the emergency response agencies
14 providing emergency action at or near the scene of a hazardous
15 materials emergency incident subject to the following
16 limitations:

17 (1) Cost recovery from the Fund is limited to
18 replacement of expended materials including, but not
19 limited to, specialized firefighting foam, damaged hose or
20 other reasonable and necessary supplies.

21 (2) The applicable cost of supplies must exceed 2% of
22 the emergency response agency's annual budget.

23 (3) A minimum of \$500 must have been expended.

24 (4) A maximum of \$10,000 may be requested per incident.

25 (5) The response was made to an incident involving

1 hazardous materials facilities such as rolling stock which
2 are not in a terminal and which are not included on the
3 property tax roles for the jurisdiction where the incident
4 occurred.

5 (c) Application for reimbursement from the Fund shall be
6 made to the State Fire Marshal or his designee. The State Fire
7 Marshal shall, through rulemaking, promulgate a standard form
8 for such application. The State Fire Marshal shall adopt rules
9 for the administration of this Act.

10 (d) Claims against the Fund shall be reviewed by the
11 Illinois Fire Advisory Commission at its normally scheduled
12 meetings, as the claims are received. The Commission shall be
13 responsible for:

14 (1) reviewing claims made against the Fund and
15 determining reasonable and necessary expenses to be
16 reimbursed for an emergency response agency:

17 (2) affirming that the emergency response agency has
18 made a reasonable effort to recover expended costs from
19 involved parties; and

20 (3) advising the State Fire Marshal as to those claims
21 against the Fund which merit reimbursement.

22 (e) The State Fire Marshal shall either accept or reject
23 the Commission's recommendations as to a claim's eligibility.
24 The eligibility decision of the State Fire Marshal shall be a
25 final administrative decision, and may be reviewed as provided
26 under the Administrative Review Law.

1 (Source: P.A. 93-989, eff. 1-1-05.)

2 (430 ILCS 55/7 rep.)

3 Section 155. The Hazardous Material Emergency Response
4 Reimbursement Act is amended by repealing Section 7.

5 (510 ILCS 15/1 rep.)

6 Section 160. The Animal Gastroenteritis Act is amended by
7 repealing Section 1.

8 Section 165. The Animal Gastroenteritis Act is amended by
9 changing Section 2 as follows:

10 (510 ILCS 15/2) (from Ch. 8, par. 204)

11 Sec. 2. The Director of Agriculture is authorized to
12 establish within the Department an Advisory Committee to be
13 known as the Swine Disease Control Committee. Such committee
14 shall consist of 5 producers of swine, 2 representatives of
15 general farm organizations in the State, one representative of
16 general swine organizations in the State, one or more licensed
17 practicing veterinarians, the State Veterinarian, the Director
18 of the Department of Agriculture's Galesburg Animal Disease
19 Laboratory, ~~the administrator of animal disease programs~~ the
20 Dean of the College of Veterinary Medicine and the Dean of the
21 College of Agricultural, Consumer and Environmental Sciences
22 ~~Agriculture~~ of the University of Illinois, the Dean of the

1 College of Agricultural Sciences of Southern Illinois
2 University, the Dean of the School of Agriculture of Western
3 Illinois University, the Chair of the Department of Agriculture
4 of Illinois State University, the Director of Public Health and
5 the Chairman of the Senate Agriculture and 7 Conservation and
6 ~~Energy Committee of the Senate~~ and the Chairman of the House
7 ~~Committee on Agriculture and Conservation Committee of the~~
8 ~~House~~. In the appointment of such committee, the Director shall
9 consult with representative persons and recognized
10 organizations in the respective fields concerning such
11 appointments of producers and members of general farm
12 organizations.

13 The Director is authorized to establish within the
14 Department an advisory committee to be known as the Cattle
15 Disease Control Research Committee. Such committee shall
16 consist of 2 representatives of general farm organizations in
17 the State, one representative of general cattle organizations
18 in the State, the Dean of the College of Veterinary Medicine
19 and the Dean of the College of Agricultural, Consumer and
20 Environmental Sciences Agriculture of the University of
21 Illinois, the Dean of the College of Agricultural Sciences of
22 Southern Illinois University, the Dean of the School of
23 Agriculture of Western Illinois University, the Chair of the
24 Department of Agriculture of Illinois State University, ~~the~~
25 ~~administrator of animal disease programs~~ and the Director of
26 Public Health, the Chairman of the Senate Agriculture and 7

1 Conservation ~~and Energy~~ Committee ~~of the Senate~~ and the
2 Chairman of the House Agriculture and Conservation Committee ~~on~~
3 ~~Agriculture of the House~~. Eight additional members
4 representing the following agricultural interests: feeder
5 cattle, purebred beef cattle, dairy cattle and one or more
6 licensed practicing veterinarians, the State Veterinarian and
7 the Director of the Department of Agriculture's Galesburg
8 Animal Disease Laboratory. In the appointment of such
9 committee, the Director shall consult with representative
10 persons and recognized organizations in the respective fields,
11 producers and members of general farm organizations.

12 Meetings shall only occur in the event of a disease
13 outbreak or other significant disease situation. The meetings
14 will be scheduled at the call of ~~From time to time~~ the Director
15 ~~shall consult~~ with the Swine Disease Control Committee and the
16 Cattle Disease ~~Research~~ Committee to address disease
17 prevention, management, and control in the case of a disease
18 outbreak. The Committees shall receive no compensation but
19 shall be reimbursed for expenses necessarily incurred in the
20 performance of their duties ~~concerning research projects to be~~
21 ~~undertaken, the priority of such projects, the results of such~~
22 ~~research and the manner in which the results of such research~~
23 ~~can be made available to best serve the livestock industry of~~
24 ~~the State.~~

25 ~~The Director may also consult with such committees~~
26 ~~concerning problems arising in the administration of "An Act~~

1 ~~authorizing and providing for a cooperative program between~~
2 ~~United States, state and local agencies, public and private~~
3 ~~agencies and organizations and individuals for the control of~~
4 ~~starlings, rodents and other injurious predatory animal and~~
5 ~~bird pests and making an appropriation therefor", approved~~
6 ~~August 26, 1963.~~

7 (Source: P.A. 85-323.)

8 Section 170. The Illinois Pseudorabies Control Act is
9 amended by changing Section 5.1 as follows:

10 (510 ILCS 90/5.1) (from Ch. 8, par. 805.1)

11 Sec. 5.1. Pseudorabies Advisory Committee. Upon the
12 detection of pseudorabies within the State, the ~~The~~ Director of
13 Agriculture is authorized to establish within the Department an
14 advisory committee to be known as the Pseudorabies Advisory
15 Committee. The Committee ~~Such committee~~ shall consist of, but
16 not be limited to, representatives of swine producers, general
17 swine organizations within the State, licensed veterinarians,
18 general farm organizations, auction markets, the packing
19 industry and the University of Illinois. Members of the
20 Committee shall only be appointed and meet during the timeframe
21 of the detection. ~~The Director shall, from time to time,~~
22 ~~consult with the Pseudorabies Advisory Committee on changes in~~
23 ~~the pseudorabies control program.~~

24 The Director shall appoint a Technical Committee from the

1 membership of the Pseudorabies Advisory Committee, which shall
2 be comprised of a veterinarian, a swine extension specialist,
3 and a pork producer. This committee shall serve as resource
4 persons for the technical aspects of the herd plans and may
5 advise the Department on procedures to be followed, timetables
6 for accomplishing the elimination of infection, assist in
7 obtaining cooperation from swine herd owners, and recommend
8 adjustments in the approved herd plan as necessary.

9 These Committee members shall be entitled to reimbursement
10 of all necessary and actual expenses incurred in the
11 performance of their duties.

12 (Source: P.A. 89-154, eff. 7-19-95.)

13 (525 ILCS 25/10 rep.)

14 Section 175. The Illinois Lake Management Program Act is
15 amended by repealing Section 10.

16 (775 ILCS 20/Act rep.)

17 Section 180. The Defense Contract Employment
18 Discrimination Act is repealed.

19 (815 ILCS 325/6 rep.)

20 Section 185. The Recyclable Metal Purchase Registration
21 Law is amended by repealing Section 6.

22 Section 999. Effective date. This Act takes effect upon
23 becoming law, except that Section 55 takes effect on January 1,

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1 2015.

1 INDEX
2 Statutes amended in order of appearance

3 15 ILCS 20/50-5
4 20 ILCS 415/9 from Ch. 127, par. 63b109
5 20 ILCS 605/605-345 rep.
6 20 ILCS 605/605-425 rep.
7 20 ILCS 1105/3 from Ch. 96 1/2, par. 7403
8 20 ILCS 1105/8 rep.
9 20 ILCS 2310/2310-373 rep.
10 20 ILCS 2310/2310-396 rep.
11 20 ILCS 2605/2605-420 rep.
12 20 ILCS 3005/7.3
13 20 ILCS 3020/805
14 30 ILCS 105/5.250 rep.
15 30 ILCS 330/13 from Ch. 127, par. 663
16 30 ILCS 720/Act rep.
17 30 ILCS 750/9-4.5 rep.
18 35 ILCS 200/8-35
19 35 ILCS 200/17-20
20 35 ILCS 200/17-40
21 105 ILCS 410/1 from Ch. 122, par. 1851
22 110 ILCS 805/2-10 from Ch. 122, par. 102-10
23 215 ILCS 5/178 rep.
24 215 ILCS 5/Art. XVI rep.
25 215 ILCS 5/Art. XIXB rep.

1 225 ILCS 120/24 rep.
2 225 ILCS 230/1011 from Ch. 111, par. 7861
3 225 ILCS 401/180
4 230 ILCS 5/30 from Ch. 8, par. 37-30
5 235 ILCS 5/6-15 from Ch. 43, par. 130
6 320 ILCS 65/20 rep.
7 410 ILCS 3/10 rep.
8 410 ILCS 425/Act rep.
9 415 ILCS 5/22.8 from Ch. 111 1/2, par. 1022.8
10 415 ILCS 60/19.3
11 415 ILCS 60/22.2 from Ch. 5, par. 822.2
12 430 ILCS 55/3 from Ch. 127 1/2, par. 1003
13 430 ILCS 55/4 from Ch. 127 1/2, par. 1004
14 430 ILCS 55/5 from Ch. 127 1/2, par. 1005
15 430 ILCS 55/7 rep.
16 510 ILCS 15/1 rep.
17 510 ILCS 15/2 from Ch. 8, par. 204
18 510 ILCS 90/5.1 from Ch. 8, par. 805.1
19 525 ILCS 25/10 rep.
20 775 ILCS 20/Act rep.
21 815 ILCS 325/6 rep.