

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 Illinois Governmental Ethics Act is amended
5 by changing Section 3A-40 as follows:

6 (5 ILCS 420/3A-40)

7 Sec. 3A-40. Appointees with expired terms; temporary and
8 acting appointees.

9 (a) A person who is nominated by the Governor on or after
10 August 26, 2011 (the effective date of Public Act 97-582) for
11 any affected office to which appointment requires the advice
12 and consent of the Senate, who is appointed pursuant to that
13 advice and consent, and whose term of office expires on or
14 after August 26, 2011 shall not continue in office longer than
15 60 calendar days after the expiration of that term of office.
16 After that 60th day, each such office is considered vacant and
17 shall be filled only pursuant to the law applicable to making
18 appointments to that office, subject to the provisions of this
19 Section.

20 A person who has been nominated by the Governor before
21 August 26, 2011 (the effective date of Public Act 97-582) for
22 any affected office to which appointment requires the advice
23 and consent of the Senate, who has been appointed pursuant to

1 that advice and consent, and whose term of office has expired
2 shall not continue in office longer than 60 calendar days after
3 the date upon which his or her term of office has expired.
4 After that 60 days, each such office is considered vacant and
5 shall be filled only pursuant to the law applicable to making
6 appointments to that office, subject to the provisions of this
7 Section. If the term of office of a person who is subject to
8 this paragraph expires more than 60 calendar days prior to the
9 effective date of this amendatory Act of the 97th General
10 Assembly, then that office is considered vacant on the
11 effective date of this amendatory Act of the 97th General
12 Assembly, and that vacancy shall be filled only pursuant to the
13 law applicable to making appointments to that office. For the
14 purposes of this subsection (a), "affected office" means (i) an
15 office in which one receives any form of compensation,
16 including salary or per diem, but not including expense
17 reimbursement, or (ii) membership on the board of trustees of a
18 public university.

19 (b) A person who is appointed by the Governor on or after
20 August 26, 2011 (the effective date of Public Act 97-582) to
21 serve as a temporary appointee during a recess of the Senate,
22 pursuant to Article V, Section 9(b) of the Illinois
23 Constitution or any other applicable statute, to any office to
24 which appointment requires the advice and consent of the Senate
25 shall not continue in office after the next meeting of the
26 Senate unless the Governor has filed a message with the

1 Secretary of the Senate nominating that person to fill that
2 office on or before that meeting date. After that meeting date,
3 each such office is considered vacant and shall be filled only
4 pursuant to the law applicable to making appointments to that
5 office, subject to the provisions of this Section. Any
6 temporary appointment made pursuant to subsection (b) of
7 Section 9 of Article V of the Illinois Constitution or any
8 applicable statute shall be filed with the Secretary of State
9 and the Secretary of the Senate. The form of the temporary
10 appointment message shall be established by the Senate under
11 its rules.

12 ~~A person who has been appointed by the Governor before~~
13 ~~August 26, 2011 (the effective date of Public Act 97-582) to~~
14 ~~serve as a temporary appointee, pursuant to Article V, Section~~
15 ~~9(b) of the Illinois Constitution or any other applicable~~
16 ~~statute, to any office to which appointment requires the advice~~
17 ~~and consent of the Senate shall not continue in office after~~
18 ~~August 26, 2011 or the next meeting of the Senate after August~~
19 ~~26, 2011, as applicable, unless the Governor has filed a~~
20 ~~message with the Secretary of the Senate nominating that person~~
21 ~~to fill that office on or before the next meeting of the Senate~~
22 ~~after that temporary appointment was made. After that effective~~
23 ~~date or meeting date, as applicable, each such office is~~
24 ~~considered vacant and shall be filled only pursuant to the law~~
25 ~~applicable to making appointments to that office, subject to~~
26 ~~the provisions of this Section.~~

1 For the purposes of this subsection (b), a meeting of the
2 Senate does not include a perfunctory session day as designated
3 by the Senate under its rules. For the purposes of this
4 subsection (b), the Senate is in recess on a day in which it is
5 not in session and does not include a perfunctory session day
6 as designated by the Senate under its rules.

7 (c) A person who is designated by the Governor on or after
8 August 26, 2011 (the effective date of Public Act 97-582) to
9 serve as an acting appointee to any office to which appointment
10 requires the advice and consent of the Senate shall not
11 continue in office more than 60 calendar days unless the
12 Governor files a message with the Secretary of the Senate
13 nominating that person to fill that office within that 60 days.
14 After that 60 days, each such office is considered vacant and
15 shall be filled only pursuant to the law applicable to making
16 appointments to that office, subject to the provisions of this
17 Section. The Governor shall file with the Secretary of the
18 Senate the name of any person who the Governor designates as an
19 acting appointee under this Section. The form of the message
20 designating an appointee as acting shall be established by the
21 Senate under its rules. No person who has been designated by
22 the Governor to serve as an acting appointee to any office to
23 which appointment requires the advice and consent of the Senate
24 shall, except at the Senate's request, be designated again as
25 an acting appointee for that office at the same session of that
26 Senate, subject to the provisions of this Section.

1 ~~A person who has been designated by the Governor before~~
2 ~~August 26, 2011 (the effective date of Public Act 97-582) to~~
3 ~~serve as an acting appointee to any office to which appointment~~
4 ~~requires the advice and consent of the Senate shall not~~
5 ~~continue in office longer than 60 calendar days after August~~
6 ~~26, 2011 unless the Governor has filed a message with the~~
7 ~~Secretary of the Senate nominating that person to fill that~~
8 ~~office on or before that 60 days. After that 60 days, each such~~
9 ~~office is considered vacant and shall be filled only pursuant~~
10 ~~to the law applicable to making appointments to that office,~~
11 ~~subject to the provisions of this Section. No person who has~~
12 ~~been designated by the Governor to serve as an acting appointee~~
13 ~~to any office to which appointment requires the advice and~~
14 ~~consent of the Senate shall, except at the Senate's request, be~~
15 ~~designated again as an acting appointee for that office at the~~
16 ~~same session of that Senate, subject to the provisions of this~~
17 ~~Section.~~

18 During the term of a General Assembly, the Governor may not
19 designate a person to serve as an acting appointee to any
20 office to which appointment requires the advice and consent of
21 the Senate if that person's nomination to serve as the
22 appointee for the same office was rejected by the Senate of the
23 same General Assembly.

24 For the purposes of this subsection (c), "acting appointee"
25 means a person designated by the Governor to serve as an acting
26 director or acting secretary pursuant to Section 5-605 of the

1 Civil Administrative Code of Illinois. "Acting appointee" also
2 means a person designated by the Governor pursuant to any other
3 statute to serve as an acting holder of any office, to execute
4 the duties and functions of any office, or both.

5 (d) The provisions of this Section apply notwithstanding
6 any law to the contrary. However, the provisions of this
7 Section do not apply to appointments made under Article 1A of
8 the Election Code or to the appointment of any person to serve
9 as Director of the Illinois Power Agency.

10 (Source: P.A. 97-582, eff. 8-26-11; 97-719, eff. 6-29-12.)

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

5 Section 20. The Illinois Commission on Volunteerism and
6 Community Service Act is amended by changing Sections 1, 2, 4,
7 5.1, 6.1, and 7 and by adding Sections 4.1 and 4.2 as follows:

8 (20 ILCS 710/1) (from Ch. 127, par. 3801)

9 Sec. 1. Creation. There is created in the Department of
10 Public Health ~~Human Services~~ the Illinois Commission on
11 Volunteerism and Community Service.

12 (Source: P.A. 91-798, eff. 7-9-00.)

13 (20 ILCS 710/2) (from Ch. 127, par. 3802)

14 Sec. 2. Purpose. The purpose of the Illinois Commission on
15 Volunteerism and Community Service is to promote and support
16 community service in public and private programs to meet the
17 needs of Illinois residents ~~citizens~~; to stimulate new
18 volunteerism and community service initiatives and
19 partnerships; and to serve as a resource and advocate among all
20 State agencies ~~within the Department of Human Services~~ for
21 community service agencies, volunteers, and programs which
22 utilize federal, State, and private volunteers.

23 (Source: P.A. 91-798, eff. 7-9-00.)

1 (20 ILCS 710/4) (from Ch. 127, par. 3804)

2 Sec. 4. Operation. The Governor shall appoint a Director of
3 the Commission on Volunteerism and Community Service who shall
4 serve at the Governor's pleasure and who shall receive such
5 compensation as is determined by the Governor. The Director
6 shall employ such staff as is necessary to carry out the
7 purpose of this Act. The Commission, working in cooperation
8 with State agencies, individuals, local groups, and
9 organizations throughout the State, may undertake programs and
10 activities which further the purposes of this Act, including,
11 but not limited to, the following:

12 (a) providing technical assistance to programs which
13 depend upon volunteers;

14 (b) initiating community service programs to meet
15 previously unmet needs in Illinois;

16 (c) promoting and coordinating efforts to expand and
17 improve the statewide community service network;

18 (d) recognizing outstanding community service
19 accomplishments;

20 (e) disseminating information to support community
21 service programs and to broaden community service
22 involvement throughout the State;

23 (f) implementing federally funded grant programs in
24 Illinois such as the National and Community Service Trust
25 Act, as amended by the Serve America Act;

1 (g) taking an active role in the State's emergency
2 management plan to coordinate volunteers for disaster
3 preparedness and response;

4 (h) promoting intergenerational initiatives and
5 efforts to promote inclusion among diverse populations;
6 and

7 (i) fostering an environment that promotes social
8 innovation throughout the State.

9 ~~The Commission may receive and expend funds, grants and~~
10 ~~services from any source for purposes reasonable and necessary~~
11 ~~to carry out a coordinated plan of community service throughout~~
12 ~~the State.~~

13 (Source: P.A. 91-798, eff. 7-9-00.)

14 (20 ILCS 710/4.1 new)

15 Sec. 4.1. Illinois Service Education Award Grant. The
16 Commission may, subject to appropriation, award an Illinois
17 Service Education Award Grant to recipients of a national
18 service educational award established under 42 U.S.C. 12602 and
19 awarded by the Corporation for National Community Service. The
20 grant must be awarded only as a partial matching grant. An
21 individual who successfully completes a required term of
22 full-time national service in an approved national service
23 position in this State may apply to receive an Illinois Service
24 Education Award Grant. The Commission shall adopt rules to
25 govern the process for applying for the grant and for

1 determining the amount of the grant and any other rules
2 necessary to implement and administer this Section.

3 An Illinois Service Education Award Grant may be used for
4 any of the following purposes:

5 (1) To repay student loans associated with attending an
6 Illinois institution of higher learning, as defined in the
7 Higher Education Student Assistance Act.

8 (2) To pay all or part of the cost of attendance at an
9 Illinois institution of higher learning, as defined in the
10 Higher Education Student Assistance Act.

11 (3) To pay expenses incurred in participating in an
12 approved Illinois school-to-work program.

13 (4) Any other purpose for which the national service
14 educational award may lawfully be used.

15 (20 ILCS 710/4.2 new)

16 Sec. 4.2. Receiving and expending funds. The Commission may
17 receive and expend funds, grants, and services from any source
18 for purposes reasonable and necessary to carry out a
19 coordinated plan of community service throughout the State.

20 (20 ILCS 710/5.1)

21 Sec. 5.1. Commission. The Commission is established to
22 encourage community service and volunteer participation as a
23 means of community and State problem-solving; to promote and
24 support voluntary resident ~~citizen~~ involvement in government

1 and private programs throughout the State; to develop a
2 long-term, comprehensive vision and plan of action for national
3 volunteerism and community service initiatives in Illinois;
4 and to serve as the State's liaison to national and State
5 organizations that support its mission.

6 The Commission shall consist of 15 to 25 bipartisan voting
7 members and up to 15 bipartisan nonvoting members. At least 25%
8 of the members must be from the City of Chicago.

9 The Governor shall appoint up to 25 voting members and up
10 to 15 nonvoting members. Of those initial 25 voting members, 10
11 shall serve for 3 years, 8 shall serve for 2 years, and 7 shall
12 serve for one year. Voting members appointed by the Governor
13 shall include at least ~~one representative of~~ the following: an
14 expert in the education, training, and development needs of
15 youth; an expert in philanthropy ~~the chairman of the City~~
16 ~~Colleges of a municipality having a population of more than 2~~
17 ~~million;~~ a representative of labor organizations; a
18 representative of business; a representative of
19 community-based ~~the human services department of a~~
20 ~~municipality with a population of more than 2 million;~~
21 ~~community-based~~ organizations; the State Superintendent of
22 Education; ~~the Superintendent of Police of a municipality~~
23 ~~having a population of more than 2 million;~~ a youth between 16
24 and 25 years old who is a participant or supervisor in a
25 community service program; ~~the President of a County Board of a~~
26 ~~county having a population of more than 3 million;~~ an expert in

1 older adult volunteerism; a representative of persons with
2 disabilities ~~the public health commissioner of a municipality~~
3 ~~having a population of more than 2 million;~~ a representative of
4 local government; and a representative of a national service
5 program. A representative of the federal Corporation for
6 National Service shall be appointed as a nonvoting member.

7 Appointing authorities shall ensure, to the maximum extent
8 practicable, that the Commission is diverse with respect to
9 race, ethnicity, age, gender, geography, and disability. Not
10 more than 50% of the Commission appointed by the Governor may
11 be from the same political party.

12 Subsequent voting members of the Commission shall serve
13 3-year terms. Commissioners must be allowed to serve until new
14 commissioners are appointed in order to maintain the federally
15 required number of commissioners.

16 Each nonvoting member shall serve at the pleasure of the
17 Governor.

18 Members of the Commission may not serve more than 3
19 consecutive terms. Vacancies shall be filled in the same manner
20 as the original appointments and any member so appointed shall
21 serve during the remainder of the term for which the vacancy
22 occurred. The members shall not receive any compensation but
23 shall be reimbursed for necessary expenses incurred in the
24 performance of their duties.

25 (Source: P.A. 91-798, eff. 7-9-00.)

1 (20 ILCS 710/6.1)

2 Sec. 6.1. Functions of Commission. The Commission shall
3 meet at least quarterly and shall advise and consult with the
4 Department of Public Health and the Governor's Office ~~Human~~
5 ~~Services and the Director~~ on all matters relating to community
6 service in Illinois. In addition, the Commission shall have the
7 following duties:

8 (a) prepare a 3-year State ~~national and community~~ service
9 plan, developed through an open, public process and updated
10 annually;

11 (b) prepare the financial assistance applications of the
12 State under the National and Community Service Trust Fund Act
13 of 1993, as amended by the Serve America Act;

14 (c) assist in the preparation of the application by the
15 State Board of Education for assistance under that Act;

16 (d) prepare the State's application under that Act for the
17 approval of national service positions;

18 (e) assist in the provision of health care and child care
19 benefits under that Act;

20 (f) develop a State recruitment, placement, and
21 information dissemination system for participants in programs
22 that receive assistance under the national service laws;

23 (g) administer the State's grant program including
24 selection, oversight, and evaluation of grant recipients;

25 (h) make technical assistance available to enable
26 applicants to plan and implement service programs and to apply

1 for assistance under the national service laws;

2 (i) develop projects, training methods, curriculum
3 materials, and other activities related to service;

4 (j) coordinate its functions with any division of the
5 federal Corporation for National and Community Service
6 outlined in the National and Community Service Trust Fund Act
7 of 1993, as amended by the Serve America Act.

8 (k) publicize Commission services and promote community
9 involvement in the activities of the Commission;

10 (l) promote increased visibility and support for
11 volunteers of all ages, especially youth and senior citizens,
12 and community service in meeting the needs of Illinois
13 residents ~~citizens~~; and

14 (m) represent the Department of Public Health and the
15 Governor's Office ~~Human Services~~ on such occasions and in such
16 manner as the Department may provide.

17 (Source: P.A. 91-798, eff. 7-9-00.)

18 (20 ILCS 710/7)

19 Sec. 7. Program transfer. On the effective date of this
20 amendatory Act of the 98th General Assembly ~~this amendatory Act~~
21 ~~of the 91st General Assembly~~, the authority, powers, and duties
22 in this Act of the Department of Human Services ~~Commerce and~~
23 ~~Community Affairs~~ (now Department of Commerce and Economic
24 ~~Opportunity~~) are transferred to the Department of Public Health
25 ~~Human Services~~.

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

2 Section 25. The Energy Conservation and Coal Development
3 Act is amended by changing Section 3 as follows:

4 (20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)

5 Sec. 3. Powers and Duties.

6 (a) In addition to its other powers, the Department has the
7 following powers:

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

13 (2) To represent the State in energy matters involving
14 the federal government, other states, units of local
15 government, and regional agencies.

16 (3) To prepare energy contingency plans for
17 consideration by the Governor and the General Assembly.
18 Such plans shall include procedures for determining when a
19 foreseeable danger exists of energy shortages, including
20 shortages of petroleum, coal, nuclear power, natural gas,
21 and other forms of energy, and shall specify the actions to
22 be taken to minimize hardship and maintain the general
23 welfare during such energy shortages.

24 (4) To cooperate with State colleges and universities

1 and their governing boards in energy programs and
2 activities.

3 (5) (Blank).

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

10 (7) To investigate practical problems, seek and
11 utilize financial assistance, implement studies and
12 conduct research relating to the production, distribution
13 and use of alcohol fuels.

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

20 (9) To coordinate with other State agencies in order to
21 promote the maximum flow of information and to avoid
22 unnecessary overlapping of alcohol fuel programs. In order
23 to effectuate this goal, the Director of the Department or
24 his representative shall consult with the Directors, or
25 their representatives, of the Departments of Agriculture,
26 Central Management Services, Transportation, and Revenue,

1 the Office of the State Fire Marshal, and the Environmental
2 Protection Agency.

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

9 The Office of Coal Development and Marketing shall
10 develop and implement an initiative to assist the coal
11 industry in Illinois to increase its share of the
12 international coal market.

13 (11) To assist the Department of Central Management
14 Services in establishing and maintaining a system to
15 analyze and report energy consumption of facilities leased
16 by the Department of Central Management Services.

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

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

1 (b) (Blank).

2 (c) (Blank).

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

13 (e) (Blank).

14 (f) (Blank).

15 (g) (Blank).

16 (h) (Blank).

17 (i) (Blank).

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

19 (20 ILCS 2310/2310-373 rep.)

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

21 Section 30. The Department of Public Health Powers and
22 Duties Law of the Civil Administrative Code of Illinois is
23 amended by repealing Sections 2310-373 and 2310-396.

24 Section 35. The Governor's Office of Management and Budget

1 Act is amended by changing Section 7.3 as follows:

2 (20 ILCS 3005/7.3)

3 Sec. 7.3. Annual economic and fiscal policy report. No
4 later than the 3rd business day in ~~By~~ January ~~±~~ of each year,
5 the Governor's Office of Management and Budget shall submit an
6 economic and fiscal policy report to the General Assembly. The
7 report must outline the long-term economic and fiscal policy
8 objectives of the State, the economic and fiscal policy
9 intentions for the upcoming fiscal year, and the economic and
10 fiscal policy intentions for the following 2 fiscal years. The
11 report must highlight the total level of revenue, expenditure,
12 deficit or surplus, and debt with respect to each of the
13 reporting categories. The report must be posted on the Office's
14 Internet website and allow members of the public to post
15 comments concerning the report.

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

17 Section 40. The Capital Spending Accountability Law is
18 amended by changing Section 805 as follows:

19 (20 ILCS 3020/805)

20 Sec. 805. Reports on capital spending. On the first day of
21 each quarterly period in each fiscal year, the Governor's
22 Office of Management and Budget shall provide to the
23 Comptroller, the Treasurer, the President and the Minority

1 Leader of the Senate, and the Speaker and the Minority Leader
2 of the House of Representatives a report on the status of all
3 capital projects in the State. The report may ~~must~~ be provided
4 in both written and electronic format. The report must include
5 all of the following:

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

9 (2) The amount and source of funds (whether from bond
10 funds or other revenues) appropriated for each project,
11 organized into categories including roads, mass transit,
12 schools, environment, civic centers and other categories
13 as applicable (as referred to in this Section, "category or
14 categories"), with subtotals for each category.

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

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

24 (5) The amount of expenditures to date by the State
25 relating to each project and estimated amount of total
26 State expenditures and proposed schedule of future State

1 expenditures relating to each project, all organized into
2 categories.

3 (6) A timeline for completion of each project,
4 including the dates, if applicable, of execution by the
5 State of any grant agreement, any required engineering or
6 design work or environmental approvals, and the estimated
7 or actual dates of the start and completion of
8 construction, all organized into categories. Any
9 substantial variances on any project from this reported
10 timeline must be explained in the next quarterly report.

11 (7) A summary report of the status of all projects,
12 including the amount of undisbursed funds intended to be
13 held or used in the next quarter.

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

15 Section 45. The General Assembly Operations Act is amended
16 by changing Section 2 as follows:

17 (25 ILCS 10/2) (from Ch. 63, par. 23.2)

18 Sec. 2. The Speaker of the House and the President of the
19 Senate, and the Chairman and members of the Senate Committee on
20 Committees shall be considered as holding continuing offices
21 until their respective successors are elected and qualified.

22 In the event of death or resignation of the Speaker of the
23 House or of the President of the Senate after the sine die
24 adjournment of the session of the General Assembly at which he

1 was elected, the powers held by him shall pass respectively to
2 the Majority Leader of the House of Representatives or to the
3 ~~Assistant~~ Majority Leader of the Senate who, for the purposes
4 of such powers shall be considered as holding continuing
5 offices until his respective successors are elected and
6 qualified.

7 (Source: P.A. 78-10.)

8 Section 50. The General Assembly Compensation Act is
9 amended by changing Section 4.1 as follows:

10 (25 ILCS 115/4.1) (from Ch. 63, par. 15.2)

11 Sec. 4.1. Payment techniques and procedures shall be
12 according to rules made by the Senate Committee on Assignment
13 of Bills ~~Operations Commission~~ or the Rules Committee of the
14 House, as the case may be.

15 (Source: P.A. 79-806; 79-1023; 79-1454.)

16 Section 55. The Legislative Commission Reorganization Act
17 of 1984 is amended by changing Sections 1-5 and 8A-15 as
18 follows:

19 (25 ILCS 130/1-5) (from Ch. 63, par. 1001-5)

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

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

1 ~~Agency.~~

2 ~~(2) (Blank).~~

3 ~~(2.1) (Blank).~~

4 ~~(2.5) The Board of the Office of the Architect of the~~
5 ~~Capitol shall consist of the Secretary and Assistant Secretary~~
6 ~~of the Senate and the Clerk and Assistant Clerk of the House of~~
7 ~~Representatives. When the Board has cast a tied vote concerning~~
8 ~~the design, implementation, or construction of a project within~~
9 ~~the legislative complex, as defined in Section 8A 15, the~~
10 ~~Architect of the Capitol may cast the tie breaking vote.~~

11 The Boards of the Joint Committee on Administrative Rules,
12 the Commission on Government Forecasting and Accountability,
13 the Legislative Audit Committee, and the Legislative Research
14 Unit ~~(3) The other legislative support services agencies~~ shall
15 each consist of 12 members of the General Assembly, of whom 3
16 shall be appointed by the President of the Senate, 3 shall be
17 appointed by the Minority Leader of the Senate, 3 shall be
18 appointed by the Speaker of the House of Representatives, and 3
19 shall be appointed by the Minority Leader of the House of
20 Representatives. All appointments shall be in writing and filed
21 with the Secretary of State as a public record.

22 Members shall serve a 2-year term, and must be appointed by
23 the Joint Committee during the month of January in each
24 odd-numbered year for terms beginning February 1. Any vacancy
25 in an Agency shall be filled by appointment for the balance of
26 the term in the same manner as the original appointment. A

1 vacancy shall exist when a member no longer holds the elected
2 legislative office held at the time of the appointment or at
3 the termination of the member's legislative service.

4 During the month of February of each odd-numbered year, the
5 Joint Committee on Legislative Support Services shall select
6 from the members of the Board of each Agency 2 co-chairpersons
7 and such other officers as the Joint Committee deems necessary.
8 The co-chairpersons of each Board shall serve for a 2-year
9 term, beginning February 1 of the odd-numbered year, and the 2
10 co-chairpersons shall not be members of or identified with the
11 same house or the same political party.

12 Each Board shall meet twice annually or more often upon the
13 call of the chair or any 9 members. A quorum of the Board shall
14 consist of a majority of the appointed members.

15 (b) The Board of each of the following legislative support
16 agencies shall consist of the Secretary and Assistant Secretary
17 of the Senate and the Clerk and Assistant Clerk of the House of
18 Representatives: the Legislative Information System, the
19 Legislative Printing Unit, the Legislative Reference Bureau,
20 and the Office of the Architect of the Capitol. The
21 co-chairpersons of the Board of the Office of the Architect of
22 the Capitol shall be the Secretary of the Senate and the Clerk
23 of the House of Representatives, each ex officio (Blank).

24 The Chairperson of each of the other Boards shall be the
25 member who is affiliated with the same caucus as the then
26 serving Chairperson of the Joint Committee on Legislative

1 Support Services. Each Board shall meet twice annually or more
2 often upon the call of the chair or any 3 members. A quorum of
3 the Board shall consist of a majority of the appointed members.

4 When the Board of the Office of the Architect of the
5 Capitol has cast a tied vote concerning the design,
6 implementation, or construction of a project within the
7 legislative complex, as defined in Section 8A-15, the Architect
8 of the Capitol may cast the tie-breaking vote.

9 (c) (Blank). ~~During the month of February of each~~
10 ~~odd numbered year, the Joint Committee on Legislative Support~~
11 ~~Services shall select from the members of each agency, other~~
12 ~~than the Office of the Architect of the Capitol, 2 co chairmen~~
13 ~~and such other officers as the Joint Committee deems necessary.~~
14 ~~The co chairmen of each Agency shall serve for a 2 year term,~~
15 ~~beginning February 1 of the odd numbered year, and the 2~~
16 ~~co chairmen shall not be members of or identified with the same~~
17 ~~house or the same political party. The co chairmen of the Board~~
18 ~~of the Office of the Architect of the Capitol shall be the~~
19 ~~Secretary of the Senate and the Clerk of the House of~~
20 ~~Representatives, each ex officio.~~

21 ~~Each Agency shall meet twice annually or more often upon~~
22 ~~the call of the chair or any 9 members (or any 3 members in the~~
23 ~~ease of the Office of the Architect of the Capitol). A quorum~~
24 ~~of the Agency shall consist of a majority of the appointed~~
25 ~~members.~~

26 (d) Members of each Agency shall serve without

1 compensation, but shall be reimbursed for expenses incurred in
2 carrying out the duties of the Agency pursuant to rules and
3 regulations adopted by the Joint Committee on Legislative
4 Support Services.

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

17 The executive director of the Office of the Architect of
18 the Capitol shall be known as the Architect of the Capitol.

19 (Source: P.A. 96-959, eff. 7-1-10.)

20 (25 ILCS 130/8A-15)

21 Sec. 8A-15. Master plan.

22 (a) The term "legislative complex" means (i) the buildings
23 and facilities located in Springfield, Illinois, and occupied
24 in whole or in part by the General Assembly or any of its
25 support service agencies, (ii) the grounds, walkways, and

1 tunnels surrounding or connected to those buildings and
2 facilities, and (iii) the off-street parking areas serving
3 those buildings and facilities.

4 (b) The Architect of the Capitol shall prepare and
5 implement a long-range master plan of development for the State
6 Capitol Building, ~~and~~ the remaining portions of the legislative
7 complex, and the land and State buildings and facilities within
8 the area bounded by Washington, Third, Cook, and Pasfield
9 Streets that addresses the improvement, construction, historic
10 preservation, restoration, maintenance, repair, and
11 landscaping needs of these State buildings and facilities and
12 the land ~~the State Capitol Building and the remaining portions~~
13 ~~of the legislative complex~~. The Architect of the Capitol shall
14 submit the master plan to the Capitol Historic Preservation
15 Board for its review and comment. The Board must confine its
16 review and comment to those portions of the master plan that
17 relate to areas ~~of the legislative complex~~ other than the State
18 Capitol Building. The Architect may incorporate suggestions of
19 the Board into the master plan. The master plan must be
20 submitted to and approved by the Board of the Office of the
21 Architect of the Capitol before its implementation.

22 The Architect of the Capitol may change the master plan and
23 shall submit changes in the master plan that relate to areas ~~of~~
24 ~~the legislative complex~~ other than the State Capitol Building
25 to the Capitol Historic Preservation Board for its review and
26 comment. All changes in the master plan must be submitted to

1 and approved by the Board of the Office of the Architect of the
2 Capitol before implementation.

3 (c) The Architect of the Capitol must review the master
4 plan every 5 years or at the direction of the Board of the
5 Office of the Architect of the Capitol. Changes in the master
6 plan resulting from this review must be made in accordance with
7 the procedure provided in subsection (b).

8 (d) Notwithstanding any other law to the contrary, the
9 Architect of the Capitol has the sole authority to contract for
10 all materials and services necessary for the implementation of
11 the master plan. The Architect (i) may comply with the
12 procedures established by the Joint Committee on Legislative
13 Support Services under Section 1-4 or (ii) upon approval of the
14 Board of the Office of the Architect of the Capitol, may, but
15 is not required to, comply with a portion or all of the
16 Illinois Procurement Code when entering into contracts under
17 this subsection. The Architect's compliance with the Illinois
18 Procurement Code shall not be construed to subject the
19 Architect or any other entity of the legislative branch to the
20 Illinois Procurement Code with respect to any other contract.

21 The Architect may enter into agreements with other State
22 agencies for the provision of materials or performance of
23 services necessary for the implementation of the master plan.

24 State officers and agencies providing normal, day-to-day
25 repair, maintenance, or landscaping or providing security,
26 commissary, utility, parking, banking, tour guide, event

1 scheduling, or other operational services for buildings and
2 facilities within the legislative complex immediately prior to
3 the effective date of this amendatory Act of the 93rd General
4 Assembly shall continue to provide that normal, day-to-day
5 repair, maintenance, or landscaping or those services on the
6 same basis, whether by contract or employees, that the repair,
7 maintenance, landscaping, or services were provided
8 immediately prior to the effective date of this amendatory Act
9 of the 93rd General Assembly, subject to the provisions of the
10 master plan and as otherwise directed by the Architect of the
11 Capitol.

12 (e) The Architect of the Capitol shall monitor
13 construction, preservation, restoration, maintenance, repair,
14 and landscaping work in the legislative complex and
15 implementation of the master plan, as well as all other
16 activities that alter the historic integrity of the legislative
17 complex and the other land and State buildings and facilities
18 in the master plan.

19 (Source: P.A. 93-632, eff. 2-1-04.)

20 (30 ILCS 105/5.250 rep.)

21 Section 60. The State Finance Act is amended by repealing
22 Section 5.250.

23 Section 65. The Adult Education Reporting Act is amended by
24 changing Section 1 as follows:

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

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

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

10 Section 70. The Public Community College Act is amended by
11 changing Section 2-10 as follows:

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

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

20 The requirement for reporting to the General Assembly shall
21 be satisfied by electronically filing copies of the report with
22 the Speaker, the Minority Leader and the Clerk of the House of
23 Representatives and the President, the Minority Leader and the

1 Secretary of the Senate and the Legislative Research Unit, as
2 required by Section 3.1 of "An Act to revise the law in
3 relation to the General Assembly", approved February 25, 1874,
4 as amended, and electronically filing such additional copies
5 with the State Government Report Distribution Center for the
6 General Assembly as is required under paragraph (t) of Section
7 of the State Library Act. A copy of the report shall also be
8 posted on the State Board's website.

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

10 (215 ILCS 5/178 rep.)

11 Section 75. The Illinois Insurance Code is amended by
12 repealing Section 178.

13 (215 ILCS 5/Art. XVI rep.)

14 (215 ILCS 5/Art. XIXB rep.)

15 Section 80. The Illinois Insurance Code is amended by
16 repealing Articles XVI and XIXB.

17 (225 ILCS 120/24 rep.)

18 Section 85. The Wholesale Drug Distribution Licensing Act
19 is amended by repealing Section 24.

20 Section 90. The Solid Waste Site Operator Certification Law
21 is amended by changing Section 1011 as follows:

1 (225 ILCS 230/1011) (from Ch. 111, par. 7861)

2 Sec. 1011. Fees.

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

5 (1) (A) \$400 for issuance or renewal for Class A Solid
6 Waste Site Operators; (B) \$200 for issuance or renewal for
7 Class B Solid Waste Site Operators; and (C) \$100 for
8 issuance or renewal for special waste endorsements.

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

12 (b) Before the effective date of this amendatory Act of the
13 98th General Assembly, all ~~All~~ fees collected by the Agency
14 under this Section shall be deposited into the Hazardous Waste
15 Occupational Licensing Fund. The Agency is authorized to use
16 monies in the Hazardous Waste Occupational Licensing Fund to
17 perform its functions, powers, and duties under this Section.

18 On and after the effective date of this amendatory Act of
19 the 98th General Assembly, all fees collected by the Agency
20 under this Section shall be deposited into the Environmental
21 Protection Permit and Inspection Fund to be used in accordance
22 with the provisions of Section 22.8 of the Environmental
23 Protection Act.

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

25 Section 95. The Illinois Athlete Agents Act is amended by

1 changing Section 180 as follows:

2 (225 ILCS 401/180)

3 Sec. 180. Civil penalties.

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

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

12 (c) The civil penalty shall be paid within 60 days after
13 the effective date of the order imposing the civil penalty. The
14 order shall constitute a judgment and may be filed and
15 execution had thereon in the same manner as any judgment from
16 any court of record.

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

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

20 Section 100. The Illinois Horse Racing Act of 1975 is
21 amended by changing Section 30 as follows:

22 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

23 Sec. 30. (a) The General Assembly declares that it is the

1 policy of this State to encourage the breeding of thoroughbred
2 horses in this State and the ownership of such horses by
3 residents of this State in order to provide for: sufficient
4 numbers of high quality thoroughbred horses to participate in
5 thoroughbred racing meetings in this State, and to establish
6 and preserve the agricultural and commercial benefits of such
7 breeding and racing industries to the State of Illinois. It is
8 the intent of the General Assembly to further this policy by
9 the provisions of this Act.

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

18 (c) Conditions of races under subsection (b) shall be
19 commensurate with past performance, quality, and class of
20 Illinois conceived and foaled and Illinois foaled horses
21 available. If, however, sufficient competition cannot be had
22 among horses of that class on any day, the races may, with
23 consent of the Board, be eliminated for that day and substitute
24 races provided.

25 (d) There is hereby created a special fund of the State
26 Treasury to be known as the Illinois Thoroughbred Breeders

1 Fund.

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

6 (e) The Illinois Thoroughbred Breeders Fund shall be
7 administered by the Department of Agriculture with the advice
8 and assistance of the Advisory Board created in subsection (f)
9 of this Section.

10 (f) The Illinois Thoroughbred Breeders Fund Advisory Board
11 shall consist of the Director of the Department of Agriculture,
12 who shall serve as Chairman; a member of the Illinois Racing
13 Board, designated by it; 2 representatives of the organization
14 licensees conducting thoroughbred racing meetings, recommended
15 by them; 2 representatives of the Illinois Thoroughbred
16 Breeders and Owners Foundation, recommended by it; and 2
17 representatives of the Horsemen's Benevolent Protective
18 Association or any successor organization established in
19 Illinois comprised of the largest number of owners and
20 trainers, recommended by it, with one representative of the
21 Horsemen's Benevolent and Protective Association to come from
22 its Illinois Division, and one from its Chicago Division.
23 Advisory Board members shall serve for 2 years commencing
24 January 1 of each odd numbered year. If representatives of the
25 organization licensees conducting thoroughbred racing
26 meetings, the Illinois Thoroughbred Breeders and Owners

1 Foundation, and the Horsemen's Benevolent Protection
2 Association have not been recommended by January 1, of each odd
3 numbered year, the Director of the Department of Agriculture
4 shall make an appointment for the organization failing to so
5 recommend a member of the Advisory Board. Advisory Board
6 members shall receive no compensation for their services as
7 members but shall be reimbursed for all actual and necessary
8 expenses and disbursements incurred in the execution of their
9 official duties.

10 (g) No monies shall be expended from the Illinois
11 Thoroughbred Breeders Fund except as appropriated by the
12 General Assembly. Monies appropriated from the Illinois
13 Thoroughbred Breeders Fund shall be expended by the Department
14 of Agriculture, with the advice and assistance of the Illinois
15 Thoroughbred Breeders Fund Advisory Board, for the following
16 purposes only:

17 (1) To provide purse supplements to owners of horses
18 participating in races limited to Illinois conceived and
19 foaled and Illinois foaled horses. Any such purse
20 supplements shall not be included in and shall be paid in
21 addition to any purses, stakes, or breeders' awards offered
22 by each organization licensee as determined by agreement
23 between such organization licensee and an organization
24 representing the horsemen. No monies from the Illinois
25 Thoroughbred Breeders Fund shall be used to provide purse
26 supplements for claiming races in which the minimum

1 claiming price is less than \$7,500.

2 (2) To provide stakes and awards to be paid to the
3 owners of the winning horses in certain races limited to
4 Illinois conceived and foaled and Illinois foaled horses
5 designated as stakes races.

6 (2.5) To provide an award to the owner or owners of an
7 Illinois conceived and foaled or Illinois foaled horse that
8 wins a maiden special weight, an allowance, overnight
9 handicap race, or claiming race with claiming price of
10 \$10,000 or more providing the race is not restricted to
11 Illinois conceived and foaled or Illinois foaled horses.
12 Awards shall also be provided to the owner or owners of
13 Illinois conceived and foaled and Illinois foaled horses
14 that place second or third in those races. To the extent
15 that additional moneys are required to pay the minimum
16 additional awards of 40% of the purse the horse earns for
17 placing first, second or third in those races for Illinois
18 foaled horses and of 60% of the purse the horse earns for
19 placing first, second or third in those races for Illinois
20 conceived and foaled horses, those moneys shall be provided
21 from the purse account at the track where earned.

22 (3) To provide stallion awards to the owner or owners
23 of any stallion that is duly registered with the Illinois
24 Thoroughbred Breeders Fund Program prior to the effective
25 date of this amendatory Act of 1995 whose duly registered
26 Illinois conceived and foaled offspring wins a race

1 conducted at an Illinois thoroughbred racing meeting other
2 than a claiming race. Such award shall not be paid to the
3 owner or owners of an Illinois stallion that served outside
4 this State at any time during the calendar year in which
5 such race was conducted.

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

16 (4.1) To provide purse money for an Illinois stallion
17 stakes program.

18 (5) No less than 80% of all monies appropriated from
19 the Illinois Thoroughbred Breeders Fund shall be expended
20 for the purposes in (1), (2), (2.5), (3), (4), (4.1), and
21 (5) as shown above.

22 (6) To provide for educational programs regarding the
23 thoroughbred breeding industry.

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

26 (8) To provide for a scholarship and training program

1 for students of equine veterinary medicine.

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

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

7 (h) Whenever the Governor finds that the amount in the
8 Illinois Thoroughbred Breeders Fund is more than the total of
9 the outstanding appropriations from such fund, the Governor
10 shall notify the State Comptroller and the State Treasurer of
11 such fact. The Comptroller and the State Treasurer, upon
12 receipt of such notification, shall transfer such excess amount
13 from the Illinois Thoroughbred Breeders Fund to the General
14 Revenue Fund.

15 (i) A sum equal to 12 1/2% of the first prize money of
16 every purse won by an Illinois foaled or an Illinois conceived
17 and foaled horse in races not limited to Illinois foaled horses
18 or Illinois conceived and foaled horses, or both, shall be paid
19 by the organization licensee conducting the horse race meeting.
20 Such sum shall be paid from the organization licensee's share
21 of the money wagered as follows: 11 1/2% to the breeder of the
22 winning horse and 1% to the organization representing
23 thoroughbred breeders and owners whose representative serves
24 on the Illinois Thoroughbred Breeders Fund Advisory Board for
25 verifying the amounts of breeders' awards earned, assuring
26 their distribution in accordance with this Act, and servicing

1 and promoting the Illinois thoroughbred horse racing industry.
2 The organization representing thoroughbred breeders and owners
3 shall cause all expenditures of monies received under this
4 subsection (i) to be audited at least annually by a registered
5 public accountant. The organization shall file copies of each
6 annual audit with the Racing Board, the Clerk of the House of
7 Representatives and the Secretary of the Senate, and shall make
8 copies of each annual audit available to the public upon
9 request and upon payment of the reasonable cost of photocopying
10 the requested number of copies. Such payments shall not reduce
11 any award to the owner of the horse or reduce the taxes payable
12 under this Act. Upon completion of its racing meet, each
13 organization licensee shall deliver to the organization
14 representing thoroughbred breeders and owners whose
15 representative serves on the Illinois Thoroughbred Breeders
16 Fund Advisory Board a listing of all the Illinois foaled and
17 the Illinois conceived and foaled horses which won breeders'
18 awards and the amount of such breeders' awards under this
19 subsection to verify accuracy of payments and assure proper
20 distribution of breeders' awards in accordance with the
21 provisions of this Act. Such payments shall be delivered by the
22 organization licensee within 30 days of the end of each race
23 meeting.

24 (j) A sum equal to 12 1/2% of the first prize money won in
25 each race limited to Illinois foaled horses or Illinois
26 conceived and foaled horses, or both, shall be paid in the

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

20 The 11 1/2% paid to the breeders in accordance with this
21 subsection shall be distributed as follows:

22 (1) 60% of such sum shall be paid to the breeder of the
23 horse which finishes in the official first position;

24 (2) 20% of such sum shall be paid to the breeder of the
25 horse which finishes in the official second position;

26 (3) 15% of such sum shall be paid to the breeder of the

1 horse which finishes in the official third position; and
2 (4) 5% of such sum shall be paid to the breeder of the
3 horse which finishes in the official fourth position.

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

15 (k) The term "breeder", as used herein, means the owner of
16 the mare at the time the foal is dropped. An "Illinois foaled
17 horse" is a foal dropped by a mare which enters this State on
18 or before December 1, in the year in which the horse is bred,
19 provided the mare remains continuously in this State until its
20 foal is born. An "Illinois foaled horse" also means a foal born
21 of a mare in the same year as the mare enters this State on or
22 before March 1, and remains in this State at least 30 days
23 after foaling, is bred back during the season of the foaling to
24 an Illinois Registered Stallion (unless a veterinarian
25 certifies that the mare should not be bred for health reasons),
26 and is not bred to a stallion standing in any other state

1 during the season of foaling. An "Illinois foaled horse" also
2 means a foal born in Illinois of a mare purchased at public
3 auction subsequent to the mare entering this State prior to
4 February 1 of the foaling year providing the mare is owned
5 solely by one or more Illinois residents or an Illinois entity
6 that is entirely owned by one or more Illinois residents.

7 (1) The Department of Agriculture shall, by rule, with the
8 advice and assistance of the Illinois Thoroughbred Breeders
9 Fund Advisory Board:

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

19 (2) Provide for the registration of Illinois conceived
20 and foaled horses and Illinois foaled horses. No such horse
21 shall compete in the races limited to Illinois conceived
22 and foaled horses or Illinois foaled horses or both unless
23 registered with the Department of Agriculture. The
24 Department of Agriculture may prescribe such forms as are
25 necessary to determine the eligibility of such horses. The
26 Department of Agriculture may assess and collect

1 application fees for the registration of Illinois-eligible
2 foals. All fees collected are to be paid into the Illinois
3 Thoroughbred Breeders Fund. No person shall knowingly
4 prepare or cause preparation of an application for
5 registration of such foals containing false information.

6 (m) The Department of Agriculture, with the advice and
7 assistance of the Illinois Thoroughbred Breeders Fund Advisory
8 Board, shall provide that certain races limited to Illinois
9 conceived and foaled and Illinois foaled horses be stakes races
10 and determine the total amount of stakes and awards to be paid
11 to the owners of the winning horses in such races.

12 In determining the stakes races and the amount of awards
13 for such races, the Department of Agriculture shall consider
14 factors, including but not limited to, the amount of money
15 appropriated for the Illinois Thoroughbred Breeders Fund
16 program, organization licensees' contributions, availability
17 of stakes caliber horses as demonstrated by past performances,
18 whether the race can be coordinated into the proposed racing
19 dates within organization licensees' racing dates, opportunity
20 for colts and fillies and various age groups to race, public
21 wagering on such races, and the previous racing schedule.

22 (n) The Board and the organizational licensee shall notify
23 the Department of the conditions and minimum purses for races
24 limited to Illinois conceived and foaled and Illinois foaled
25 horses conducted for each organizational licensee conducting a
26 thoroughbred racing meeting. The Department of Agriculture

1 with the advice and assistance of the Illinois Thoroughbred
2 Breeders Fund Advisory Board may allocate monies for purse
3 supplements for such races. In determining whether to allocate
4 money and the amount, the Department of Agriculture shall
5 consider factors, including but not limited to, the amount of
6 money appropriated for the Illinois Thoroughbred Breeders Fund
7 program, the number of races that may occur, and the
8 organizational licensee's purse structure.

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

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

24 Section 105. The Liquor Control Act of 1934 is amended by
25 changing Section 6-15 as follows:

1 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

2 Sec. 6-15. No alcoholic liquors shall be sold or delivered
3 in any building belonging to or under the control of the State
4 or any political subdivision thereof except as provided in this
5 Act. The corporate authorities of any city, village,
6 incorporated town, township, or county may provide by
7 ordinance, however, that alcoholic liquor may be sold or
8 delivered in any specifically designated building belonging to
9 or under the control of the municipality, township, or county,
10 or in any building located on land under the control of the
11 municipality, township, or county; provided that such township
12 or county complies with all applicable local ordinances in any
13 incorporated area of the township or county. Alcoholic liquor
14 may be delivered to and sold under the authority of a special
15 use permit on any property owned by a conservation district
16 organized under the Conservation District Act, provided that
17 (i) the alcoholic liquor is sold only at an event authorized by
18 the governing board of the conservation district, (ii) the
19 issuance of the special use permit is authorized by the local
20 liquor control commissioner of the territory in which the
21 property is located, and (iii) the special use permit
22 authorizes the sale of alcoholic liquor for one day or less.
23 Alcoholic liquors may be delivered to and sold at any airport
24 belonging to or under the control of a municipality of more
25 than 25,000 inhabitants, or in any building or on any golf

1 course owned by a park district organized under the Park
2 District Code, subject to the approval of the governing board
3 of the district, or in any building or on any golf course owned
4 by a forest preserve district organized under the Downstate
5 Forest Preserve District Act, subject to the approval of the
6 governing board of the district, or on the grounds within 500
7 feet of any building owned by a forest preserve district
8 organized under the Downstate Forest Preserve District Act
9 during times when food is dispensed for consumption within 500
10 feet of the building from which the food is dispensed, subject
11 to the approval of the governing board of the district, or in a
12 building owned by a Local Mass Transit District organized under
13 the Local Mass Transit District Act, subject to the approval of
14 the governing Board of the District, or in Bicentennial Park,
15 or on the premises of the City of Mendota Lake Park located
16 adjacent to Route 51 in Mendota, Illinois, or on the premises
17 of Camden Park in Milan, Illinois, or in the community center
18 owned by the City of Loves Park that is located at 1000 River
19 Park Drive in Loves Park, Illinois, or, in connection with the
20 operation of an established food serving facility during times
21 when food is dispensed for consumption on the premises, and at
22 the following aquarium and museums located in public parks: Art
23 Institute of Chicago, Chicago Academy of Sciences, Chicago
24 Historical Society, Field Museum of Natural History, Museum of
25 Science and Industry, DuSable Museum of African American
26 History, John G. Shedd Aquarium and Adler Planetarium, or at

1 Lakeview Museum of Arts and Sciences in Peoria, or in
2 connection with the operation of the facilities of the Chicago
3 Zoological Society or the Chicago Horticultural Society on land
4 owned by the Forest Preserve District of Cook County, or on any
5 land used for a golf course or for recreational purposes owned
6 by the Forest Preserve District of Cook County, subject to the
7 control of the Forest Preserve District Board of Commissioners
8 and applicable local law, provided that dram shop liability
9 insurance is provided at maximum coverage limits so as to hold
10 the District harmless from all financial loss, damage, and
11 harm, or in any building located on land owned by the Chicago
12 Park District if approved by the Park District Commissioners,
13 or on any land used for a golf course or for recreational
14 purposes and owned by the Illinois International Port District
15 if approved by the District's governing board, or at any
16 airport, golf course, faculty center, or facility in which
17 conference and convention type activities take place belonging
18 to or under control of any State university or public community
19 college district, provided that with respect to a facility for
20 conference and convention type activities alcoholic liquors
21 shall be limited to the use of the convention or conference
22 participants or participants in cultural, political or
23 educational activities held in such facilities, and provided
24 further that the faculty or staff of the State university or a
25 public community college district, or members of an
26 organization of students, alumni, faculty or staff of the State

1 university or a public community college district are active
2 participants in the conference or convention, or in Memorial
3 Stadium on the campus of the University of Illinois at
4 Urbana-Champaign during games in which the Chicago Bears
5 professional football team is playing in that stadium during
6 the renovation of Soldier Field, not more than one and a half
7 hours before the start of the game and not after the end of the
8 third quarter of the game, or in the Pavilion Facility on the
9 campus of the University of Illinois at Chicago during games in
10 which the Chicago Storm professional soccer team is playing in
11 that facility, not more than one and a half hours before the
12 start of the game and not after the end of the third quarter of
13 the game, or in the Pavilion Facility on the campus of the
14 University of Illinois at Chicago during games in which the
15 WNBA professional women's basketball team is playing in that
16 facility, not more than one and a half hours before the start
17 of the game and not after the 10-minute mark of the second half
18 of the game, or by a catering establishment which has rented
19 facilities from a board of trustees of a public community
20 college district, or in a restaurant that is operated by a
21 commercial tenant in the North Campus Parking Deck building
22 that (1) is located at 1201 West University Avenue, Urbana,
23 Illinois and (2) is owned by the Board of Trustees of the
24 University of Illinois, or, if approved by the District board,
25 on land owned by the Metropolitan Sanitary District of Greater
26 Chicago and leased to others for a term of at least 20 years.

1 Nothing in this Section precludes the sale or delivery of
2 alcoholic liquor in the form of original packaged goods in
3 premises located at 500 S. Racine in Chicago belonging to the
4 University of Illinois and used primarily as a grocery store by
5 a commercial tenant during the term of a lease that predates
6 the University's acquisition of the premises; but the
7 University shall have no power or authority to renew, transfer,
8 or extend the lease with terms allowing the sale of alcoholic
9 liquor; and the sale of alcoholic liquor shall be subject to
10 all local laws and regulations. After the acquisition by
11 Winnebago County of the property located at 404 Elm Street in
12 Rockford, a commercial tenant who sold alcoholic liquor at
13 retail on a portion of the property under a valid license at
14 the time of the acquisition may continue to do so for so long
15 as the tenant and the County may agree under existing or future
16 leases, subject to all local laws and regulations regarding the
17 sale of alcoholic liquor. Alcoholic liquors may be delivered to
18 and sold at Memorial Hall, located at 211 North Main Street,
19 Rockford, under conditions approved by Winnebago County and
20 subject to all local laws and regulations regarding the sale of
21 alcoholic liquor. Each facility shall provide dram shop
22 liability in maximum insurance coverage limits so as to save
23 harmless the State, municipality, State university, airport,
24 golf course, faculty center, facility in which conference and
25 convention type activities take place, park district, Forest
26 Preserve District, public community college district,

1 aquarium, museum, or sanitary district from all financial loss,
2 damage or harm. Alcoholic liquors may be sold at retail in
3 buildings of golf courses owned by municipalities or Illinois
4 State University in connection with the operation of an
5 established food serving facility during times when food is
6 dispensed for consumption upon the premises. Alcoholic liquors
7 may be delivered to and sold at retail in any building owned by
8 a fire protection district organized under the Fire Protection
9 District Act, provided that such delivery and sale is approved
10 by the board of trustees of the district, and provided further
11 that such delivery and sale is limited to fundraising events
12 and to a maximum of 6 events per year. However, the limitation
13 to fundraising events and to a maximum of 6 events per year
14 does not apply to the delivery, sale, or manufacture of
15 alcoholic liquors at the building located at 59 Main Street in
16 Oswego, Illinois, owned by the Oswego Fire Protection District
17 if the alcoholic liquor is sold or dispensed as approved by the
18 Oswego Fire Protection District and the property is no longer
19 being utilized for fire protection purposes.

20 Alcoholic liquors may be served or sold in buildings under
21 the control of the Board of Trustees of the University of
22 Illinois for events that the Board may determine are public
23 events and not related student activities. The Board of
24 Trustees shall issue a written policy within 6 months of the
25 effective date of this amendatory Act of the 95th General
26 Assembly concerning the types of events that would be eligible

1 for an exemption. Thereafter, the Board of Trustees may issue
2 revised, updated, new, or amended policies as it deems
3 necessary and appropriate. In preparing its written policy, the
4 Board of Trustees shall, among other factors it considers
5 relevant and important, give consideration to the following:
6 (i) whether the event is a student activity or student related
7 activity; (ii) whether the physical setting of the event is
8 conducive to control of liquor sales and distribution; (iii)
9 the ability of the event operator to ensure that the sale or
10 serving of alcoholic liquors and the demeanor of the
11 participants are in accordance with State law and University
12 policies; (iv) regarding the anticipated attendees at the
13 event, the relative proportion of individuals under the age of
14 21 to individuals age 21 or older; (v) the ability of the venue
15 operator to prevent the sale or distribution of alcoholic
16 liquors to individuals under the age of 21; (vi) whether the
17 event prohibits participants from removing alcoholic beverages
18 from the venue; and (vii) whether the event prohibits
19 participants from providing their own alcoholic liquors to the
20 venue. In addition, any policy submitted by the Board of
21 Trustees to the Illinois Liquor Control Commission must require
22 that any event at which alcoholic liquors are served or sold in
23 buildings under the control of the Board of Trustees shall
24 require the prior written approval of the Office of the
25 Chancellor for the University campus where the event is
26 located. The Board of Trustees shall submit its policy, and any

1 subsequently revised, updated, new, or amended policies, to the
2 Illinois Liquor Control Commission, and any University event,
3 or location for an event, exempted under such policies shall
4 apply for a license under the applicable Sections of this Act.

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

1 liquors to individuals under the age of 21; (vi) whether the
2 event prohibits participants from removing alcoholic beverages
3 from the venue; and (vii) whether the event prohibits
4 participants from providing their own alcoholic liquors to the
5 venue.

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

1 older; (v) the ability of the venue operator to prevent the
2 sale or distribution of alcoholic liquors to individuals under
3 the age of 21; (vi) whether the event prohibits participants
4 from removing alcoholic beverages from the venue; and (vii)
5 whether the event prohibits participants from providing their
6 own alcoholic liquors to the venue.

7 Alcoholic liquors may be served or sold in buildings under
8 the control of the Board of Trustees of Illinois State
9 University for events that the Board may determine are public
10 events and not student-related activities. The Board of
11 Trustees shall issue a written policy within 6 months after the
12 effective date of this amendatory Act of the 97th General
13 Assembly concerning the types of events that would be eligible
14 for an exemption. Thereafter, the Board of Trustees may issue
15 revised, updated, new, or amended policies as it deems
16 necessary and appropriate. In preparing its written policy, the
17 Board of Trustees shall, in addition to other factors it
18 considers relevant and important, give consideration to the
19 following: (i) whether the event is a student activity or
20 student-related activity; (ii) whether the physical setting of
21 the event is conducive to control of liquor sales and
22 distribution; (iii) the ability of the event operator to ensure
23 that the sale or serving of alcoholic liquors and the demeanor
24 of the participants are in accordance with State law and
25 University policies; (iv) the anticipated attendees at the
26 event and the relative proportion of individuals under the age

1 of 21 to individuals age 21 or older; (v) the ability of the
2 venue operator to prevent the sale or distribution of alcoholic
3 liquors to individuals under the age of 21; (vi) whether the
4 event prohibits participants from removing alcoholic beverages
5 from the venue; and (vii) whether the event prohibits
6 participants from providing their own alcoholic liquors to the
7 venue.

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

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

19 (i) the Adjutant General's written consent to the
20 issuance of a license to sell alcoholic liquor in such
21 building is filed with the Commission;

22 (ii) the alcoholic liquor is sold or dispensed only in
23 connection with organized functions held on special
24 occasions;

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

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

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

7 (i) the written consent of the Public Building
8 Commission which administers the Chicago Civic Center is
9 filed with the Commission;

10 (ii) the alcoholic liquor is sold or dispensed only in
11 connection with organized functions held on special
12 occasions;

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

15 (iv) the facility selling or dispensing the alcoholic
16 liquors has provided dram shop liability insurance in
17 maximum limits so as to hold harmless the Civic Center, the
18 City of Chicago and the State from all financial loss,
19 damage or harm; and

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

21 Alcoholic liquors may be delivered or sold in any building
22 belonging to or under the control of any city, village or
23 incorporated town where more than 75% of the physical
24 properties of the building is used for commercial or
25 recreational purposes, and the building is located upon a pier
26 extending into or over the waters of a navigable lake or stream

1 or on the shore of a navigable lake or stream. In accordance
2 with a license issued under this Act, alcoholic liquor may be
3 sold, served, or delivered in buildings and facilities under
4 the control of the Department of Natural Resources during
5 events or activities lasting no more than 7 continuous days
6 upon the written approval of the Director of Natural Resources
7 acting as the controlling government authority. The Director of
8 Natural Resources may specify conditions on that approval,
9 including but not limited to requirements for insurance and
10 hours of operation. Notwithstanding any other provision of this
11 Act, alcoholic liquor sold by a United States Army Corps of
12 Engineers or Department of Natural Resources concessionaire
13 who was operating on June 1, 1991 for on-premises consumption
14 only is not subject to the provisions of Articles IV and IX.
15 Beer and wine may be sold on the premises of the Joliet Park
16 District Stadium owned by the Joliet Park District when written
17 consent to the issuance of a license to sell beer and wine in
18 such premises is filed with the local liquor commissioner by
19 the Joliet Park District. Beer and wine may be sold in
20 buildings on the grounds of State veterans' homes when written
21 consent to the issuance of a license to sell beer and wine in
22 such buildings is filed with the Commission by the Department
23 of Veterans' Affairs, and the facility shall provide dram shop
24 liability in maximum insurance coverage limits so as to save
25 the facility harmless from all financial loss, damage or harm.
26 Such liquors may be delivered to and sold at any property owned

1 or held under lease by a Metropolitan Pier and Exposition
2 Authority or Metropolitan Exposition and Auditorium Authority.

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

11 Nothing in this Section shall preclude the sale or delivery
12 of beer and wine at a State or county fair or the sale or
13 delivery of beer or wine at a city fair in any otherwise lawful
14 manner.

15 Alcoholic liquors may be sold at retail in buildings in
16 State parks under the control of the Department of Natural
17 Resources, provided:

18 a. the State park has overnight lodging facilities with
19 some restaurant facilities or, not having overnight
20 lodging facilities, has restaurant facilities which serve
21 complete luncheon and dinner or supper meals,

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

25 c. the alcoholic liquors are sold by the State park
26 lodge or restaurant concessionaire only during the hours

1 from 11 o'clock a.m. until 12 o'clock midnight.
2 Notwithstanding any other provision of this Act, alcoholic
3 liquor sold by the State park or restaurant concessionaire
4 is not subject to the provisions of Articles IV and IX.

5 Alcoholic liquors may be sold at retail in buildings on
6 properties under the control of the Historic Sites and
7 Preservation Division of the Historic Preservation Agency or
8 the Abraham Lincoln Presidential Library and Museum provided:

9 a. the property has overnight lodging facilities with
10 some restaurant facilities or, not having overnight
11 lodging facilities, has restaurant facilities which serve
12 complete luncheon and dinner or supper meals,

13 b. consent to the issuance of a license to sell
14 alcoholic liquors in the buildings has been filed with the
15 commission by the Historic Sites and Preservation Division
16 of the Historic Preservation Agency or the Abraham Lincoln
17 Presidential Library and Museum, and

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

21 The sale of alcoholic liquors pursuant to this Section does
22 not authorize the establishment and operation of facilities
23 commonly called taverns, saloons, bars, cocktail lounges, and
24 the like except as a part of lodge and restaurant facilities in
25 State parks or golf courses owned by Forest Preserve Districts
26 with a population of less than 3,000,000 or municipalities or

1 park districts.

2 Alcoholic liquors may be sold at retail in the Springfield
3 Administration Building of the Department of Transportation
4 and the Illinois State Armory in Springfield; provided, that
5 the controlling government authority may consent to such sales
6 only if

7 a. the request is from a not-for-profit organization;

8 b. such sales would not impede normal operations of the
9 departments involved;

10 c. the not-for-profit organization provides dram shop
11 liability in maximum insurance coverage limits and agrees
12 to defend, save harmless and indemnify the State of
13 Illinois from all financial loss, damage or harm;

14 d. no such sale shall be made during normal working
15 hours of the State of Illinois; and

16 e. the consent is in writing.

17 Alcoholic liquors may be sold at retail in buildings in
18 recreational areas of river conservancy districts under the
19 control of, or leased from, the river conservancy districts.
20 Such sales are subject to reasonable local regulations as
21 provided in Article IV; however, no such regulations may
22 prohibit or substantially impair the sale of alcoholic liquors
23 on Sundays or Holidays.

24 Alcoholic liquors may be provided in long term care
25 facilities owned or operated by a county under Division 5-21 or
26 5-22 of the Counties Code, when approved by the facility

1 operator and not in conflict with the regulations of the
2 Illinois Department of Public Health, to residents of the
3 facility who have had their consumption of the alcoholic
4 liquors provided approved in writing by a physician licensed to
5 practice medicine in all its branches.

6 Alcoholic liquors may be delivered to and dispensed in
7 State housing assigned to employees of the Department of
8 Corrections. No person shall furnish or allow to be furnished
9 any alcoholic liquors to any prisoner confined in any jail,
10 reformatory, prison or house of correction except upon a
11 physician's prescription for medicinal purposes.

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

20 a. Obtains written consent from the controlling
21 government authority;

22 b. Sells or dispenses the alcoholic liquors in a manner
23 that does not impair normal operations of State offices
24 located in the building;

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

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

7 Nothing in this Act shall prevent a not-for-profit
8 organization or agency of the State from employing the services
9 of a catering establishment for the selling or dispensing of
10 alcoholic liquors at authorized functions.

11 The controlling government authority for the Willard Ice
12 Building in Springfield shall be the Director of the Department
13 of Revenue. The controlling government authority for Illinois
14 State Museum facilities shall be the Director of the Illinois
15 State Museum. The controlling government authority for the
16 State Library in Springfield shall be the Secretary of State.

17 Alcoholic liquors may be delivered to and sold at retail or
18 dispensed at any facility, property or building under the
19 jurisdiction of the Historic Sites and Preservation Division of
20 the Historic Preservation Agency or the Abraham Lincoln
21 Presidential Library and Museum where the delivery, sale or
22 dispensing is by (1) an agency of the State, whether
23 legislative, judicial or executive, provided that such agency
24 first obtains written permission to sell or dispense alcoholic
25 liquors from a controlling government authority, or by (2) an
26 individual or organization provided that such individual or

1 organization:

2 a. Obtains written consent from the controlling
3 government authority;

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

7 c. Sells or dispenses alcoholic liquors only in
8 connection with an official activity of the individual or
9 organization in the facility, property or building;

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

16 The controlling government authority for the Historic
17 Sites and Preservation Division of the Historic Preservation
18 Agency shall be the Director of the Historic Sites and
19 Preservation, and the controlling government authority for the
20 Abraham Lincoln Presidential Library and Museum shall be the
21 Director of the Abraham Lincoln Presidential Library and
22 Museum.

23 Alcoholic liquors may be delivered to and sold at retail or
24 dispensed for consumption at the Michael Bilandic Building at
25 160 North LaSalle Street, Chicago IL 60601, after the normal
26 business hours of any day care or child care facility located

1 in the building, by (1) a commercial tenant or subtenant
2 conducting business on the premises under a lease made pursuant
3 to Section 405-315 of the Department of Central Management
4 Services Law (20 ILCS 405/405-315), provided that such tenant
5 or subtenant who accepts delivery of, sells, or dispenses
6 alcoholic liquors shall procure and maintain dram shop
7 liability insurance in maximum coverage limits and in which the
8 carrier agrees to defend, indemnify, and save harmless the
9 State of Illinois from all financial loss, damage, or harm
10 arising out of the delivery, sale, or dispensing of alcoholic
11 liquors, or by (2) an agency of the State, whether legislative,
12 judicial, or executive, provided that such agency first obtains
13 written permission to accept delivery of and sell or dispense
14 alcoholic liquors from the Director of Central Management
15 Services, or by (3) a not-for-profit organization, provided
16 that such organization:

17 a. obtains written consent from the Department of
18 Central Management Services;

19 b. accepts delivery of and sells or dispenses the
20 alcoholic liquors in a manner that does not impair normal
21 operations of State offices located in the building;

22 c. accepts delivery of and sells or dispenses alcoholic
23 liquors only in connection with an official activity in the
24 building; and

25 d. provides, or its catering service provides, dram
26 shop liability insurance in maximum coverage limits and in

1 which the carrier agrees to defend, save harmless, and
2 indemnify the State of Illinois from all financial loss,
3 damage, or harm arising out of the selling or dispensing of
4 alcoholic liquors.

5 Nothing in this Act shall prevent a not-for-profit
6 organization or agency of the State from employing the services
7 of a catering establishment for the selling or dispensing of
8 alcoholic liquors at functions authorized by the Director of
9 Central Management Services.

10 Alcoholic liquors may be sold at retail or dispensed at the
11 James R. Thompson Center in Chicago, subject to the provisions
12 of Section 7.4 of the State Property Control Act, and 222 South
13 College Street in Springfield, Illinois by (1) a commercial
14 tenant or subtenant conducting business on the premises under a
15 lease or sublease made pursuant to Section 405-315 of the
16 Department of Central Management Services Law (20 ILCS
17 405/405-315), provided that such tenant or subtenant who sells
18 or dispenses alcoholic liquors shall procure and maintain dram
19 shop liability insurance in maximum coverage limits and in
20 which the carrier agrees to defend, indemnify and save harmless
21 the State of Illinois from all financial loss, damage or harm
22 arising out of the sale or dispensing of alcoholic liquors, or
23 by (2) an agency of the State, whether legislative, judicial or
24 executive, provided that such agency first obtains written
25 permission to sell or dispense alcoholic liquors from the
26 Director of Central Management Services, or by (3) a

1 not-for-profit organization, provided that such organization:

2 a. Obtains written consent from the Department of
3 Central Management Services;

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

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

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

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

20 Alcoholic liquors may be sold or delivered at any facility
21 owned by the Illinois Sports Facilities Authority provided that
22 dram shop liability insurance has been made available in a
23 form, with such coverage and in such amounts as the Authority
24 reasonably determines is necessary.

25 Alcoholic liquors may be sold at retail or dispensed at the
26 Rockford State Office Building by (1) an agency of the State,

1 whether legislative, judicial or executive, provided that such
2 agency first obtains written permission to sell or dispense
3 alcoholic liquors from the Department of Central Management
4 Services, or by (2) a not-for-profit organization, provided
5 that such organization:

6 a. Obtains written consent from the Department of
7 Central Management Services;

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

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

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

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

24 Alcoholic liquors may be sold or delivered in a building
25 that is owned by McLean County, situated on land owned by the
26 county in the City of Bloomington, and used by the McLean

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

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

18 Alcoholic liquors may be sold or delivered in buildings
19 owned by the Community Building Complex Committee of Boone
20 County, Illinois if the person or facility selling or
21 dispensing the alcoholic liquor has provided dram shop
22 liability insurance with coverage and in amounts that the
23 Committee reasonably determines are necessary.

24 Alcoholic liquors may be sold or delivered in the building
25 located at 1200 Centerville Avenue in Belleville, Illinois and
26 occupied by either the Belleville Area Special Education

1 District or the Belleville Area Special Services Cooperative.

2 Alcoholic liquors may be delivered to and sold at the Louis
3 Joliet Renaissance Center, City Center Campus, located at 214
4 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts
5 Department facilities, Main Campus, located at 1215 Houbolt
6 Road, Joliet, owned by or under the control of Joliet Junior
7 College, Illinois Community College District No. 525.

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

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

12 Alcoholic liquors may be delivered to and sold at the
13 building located at 446 East Hickory Avenue in Apple River,
14 Illinois, owned by the Apple River Fire Protection District,
15 and occupied by the Apple River Community Association if the
16 alcoholic liquor is sold or dispensed only in connection with
17 organized functions approved by the Apple River Community
18 Association for which the planned attendance is 20 or more
19 persons and if the person or facility selling or dispensing the
20 alcoholic liquor has provided dram shop liability insurance in
21 maximum limits so as to hold harmless the Apple River Fire
22 Protection District, the Village of Apple River, and the Apple
23 River Community Association from all financial loss, damage,
24 and harm.

25 Alcoholic liquors may be delivered to and sold at the Sikia
26 Restaurant, Kennedy King College Campus, located at 740 West

1 63rd Street, Chicago, and at the Food Services in the Great
2 Hall/Washburne Culinary Institute Department facility, Kennedy
3 King College Campus, located at 740 West 63rd Street, Chicago,
4 owned by or under the control of City Colleges of Chicago,
5 Illinois Community College District No. 508.

6 (Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51,
7 eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11;
8 97-395, eff. 8-16-11; 97-813, eff. 7-13-12; 97-1166, eff.
9 3-1-13; 98-132, eff. 8-2-13; 98-201, eff. 8-9-13; revised
10 9-24-13.)

11 (320 ILCS 65/20 rep.)

12 Section 110. The Family Caregiver Act is amended by
13 repealing Section 20.

14 (410 ILCS 3/10 rep.)

15 Section 115. The Atherosclerosis Prevention Act is amended
16 by repealing Section 10.

17 (410 ILCS 425/Act rep.)

18 Section 120. The High Blood Pressure Control Act is
19 repealed.

20 Section 125. The Environmental Protection Act is amended by
21 changing Section 22.8 as follows:

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

2 Sec. 22.8. Environmental Protection Permit and Inspection
3 Fund.

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

20 The General Assembly may appropriate monies in the Fund
21 deemed necessary for Board regulatory and adjudicatory
22 proceedings.

23 (a-5) As soon as practicable after the effective date of
24 this amendatory Act of the 98th General Assembly, but no later
25 than January 1, 2014, the State Comptroller shall direct and
26 the State Treasurer shall transfer all monies in the Industrial

1 Hygiene Regulatory and Enforcement Fund to the Environmental
2 Protection Permit and Inspection Fund to be used in accordance
3 with the terms of the Environmental Protection Permit and
4 Inspection Fund.

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

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

19 (1) \$35,000 (\$70,000 beginning in 2004) for a hazardous
20 waste disposal site receiving hazardous waste if the
21 hazardous waste disposal site is located off the site where
22 such waste was produced;

23 (2) \$9,000 (\$18,000 beginning in 2004) for a hazardous
24 waste disposal site receiving hazardous waste if the
25 hazardous waste disposal site is located on the site where
26 such waste was produced;

1 (3) \$7,000 (\$14,000 beginning in 2004) for a hazardous
2 waste disposal site receiving hazardous waste if the
3 hazardous waste disposal site is an underground injection
4 well;

5 (4) \$2,000 (\$4,000 beginning in 2004) for a hazardous
6 waste management facility treating hazardous waste by
7 incineration;

8 (5) \$1,000 (\$2,000 beginning in 2004) for a hazardous
9 waste management facility treating hazardous waste by a
10 method, technique or process other than incineration;

11 (6) \$1,000 (\$2,000 beginning in 2004) for a hazardous
12 waste management facility storing hazardous waste in a
13 surface impoundment or pile;

14 (7) \$250 (\$500 beginning in 2004) for a hazardous waste
15 management facility storing hazardous waste other than in a
16 surface impoundment or pile; and

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

20 (c) Where two or more operational units are located within
21 a single hazardous waste disposal site, the Agency shall
22 collect from the owner or operator of such site an annual fee
23 equal to the highest fee imposed by subsection (b) of this
24 Section upon any single operational unit within the site.

25 (d) The fee imposed upon a hazardous waste disposal site
26 under this Section shall be the exclusive permit and inspection

1 fee applicable to hazardous waste disposal at such site,
2 provided that nothing in this Section shall be construed to
3 diminish or otherwise affect any fee imposed upon the owner or
4 operator of a hazardous waste disposal site by Section 22.2.

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

15 (f) For purposes of this Section, a hazardous waste
16 disposal site consists of one or more of the following
17 operational units:

18 (1) a landfill receiving hazardous waste for disposal;

19 (2) a waste pile or surface impoundment, receiving
20 hazardous waste, in which residues which exhibit any of the
21 characteristics of hazardous waste pursuant to Board
22 regulations are reasonably expected to remain after
23 closure;

24 (3) a land treatment facility receiving hazardous
25 waste; or

26 (4) a well injecting hazardous waste.

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

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

7 Section 130. The Illinois Pesticide Act is amended by
8 changing Sections 19.3 and 22.2 as follows:

9 (415 ILCS 60/19.3)

10 Sec. 19.3. Agrichemical Facility Response Action Program.

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

22 The program shall provide guidance for assessing the threat
23 of soil agrichemical contaminants to groundwater and
24 recommending which sites need to establish a voluntary

1 corrective action program.

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

14 No remediation of a site may be recommended unless (i) the
15 agrichemical contamination level in the soil exceeds the
16 site-specific cleanup objectives or (ii) the agrichemical
17 contaminant level in the soil exceeds levels where physical
18 evidence and risk evaluation indicates probability of the site
19 causing an exceedence of a groundwater quality standard.

20 When a remediation plan must be carried out over a number
21 of years due to limited financial resources of the owner or
22 operator of the agrichemical facility, those soil agrichemical
23 contaminated areas that have the greatest potential to
24 adversely impact vulnerable Class I groundwater aquifers and
25 adjacent potable water wells shall receive the highest priority
26 rating and be remediated first.

1 (b) (Blank). ~~The Agrichemical Facility Response Action~~
2 ~~Program Board ("the Board") is created. The Board members shall~~
3 ~~consist of the following:~~

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

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

6 ~~(3) Two members who represent retail agrichemical~~
7 ~~dealers.~~

8 ~~(4) One member who represents agrichemical~~
9 ~~distributors.~~

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

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

12 ~~The public members of the Board shall be appointed by the~~
13 ~~Governor for terms of 2 years. Those persons on the Board who~~
14 ~~represent pesticide manufacturers, agrichemical dealers,~~
15 ~~agrichemical distributors, and farmers shall be selected from~~
16 ~~recommendations made by the associations whose membership~~
17 ~~reflects those specific areas of interest. The members of the~~
18 ~~Board shall be appointed within 90 days after the effective~~
19 ~~date of this amendatory Act of 1995. Vacancies on the Board~~
20 ~~shall be filled within 30 days. The Board may fill any~~
21 ~~membership position vacant for a period exceeding 30 days.~~

22 ~~The members of the Board shall be paid no compensation, but~~
23 ~~shall be reimbursed for their expenses incurred in performing~~
24 ~~their duties. If a civil proceeding is commenced against a~~
25 ~~Board member arising out of an act or omission occurring within~~
26 ~~the scope of the Board member's performance of his or her~~

1 ~~duties under this Section, the State, as provided by rule,~~
2 ~~shall indemnify the Board member for any damages awarded and~~
3 ~~court costs and attorney's fees assessed as part of a final and~~
4 ~~unreversed judgment, or shall pay the judgment, unless the~~
5 ~~court or jury finds that the conduct or inaction that gave rise~~
6 ~~to the claim or cause of action was intentional, wilful or~~
7 ~~wanton misconduct and was not intended to serve or benefit~~
8 ~~interests of the State.~~

9 ~~The chairperson of the Board shall be selected by the Board~~
10 ~~from among the public members.~~

11 (c) (Blank). ~~The Board has the authority to do the~~
12 ~~following:~~

13 ~~(1) Cooperate with the Department and review and~~
14 ~~approve an agrichemical facility remediation program as~~
15 ~~outlined in the handbook or manual as set forth in~~
16 ~~subdivision (d)(8) of this Section.~~

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

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

21 ~~(4) Upon completion of the corrective action plan,~~
22 ~~recommend to the Department that the site specific cleanup~~
23 ~~objectives have been met and that a notice of closure be~~
24 ~~issued by the Department stating that no further remedial~~
25 ~~action is required to remedy the past agrichemical~~
26 ~~contamination.~~

1 ~~(5) When a soil agrichemical contaminant assessment~~
2 ~~confirms that remedial action is not required in accordance~~
3 ~~with the Agrichemical Facility Response Action Program,~~
4 ~~recommend that a notice of closure be issued by the~~
5 ~~Department stating that no further remedial action is~~
6 ~~required to remedy the past agrichemical contamination.~~

7 ~~(6) Periodically review the Department's~~
8 ~~administration of the Agrichemical Incident Response Trust~~
9 ~~Fund and actions taken with respect to the Fund. The Board~~
10 ~~shall also provide advice to the Interagency Committee on~~
11 ~~Pesticides regarding the proper handling of agrichemical~~
12 ~~incidents at agrichemical facilities in Illinois.~~

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

14 (1) When requested by the owner or operator of an
15 agrichemical facility, may investigate the agrichemical
16 facility site contamination.

17 (2) After completion of the investigation under item
18 ~~subdivision (d)(1) of this subsection Section~~, recommend
19 to the owner or operator of an agrichemical facility that a
20 voluntary assessment be made of the soil agrichemical
21 contaminant when there is evidence that the evaluation of
22 risk indicates that groundwater could be adversely
23 impacted.

24 (3) Review and make recommendations on any corrective
25 action plan submitted by the owner or operator of an
26 agrichemical facility ~~to the Board for final approval.~~

1 (4) On approval by the Director Board, issue an order
2 to the owner or operator of an agrichemical facility that
3 has filed a voluntary corrective action plan that the owner
4 or operator may proceed with that plan.

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

8 (6) Provide staff to support program ~~the~~ activities ~~of~~
9 ~~the Board.~~

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

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

20 (9) Coordinate preventive response actions at
21 agrichemical facilities pursuant to the Groundwater
22 Quality Standards adopted pursuant to Section 8 of the
23 Illinois Groundwater Protection Act to mitigate resource
24 groundwater impairment.

25 Upon completion of the corrective action plan ~~and upon~~
26 ~~recommendation of the Board,~~ the Department shall issue a

1 notice of closure stating that site-specific cleanup
2 objectives have been met and no further remedial action is
3 required to remedy the past agrichemical contamination.

4 When a soil agrichemical contaminant assessment confirms
5 that remedial action is not required in accordance with the
6 Agrichemical Facility Response Action Program ~~and upon the~~
7 ~~recommendation of the Board,~~ a notice of closure shall be
8 issued by the Department stating that no further remedial
9 action is required to remedy the past agrichemical
10 contamination.

11 (e) Upon receipt of notification of an agrichemical
12 contaminant in groundwater pursuant to the Groundwater Quality
13 Standards, the Department shall evaluate the severity of the
14 agrichemical contamination and shall submit to the
15 Environmental Protection Agency an informational notice
16 characterizing it as follows:

17 (1) An agrichemical contaminant in Class I or Class III
18 groundwater has exceeded the levels of a standard adopted
19 pursuant to the Illinois Groundwater Protection Act or a
20 health advisory established by the Illinois Environmental
21 Protection Agency or the United States Environmental
22 Protection Agency; or

23 (2) An agrichemical has been detected at a level that
24 requires preventive notification pursuant to a standard
25 adopted pursuant to the Illinois Groundwater Protection
26 Act.

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

10 (1) Upon receipt of notice of intent to include
11 groundwater in an action by a facility, the Department
12 shall also notify the Illinois Environmental Protection
13 Agency.

14 (2) Upon receipt of the corrective action plan, the
15 Department shall coordinate a joint review of the plan with
16 the Illinois Environmental Protection Agency.

17 (3) The Illinois Environmental Protection Agency may
18 provide a written endorsement of the corrective action
19 plan.

20 (4) The Illinois Environmental Protection Agency may
21 approve a groundwater management zone for a period of 5
22 years after the implementation of the corrective action
23 plan to allow for groundwater impairment mitigation
24 results.

25 (5) (Blank). ~~The Department, in cooperation with the~~
26 ~~Illinois Environmental Protection Agency, shall recommend~~

1 ~~a proposed corrective action plan to the Board for final~~
2 ~~approval to proceed with remediation. The recommendation~~
3 ~~shall be based on the joint review conducted under~~
4 ~~subdivision (f)(2) of this Section and the status of any~~
5 ~~endorsement issued under subdivision (f)(3) of this~~
6 ~~Section.~~

7 (6) The Department, in cooperation with the Illinois
8 Environmental Protection Agency, shall provide remedial
9 project oversight, monitor remedial work progress, ~~and~~
10 ~~report to the Board on the status of the remediation~~
11 ~~project.~~

12 (7) The Department shall, upon completion of the
13 corrective action plan ~~and recommendation of the Board,~~
14 issue a notice of closure stating that no further remedial
15 action is required to remedy the past agrichemical
16 contamination.

17 (g) When an owner or operator of an agrichemical facility
18 initiates a soil contamination assessment on the owner's or
19 operator's own volition and independent of any requirement
20 under this Section 19.3, information contained in that
21 assessment may be held as confidential information by the owner
22 or operator of the facility.

23 (h) Except as otherwise provided by Department rule, on and
24 after the effective date of this amendatory Act of the 98th
25 General Assembly, any Agrichemical Facility Response Action
26 Program requirement that may be satisfied by an industrial

1 hygienist licensed pursuant to the Industrial Hygienists
2 Licensure Act repealed in this amendatory Act may be satisfied
3 by a Certified Industrial Hygienist certified by the American
4 Board of Industrial Hygiene.

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

6 (415 ILCS 60/22.2) (from Ch. 5, par. 822.2)

7 Sec. 22.2. (a) There is hereby created a trust fund in the
8 State Treasury to be known as the Agrichemical Incident
9 Response Trust Fund. Any funds received by the Director of
10 Agriculture from the mandates of Section 13.1 shall be
11 deposited with the Treasurer as ex-officio custodian and held
12 separate and apart from any public money of this State, with
13 accruing interest on the trust funds deposited into the trust
14 fund. Disbursement from the fund for purposes as set forth in
15 this Section shall be by voucher ordered by the Director and
16 paid by a warrant drawn by the State Comptroller and
17 countersigned by the State Treasurer. The Director shall order
18 disbursements from the Agrichemical Incident Response Trust
19 Fund only for payment of the expenses authorized by this Act.
20 Monies in this trust fund shall not be subject to appropriation
21 by the General Assembly but shall be subject to audit by the
22 Auditor General. Should the program be terminated, all
23 unobligated funds in the trust fund shall be transferred to a
24 trust fund to be used for purposes as originally intended or be
25 transferred to the Pesticide Control Fund. Interest earned on

1 the Fund shall be deposited in the Fund. Monies in the Fund may
2 be used by the Department of Agriculture for the following
3 purposes:

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

7 (2) for the Department to take emergency action in
8 response to a release of agricultural pesticides from an
9 agrichemical facility that has created an imminent threat
10 to public health or the environment;

11 (3) for the costs of administering its activities
12 relative to the Fund as delineated in subsections (b) and
13 (c) of this Section; and

14 (4) for the Department to:

15 (A) (blank); and ~~reimburse members of the~~
16 ~~Agrichemical Facility Response Action Program Board~~
17 ~~for their expenses incurred in performing their duties~~
18 ~~as defined under Section 19.3 of this Act; and~~

19 (B) administer ~~provide staff to support the~~
20 ~~activities of~~ the Agrichemical Facility Response
21 Action Program ~~Board~~.

22 The total annual expenditures from the Fund for these
23 purposes under this paragraph (4) shall not be more than
24 \$120,000, and no expenditure from the Fund for these
25 purposes shall be made when the Fund balance becomes less
26 than \$750,000.

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

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

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

9 (e) (Blank). ~~On a quarterly basis, the Department shall~~
10 ~~advise and consult with the Agrichemical Facility Response~~
11 ~~Action Program Board as to the Department's administration of~~
12 ~~the Fund.~~

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

14 Section 135. The Hazardous Material Emergency Response
15 Reimbursement Act is amended by changing Sections 3, 4, and 5
16 as follows:

17 (430 ILCS 55/3) (from Ch. 127 1/2, par. 1003)

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

19 (a) "Emergency action" means any action taken at or near
20 the scene of a hazardous materials emergency incident to
21 prevent or minimize harm to human health, to property, or to
22 the environments from the unintentional release of a hazardous
23 material.

24 (b) "Emergency response agency" means a unit of local

1 government, volunteer fire protection organization, or the
2 American Red Cross that provides:

- 3 (1) firefighting services;
- 4 (2) emergency rescue services;
- 5 (3) emergency medical services;
- 6 (4) hazardous materials response teams;
- 7 (5) civil defense;
- 8 (6) technical rescue teams; or
- 9 (7) mass care or assistance to displaced persons.

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

11 (1) owns or has custody of hazardous material that is
12 involved in an incident requiring emergency action by an
13 emergency response agency; or

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

18 (3) who causes or substantially contributed to the
19 cause of the incident.

20 (d) "Person" means an individual, a corporation, a
21 partnership, an unincorporated association, or any unit of
22 federal, State or local government.

23 (e) "Annual budget" means the cost to operate an emergency
24 response agency excluding personnel costs, which include
25 salary, benefits and training expenses; and costs to acquire
26 capital equipment including buildings, vehicles and other such

1 major capital cost items.

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

6 (g) "Fund" means the Fire Prevention Fund ~~"Panel" means~~
7 ~~administrative panel.~~

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

9 (430 ILCS 55/4) (from Ch. 127 1/2, par. 1004)

10 Sec. 4. Establishment. The Emergency Response
11 Reimbursement Fund in the State Treasury, hereinafter called
12 the Fund, is hereby created. Appropriations shall be made from
13 the general revenue fund to the Fund. Monies in the Fund shall
14 be used as provided in this Act.

15 The Emergency Response Reimbursement Fund is dissolved as
16 of the effective date of this amendatory Act of the 98th
17 General Assembly. Any moneys remaining in the fund shall be
18 transferred to the Fire Prevention Fund.

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

20 (430 ILCS 55/5) (from Ch. 127 1/2, par. 1005)

21 Sec. 5. Reimbursement to agencies.

22 (a) It shall be the duty of the responsible party to
23 reimburse, within 60 days after the receipt of a bill for the
24 hazardous material emergency incident, the emergency response

1 agencies responding to a hazardous material emergency
2 incident, and any private contractor responding to the incident
3 at the request of an emergency response agency, for the costs
4 incurred in the course of providing emergency action.

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

12 (1) Cost recovery from the Fund is limited to
13 replacement of expended materials including, but not
14 limited to, specialized firefighting foam, damaged hose or
15 other reasonable and necessary supplies.

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

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

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

20 (5) The response was made to an incident involving
21 hazardous materials facilities such as rolling stock which
22 are not in a terminal and which are not included on the
23 property tax roles for the jurisdiction where the incident
24 occurred.

25 (c) Application for reimbursement from the Fund shall be
26 made to the State Fire Marshal or his designee. The State Fire

1 Marshal shall, through rulemaking, promulgate a standard form
2 for such application. The State Fire Marshal shall adopt rules
3 for the administration of this Act.

4 (d) Claims against the Fund shall be reviewed by the
5 Illinois Fire Advisory Commission at its normally scheduled
6 meetings, as the claims are received. The Commission shall be
7 responsible for:

8 (1) reviewing claims made against the Fund and
9 determining reasonable and necessary expenses to be
10 reimbursed for an emergency response agency:

11 (2) affirming that the emergency response agency has
12 made a reasonable effort to recover expended costs from
13 involved parties; and

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

16 (e) The State Fire Marshal shall either accept or reject
17 the Commission's recommendations as to a claim's eligibility.
18 The eligibility decision of the State Fire Marshal shall be a
19 final administrative decision, and may be reviewed as provided
20 under the Administrative Review Law.

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

22 (430 ILCS 55/7 rep.)

23 Section 140. The Hazardous Material Emergency Response
24 Reimbursement Act is amended by repealing Section 7.

1 (510 ILCS 15/1 rep.)

2 Section 145. The Animal Gastroenteritis Act is amended by
3 repealing Section 1.

4 Section 150. The Illinois Pseudorabies Control Act is
5 amended by changing Section 5.1 as follows:

6 (510 ILCS 90/5.1) (from Ch. 8, par. 805.1)

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

20 The Director shall appoint a Technical Committee from the
21 membership of the Pseudorabies Advisory Committee, which shall
22 be comprised of a veterinarian, a swine extension specialist,
23 and a pork producer. This committee shall serve as resource
24 persons for the technical aspects of the herd plans and may

1 advise the Department on procedures to be followed, timetables
2 for accomplishing the elimination of infection, assist in
3 obtaining cooperation from swine herd owners, and recommend
4 adjustments in the approved herd plan as necessary.

5 These Committee members shall be entitled to reimbursement
6 of all necessary and actual expenses incurred in the
7 performance of their duties.

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

9 (525 ILCS 25/10 rep.)

10 Section 155. The Illinois Lake Management Program Act is
11 amended by repealing Section 10.

12 (815 ILCS 325/6 rep.)

13 Section 160. The Recyclable Metal Purchase Registration
14 Law is amended by repealing Section 6.

15 Section 995. Illinois Compiled Statutes reassignment.

16 The Legislative Reference Bureau shall reassign the
17 following Act to the specified location in the Illinois
18 Compiled Statutes and file appropriate documents with the Index
19 Division of the Office of the Secretary of State in accordance
20 with subsection (c) of Section 5.04 of the Legislative
21 Reference Bureau Act:

22 Illinois Commission on Volunteerism and Community
23 Service Act, reassigned from 20 ILCS 710/ to 20 ILCS 2330/.

1 Section 999. Effective date. This Act takes effect upon
2 becoming law, except that Section 60 takes effect January 1,
3 2015.