



Sen. John J. Cullerton

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LRB099 04556 AWJ 37178 a

1 AMENDMENT TO HOUSE BILL 745

2 AMENDMENT NO. _____. Amend House Bill 745 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Metropolitan Pier and Exposition Authority
5 Act is amended by changing Sections 13 and 13.2 as follows:

6 (70 ILCS 210/13) (from Ch. 85, par. 1233)

7 Sec. 13. (a) The Authority shall not have power to levy
8 taxes for any purpose, except as provided in subsections (b),
9 (c), (d), (e), and (f).

10 (b) By ordinance the Authority shall, as soon as
11 practicable after the effective date of this amendatory Act of
12 1991, impose a Metropolitan Pier and Exposition Authority
13 Retailers' Occupation Tax upon all persons engaged in the
14 business of selling tangible personal property at retail within
15 the territory described in this subsection at the rate of 1.0%
16 of the gross receipts (i) from the sale of food, alcoholic

1 beverages, and soft drinks sold for consumption on the premises
2 where sold and (ii) from the sale of food, alcoholic beverages,
3 and soft drinks sold for consumption off the premises where
4 sold by a retailer whose principal source of gross receipts is
5 from the sale of food, alcoholic beverages, and soft drinks
6 prepared for immediate consumption.

7 The tax imposed under this subsection and all civil
8 penalties that may be assessed as an incident to that tax shall
9 be collected and enforced by the Illinois Department of
10 Revenue. The Department shall have full power to administer and
11 enforce this subsection, to collect all taxes and penalties so
12 collected in the manner provided in this subsection, and to
13 determine all rights to credit memoranda arising on account of
14 the erroneous payment of tax or penalty under this subsection.
15 In the administration of and compliance with this subsection,
16 the Department and persons who are subject to this subsection
17 shall have the same rights, remedies, privileges, immunities,
18 powers, and duties, shall be subject to the same conditions,
19 restrictions, limitations, penalties, exclusions, exemptions,
20 and definitions of terms, and shall employ the same modes of
21 procedure applicable to this Retailers' Occupation Tax as are
22 prescribed in Sections 1, 2 through 2-65 (in respect to all
23 provisions of those Sections other than the State rate of
24 taxes), 2c, 2h, 2i, 3 (except as to the disposition of taxes
25 and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i,
26 5j, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12, 13, and, until January

1 1, 1994, 13.5 of the Retailers' Occupation Tax Act, and, on and
2 after January 1, 1994, all applicable provisions of the Uniform
3 Penalty and Interest Act that are not inconsistent with this
4 Act, as fully as if provisions contained in those Sections of
5 the Retailers' Occupation Tax Act were set forth in this
6 subsection.

7 Persons subject to any tax imposed under the authority
8 granted in this subsection may reimburse themselves for their
9 seller's tax liability under this subsection by separately
10 stating that tax as an additional charge, which charge may be
11 stated in combination, in a single amount, with State taxes
12 that sellers are required to collect under the Use Tax Act,
13 pursuant to bracket schedules as the Department may prescribe.
14 The retailer filing the return shall, at the time of filing the
15 return, pay to the Department the amount of tax imposed under
16 this subsection, less a discount of 1.75%, which is allowed to
17 reimburse the retailer for the expenses incurred in keeping
18 records, preparing and filing returns, remitting the tax, and
19 supplying data to the Department on request.

20 Whenever the Department determines that a refund should be
21 made under this subsection to a claimant instead of issuing a
22 credit memorandum, the Department shall notify the State
23 Comptroller, who shall cause a warrant to be drawn for the
24 amount specified and to the person named in the notification
25 from the Department. The refund shall be paid by the State
26 Treasurer out of the Metropolitan Pier and Exposition Authority

1 trust fund held by the State Treasurer as trustee for the
2 Authority.

3 Nothing in this subsection authorizes the Authority to
4 impose a tax upon the privilege of engaging in any business
5 that under the Constitution of the United States may not be
6 made the subject of taxation by this State.

7 The Department shall forthwith pay over to the State
8 Treasurer, *ex officio*, as trustee for the Authority, all taxes
9 and penalties collected under this subsection for deposit into
10 a trust fund held outside of the State Treasury.

11 As soon as possible after the first day of each month,
12 beginning January 1, 2011, upon certification of the Department
13 of Revenue, the Comptroller shall order transferred, and the
14 Treasurer shall transfer, to the STAR Bonds Revenue Fund the
15 local sales tax increment, as defined in the Innovation
16 Development and Economy Act, collected under this subsection
17 during the second preceding calendar month for sales within a
18 STAR bond district.

19 After the monthly transfer to the STAR Bonds Revenue Fund,
20 on or before the 25th day of each calendar month, the
21 Department shall prepare and certify to the Comptroller the
22 amounts to be paid under subsection (g) of this Section, which
23 shall be the amounts, not including credit memoranda, collected
24 under this subsection during the second preceding calendar
25 month by the Department, less any amounts determined by the
26 Department to be necessary for the payment of refunds, less 2%

1 of such balance, which sum shall be deposited by the State
2 Treasurer into the Tax Compliance and Administration Fund in
3 the State Treasury from which it shall be appropriated to the
4 Department to cover the costs of the Department in
5 administering and enforcing the provisions of this subsection,
6 and less any amounts that are transferred to the STAR Bonds
7 Revenue Fund. Within 10 days after receipt by the Comptroller
8 of the certification, the Comptroller shall cause the orders to
9 be drawn for the remaining amounts, and the Treasurer shall
10 administer those amounts as required in subsection (g).

11 A certificate of registration issued by the Illinois
12 Department of Revenue to a retailer under the Retailers'
13 Occupation Tax Act shall permit the registrant to engage in a
14 business that is taxed under the tax imposed under this
15 subsection, and no additional registration shall be required
16 under the ordinance imposing the tax or under this subsection.

17 A certified copy of any ordinance imposing or discontinuing
18 any tax under this subsection or effecting a change in the rate
19 of that tax shall be filed with the Department, whereupon the
20 Department shall proceed to administer and enforce this
21 subsection on behalf of the Authority as of the first day of
22 the third calendar month following the date of filing.

23 The tax authorized to be levied under this subsection may
24 be levied within all or any part of the following described
25 portions of the metropolitan area:

26 (1) that portion of the City of Chicago located within

1 the following area: Beginning at the point of intersection
2 of the Cook County - DuPage County line and York Road, then
3 North along York Road to its intersection with Touhy
4 Avenue, then east along Touhy Avenue to its intersection
5 with the Northwest Tollway, then southeast along the
6 Northwest Tollway to its intersection with Lee Street, then
7 south along Lee Street to Higgins Road, then south and east
8 along Higgins Road to its intersection with Mannheim Road,
9 then south along Mannheim Road to its intersection with
10 Irving Park Road, then west along Irving Park Road to its
11 intersection with the Cook County - DuPage County line,
12 then north and west along the county line to the point of
13 beginning; and

14 (2) that portion of the City of Chicago located within
15 the following area: Beginning at the intersection of West
16 55th Street with Central Avenue, then east along West 55th
17 Street to its intersection with South Cicero Avenue, then
18 south along South Cicero Avenue to its intersection with
19 West 63rd Street, then west along West 63rd Street to its
20 intersection with South Central Avenue, then north along
21 South Central Avenue to the point of beginning; and

22 (3) that portion of the City of Chicago located within
23 the following area: Beginning at the point 150 feet west of
24 the intersection of the west line of North Ashland Avenue
25 and the north line of West Diversey Avenue, then north 150
26 feet, then east along a line 150 feet north of the north

1 line of West Diversey Avenue extended to the shoreline of
2 Lake Michigan, then following the shoreline of Lake
3 Michigan (including Navy Pier and all other improvements
4 fixed to land, docks, or piers) to the point where the
5 shoreline of Lake Michigan and the Adlai E. Stevenson
6 Expressway extended east to that shoreline intersect, then
7 west along the Adlai E. Stevenson Expressway to a point 150
8 feet west of the west line of South Ashland Avenue, then
9 north along a line 150 feet west of the west line of South
10 and North Ashland Avenue to the point of beginning.

11 The tax authorized to be levied under this subsection may
12 also be levied on food, alcoholic beverages, and soft drinks
13 sold on boats and other watercraft departing from and returning
14 to the shoreline of Lake Michigan (including Navy Pier and all
15 other improvements fixed to land, docks, or piers) described in
16 item (3).

17 (c) By ordinance the Authority shall, as soon as
18 practicable after the effective date of this amendatory Act of
19 1991, impose an occupation tax upon all persons engaged in the
20 corporate limits of the City of Chicago in the business of
21 renting, leasing, or letting rooms in a hotel, as defined in
22 the Hotel Operators' Occupation Tax Act, at a rate of 2.5% of
23 the gross rental receipts from the renting, leasing, or letting
24 of hotel rooms within the City of Chicago, excluding, however,
25 from gross rental receipts the proceeds of renting, leasing, or
26 letting to permanent residents of a hotel, as defined in that

1 Act. Gross rental receipts shall not include charges that are
2 added on account of the liability arising from any tax imposed
3 by the State or any governmental agency on the occupation of
4 renting, leasing, or letting rooms in a hotel.

5 The tax imposed by the Authority under this subsection and
6 all civil penalties that may be assessed as an incident to that
7 tax shall be collected and enforced by the Illinois Department
8 of Revenue. The certificate of registration that is issued by
9 the Department to a lessor under the Hotel Operators'
10 Occupation Tax Act shall permit that registrant to engage in a
11 business that is taxable under any ordinance enacted under this
12 subsection without registering separately with the Department
13 under that ordinance or under this subsection. The Department
14 shall have full power to administer and enforce this
15 subsection, to collect all taxes and penalties due under this
16 subsection, to dispose of taxes and penalties so collected in
17 the manner provided in this subsection, and to determine all
18 rights to credit memoranda arising on account of the erroneous
19 payment of tax or penalty under this subsection. In the
20 administration of and compliance with this subsection, the
21 Department and persons who are subject to this subsection shall
22 have the same rights, remedies, privileges, immunities,
23 powers, and duties, shall be subject to the same conditions,
24 restrictions, limitations, penalties, and definitions of
25 terms, and shall employ the same modes of procedure as are
26 prescribed in the Hotel Operators' Occupation Tax Act (except

1 where that Act is inconsistent with this subsection), as fully
2 as if the provisions contained in the Hotel Operators'
3 Occupation Tax Act were set out in this subsection.

4 Whenever the Department determines that a refund should be
5 made under this subsection to a claimant instead of issuing a
6 credit memorandum, the Department shall notify the State
7 Comptroller, who shall cause a warrant to be drawn for the
8 amount specified and to the person named in the notification
9 from the Department. The refund shall be paid by the State
10 Treasurer out of the Metropolitan Pier and Exposition Authority
11 trust fund held by the State Treasurer as trustee for the
12 Authority.

13 Persons subject to any tax imposed under the authority
14 granted in this subsection may reimburse themselves for their
15 tax liability for that tax by separately stating that tax as an
16 additional charge, which charge may be stated in combination,
17 in a single amount, with State taxes imposed under the Hotel
18 Operators' Occupation Tax Act, the municipal tax imposed under
19 Section 8-3-13 of the Illinois Municipal Code, and the tax
20 imposed under Section 19 of the Illinois Sports Facilities
21 Authority Act.

22 The person filing the return shall, at the time of filing
23 the return, pay to the Department the amount of tax, less a
24 discount of 2.1% or \$25 per calendar year, whichever is
25 greater, which is allowed to reimburse the operator for the
26 expenses incurred in keeping records, preparing and filing

1 returns, remitting the tax, and supplying data to the
2 Department on request.

3 The Department shall forthwith pay over to the State
4 Treasurer, ex officio, as trustee for the Authority, all taxes
5 and penalties collected under this subsection for deposit into
6 a trust fund held outside the State Treasury. On or before the
7 25th day of each calendar month, the Department shall certify
8 to the Comptroller the amounts to be paid under subsection (g)
9 of this Section, which shall be the amounts (not including
10 credit memoranda) collected under this subsection during the
11 second preceding calendar month by the Department, less any
12 amounts determined by the Department to be necessary for
13 payment of refunds. Within 10 days after receipt by the
14 Comptroller of the Department's certification, the Comptroller
15 shall cause the orders to be drawn for such amounts, and the
16 Treasurer shall administer those amounts as required in
17 subsection (g).

18 A certified copy of any ordinance imposing or discontinuing
19 a tax under this subsection or effecting a change in the rate
20 of that tax shall be filed with the Illinois Department of
21 Revenue, whereupon the Department shall proceed to administer
22 and enforce this subsection on behalf of the Authority as of
23 the first day of the third calendar month following the date of
24 filing.

25 (d) By ordinance the Authority shall, as soon as
26 practicable after the effective date of this amendatory Act of

1 1991, impose a tax upon all persons engaged in the business of
2 renting automobiles in the metropolitan area at the rate of 6%
3 of the gross receipts from that business, except that no tax
4 shall be imposed on the business of renting automobiles for use
5 as taxicabs or in livery service. The tax imposed under this
6 subsection and all civil penalties that may be assessed as an
7 incident to that tax shall be collected and enforced by the
8 Illinois Department of Revenue. The certificate of
9 registration issued by the Department to a retailer under the
10 Retailers' Occupation Tax Act or under the Automobile Renting
11 Occupation and Use Tax Act shall permit that person to engage
12 in a business that is taxable under any ordinance enacted under
13 this subsection without registering separately with the
14 Department under that ordinance or under this subsection. The
15 Department shall have full power to administer and enforce this
16 subsection, to collect all taxes and penalties due under this
17 subsection, to dispose of taxes and penalties so collected in
18 the manner provided in this subsection, and to determine all
19 rights to credit memoranda arising on account of the erroneous
20 payment of tax or penalty under this subsection. In the
21 administration of and compliance with this subsection, the
22 Department and persons who are subject to this subsection shall
23 have the same rights, remedies, privileges, immunities,
24 powers, and duties, be subject to the same conditions,
25 restrictions, limitations, penalties, and definitions of
26 terms, and employ the same modes of procedure as are prescribed

1 in Sections 2 and 3 (in respect to all provisions of those
2 Sections other than the State rate of tax; and in respect to
3 the provisions of the Retailers' Occupation Tax Act referred to
4 in those Sections, except as to the disposition of taxes and
5 penalties collected, except for the provision allowing
6 retailers a deduction from the tax to cover certain costs, and
7 except that credit memoranda issued under this subsection may
8 not be used to discharge any State tax liability) of the
9 Automobile Renting Occupation and Use Tax Act, as fully as if
10 provisions contained in those Sections of that Act were set
11 forth in this subsection.

12 Persons subject to any tax imposed under the authority
13 granted in this subsection may reimburse themselves for their
14 tax liability under this subsection by separately stating that
15 tax as an additional charge, which charge may be stated in
16 combination, in a single amount, with State tax that sellers
17 are required to collect under the Automobile Renting Occupation
18 and Use Tax Act, pursuant to bracket schedules as the
19 Department may prescribe.

20 Whenever the Department determines that a refund should be
21 made under this subsection to a claimant instead of issuing a
22 credit memorandum, the Department shall notify the State
23 Comptroller, who shall cause a warrant to be drawn for the
24 amount specified and to the person named in the notification
25 from the Department. The refund shall be paid by the State
26 Treasurer out of the Metropolitan Pier and Exposition Authority

1 trust fund held by the State Treasurer as trustee for the
2 Authority.

3 The Department shall forthwith pay over to the State
4 Treasurer, ex officio, as trustee, all taxes and penalties
5 collected under this subsection for deposit into a trust fund
6 held outside the State Treasury. On or before the 25th day of
7 each calendar month, the Department shall certify to the
8 Comptroller the amounts to be paid under subsection (g) of this
9 Section (not including credit memoranda) collected under this
10 subsection during the second preceding calendar month by the
11 Department, less any amount determined by the Department to be
12 necessary for payment of refunds. Within 10 days after receipt
13 by the Comptroller of the Department's certification, the
14 Comptroller shall cause the orders to be drawn for such
15 amounts, and the Treasurer shall administer those amounts as
16 required in subsection (g).

17 Nothing in this subsection authorizes the Authority to
18 impose a tax upon the privilege of engaging in any business
19 that under the Constitution of the United States may not be
20 made the subject of taxation by this State.

21 A certified copy of any ordinance imposing or discontinuing
22 a tax under this subsection or effecting a change in the rate
23 of that tax shall be filed with the Illinois Department of
24 Revenue, whereupon the Department shall proceed to administer
25 and enforce this subsection on behalf of the Authority as of
26 the first day of the third calendar month following the date of

1 filing.

2 (e) By ordinance the Authority shall, as soon as
3 practicable after the effective date of this amendatory Act of
4 1991, impose a tax upon the privilege of using in the
5 metropolitan area an automobile that is rented from a rentor
6 outside Illinois and is titled or registered with an agency of
7 this State's government at a rate of 6% of the rental price of
8 that automobile, except that no tax shall be imposed on the
9 privilege of using automobiles rented for use as taxicabs or in
10 livery service. The tax shall be collected from persons whose
11 Illinois address for titling or registration purposes is given
12 as being in the metropolitan area. The tax shall be collected
13 by the Department of Revenue for the Authority. The tax must be
14 paid to the State or an exemption determination must be
15 obtained from the Department of Revenue before the title or
16 certificate of registration for the property may be issued. The
17 tax or proof of exemption may be transmitted to the Department
18 by way of the State agency with which or State officer with
19 whom the tangible personal property must be titled or
20 registered if the Department and that agency or State officer
21 determine that this procedure will expedite the processing of
22 applications for title or registration.

23 The Department shall have full power to administer and
24 enforce this subsection, to collect all taxes, penalties, and
25 interest due under this subsection, to dispose of taxes,
26 penalties, and interest so collected in the manner provided in

1 this subsection, and to determine all rights to credit
2 memoranda or refunds arising on account of the erroneous
3 payment of tax, penalty, or interest under this subsection. In
4 the administration of and compliance with this subsection, the
5 Department and persons who are subject to this subsection shall
6 have the same rights, remedies, privileges, immunities,
7 powers, and duties, be subject to the same conditions,
8 restrictions, limitations, penalties, and definitions of
9 terms, and employ the same modes of procedure as are prescribed
10 in Sections 2 and 4 (except provisions pertaining to the State
11 rate of tax; and in respect to the provisions of the Use Tax
12 Act referred to in that Section, except provisions concerning
13 collection or refunding of the tax by retailers, except the
14 provisions of Section 19 pertaining to claims by retailers,
15 except the last paragraph concerning refunds, and except that
16 credit memoranda issued under this subsection may not be used
17 to discharge any State tax liability) of the Automobile Renting
18 Occupation and Use Tax Act, as fully as if provisions contained
19 in those Sections of that Act were set forth in this
20 subsection.

21 Whenever the Department determines that a refund should be
22 made under this subsection to a claimant instead of issuing a
23 credit memorandum, the Department shall notify the State
24 Comptroller, who shall cause a warrant to be drawn for the
25 amount specified and to the person named in the notification
26 from the Department. The refund shall be paid by the State

1 Treasurer out of the Metropolitan Pier and Exposition Authority
2 trust fund held by the State Treasurer as trustee for the
3 Authority.

4 The Department shall forthwith pay over to the State
5 Treasurer, ex officio, as trustee, all taxes, penalties, and
6 interest collected under this subsection for deposit into a
7 trust fund held outside the State Treasury. On or before the
8 25th day of each calendar month, the Department shall certify
9 to the State Comptroller the amounts to be paid under
10 subsection (g) of this Section, which shall be the amounts (not
11 including credit memoranda) collected under this subsection
12 during the second preceding calendar month by the Department,
13 less any amounts determined by the Department to be necessary
14 for payment of refunds. Within 10 days after receipt by the
15 State Comptroller of the Department's certification, the
16 Comptroller shall cause the orders to be drawn for such
17 amounts, and the Treasurer shall administer those amounts as
18 required in subsection (g).

19 A certified copy of any ordinance imposing or discontinuing
20 a tax or effecting a change in the rate of that tax shall be
21 filed with the Illinois Department of Revenue, whereupon the
22 Department shall proceed to administer and enforce this
23 subsection on behalf of the Authority as of the first day of
24 the third calendar month following the date of filing.

25 (f) By ordinance the Authority shall, as soon as
26 practicable after the effective date of this amendatory Act of

1 1991, impose an occupation tax on all persons, other than a
2 governmental agency, engaged in the business of providing
3 ground transportation for hire to passengers in the
4 metropolitan area at a rate of (i) \$4 per taxi or livery
5 vehicle departure with passengers for hire from commercial
6 service airports in the metropolitan area, (ii) for each
7 departure with passengers for hire from a commercial service
8 airport in the metropolitan area in a bus or van operated by a
9 person other than a person described in item (iii): \$18 per bus
10 or van with a capacity of 1-12 passengers, \$36 per bus or van
11 with a capacity of 13-24 passengers, and \$54 per bus or van
12 with a capacity of over 24 passengers, and (iii) for each
13 departure with passengers for hire from a commercial service
14 airport in the metropolitan area in a bus or van operated by a
15 person regulated by the Interstate Commerce Commission or
16 Illinois Commerce Commission, operating scheduled service from
17 the airport, and charging fares on a per passenger basis: \$2
18 per passenger for hire in each bus or van. The term "commercial
19 service airports" means those airports receiving scheduled
20 passenger service and enplaning more than 100,000 passengers
21 per year.

22 In the ordinance imposing the tax, the Authority may
23 provide for the administration and enforcement of the tax and
24 the collection of the tax from persons subject to the tax as
25 the Authority determines to be necessary or practicable for the
26 effective administration of the tax. The Authority may enter

1 into agreements as it deems appropriate with any governmental
2 agency providing for that agency to act as the Authority's
3 agent to collect the tax.

4 In the ordinance imposing the tax, the Authority may
5 designate a method or methods for persons subject to the tax to
6 reimburse themselves for the tax liability arising under the
7 ordinance (i) by separately stating the full amount of the tax
8 liability as an additional charge to passengers departing the
9 airports, (ii) by separately stating one-half of the tax
10 liability as an additional charge to both passengers departing
11 from and to passengers arriving at the airports, or (iii) by
12 some other method determined by the Authority.

13 All taxes, penalties, and interest collected under any
14 ordinance adopted under this subsection, less any amounts
15 determined to be necessary for the payment of refunds and less
16 the taxes, penalties, and interest attributable to any increase
17 in the rate of tax authorized by Public Act 96-898, shall be
18 paid forthwith to the State Treasurer, ex officio, for deposit
19 into a trust fund held outside the State Treasury and shall be
20 administered by the State Treasurer as provided in subsection
21 (g) of this Section. All taxes, penalties, and interest
22 attributable to any increase in the rate of tax authorized by
23 Public Act 96-898 shall be paid by the State Treasurer as
24 follows: 25% for deposit into the Convention Center Support
25 Fund, to be used by the Village of Rosemont for the repair,
26 maintenance, and improvement of the Donald E. Stephens

1 Convention Center and for debt service on debt instruments
2 issued for those purposes by the village and 75% to the
3 Authority to be used for grants to an organization meeting the
4 qualifications set out in Section 5.6 of this Act, provided the
5 Metropolitan Pier and Exposition Authority has entered into a
6 marketing agreement with such an organization.

7 (g) Amounts deposited from the proceeds of taxes imposed by
8 the Authority under subsections (b), (c), (d), (e), and (f) of
9 this Section and amounts deposited under Section 19 of the
10 Illinois Sports Facilities Authority Act shall be held in a
11 trust fund outside the State Treasury and shall be administered
12 by the Treasurer as follows:

13 (1) An amount necessary for the payment of refunds with
14 respect to those taxes shall be retained in the trust fund
15 and used for those payments.

16 (2) On July 20 and on the 20th of each month
17 thereafter, provided that the amount requested in the
18 annual certificate of the Chairman of the Authority filed
19 under Section 8.25f of the State Finance Act has been
20 appropriated for payment to the Authority, or, for the 2016
21 fiscal year, if the amount requested has not yet been
22 appropriated, the Chief Executive Officer of the Authority
23 shall file with the State Treasurer and the State
24 Comptroller the certificate referred to in subparagraph
25 (4) of this subsection (g), 1/8 of the local tax transfer
26 amount, together with any cumulative deficiencies in the

1 amounts transferred into the McCormick Place Expansion
2 Project Fund under this subparagraph (2) during the fiscal
3 year for which the certificate has been filed, shall be
4 transferred from the trust fund into the McCormick Place
5 Expansion Project Fund in the State treasury until 100% of
6 the local tax transfer amount has been so transferred.
7 "Local tax transfer amount" shall mean the amount requested
8 in the annual certificate, minus the reduction amount.
9 "Reduction amount" shall mean \$41.7 million in fiscal year
10 2011, \$36.7 million in fiscal year 2012, \$36.7 million in
11 fiscal year 2013, \$36.7 million in fiscal year 2014, and
12 \$31.7 million in each fiscal year thereafter until 2032,
13 provided that the reduction amount shall be reduced by (i)
14 the amount certified by the Authority to the State
15 Comptroller and State Treasurer under Section 8.25 of the
16 State Finance Act, as amended, with respect to that fiscal
17 year and (ii) in any fiscal year in which the amounts
18 deposited in the trust fund under this Section exceed
19 \$318.3 million, exclusive of amounts set aside for refunds
20 and for the reserve account, one dollar for each dollar of
21 the deposits in the trust fund above \$318.3 million with
22 respect to that year, exclusive of amounts set aside for
23 refunds and for the reserve account.

24 (3) On July 20, 2010, the Comptroller shall certify to
25 the Governor, the Treasurer, and the Chairman of the
26 Authority the 2010 deficiency amount, which means the

1 cumulative amount of transfers that were due from the trust
2 fund to the McCormick Place Expansion Project Fund in
3 fiscal years 2008, 2009, and 2010 under Section 13(g) of
4 this Act, as it existed prior to May 27, 2010 (the
5 effective date of Public Act 96-898), but not made. On July
6 20, 2011 and on July 20 of each year through July 20, 2014,
7 the Treasurer shall calculate for the previous fiscal year
8 the surplus revenues in the trust fund and pay that amount
9 to the Authority. On July 20, 2015 and on July 20 of each
10 year thereafter, as long as bonds and notes issued under
11 Section 13.2 or bonds and notes issued to refund those
12 bonds and notes are outstanding, the Treasurer shall
13 calculate for the previous fiscal year the surplus revenues
14 in the trust fund and pay one-half of that amount to the
15 State Treasurer for deposit into the General Revenue Fund
16 until the 2010 deficiency amount has been paid and shall
17 pay the balance of the surplus revenues to the Authority.
18 "Surplus revenues" means the amounts remaining in the trust
19 fund on June 30 of the previous fiscal year (A) after the
20 State Treasurer has set aside in the trust fund (i) amounts
21 retained for refunds under subparagraph (1) and (ii) any
22 amounts necessary to meet the reserve account amount and
23 (B) after the State Treasurer has transferred from the
24 trust fund to the General Revenue Fund 100% of any
25 post-2010 deficiency amount. "Reserve account amount"
26 means \$15 million in fiscal year 2011 and \$30 million in

1 each fiscal year thereafter. The reserve account amount
2 shall be set aside in the trust fund and used as a reserve
3 to be transferred to the McCormick Place Expansion Project
4 Fund in the event the proceeds of taxes imposed under this
5 Section 13 are not sufficient to fund the transfer required
6 in subparagraph (2). "Post-2010 deficiency amount" means
7 any deficiency in transfers from the trust fund to the
8 McCormick Place Expansion Project Fund with respect to
9 fiscal years 2011 and thereafter. It is the intention of
10 this subparagraph (3) that no surplus revenues shall be
11 paid to the Authority with respect to any year in which a
12 post-2010 deficiency amount has not been satisfied by the
13 Authority.

14 (4) For the 2016 fiscal year, if the amount requested
15 in the annual certificate of the Chairman of the Authority
16 filed under Section 8.25f of the State Finance Act has not
17 been appropriated for payment to the Authority, the Chief
18 Executive Officer of the Authority shall file with the
19 State Treasurer and the State Comptroller a certificate
20 stating that such transfers are required to fund monthly
21 deposits for the payment of the principal of and interest
22 on bonds of the Authority payable from the McCormick Place
23 Expansion Project Fund. Upon the filing of the certificate
24 the State Treasurer shall make the transfers to the
25 McCormick Place Expansion Project Fund as set forth in
26 subparagraph (2) of this subsection (g).

1 Moneys received by the Authority as surplus revenues may be
2 used (i) for the purposes of paying debt service on the bonds
3 and notes issued by the Authority, including early redemption
4 of those bonds or notes, (ii) for the purposes of repair,
5 replacement, and improvement of the grounds, buildings, and
6 facilities of the Authority, and (iii) for the corporate
7 purposes of the Authority in fiscal years 2011 through 2015 in
8 an amount not to exceed \$20,000,000 annually or \$80,000,000
9 total, which amount shall be reduced \$0.75 for each dollar of
10 the receipts of the Authority in that year from any contract
11 entered into with respect to naming rights at McCormick Place
12 under Section 5(m) of this Act. When bonds and notes issued
13 under Section 13.2, or bonds or notes issued to refund those
14 bonds and notes, are no longer outstanding, the balance in the
15 trust fund shall be paid to the Authority.

16 (h) The ordinances imposing the taxes authorized by this
17 Section shall be repealed when bonds and notes issued under
18 Section 13.2 or bonds and notes issued to refund those bonds
19 and notes are no longer outstanding.

20 (Source: P.A. 97-333, eff. 8-12-11; 98-463, eff. 8-16-13.)

21 (70 ILCS 210/13.2) (from Ch. 85, par. 1233.2)

22 Sec. 13.2. The McCormick Place Expansion Project Fund is
23 created in the State Treasury. All moneys in the McCormick
24 Place Expansion Project Fund are allocated to and shall be
25 appropriated and used only for the purposes authorized by and

1 subject to the limitations and conditions of this Section.
2 Those amounts may be appropriated by law to the Authority for
3 the purposes of paying the debt service requirements on all
4 bonds and notes, including bonds and notes issued to refund or
5 advance refund bonds and notes issued under this Section,
6 Section 13.1, or issued to refund or advance refund bonds and
7 notes otherwise issued under this Act, (collectively referred
8 to as "bonds") to be issued by the Authority under this Section
9 in an aggregate original principal amount (excluding the amount
10 of any bonds and notes issued to refund or advance refund bonds
11 or notes issued under this Section and Section 13.1) not to
12 exceed \$2,557,000,000 for the purposes of carrying out and
13 performing its duties and exercising its powers under this Act.
14 The increased debt authorization provided by this amendatory
15 Act of the 96th General Assembly shall be used solely for the
16 purpose of: (i) hotel construction and related necessary
17 capital improvements; (ii) other needed capital improvements
18 to existing facilities; and (iii) land acquisition for and
19 construction of one multi-use facility on property bounded by
20 East Cermak Road on the south, East 21st Street on the north,
21 South Indiana Avenue on the west, and South Prairie Avenue on
22 the east in the City of Chicago, Cook County, Illinois. No
23 bonds issued to refund or advance refund bonds issued under
24 this Section may mature later than 40 years from the date of
25 issuance of the refunding or advance refunding bonds. After the
26 aggregate original principal amount of bonds authorized in this

1 Section has been issued, the payment of any principal amount of
2 such bonds does not authorize the issuance of additional bonds
3 (except refunding bonds). Any bonds and notes issued under this
4 Section in any year in which there is an outstanding "post-2010
5 deficiency amount" as that term is defined in Section 13 (g) (3)
6 of this Act shall provide for the payment to the State
7 Treasurer of the amount of that deficiency.

8 On the first day of each month commencing after July 1,
9 1993, amounts, if any, on deposit in the McCormick Place
10 Expansion Project Fund shall, subject to appropriation, be paid
11 in full to the Authority or, upon its direction, to the trustee
12 or trustees for bondholders of bonds that by their terms are
13 payable from the moneys received from the McCormick Place
14 Expansion Project Fund, until an amount equal to 100% of the
15 aggregate amount of the principal and interest in the fiscal
16 year, including that pursuant to sinking fund requirements, has
17 been so paid and deficiencies in reserves shall have been
18 remedied. For the 2016 fiscal year, if the amounts on deposit
19 in the McCormick Place Expansion Project Fund have not yet been
20 appropriated for the payment of bonds, such amounts shall
21 nevertheless be paid in full to the Authority or, upon its
22 direction, to the trustee or trustees for bondholders, provided
23 that the certificate of the Chief Executive Officer of the
24 Authority referred to in subparagraph (4) of subsection (g) of
25 Section 13 has been filed with the State Treasurer and the
26 State Comptroller.

1 The State of Illinois pledges to and agrees with the
2 holders of the bonds of the Metropolitan Pier and Exposition
3 Authority issued under this Section that the State will not
4 limit or alter the rights and powers vested in the Authority by
5 this Act so as to impair the terms of any contract made by the
6 Authority with those holders or in any way impair the rights
7 and remedies of those holders until the bonds, together with
8 interest thereon, interest on any unpaid installments of
9 interest, and all costs and expenses in connection with any
10 action or proceedings by or on behalf of those holders are
11 fully met and discharged; provided that any increase in the Tax
12 Act Amounts specified in Section 3 of the Retailers' Occupation
13 Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service
14 Use Tax Act, and Section 9 of the Service Occupation Tax Act
15 required to be deposited into the Build Illinois Bond Account
16 in the Build Illinois Fund pursuant to any law hereafter
17 enacted shall not be deemed to impair the rights of such
18 holders so long as the increase does not result in the
19 aggregate debt service payable in the current or any future
20 fiscal year of the State on all bonds issued pursuant to the
21 Build Illinois Bond Act and the Metropolitan Pier and
22 Exposition Authority Act and payable from tax revenues
23 specified in Section 3 of the Retailers' Occupation Tax Act,
24 Section 9 of the Use Tax Act, Section 9 of the Service Use Tax
25 Act, and Section 9 of the Service Occupation Tax Act exceeding
26 33 1/3% of such tax revenues for the most recently completed

1 fiscal year of the State at the time of such increase. In
2 addition, the State pledges to and agrees with the holders of
3 the bonds of the Authority issued under this Section that the
4 State will not limit or alter the basis on which State funds
5 are to be paid to the Authority as provided in this Act or the
6 use of those funds so as to impair the terms of any such
7 contract; provided that any increase in the Tax Act Amounts
8 specified in Section 3 of the Retailers' Occupation Tax Act,
9 Section 9 of the Use Tax Act, Section 9 of the Service Use Tax
10 Act, and Section 9 of the Service Occupation Tax Act required
11 to be deposited into the Build Illinois Bond Account in the
12 Build Illinois Fund pursuant to any law hereafter enacted shall
13 not be deemed to impair the terms of any such contract so long
14 as the increase does not result in the aggregate debt service
15 payable in the current or any future fiscal year of the State
16 on all bonds issued pursuant to the Build Illinois Bond Act and
17 the Metropolitan Pier and Exposition Authority Act and payable
18 from tax revenues specified in Section 3 of the Retailers'
19 Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of
20 the Service Use Tax Act, and Section 9 of the Service
21 Occupation Tax Act exceeding 33 1/3% of such tax revenues for
22 the most recently completed fiscal year of the State at the
23 time of such increase. The Authority is authorized to include
24 these pledges and agreements with the State in any contract
25 with the holders of bonds issued under this Section.

26 The State shall not be liable on bonds of the Authority

1 issued under this Section those bonds shall not be a debt of
2 the State, and this Act shall not be construed as a guarantee
3 by the State of the debts of the Authority. The bonds shall
4 contain a statement to this effect on the face of the bonds.

5 (Source: P.A. 98-109, eff. 7-25-13.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law."