



Sen. Michael Connelly

**Filed: 3/31/2016**

09900SB2368sam001

LRB099 16038 MLM 46404 a

1 AMENDMENT TO SENATE BILL 2368

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2368 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Central Management Services  
5 Law of the Civil Administrative Code of Illinois is amended by  
6 changing Sections 405-20, 405-250, and 405-410 as follows:

7 (20 ILCS 405/405-20) (was 20 ILCS 405/35.7)

8 Sec. 405-20. Fiscal policy information to Governor;  
9 information technology ~~statistical research~~ planning.

10 (a) The Department shall be responsible for providing the  
11 Governor with timely, comprehensive, and meaningful  
12 information pertinent to the formulation and execution of  
13 fiscal policy. In performing this responsibility the  
14 Department shall have the power and duty to do the following:

15 (1) Control the procurement, retention, installation,  
16 maintenance, and operation, as specified by the Director,

1 of information technology ~~electronic data processing~~  
2 equipment and software used by State agencies in such a  
3 manner as to achieve maximum economy and provide adequate  
4 assistance in the development of information suitable for  
5 management analysis.

6 (2) Establish principles and standards of information  
7 technology ~~statistical~~ reporting by State agencies and  
8 priorities for completion of research by those agencies in  
9 accordance with the requirements for management analysis  
10 as specified by the Director.

11 (3) Establish, through the Director, charges for  
12 information technology ~~statistical~~ services requested by  
13 State agencies and rendered by the Department. The  
14 Department is likewise empowered through the Director to  
15 establish prices or charges for information technology  
16 services rendered by the Department for ~~all statistical~~  
17 ~~reports purchased by~~ agencies and individuals not  
18 connected with State government.

19 (4) Instruct all State agencies as the Director may  
20 require to report regularly to the Department, in the  
21 manner the Director may prescribe, their usage of  
22 information technology ~~electronic information~~ devices and  
23 services, the cost incurred, the information produced, and  
24 the procedures followed in obtaining the information. All  
25 State agencies shall request of the Director any  
26 information technology resources ~~statistical services~~

1 requiring the use of electronic devices and shall conform  
2 to the priorities assigned by the Director in using those  
3 electronic devices.

4 (5) Examine the accounts, use of information  
5 technology resources, and statistical data of any  
6 organization, body, or agency receiving appropriations  
7 from the General Assembly.

8 (6) Install and operate a modern information system  
9 utilizing equipment adequate to satisfy the requirements  
10 for analysis and review as specified by the Director.  
11 Expenditures for information technology ~~statistical~~  
12 services rendered shall be reimbursed by the recipients.  
13 The reimbursement shall be determined by the Director as  
14 amounts sufficient to reimburse the Technology Management  
15 ~~Statistical Services~~ Revolving Fund for expenditures  
16 incurred in rendering the services.

17 (b) In addition to the other powers and duties listed in  
18 this Section, the Department shall analyze the present and  
19 future aims, needs, and requirements of information technology  
20 ~~statistical research~~ and planning in order to provide for the  
21 formulation of overall policy relative to the use of electronic  
22 data processing equipment and software by the State of  
23 Illinois. In making this analysis, the Department under the  
24 Director shall formulate a master plan for the use of  
25 information technology ~~statistical~~ research, utilizing  
26 electronic equipment, software, and services most

1 advantageously, and advising whether electronic data  
2 processing equipment and software should be leased or purchased  
3 by the State. The Department under the Director shall prepare  
4 and submit interim reports of meaningful developments and  
5 proposals for legislation to the Governor on or before January  
6 30 each year. The Department under the Director shall engage in  
7 a continuing analysis and evaluation of the master plan so  
8 developed, and it shall be the responsibility of the Department  
9 to recommend from time to time any needed amendments and  
10 modifications of any master plan enacted by the General  
11 Assembly.

12 (c) For the purposes of this Section, Section 405-245, and  
13 paragraph (4) of Section 405-10 only, "State agencies" means  
14 all departments, boards, commissions, and agencies of the State  
15 of Illinois subject to the Governor.

16 (Source: P.A. 94-91, eff. 7-1-05.)

17 (20 ILCS 405/405-250) (was 20 ILCS 405/35.7a)

18 Sec. 405-250. Information technology ~~Statistical services;~~  
19 use of information technology ~~electronic data processing~~  
20 equipment and software. The Department may make information  
21 technology resources ~~statistical services~~ and the use of  
22 information technology ~~electronic data processing~~ equipment  
23 and software, including necessary telecommunications lines and  
24 equipment, available to local governments, elected State  
25 officials, State educational institutions, and all other

1 governmental units of the State requesting them. The Director  
2 is empowered to establish prices and charges for the  
3 information technology resources ~~statistical services~~ so  
4 furnished and for the use of the information technology  
5 ~~electronic data processing~~ equipment and software and  
6 necessary telecommunications lines and equipment. The prices  
7 and charges shall be sufficient to reimburse the cost of  
8 furnishing the services and use of equipment, software, and  
9 lines.

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

11 (20 ILCS 405/405-410)

12 Sec. 405-410. Transfer of Information Technology  
13 functions.

14 (a) Notwithstanding any other law to the contrary, the  
15 Director of Central Management Services, working in  
16 cooperation with the Director of any other agency, department,  
17 board, or commission directly responsible to the Governor, may  
18 direct the transfer, to the Department of Central Management  
19 Services, of those information technology functions at that  
20 agency, department, board, or commission that are suitable for  
21 centralization.

22 Upon receipt of the written direction to transfer  
23 information technology functions to the Department of Central  
24 Management Services, the personnel, equipment, and property  
25 (both real and personal) directly relating to the transferred

1 functions shall be transferred to the Department of Central  
2 Management Services, and the relevant documents, records, and  
3 correspondence shall be transferred or copied, as the Director  
4 may prescribe.

5 (b) Upon receiving written direction from the Director of  
6 Central Management Services, the Comptroller and Treasurer are  
7 authorized to transfer the unexpended balance of any  
8 appropriations related to the information technology functions  
9 transferred to the Department of Central Management Services  
10 and shall make the necessary fund transfers from any special  
11 fund in the State Treasury or from any other federal or State  
12 trust fund held by the Treasurer to the General Revenue Fund or  
13 ~~the Technology Management Statistical Services Revolving~~  
14 ~~Fund, or the Communications Revolving Fund,~~ as designated by  
15 the Director of Central Management Services, for use by the  
16 Department of Central Management Services in support of  
17 information technology functions or any other related costs or  
18 expenses of the Department of Central Management Services.

19 (c) The rights of employees and the State and its agencies  
20 under the Personnel Code and applicable collective bargaining  
21 agreements or under any pension, retirement, or annuity plan  
22 shall not be affected by any transfer under this Section.

23 (d) The functions transferred to the Department of Central  
24 Management Services by this Section shall be vested in and  
25 shall be exercised by the Department of Central Management  
26 Services. Each act done in the exercise of those functions

1 shall have the same legal effect as if done by the agencies,  
2 offices, divisions, departments, bureaus, boards and  
3 commissions from which they were transferred.

4 Every person or other entity shall be subject to the same  
5 obligations and duties and any penalties, civil or criminal,  
6 arising therefrom, and shall have the same rights arising from  
7 the exercise of such rights, powers, and duties as had been  
8 exercised by the agencies, offices, divisions, departments,  
9 bureaus, boards, and commissions from which they were  
10 transferred.

11 Whenever reports or notices are now required to be made or  
12 given or papers or documents furnished or served by any person  
13 in regards to the functions transferred to or upon the  
14 agencies, offices, divisions, departments, bureaus, boards,  
15 and commissions from which the functions were transferred, the  
16 same shall be made, given, furnished or served in the same  
17 manner to or upon the Department of Central Management  
18 Services.

19 This Section does not affect any act done, ratified, or  
20 cancelled or any right occurring or established or any action  
21 or proceeding had or commenced in an administrative, civil, or  
22 criminal cause regarding the functions transferred, but those  
23 proceedings may be continued by the Department of Central  
24 Management Services.

25 This Section does not affect the legality of any rules in  
26 the Illinois Administrative Code regarding the functions

1 transferred in this Section that are in force on the effective  
2 date of this Section. If necessary, however, the affected  
3 agencies shall propose, adopt, or repeal rules, rule  
4 amendments, and rule recodifications as appropriate to  
5 effectuate this Section.

6 (Source: P.A. 93-25, eff. 6-20-03; 93-839, eff. 7-30-04;  
7 93-1067, eff. 1-15-05.)

8 Section 10. The State Finance Act is amended by changing  
9 Sections 5.12, 5.55, 6p-1, 6p-2, 6z-34, and 8.16a as follows:

10 (30 ILCS 105/5.12) (from Ch. 127, par. 141.12)

11 Sec. 5.12. The Communications Revolving Fund. This Section  
12 is repealed on December 31, 2016.

13 (Source: Laws 1919, p. 946.)

14 (30 ILCS 105/5.55) (from Ch. 127, par. 141.55)

15 Sec. 5.55. The Technology Management ~~Statistical Services~~  
16 Revolving Fund.

17 (Source: Laws 1919, p. 946.)

18 (30 ILCS 105/6p-1) (from Ch. 127, par. 142p1)

19 Sec. 6p-1. The Technology Management Revolving Fund  
20 (formerly known as the Statistical Services Revolving Fund)  
21 shall be initially financed by a transfer of funds from the  
22 General Revenue Fund. Thereafter, all fees and other monies



1 received by the Department of Central Management Services in  
2 payment for statistical services rendered pursuant to Section  
3 405-20 of the Department of Central Management Services Law (20  
4 ILCS 405/405-20) shall be paid into the Technology Management  
5 Statistical Services Revolving Fund. On and after July 1, 2016,  
6 or after sufficient moneys have been received in the  
7 Communications Revolving Fund to pay all Fiscal Year 2016  
8 obligations payable from the Fund, whichever is later, all fees  
9 and other moneys received by the Department of Central  
10 Management Services in payment for communications services  
11 rendered pursuant to the Department of Central Management  
12 Services Law of the Civil Administrative Code of Illinois or  
13 sale of surplus State communications equipment shall be paid  
14 into the Technology Management Revolving Fund. The money in  
15 this fund shall be used by the Department of Central Management  
16 Services as reimbursement for expenditures incurred in  
17 rendering statistical services and, beginning July 1, 2016, as  
18 reimbursement for expenditures incurred in relation to  
19 communications services.

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

21 (30 ILCS 105/6p-2) (from Ch. 127, par. 142p2)

22 Sec. 6p-2. The Communications Revolving Fund shall be  
23 initially financed by a transfer of funds from the General  
24 Revenue Fund. Thereafter, all fees and other monies received by  
25 the Department of Central Management Services in payment for

1 communications services rendered pursuant to the Department of  
2 Central Management Services Law or sale of surplus State  
3 communications equipment shall be paid into the Communications  
4 Revolving Fund. Except as otherwise provided in this Section,  
5 the money in this fund shall be used by the Department of  
6 Central Management Services as reimbursement for expenditures  
7 incurred in relation to communications services.

8 On the effective date of this amendatory Act of the 93rd  
9 General Assembly, or as soon as practicable thereafter, the  
10 State Comptroller shall order transferred and the State  
11 Treasurer shall transfer \$3,000,000 from the Communications  
12 Revolving Fund to the Emergency Public Health Fund to be used  
13 for the purposes specified in Section 55.6a of the  
14 Environmental Protection Act.

15 In addition to any other transfers that may be provided for  
16 by law, on July 1, 2011, or as soon thereafter as practical,  
17 the State Comptroller shall direct and the State Treasurer  
18 shall transfer the sum of \$5,000,000 from the General Revenue  
19 Fund to the Communications Revolving Fund.

20 Notwithstanding any other provision of law, in addition to  
21 any other transfers that may be provided by law, on July 1,  
22 2016, or after sufficient moneys have been received in the  
23 Communications Revolving Fund to pay all Fiscal Year 2016  
24 obligations payable from the Fund, whichever is later, the  
25 State Comptroller shall direct and the State Treasurer shall  
26 transfer the remaining balance from the Communications

1 Revolving Fund into the Technology Management Revolving Fund.  
2 Upon completion of the transfer, any future deposits due to  
3 that Fund and any outstanding obligations or liabilities of  
4 that Fund pass to the Technology Management Revolving Fund.

5 (Source: P.A. 97-641, eff. 12-19-11.)

6 (30 ILCS 105/6z-34)

7 Sec. 6z-34. Secretary of State Special Services Fund. There  
8 is created in the State Treasury a special fund to be known as  
9 the Secretary of State Special Services Fund. Moneys deposited  
10 into the Fund may, subject to appropriation, be used by the  
11 Secretary of State for any or all of the following purposes:

12 (1) For general automation efforts within operations  
13 of the Office of Secretary of State.

14 (2) For technology applications in any form that will  
15 enhance the operational capabilities of the Office of  
16 Secretary of State.

17 (3) To provide funds for any type of library grants  
18 authorized and administered by the Secretary of State as  
19 State Librarian.

20 These funds are in addition to any other funds otherwise  
21 authorized to the Office of Secretary of State for like or  
22 similar purposes.

23 On August 15, 1997, all fiscal year 1997 receipts that  
24 exceed the amount of \$15,000,000 shall be transferred from this  
25 Fund to the Statistical Services Revolving Fund (now known as

1 the Technology Management Revolving Fund); on August 15, 1998  
2 and each year thereafter through 2000, all receipts from the  
3 fiscal year ending on the previous June 30th that exceed the  
4 amount of \$17,000,000 shall be transferred from this Fund to  
5 the Statistical Services Revolving Fund (now known as the  
6 Technology Management Revolving Fund); on August 15, 2001 and  
7 each year thereafter through 2002, all receipts from the fiscal  
8 year ending on the previous June 30th that exceed the amount of  
9 \$19,000,000 shall be transferred from this Fund to the  
10 Statistical Services Revolving Fund (now known as the  
11 Technology Management Revolving Fund); and on August 15, 2003  
12 and each year thereafter, all receipts from the fiscal year  
13 ending on the previous June 30th that exceed the amount of  
14 \$33,000,000 shall be transferred from this Fund to the  
15 Technology Management Revolving Fund (formerly known as the  
16 Statistical Services Revolving Fund).

17 (Source: P.A. 92-32, eff. 7-1-01; 93-32, eff. 7-1-03.)

18 (30 ILCS 105/8.16a) (from Ch. 127, par. 144.16a)

19 Sec. 8.16a. Appropriations for the procurement,  
20 installation, retention, maintenance and operation of  
21 electronic data processing and information technology devices  
22 and software used by state agencies subject to Section 405-20  
23 of the Department of Central Management Services Law (20 ILCS  
24 405/405-20), the purchase of necessary supplies and equipment  
25 and accessories thereto, and all other expenses incident to the

1 operation and maintenance of those electronic data processing  
2 and information technology devices and software are payable  
3 from the Technology Management ~~Statistical Services~~ Revolving  
4 Fund. However, no contract shall be entered into or obligation  
5 incurred for any expenditure from the Technology Management  
6 ~~Statistical Services~~ Revolving Fund until after the purpose and  
7 amount has been approved in writing by the Director of Central  
8 Management Services. Until there are sufficient funds in the  
9 Technology Management Revolving Fund (formerly known as the  
10 Statistical Services Revolving Fund) to carry out the purposes  
11 of this amendatory Act of 1965, however, the State agencies  
12 subject to that Section 405-20 shall, on written approval of  
13 the Director of Central Management Services, pay the cost of  
14 operating and maintaining electronic data processing systems  
15 from current appropriations as classified and standardized in  
16 the State Finance Act "An Act in relation to State finance",  
17 ~~approved June 10, 1919, as amended.~~

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

19 Section 15. The Illinois Insurance Code is amended by  
20 changing Sections 408, 408.2, 1202, and 1206 as follows:

21 (215 ILCS 5/408) (from Ch. 73, par. 1020)

22 Sec. 408. Fees and charges.

23 (1) The Director shall charge, collect and give proper  
24 acquittances for the payment of the following fees and charges:

1           (a) For filing all documents submitted for the  
2 incorporation or organization or certification of a  
3 domestic company, except for a fraternal benefit society,  
4 \$2,000.

5           (b) For filing all documents submitted for the  
6 incorporation or organization of a fraternal benefit  
7 society, \$500.

8           (c) For filing amendments to articles of incorporation  
9 and amendments to declaration of organization, except for a  
10 fraternal benefit society, a mutual benefit association, a  
11 burial society or a farm mutual, \$200.

12           (d) For filing amendments to articles of incorporation  
13 of a fraternal benefit society, a mutual benefit  
14 association or a burial society, \$100.

15           (e) For filing amendments to articles of incorporation  
16 of a farm mutual, \$50.

17           (f) For filing bylaws or amendments thereto, \$50.

18           (g) For filing agreement of merger or consolidation:

19               (i) for a domestic company, except for a fraternal  
20 benefit society, a mutual benefit association, a  
21 burial society, or a farm mutual, \$2,000.

22               (ii) for a foreign or alien company, except for a  
23 fraternal benefit society, \$600.

24               (iii) for a fraternal benefit society, a mutual  
25 benefit association, a burial society, or a farm  
26 mutual, \$200.

1           (h) For filing agreements of reinsurance by a domestic  
2 company, \$200.

3           (i) For filing all documents submitted by a foreign or  
4 alien company to be admitted to transact business or  
5 accredited as a reinsurer in this State, except for a  
6 fraternal benefit society, \$5,000.

7           (j) For filing all documents submitted by a foreign or  
8 alien fraternal benefit society to be admitted to transact  
9 business in this State, \$500.

10          (k) For filing declaration of withdrawal of a foreign  
11 or alien company, \$50.

12          (l) For filing annual statement by a domestic company,  
13 except a fraternal benefit society, a mutual benefit  
14 association, a burial society, or a farm mutual, \$200.

15          (m) For filing annual statement by a domestic fraternal  
16 benefit society, \$100.

17          (n) For filing annual statement by a farm mutual, a  
18 mutual benefit association, or a burial society, \$50.

19          (o) For issuing a certificate of authority or renewal  
20 thereof except to a foreign fraternal benefit society,  
21 \$400.

22          (p) For issuing a certificate of authority or renewal  
23 thereof to a foreign fraternal benefit society, \$200.

24          (q) For issuing an amended certificate of authority,  
25 \$50.

26          (r) For each certified copy of certificate of

1 authority, \$20.

2 (s) For each certificate of deposit, or valuation, or  
3 compliance or surety certificate, \$20.

4 (t) For copies of papers or records per page, \$1.

5 (u) For each certification to copies of papers or  
6 records, \$10.

7 (v) For multiple copies of documents or certificates  
8 listed in subparagraphs (r), (s), and (u) of paragraph (1)  
9 of this Section, \$10 for the first copy of a certificate of  
10 any type and \$5 for each additional copy of the same  
11 certificate requested at the same time, unless, pursuant to  
12 paragraph (2) of this Section, the Director finds these  
13 additional fees excessive.

14 (w) For issuing a permit to sell shares or increase  
15 paid-up capital:

16 (i) in connection with a public stock offering,  
17 \$300;

18 (ii) in any other case, \$100.

19 (x) For issuing any other certificate required or  
20 permissible under the law, \$50.

21 (y) For filing a plan of exchange of the stock of a  
22 domestic stock insurance company, a plan of  
23 demutualization of a domestic mutual company, or a plan of  
24 reorganization under Article XII, \$2,000.

25 (z) For filing a statement of acquisition of a domestic  
26 company as defined in Section 131.4 of this Code, \$2,000.



1           (aa) For filing an agreement to purchase the business  
2 of an organization authorized under the Dental Service Plan  
3 Act or the Voluntary Health Services Plans Act or of a  
4 health maintenance organization or a limited health  
5 service organization, \$2,000.

6           (bb) For filing a statement of acquisition of a foreign  
7 or alien insurance company as defined in Section 131.12a of  
8 this Code, \$1,000.

9           (cc) For filing a registration statement as required in  
10 Sections 131.13 and 131.14, the notification as required by  
11 Sections 131.16, 131.20a, or 141.4, or an agreement or  
12 transaction required by Sections 124.2(2), 141, 141a, or  
13 141.1, \$200.

14           (dd) For filing an application for licensing of:

15               (i) a religious or charitable risk pooling trust or  
16 a workers' compensation pool, \$1,000;

17               (ii) a workers' compensation service company,  
18 \$500;

19               (iii) a self-insured automobile fleet, \$200; or

20               (iv) a renewal of or amendment of any license  
21 issued pursuant to (i), (ii), or (iii) above, \$100.

22           (ee) For filing articles of incorporation for a  
23 syndicate to engage in the business of insurance through  
24 the Illinois Insurance Exchange, \$2,000.

25           (ff) For filing amended articles of incorporation for a  
26 syndicate engaged in the business of insurance through the

1 Illinois Insurance Exchange, \$100.

2 (gg) For filing articles of incorporation for a limited  
3 syndicate to join with other subscribers or limited  
4 syndicates to do business through the Illinois Insurance  
5 Exchange, \$1,000.

6 (hh) For filing amended articles of incorporation for a  
7 limited syndicate to do business through the Illinois  
8 Insurance Exchange, \$100.

9 (ii) For a permit to solicit subscriptions to a  
10 syndicate or limited syndicate, \$100.

11 (jj) For the filing of each form as required in Section  
12 143 of this Code, \$50 per form. The fee for advisory and  
13 rating organizations shall be \$200 per form.

14 (i) For the purposes of the form filing fee,  
15 filings made on insert page basis will be considered  
16 one form at the time of its original submission.  
17 Changes made to a form subsequent to its approval shall  
18 be considered a new filing.

19 (ii) Only one fee shall be charged for a form,  
20 regardless of the number of other forms or policies  
21 with which it will be used.

22 (iii) Fees charged for a policy filed as it will be  
23 issued regardless of the number of forms comprising  
24 that policy shall not exceed \$1,500. For advisory or  
25 rating organizations, fees charged for a policy filed  
26 as it will be issued regardless of the number of forms

1 comprising that policy shall not exceed \$2,500.

2 (iv) The Director may by rule exempt forms from  
3 such fees.

4 (kk) For filing an application for licensing of a  
5 reinsurance intermediary, \$500.

6 (ll) For filing an application for renewal of a license  
7 of a reinsurance intermediary, \$200.

8 (2) When printed copies or numerous copies of the same  
9 paper or records are furnished or certified, the Director may  
10 reduce such fees for copies if he finds them excessive. He may,  
11 when he considers it in the public interest, furnish without  
12 charge to state insurance departments and persons other than  
13 companies, copies or certified copies of reports of  
14 examinations and of other papers and records.

15 (3) The expenses incurred in any performance examination  
16 authorized by law shall be paid by the company or person being  
17 examined. The charge shall be reasonably related to the cost of  
18 the examination including but not limited to compensation of  
19 examiners, electronic data processing costs, supervision and  
20 preparation of an examination report and lodging and travel  
21 expenses. All lodging and travel expenses shall be in accord  
22 with the applicable travel regulations as published by the  
23 Department of Central Management Services and approved by the  
24 Governor's Travel Control Board, except that out-of-state  
25 lodging and travel expenses related to examinations authorized  
26 under Section 132 shall be in accordance with travel rates

1 prescribed under paragraph 301-7.2 of the Federal Travel  
2 Regulations, 41 C.F.R. 301-7.2, for reimbursement of  
3 subsistence expenses incurred during official travel. All  
4 lodging and travel expenses may be reimbursed directly upon  
5 authorization of the Director. With the exception of the direct  
6 reimbursements authorized by the Director, all performance  
7 examination charges collected by the Department shall be paid  
8 to the Insurance Producer Administration Fund, however, the  
9 electronic data processing costs incurred by the Department in  
10 the performance of any examination shall be billed directly to  
11 the company being examined for payment to the Technology  
12 Management ~~Statistical Services~~ Revolving Fund.

13 (4) At the time of any service of process on the Director  
14 as attorney for such service, the Director shall charge and  
15 collect the sum of \$20, which may be recovered as taxable costs  
16 by the party to the suit or action causing such service to be  
17 made if he prevails in such suit or action.

18 (5) (a) The costs incurred by the Department of Insurance  
19 in conducting any hearing authorized by law shall be assessed  
20 against the parties to the hearing in such proportion as the  
21 Director of Insurance may determine upon consideration of all  
22 relevant circumstances including: (1) the nature of the  
23 hearing; (2) whether the hearing was instigated by, or for the  
24 benefit of a particular party or parties; (3) whether there is  
25 a successful party on the merits of the proceeding; and (4) the  
26 relative levels of participation by the parties.

1 (b) For purposes of this subsection (5) costs incurred  
2 shall mean the hearing officer fees, court reporter fees, and  
3 travel expenses of Department of Insurance officers and  
4 employees; provided however, that costs incurred shall not  
5 include hearing officer fees or court reporter fees unless the  
6 Department has retained the services of independent  
7 contractors or outside experts to perform such functions.

8 (c) The Director shall make the assessment of costs  
9 incurred as part of the final order or decision arising out of  
10 the proceeding; provided, however, that such order or decision  
11 shall include findings and conclusions in support of the  
12 assessment of costs. This subsection (5) shall not be construed  
13 as permitting the payment of travel expenses unless calculated  
14 in accordance with the applicable travel regulations of the  
15 Department of Central Management Services, as approved by the  
16 Governor's Travel Control Board. The Director as part of such  
17 order or decision shall require all assessments for hearing  
18 officer fees and court reporter fees, if any, to be paid  
19 directly to the hearing officer or court reporter by the  
20 party(s) assessed for such costs. The assessments for travel  
21 expenses of Department officers and employees shall be  
22 reimbursable to the Director of Insurance for deposit to the  
23 fund out of which those expenses had been paid.

24 (d) The provisions of this subsection (5) shall apply in  
25 the case of any hearing conducted by the Director of Insurance  
26 not otherwise specifically provided for by law.

1           (6) The Director shall charge and collect an annual  
2 financial regulation fee from every domestic company for  
3 examination and analysis of its financial condition and to fund  
4 the internal costs and expenses of the Interstate Insurance  
5 Receivership Commission as may be allocated to the State of  
6 Illinois and companies doing an insurance business in this  
7 State pursuant to Article X of the Interstate Insurance  
8 Receivership Compact. The fee shall be the greater fixed amount  
9 based upon the combination of nationwide direct premium income  
10 and nationwide reinsurance assumed premium income or upon  
11 admitted assets calculated under this subsection as follows:

12           (a) Combination of nationwide direct premium income  
13 and nationwide reinsurance assumed premium.

14           (i) \$150, if the premium is less than \$500,000 and  
15 there is no reinsurance assumed premium;

16           (ii) \$750, if the premium is \$500,000 or more, but  
17 less than \$5,000,000 and there is no reinsurance  
18 assumed premium; or if the premium is less than  
19 \$5,000,000 and the reinsurance assumed premium is less  
20 than \$10,000,000;

21           (iii) \$3,750, if the premium is less than  
22 \$5,000,000 and the reinsurance assumed premium is  
23 \$10,000,000 or more;

24           (iv) \$7,500, if the premium is \$5,000,000 or more,  
25 but less than \$10,000,000;

26           (v) \$18,000, if the premium is \$10,000,000 or more,

1 but less than \$25,000,000;

2 (vi) \$22,500, if the premium is \$25,000,000 or  
3 more, but less than \$50,000,000;

4 (vii) \$30,000, if the premium is \$50,000,000 or  
5 more, but less than \$100,000,000;

6 (viii) \$37,500, if the premium is \$100,000,000 or  
7 more.

8 (b) Admitted assets.

9 (i) \$150, if admitted assets are less than  
10 \$1,000,000;

11 (ii) \$750, if admitted assets are \$1,000,000 or  
12 more, but less than \$5,000,000;

13 (iii) \$3,750, if admitted assets are \$5,000,000 or  
14 more, but less than \$25,000,000;

15 (iv) \$7,500, if admitted assets are \$25,000,000 or  
16 more, but less than \$50,000,000;

17 (v) \$18,000, if admitted assets are \$50,000,000 or  
18 more, but less than \$100,000,000;

19 (vi) \$22,500, if admitted assets are \$100,000,000  
20 or more, but less than \$500,000,000;

21 (vii) \$30,000, if admitted assets are \$500,000,000  
22 or more, but less than \$1,000,000,000;

23 (viii) \$37,500, if admitted assets are  
24 \$1,000,000,000 or more.

25 (c) The sum of financial regulation fees charged to the  
26 domestic companies of the same affiliated group shall not

1           exceed \$250,000 in the aggregate in any single year and  
2           shall be billed by the Director to the member company  
3           designated by the group.

4           (7) The Director shall charge and collect an annual  
5           financial regulation fee from every foreign or alien company,  
6           except fraternal benefit societies, for the examination and  
7           analysis of its financial condition and to fund the internal  
8           costs and expenses of the Interstate Insurance Receivership  
9           Commission as may be allocated to the State of Illinois and  
10          companies doing an insurance business in this State pursuant to  
11          Article X of the Interstate Insurance Receivership Compact. The  
12          fee shall be a fixed amount based upon Illinois direct premium  
13          income and nationwide reinsurance assumed premium income in  
14          accordance with the following schedule:

15                 (a) \$150, if the premium is less than \$500,000 and  
16                 there is no reinsurance assumed premium;

17                 (b) \$750, if the premium is \$500,000 or more, but less  
18                 than \$5,000,000 and there is no reinsurance assumed  
19                 premium; or if the premium is less than \$5,000,000 and the  
20                 reinsurance assumed premium is less than \$10,000,000;

21                 (c) \$3,750, if the premium is less than \$5,000,000 and  
22                 the reinsurance assumed premium is \$10,000,000 or more;

23                 (d) \$7,500, if the premium is \$5,000,000 or more, but  
24                 less than \$10,000,000;

25                 (e) \$18,000, if the premium is \$10,000,000 or more, but  
26                 less than \$25,000,000;



1           (f) \$22,500, if the premium is \$25,000,000 or more, but  
2           less than \$50,000,000;

3           (g) \$30,000, if the premium is \$50,000,000 or more, but  
4           less than \$100,000,000;

5           (h) \$37,500, if the premium is \$100,000,000 or more.

6           The sum of financial regulation fees under this subsection  
7           (7) charged to the foreign or alien companies within the same  
8           affiliated group shall not exceed \$250,000 in the aggregate in  
9           any single year and shall be billed by the Director to the  
10          member company designated by the group.

11          (8) Beginning January 1, 1992, the financial regulation  
12          fees imposed under subsections (6) and (7) of this Section  
13          shall be paid by each company or domestic affiliated group  
14          annually. After January 1, 1994, the fee shall be billed by  
15          Department invoice based upon the company's premium income or  
16          admitted assets as shown in its annual statement for the  
17          preceding calendar year. The invoice is due upon receipt and  
18          must be paid no later than June 30 of each calendar year. All  
19          financial regulation fees collected by the Department shall be  
20          paid to the Insurance Financial Regulation Fund. The Department  
21          may not collect financial examiner per diem charges from  
22          companies subject to subsections (6) and (7) of this Section  
23          undergoing financial examination after June 30, 1992.

24          (9) In addition to the financial regulation fee required by  
25          this Section, a company undergoing any financial examination  
26          authorized by law shall pay the following costs and expenses

1 incurred by the Department: electronic data processing costs,  
2 the expenses authorized under Section 131.21 and subsection (d)  
3 of Section 132.4 of this Code, and lodging and travel expenses.

4 Electronic data processing costs incurred by the  
5 Department in the performance of any examination shall be  
6 billed directly to the company undergoing examination for  
7 payment to the Technology Management ~~Statistical Services~~  
8 Revolving Fund. Except for direct reimbursements authorized by  
9 the Director or direct payments made under Section 131.21 or  
10 subsection (d) of Section 132.4 of this Code, all financial  
11 regulation fees and all financial examination charges  
12 collected by the Department shall be paid to the Insurance  
13 Financial Regulation Fund.

14 All lodging and travel expenses shall be in accordance with  
15 applicable travel regulations published by the Department of  
16 Central Management Services and approved by the Governor's  
17 Travel Control Board, except that out-of-state lodging and  
18 travel expenses related to examinations authorized under  
19 Sections 132.1 through 132.7 shall be in accordance with travel  
20 rates prescribed under paragraph 301-7.2 of the Federal Travel  
21 Regulations, 41 C.F.R. 301-7.2, for reimbursement of  
22 subsistence expenses incurred during official travel. All  
23 lodging and travel expenses may be reimbursed directly upon the  
24 authorization of the Director.

25 In the case of an organization or person not subject to the  
26 financial regulation fee, the expenses incurred in any

1 financial examination authorized by law shall be paid by the  
2 organization or person being examined. The charge shall be  
3 reasonably related to the cost of the examination including,  
4 but not limited to, compensation of examiners and other costs  
5 described in this subsection.

6 (10) Any company, person, or entity failing to make any  
7 payment of \$150 or more as required under this Section shall be  
8 subject to the penalty and interest provisions provided for in  
9 subsections (4) and (7) of Section 412.

10 (11) Unless otherwise specified, all of the fees collected  
11 under this Section shall be paid into the Insurance Financial  
12 Regulation Fund.

13 (12) For purposes of this Section:

14 (a) "Domestic company" means a company as defined in  
15 Section 2 of this Code which is incorporated or organized  
16 under the laws of this State, and in addition includes a  
17 not-for-profit corporation authorized under the Dental  
18 Service Plan Act or the Voluntary Health Services Plans  
19 Act, a health maintenance organization, and a limited  
20 health service organization.

21 (b) "Foreign company" means a company as defined in  
22 Section 2 of this Code which is incorporated or organized  
23 under the laws of any state of the United States other than  
24 this State and in addition includes a health maintenance  
25 organization and a limited health service organization  
26 which is incorporated or organized under the laws of any

1 state of the United States other than this State.

2 (c) "Alien company" means a company as defined in  
3 Section 2 of this Code which is incorporated or organized  
4 under the laws of any country other than the United States.

5 (d) "Fraternal benefit society" means a corporation,  
6 society, order, lodge or voluntary association as defined  
7 in Section 282.1 of this Code.

8 (e) "Mutual benefit association" means a company,  
9 association or corporation authorized by the Director to do  
10 business in this State under the provisions of Article  
11 XVIII of this Code.

12 (f) "Burial society" means a person, firm,  
13 corporation, society or association of individuals  
14 authorized by the Director to do business in this State  
15 under the provisions of Article XIX of this Code.

16 (g) "Farm mutual" means a district, county and township  
17 mutual insurance company authorized by the Director to do  
18 business in this State under the provisions of the Farm  
19 Mutual Insurance Company Act of 1986.

20 (Source: P.A. 97-486, eff. 1-1-12; 97-603, eff. 8-26-11;  
21 97-813, eff. 7-13-12; 98-463, eff. 8-16-13.)

22 (215 ILCS 5/408.2) (from Ch. 73, par. 1020.2)

23 Sec. 408.2. Statistical Services. Any public record, or any  
24 data obtained by the Department of Insurance, which is subject  
25 to public inspection or copying and which is maintained on a

1 computer processible medium, may be furnished in a computer  
2 processed or computer processible medium upon the written  
3 request of any applicant and the payment of a reasonable fee  
4 established by the Director sufficient to cover the total cost  
5 of the Department for processing, maintaining and generating  
6 such computer processible records or data, except to the extent  
7 of any salaries or compensation of Department officers or  
8 employees.

9 The Director of Insurance is specifically authorized to  
10 contract with members of the public at large, enter waiver  
11 agreements, or otherwise enter written agreements for the  
12 purpose of assuring public access to the Department's computer  
13 processible records or data, or for the purpose of restricting,  
14 controlling or limiting such access where necessary to protect  
15 the confidentiality of individuals, companies or other  
16 entities identified by such documents.

17 All fees collected by the Director under this Section 408.2  
18 shall be deposited in the Technology Management ~~Statistical~~  
19 ~~Services~~ Revolving Fund and credited to the account of the  
20 Department of Insurance. Any surplus funds remaining in such  
21 account at the close of any fiscal year shall be delivered to  
22 the State Treasurer for deposit in the Insurance Financial  
23 Regulation Fund.

24 (Source: P.A. 84-989.)

1           Sec. 1202. Duties. The Director shall:

2           (a) determine the relationship of insurance premiums  
3 and related income as compared to insurance costs and  
4 expenses and provide such information to the General  
5 Assembly and the general public;

6           (b) study the insurance system in the State of  
7 Illinois, and recommend to the General Assembly what it  
8 deems to be the most appropriate and comprehensive cost  
9 containment system for the State;

10          (c) respond to the requests by agencies of government  
11 and the General Assembly for special studies and analysis  
12 of data collected pursuant to this Article. Such reports  
13 shall be made available in a form prescribed by the  
14 Director. The Director may also determine a fee to be  
15 charged to the requesting agency to cover the direct and  
16 indirect costs for producing such a report, and shall  
17 permit affected insurers the right to review the accuracy  
18 of the report before it is released. The fees shall be  
19 deposited into the Technology Management ~~Statistical~~  
20 ~~Services~~ Revolving Fund and credited to the account of the  
21 Department of Insurance;

22          (d) make an interim report to the General Assembly no  
23 later than August 15, 1987, and an ~~a~~ annual report to the  
24 General Assembly no later than July 1 every year thereafter  
25 which shall include the Director's findings and  
26 recommendations regarding its duties as provided under

1 subsections (a), (b), and (c) of this Section.

2 (Source: P.A. 98-226, eff. 1-1-14; revised 10-21-15.)

3 (215 ILCS 5/1206) (from Ch. 73, par. 1065.906)

4 Sec. 1206. Expenses. The companies required to file reports  
5 under this Article shall pay a reasonable fee established by  
6 the Director sufficient to cover the total cost of the  
7 Department incident to or associated with the administration  
8 and enforcement of this Article, including the collection,  
9 analysis and distribution of the insurance cost data, the  
10 conversion of hard copy reports to tape, and the compilation  
11 and analysis of basic reports. The Director may establish a  
12 schedule of fees for this purpose. Expenses for additional  
13 reports shall be billed to those requesting the reports. Any  
14 such fees collected under this Section shall be paid to the  
15 Director of Insurance and deposited into the Technology  
16 Management Statistical Services Revolving Fund and credited to  
17 the account of the Department of Insurance.

18 (Source: P.A. 84-1431.)

19 Section 20. The Workers' Compensation Act is amended by  
20 changing Section 17 as follows:

21 (820 ILCS 305/17) (from Ch. 48, par. 138.17)

22 Sec. 17. The Commission shall cause to be printed and  
23 furnish free of charge upon request by any employer or employee

1 such blank forms as may facilitate or promote efficient  
2 administration and the performance of the duties of the  
3 Commission. It shall provide a proper record in which shall be  
4 entered and indexed the name of any employer who shall file a  
5 notice of declination or withdrawal under this Act, and the  
6 date of the filing thereof; and a proper record in which shall  
7 be entered and indexed the name of any employee who shall file  
8 such notice of declination or withdrawal, and the date of the  
9 filing thereof; and such other notices as may be required by  
10 this Act; and records in which shall be recorded all  
11 proceedings, orders and awards had or made by the Commission or  
12 by the arbitration committees, and such other books or records  
13 as it shall deem necessary, all such records to be kept in the  
14 office of the Commission.

15 The Commission may destroy all papers and documents which  
16 have been on file for more than 5 years where there is no claim  
17 for compensation pending or where more than 2 years have  
18 elapsed since the termination of the compensation period.

19 The Commission shall compile and distribute to interested  
20 persons aggregate statistics, taken from any records and  
21 reports in the possession of the Commission. The aggregate  
22 statistics shall not give the names or otherwise identify  
23 persons sustaining injuries or disabilities or the employer of  
24 any injured person or person with a disability.

25 The Commission is authorized to establish reasonable fees  
26 and methods of payment limited to covering only the costs to



1 the Commission for processing, maintaining and generating  
2 records or data necessary for the computerized production of  
3 documents, records and other materials except to the extent of  
4 any salaries or compensation of Commission officers or  
5 employees.

6 All fees collected by the Commission under this Section  
7 shall be deposited in the Technology Management ~~Statistical~~  
8 ~~Services~~ Revolving Fund and credited to the account of the  
9 Illinois Workers' Compensation Commission.

10 (Source: P.A. 99-143, eff. 7-27-15.)

11 Section 25. The Workers' Occupational Diseases Act is  
12 amended by changing Section 17 as follows:

13 (820 ILCS 310/17) (from Ch. 48, par. 172.52)

14 Sec. 17. The Commission shall cause to be printed and shall  
15 furnish free of charge upon request by any employer or employee  
16 such blank forms as it shall deem requisite to facilitate or  
17 promote the efficient administration of this Act, and the  
18 performance of the duties of the Commission. It shall provide a  
19 proper record in which shall be entered and indexed the name of  
20 any employer who shall file a notice of election under this  
21 Act, and the date of the filing thereof; and a proper record in  
22 which shall be entered and indexed the name of any employee who  
23 shall file a notice of election, and the date of the filing  
24 thereof; and such other notices as may be required by this Act;

1 and records in which shall be recorded all proceedings, orders  
2 and awards had or made by the Commission, or by the arbitration  
3 committees, and such other books or records as it shall deem  
4 necessary, all such records to be kept in the office of the  
5 Commission. The Commission, in its discretion, may destroy all  
6 papers and documents except notices of election and waivers  
7 which have been on file for more than five years where there is  
8 no claim for compensation pending, or where more than two years  
9 have elapsed since the termination of the compensation period.

10 The Commission shall compile and distribute to interested  
11 persons aggregate statistics, taken from any records and  
12 reports in the possession of the Commission. The aggregate  
13 statistics shall not give the names or otherwise identify  
14 persons sustaining injuries or disabilities or the employer of  
15 any injured person or person with a disability.

16 The Commission is authorized to establish reasonable fees  
17 and methods of payment limited to covering only the costs to  
18 the Commission for processing, maintaining and generating  
19 records or data necessary for the computerized production of  
20 documents, records and other materials except to the extent of  
21 any salaries or compensation of Commission officers or  
22 employees.

23 All fees collected by the Commission under this Section  
24 shall be deposited in the Technology Management ~~Statistical~~  
25 ~~Services~~ Revolving Fund and credited to the account of the  
26 Illinois Workers' Compensation Commission.

1 (Source: P.A. 99-143, eff. 7-27-15.)

2 Section 99. Effective date. This Act takes effect on July  
3 1, 2016.".