

1 AN ACT concerning tourism.

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

4 Section 5. The Department of Commerce and Community  
5 Affairs Law of the Civil Administrative Code of Illinois is  
6 amended by changing Sections 605-705, 605-707, and 605-710 as  
7 follows:

8 (20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)  
9 Sec. 605-705. Grants to local tourism and convention  
10 bureaus.

11 (a) To establish a grant program for local tourism and  
12 convention bureaus. The Department will develop and  
13 implement a program for the use of funds, as authorized under  
14 this Act, by local tourism and convention bureaus. For the  
15 purposes of this Act, bureaus eligible to receive funds are  
16 those local tourism and convention bureaus that are (i)  
17 either units of local government or incorporated as  
18 not-for-profit organizations; (ii) in legal existence for a  
19 minimum of 2 years before July 1, 2001; (iii) operating with  
20 a paid, full-time staff whose sole purpose is to promote  
21 tourism in the designated service area; and (iv) affiliated  
22 with one or more municipalities or counties that support the  
23 bureau with local hotel-motel taxes. After July 1, 2001,  
24 bureaus requesting certification in order to receive funds  
25 for the first time must be local tourism and convention  
26 bureaus that are (i) either units of local government or  
27 incorporated as not-for-profit organizations; (ii) in legal  
28 existence for a minimum of 2 years before the request for  
29 certification; (iii) operating with a paid, full-time staff  
30 whose sole purpose is to promote tourism in the designated  
31 service area; and (iv) affiliated with multiple

1 municipalities or counties that support the bureau with local  
2 hotel-motel taxes bureaus--eligible--to--receive--funds--are  
3 defined--as--those--bureaus--in--legal--existence--as--of--January--17,  
4 1985---that---are---either---a---unit---of---local---government---or  
5 incorporated--as--a--not--for--profit--organization,--are--affiliated  
6 with--at--least--one--municipality--or--county,--and--employ--one--full  
7 time--staff--person--whose--purpose--is--to--promote--tourism. Each  
8 bureau receiving funds under this Act will be certified by  
9 the Department as the designated recipient to serve an area  
10 of the State. These funds may not be used in support of the  
11 Chicago-World's-Fair.

12 (b) To distribute grants to local tourism and convention  
13 bureaus from appropriations made from the Local Tourism Fund  
14 for that purpose. Of the amounts appropriated annually to  
15 the Department for expenditure under this Section, one-third  
16 of those monies shall be used for grants to convention and  
17 tourism bureaus in cities with a population greater than  
18 500,000. The remaining two-thirds of the annual  
19 appropriation shall be used for grants to convention and  
20 tourism bureaus in the remainder of the State, in accordance  
21 with a formula based upon the population served. The  
22 Department may reserve up to 10% of the total appropriated to  
23 conduct audits of grants, to provide incentive funds to those  
24 bureaus that will conduct promotional activities designed to  
25 further the Department's statewide advertising campaign, to  
26 fund special statewide promotional activities, and to fund  
27 promotional activities that support an increased use of the  
28 State's parks or historic sites.

29 (Source: P.A. 90-26, eff. 7-1-97; 91-239, eff. 1-1-00;  
30 91-357, eff. 7-29-99; revised 8-4-99.)

31 (20 ILCS 605/605-707) (was 20 ILCS 605/46.6d)

32 Sec. 605-707. International Tourism Program.

33 (a) The Department of Commerce and Community Affairs

1 must establish a program for international tourism. The  
2 Department shall develop and implement the program on January  
3 1, 2000 by rule. As part of the program, the Department may  
4 work in cooperation with local convention and tourism bureaus  
5 in Illinois in the coordination of international tourism  
6 efforts at the State and local level. The Department may (i)  
7 work in cooperation with local convention and tourism bureaus  
8 for efficient use of their international tourism marketing  
9 resources, (ii) promote Illinois in international meetings  
10 and tourism markets, (iii) work with convention and tourism  
11 bureaus throughout the State to increase the number of  
12 international tourists to Illinois, (iv) provide training,  
13 research, technical support, and grants to certified  
14 convention and tourism bureaus, and (v) provide staff,  
15 administration, and related support required to manage the  
16 programs under this Section, and (vi) provide grants for the  
17 development of or the enhancement of international tourism  
18 attractions.

19 (b) The Department shall make grants for expenses  
20 related to international tourism and pay for the staffing,  
21 administration, and related support from the International  
22 Tourism Fund, a special fund created in the State Treasury.  
23 Of the amounts deposited into the Fund in fiscal year 2000  
24 after January 1, 2000, 55% shall be used for grants to  
25 convention and tourism bureaus in Chicago (other than the  
26 City of Chicago's Office of Tourism) and 45% shall be used  
27 for development of international tourism in areas outside of  
28 Chicago. Of the amounts deposited into the Fund in fiscal  
29 year 2001 and thereafter, 55% shall be used for grants to  
30 convention and tourism bureaus in Chicago, and of that amount  
31 not less than 27.5% shall be used for grants to the City of  
32 Chicago's Office of Tourism, 27.5% shall be used for grants  
33 to other convention and tourism bureaus in Chicago other than  
34 the City of Chicago's Office of Tourism, and 45% shall be

1 used for administrative expenses authorized under this  
 2 Section and development of international tourism in areas  
 3 outside of Chicago, of which not less than \$1,000,000 shall  
 4 be used annually to make grants to convention and tourism  
 5 bureaus in cities other than Chicago that demonstrate their  
 6 international tourism appeal and request to develop or expand  
 7 their international tourism marketing program, and may also  
 8 be used to provide grants under item (vi) of subsection (a)  
 9 of this Section.

10 (c) A convention and tourism bureau is eligible to  
 11 receive grant moneys under this Section if the bureau is  
 12 certified to receive funds under Title 14 of the Illinois  
 13 Administrative Code, Section 550.35. To be eligible for a  
 14 grant, a convention and tourism bureau must provide matching  
 15 funds equal to the grant amount. In certain circumstances as  
 16 determined by the Director of Commerce and Community Affairs,  
 17 however, the City of Chicago's Office of Tourism or any other  
 18 and--all convention and tourism bureau may bureaus--must  
 19 provide matching funds equal to no less than 50% of the grant  
 20 amount to be eligible to receive the grant. One-half of this  
 21 50% may be provided through in-kind contributions. Grants  
 22 received by the City of Chicago's Office of Tourism and by  
 23 convention and tourism bureaus in Chicago may be expended for  
 24 the general purposes of promoting conventions and tourism.

25 (Source: P.A. 91-604, eff. 8-16-99; 91-683, eff. 1-26-00.)

26 (20 ILCS 605/605-710)

27 Sec. 605-710. Regional tourism development  
 28 organizations. The Department may, subject to appropriation,  
 29 provide grants ~~contraetual-funding~~ from the Tourism Promotion  
 30 Fund for the administrative costs of not-for-profit regional  
 31 tourism development organizations that assist the Department  
 32 in developing tourism throughout a multi-county geographical  
 33 area designated by the Department. Regional tourism

1 development organizations receiving funds under this Section  
 2 may be required by the Department to submit to audits of  
 3 contracts awarded by the Department to determine whether the  
 4 regional tourism development organization has performed all  
 5 contractual obligations under those contracts.

6 Every employee of a regional tourism development  
 7 organization receiving funds under this Section shall  
 8 disclose to the organization's governing board and to the  
 9 Department any economic interest that employee may have in  
 10 any entity with which the regional tourism development  
 11 organization has contracted or to which the regional tourism  
 12 development organization has granted funds.

13 (Source: P.A. 90-26, eff. 7-1-97; 90-655, eff. 7-30-98;  
 14 91-239, eff. 1-1-00.)

15 Section 10. The Illinois Promotion Act is amended by  
 16 changing Sections 1, 2, 3, 4, 4a, 5, 7, 8a, 9, 10, 11, 13,  
 17 13a, and 14 as follows:

18 (20 ILCS 665/1) (from Ch. 127, par. 200-21)

19 Sec. 1. Short title. This Act shall be known and cited as  
 20 the Illinois Promotion Act.

21 (Source: Laws 1963, p. 2209.)

22 (20 ILCS 665/2) (from Ch. 127, par. 200-22)

23 Sec. 2. Legislative findings; policy. The General  
 24 Assembly hereby finds, determines and declares:

25 (a) That the health, safety, morals and general welfare  
 26 of the people of the State are directly dependent upon the  
 27 continual encouragement, development, growth and expansion of  
 28 tourism within the State;

29 (b) That unemployment, the spread of indigency, and the  
 30 heavy burden of public assistance and unemployment  
 31 compensation can be alleviated by the promotion, attraction,

1 stimulation, development and expansion of tourism in the  
2 State;

3 (c) That the policy of the State of Illinois, in the  
4 interest of promoting the health, safety, morals and welfare  
5 of all the people of the State, is to increase the economic  
6 impact of tourism ~~job-opportunities~~ throughout the State  
7 through promotional activities and by making available grants  
8 and loans to be made to local promotion groups and others, as  
9 provided in Sections 5 and 8a of this Act, for ~~promotional~~  
10 purposes of promoting, developing, and expanding tourism  
11 destinations, tourism attractions, and tourism events.

12 (Source: Laws 1967, p. 4097.)

13 (20 ILCS 665/3) (from Ch. 127, par. 200-23)

14 Sec. 3. Definitions. The following words and terms,  
15 whenever used or referred to in this Act, shall have the  
16 following meanings, except where the context may otherwise  
17 require:

18 (a) "Department" means the Department of Commerce and  
19 Community Affairs of the State of Illinois.

20 (b) "Local promotion group" means any non-profit  
21 corporation, organization, association, agency or committee  
22 thereof formed for the primary purpose of publicizing,  
23 promoting, advertising or otherwise encouraging the  
24 development of tourism in any municipality, county, or region  
25 of Illinois.

26 (c) "Promotional activities" means preparing, planning  
27 and conducting campaigns of information, advertising and  
28 publicity through such media as newspapers, radio,  
29 television, magazines, trade journals, moving and still  
30 photography, posters, outdoor signboards and personal contact  
31 within and without the State of Illinois; dissemination of  
32 information, advertising, publicity, photographs and other  
33 literature and material designed to carry out the purpose of

1 this Act; and participation in and attendance at meetings and  
2 conventions concerned primarily with tourism, including  
3 travel to and from such meetings.

4 (d) "Municipality" means "municipality" as defined in  
5 Section 1-1-2 of the Illinois Municipal Code, as heretofore  
6 and hereafter amended.

7 (e) "Tourism" means travel 50 miles or more one-way or  
8 an overnight trip outside of a person's normal routine.

9 (Source: P.A. 81-1509.)

10 (20 ILCS 665/4) (from Ch. 127, par. 200-24)

11 Sec. 4. Powers. The Department shall have the following  
12 powers:

13 (a) To formulate a program for the promotion of tourism  
14 and the film industry in the State of Illinois, including,  
15 but not limited to, the promotion of our State Parks, fishing  
16 and hunting areas, historical shrines, vacation regions and  
17 areas of historic or scenic interest.

18 (b) To cooperate with civic groups and local, State and  
19 federal departments and agencies, and agencies and  
20 departments of other states in encouraging educational  
21 tourism and developing programs therefor.

22 (c) To publish tourist promotional material such as  
23 brochures and booklets.

24 (d) To promote tourism in Illinois through all media,  
25 including but not limited to, the Internet, television, by  
26 articles and advertisements in magazines, newspapers and  
27 travel publications and by establishing promotional  
28 exhibitions at fairs, travel shows, and similar exhibitions.

29 (e) To establish and maintain travel offices at major  
30 points of entry to the State.

31 (f) To recommend legislation relating to the  
32 encouragement of tourism in Illinois.

33 (g) To assist municipalities or local promotion groups in

1 developing new tourist attractions including but not limited  
2 to feasibility studies and analyses, research and  
3 development, and management and marketing planning for such  
4 new tourist attractions.

5 (h) (Blank). ~~To do such other acts as shall, in the~~  
6 ~~judgment of the Department, be necessary and proper in~~  
7 ~~fostering and promoting tourism in the State of Illinois.~~

8 (i) To implement a program of matching grants and loans  
9 to counties, municipalities, or local promotion groups and  
10 others, as provided in Sections 5 and 8a of this Act, loans  
11 ~~to for-profit businesses~~ for the development or improvement  
12 of tourism attractions and tourism events in Illinois under  
13 the terms and conditions provided in this Act.

14 (j) To expend funds from the International and  
15 Promotional Fund, subject to appropriation, on any activity  
16 authorized under this Act.

17 (k) To do any other acts that, in the judgment of the  
18 Department, are necessary and proper in fostering and  
19 promoting tourism in the State of Illinois.

20 (Source: P.A. 90-26, eff. 7-1-97; 91-357, eff. 7-29-99.)

21 (20 ILCS 665/4a) (from Ch. 127, par. 200-24a)  
22 Sec. 4a. Funds.

23 (1) ~~As soon as possible after the first day of each~~  
24 ~~month, beginning July 1, 1978 and ending June 30, 1997, upon~~  
25 ~~certification of the Department of Revenue, the Comptroller~~  
26 ~~shall order transferred and the Treasurer shall transfer from~~  
27 ~~the General Revenue Fund to a special fund in the State~~  
28 ~~Treasury, to be known as the "Tourism Promotion Fund", an~~  
29 ~~amount equal to 10% of the net revenue realized from "The~~  
30 ~~Hotel Operators' Occupation Tax Act", as now or hereafter~~  
31 ~~amended, plus an amount equal to 10% of the net revenue~~  
32 ~~realized from any tax imposed under Section 4.05 of the~~  
33 ~~Chicago World's Fair 1992 Authority Act, as now or~~



1 hereafter--amended,--during--the--preceding--month.--Net--revenue  
 2 realized--for--a--month--shall--be--the--revenue--collected--by--the  
 3 State--pursuant--to--that--Act--during--the--previous--month--less--the  
 4 amount--paid--out--during--that--same--month--as--refunds--to  
 5 taxpayers--for--overpayment--of--liability--under--that--Act.

6 All moneys deposited in the Tourism Promotion Fund  
 7 pursuant to this subsection are allocated to the Department  
 8 for utilization, as appropriated, in the performance of its  
 9 powers under Section 4.

10 As soon as possible after the first day of each month,  
 11 beginning July 1, 1997, upon certification of the Department  
 12 of Revenue, the Comptroller shall order transferred and the  
 13 Treasurer shall transfer from the General Revenue Fund to the  
 14 Tourism Promotion Fund an amount equal to 13% of the net  
 15 revenue realized from the Hotel Operators' Occupation Tax Act  
 16 plus an amount equal to 13% of the net revenue realized from  
 17 any tax imposed under Section 4.05 of the Chicago World's  
 18 Fair-1992 Authority Act during the preceding month. "Net  
 19 revenue realized for a month" means the revenue collected by  
 20 the State under that Act during the previous month less the  
 21 amount paid out during that same month as refunds to  
 22 taxpayers for overpayment of liability under that Act.

23 (1.1) (Blank).

24 (2) As soon as possible after the first day of each  
 25 month, beginning July 1, 1997, upon certification of the  
 26 Department of Revenue, the Comptroller shall order  
 27 transferred and the Treasurer shall transfer from the General  
 28 Revenue Fund to the Tourism Promotion Fund an amount equal to  
 29 8% of the net revenue realized from the Hotel Operators'  
 30 Occupation Tax plus an amount equal to 8% of the net revenue  
 31 realized from any tax imposed under Section 4.05 of the  
 32 Chicago World's Fair-1992 Authority Act during the preceding  
 33 month. "Net revenue realized for a month" means the revenue  
 34 collected by the State under that Act during the previous

1 month less the amount paid out during that same month as  
2 refunds to taxpayers for overpayment of liability under that  
3 Act.

4 All monies deposited in the Tourism Promotion Fund under  
5 this subsection (2) shall be used solely as provided in this  
6 subsection to advertise and promote tourism throughout  
7 Illinois. Appropriations of monies deposited in the Tourism  
8 Promotion Fund pursuant to this subsection (2) shall be used  
9 solely for advertising to promote tourism, including but not  
10 limited to advertising production and direct advertisement  
11 costs, but shall not be used to employ any additional staff,  
12 finance any individual event, or lease, rent or purchase any  
13 physical facilities. The Department shall coordinate its  
14 advertising under this subsection (2) with other public and  
15 private entities in the State engaged in similar promotion  
16 activities. Print or electronic media production made  
17 pursuant to this subsection (2) for advertising promotion  
18 shall not contain or include the physical appearance of or  
19 reference to the name or position of any public officer.  
20 "Public officer" means a person who is elected to office  
21 pursuant to statute, or who is appointed to an office which  
22 is established, and the qualifications and duties of which  
23 are prescribed, by statute, to discharge a public duty for  
24 the State or any of its political subdivisions.

25 (Source: P.A. 90-26, eff. 7-1-97; 90-77, eff. 7-8-97; 90-655,  
26 eff. 7-30-98; 91-472, eff. 8-10-99.)

27 (20 ILCS 665/5) (from Ch. 127, par. 200-25)

28 Sec. 5. Marketing and private sector programs.

29 (a) The Department is authorized to make grants, subject  
30 to appropriation, from funds transferred into the Tourism  
31 Promotion Fund under subsection (1) of Section 4a to  
32 counties, municipalities, not-for-profit organizations, and  
33 local promotion groups and to assist such counties,

1 municipalities and local promotion groups in the promotion of  
 2 tourism attractions and tourism events their promotional  
 3 activities. The Department, after review of the application  
 4 and if satisfied that the program and proposed expenditures  
 5 of the applicant appear to be in accord with the purposes of  
 6 this Act, must grant to the applicant an amount not to exceed  
 7 60% of the proposed expenditures.

8 (b) The Department may make grants, subject to  
 9 appropriation, from funds transferred into the Tourism  
 10 Promotion Fund under subsection (1) of Section 4a to  
 11 counties, municipalities, not-for-profit organizations, local  
 12 promotion groups, and for-profit businesses to assist in  
 13 attracting and hosting tourism events matched with funds from  
 14 sources in the private sector. The Department, after review  
 15 of the application and if satisfied that the program  
 16 and proposed expenditures of the applicant appear to be in  
 17 accord with the purposes of this Act, must grant to the  
 18 applicant an amount not to exceed 50% of the proposed  
 19 expenditures.

20 Before any such grant may be made the county,  
 21 municipality, not-for-profit organization, or local promotion  
 22 group, or for-profit business, ~~pursuant to an order,~~  
 23 ~~resolution, ordinance or other appropriate action of its~~  
 24 ~~governing body,~~ must make application to the Department for  
 25 such grant, setting forth the studies, surveys and  
 26 investigations proposed to be made and other promotional  
 27 activities proposed to be undertaken. The application shall  
 28 further state, under oath or affirmation, with evidence  
 29 thereof satisfactory to the Department, the amount of funds  
 30 held by, committed to or subscribed to, and proposed to be  
 31 expended by, the applicant for the purposes herein described  
 32 and the amount of the grant for which application is made.

33 ~~The Department shall make grants from funds transferred~~  
 34 ~~into the Tourism Promotion Fund under subsection (1) of~~

1 Section 4a to match funds appropriated or otherwise allocated  
 2 by counties, municipalities and local promotion groups  
 3 subsequent to the effective date of this Act. The Department  
 4 shall make grants from funds transferred into the Tourism  
 5 Promotion Fund under subsection (1) of Section 4a only to  
 6 match funds from sources in the private sector.

7 (Source: P.A. 90-26, eff. 7-1-97.)

8 (20 ILCS 665/7) (from Ch. 127, par. 200-27)

9 Sec. 7. Notice of approval and grant. Upon approval of  
 10 each application and the making of a grant by the Department  
 11 in accordance therewith, the Department shall give notice to  
 12 the applicant of such approval and grant, and shall direct  
 13 the applicant to proceed with its proposed tourism  
 14 promotional program as described in its application and to  
 15 use the funds allocated by the applicant for such purpose.  
 16 Upon the furnishing of satisfactory evidence to the  
 17 Department that the applicant has so proceeded, the grant  
 18 allocated to such applicant shall be paid over on such basis  
 19 to the applicant by the Department.

20 (Source: Laws 1967, p. 4097.)

21 (20 ILCS 665/8a) (from Ch. 127, par. 200-28a)

22 Sec. 8a. Tourism grants and loans; fund.

23 (1) The Department is authorized to make grants and  
 24 loans, subject to appropriations by the General Assembly for  
 25 this purpose from the Tourism Promotion Fund or the Tourism  
 26 Attraction Development Matching Grant Fund, to counties,  
 27 municipalities, local promotion groups, not-for-profit  
 28 organizations, or for-profit businesses for the development  
 29 or improvement of tourism attractions in Illinois.  
 30 Individual These grants and loans shall not exceed \$1,000,000  
 31 and shall not exceed 50% of the entire amount of the actual  
 32 expenditures for the development or improvement of a tourist

1 attraction. Agreements for loans made by the Department  
2 pursuant to this subsection may contain provisions regarding  
3 term, interest rate, security as may be required by the  
4 Department and any other provisions the Department may  
5 require to protect the State's interest.

6 (2) There is hereby created a special fund in the State  
7 Treasury to be known as the Tourism Attraction Development  
8 Matching Grant Fund. The deposit of monies into this fund  
9 shall be limited to the repayments of principal and interest  
10 from loans made pursuant to subsection (1).

11 (Source: P.A. 91-683, eff. 1-26-00.)

12 (20 ILCS 665/9) (from Ch. 127, par. 200-29)

13 Sec. 9. Administration; rules. The Department is directed  
14 to administer the provisions of this Act with such  
15 flexibility so as to bring about as effective and economical  
16 a tourism promotion program as possible. In order to  
17 effectuate and enforce the provisions of this Act, the  
18 Department is authorized to promulgate necessary rules and  
19 regulations and prescribe procedures in order to assure  
20 compliance by applicants in carrying out the purposes for  
21 which grants and loans may be made under this Act.

22 (Source: Laws 1967, p. 4097.)

23 (20 ILCS 665/10) (from Ch. 127, par. 200-30)

24 Sec. 10. Quarterly statement. The Department shall  
25 submit quarterly to the Governor and to the State Comptroller  
26 a statement on promotional activities undertaken under the  
27 terms of this Act.

28 (Source: P.A. 78-592.)

29 (20 ILCS 665/11) (from Ch. 127, par. 200-31)

30 Sec. 11. Promotional material. Any promotional material  
31 produced as the result of the financial participation of the

1 State of Illinois under the terms of this Act shall so  
2 indicate thereon.

3 (Source: Laws 1963, p. 2209.)

4 (20 ILCS 665/13) (from Ch. 127, par. 200-33)

5 Sec. 13. Powers of municipalities and counties. For the  
6 purposes set out in this Act, the corporate authorities of  
7 each city, village or incorporated town and the county board  
8 of each county may (1) promote the advantages of the  
9 municipality or county, as the case may be, for tourism,  
10 industrial development and other activities and programs  
11 designed to stimulate employment, (2) appropriate funds for  
12 promotional activities and programs, (3) accept gifts and  
13 grants to be used for promotional purposes, and (4) join with  
14 other municipalities, counties, and local promotion groups in  
15 promotional activities and programs.

16 (Source: Laws 1963, p. 2209.)

17 (20 ILCS 665/13a) (from Ch. 127, par. 200-33a)

18 Sec. 13a. Affirmative action. The Department shall,  
19 within 90 days after the effective date of this amendatory  
20 Act of 1984, establish and maintain an affirmative action  
21 program designed to promote equal employment opportunity and  
22 eliminate the effects of past discrimination. Such program  
23 shall include a plan which shall specify goals and methods  
24 for increasing participation by women and minorities in  
25 employment by parties which receive funds pursuant to this  
26 Act. The Department shall submit a detailed plan with the  
27 General Assembly prior to March 1 of each year. Such program  
28 shall also establish procedures to ensure compliance with the  
29 plan established pursuant to this Section and with State and  
30 federal laws and regulations relating to the employment of  
31 women and minorities.

32 (Source: P.A. 83-1129.)

1           (20 ILCS 665/14) (from Ch. 127, par. 200-34)  
2           Sec. 14.   Severability.  If any section, subdivision,  
3 sentence or clause of this Act is for any reason held invalid  
4 or unconstitutional, such decision shall not affect the  
5 validity of the remaining portions of this Act.  
6           (Source: Laws 1963, p. 2209.)

7           (20 ILCS 665/6 rep.)  
8           Section 15.  The Illinois Promotion Act is amended by  
9 repealing Section 6.

10          Section 99.  Effective date.  This Act takes effect upon  
11 becoming law.