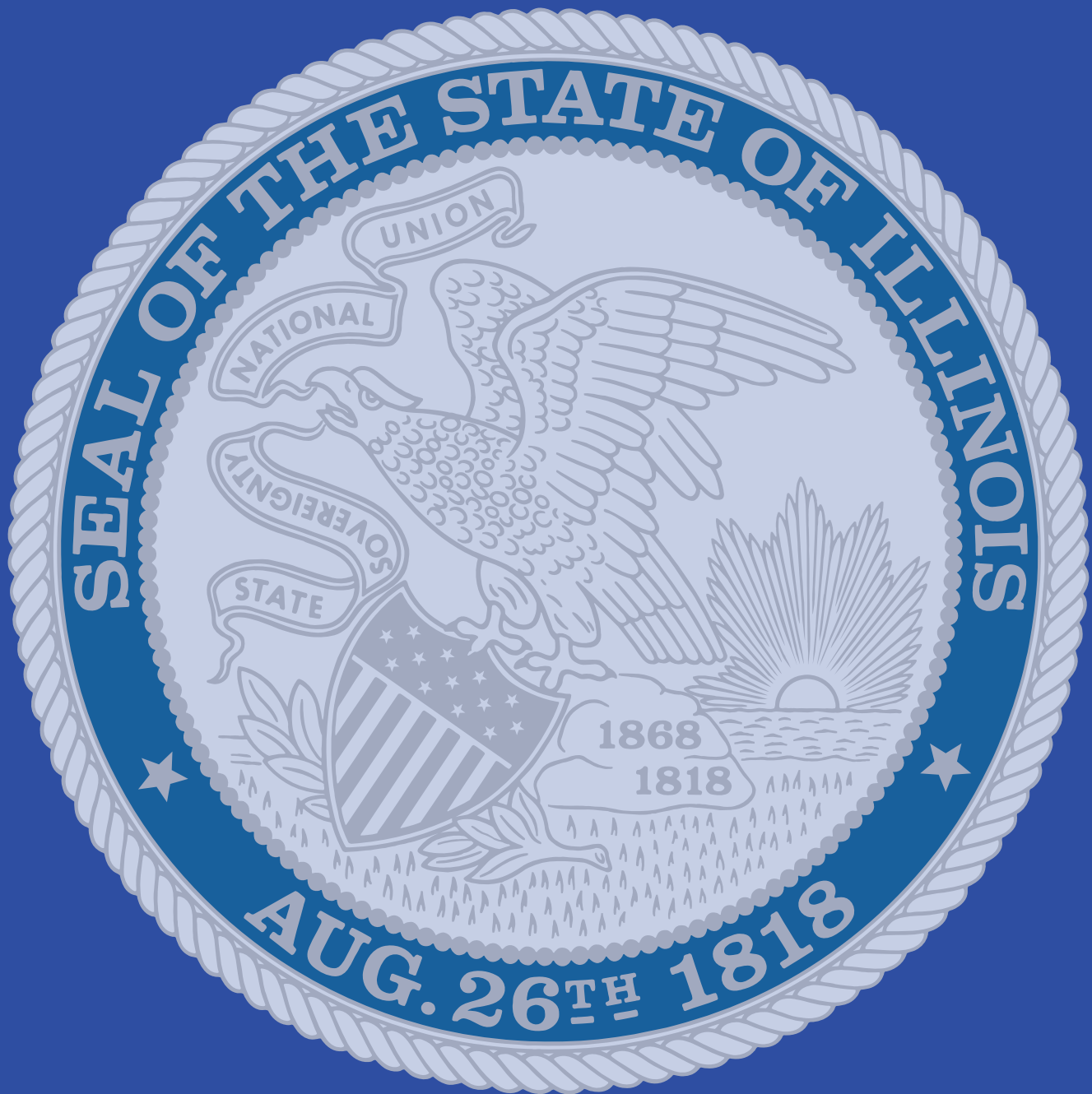


FACTS ON FUNDS

New Funds Supplement

May 2013



**Commission on Government
Forecasting and Accountability**

**Commission on Government
Forecasting and Accountability**

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FACTS ON FUNDS NEW FUNDS SUPPLEMENT - MAY 2013

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<i>1</i>	<i>New Funds List</i> This section contains a list of new non-appropriated and appropriated Funds, since the March 2007 version of this report.
<i>7</i>	<i>New Funds by Fund Number with Statutory Language</i> This section, which is arranged by Fund Number, contains more detailed information about each Fund, including the Illinois Compiled Statute (ILCS) citation, Fund Purpose, Fund Group, Fund Type, Administering Agency and Total Revenue coming into the fund in FY 2011 and FY 2012.

This **May 2013 Supplement** to the March 2007 Facts on Funds, includes new funds added to the State's Treasury since the March 2007 report. Since March 2007, 173 funds have been added, including 148 Appropriated and 25 Non-appropriated. The primary section of the report is the *Funds by Fund Number with Statutory Language*, which explains each fund's use and purpose, and reports revenue received by each fund in fiscal years 2011 and 2012.

Not all the State's spending is subject to the appropriation process and the scrutiny of the General Assembly. State law has exempted certain monies from the budgetary process. For example, locally held monies are not subject to appropriation. When monies are exempted from appropriation, they are said to be **non-appropriated**. This type of spending may be described as the expenditure of resources without specific budgetary approval by the General Assembly. Other examples of monies not subject to the appropriation process might be new or special awards from the federal government or gifts, grants or bequests from private organizations. Non-appropriated spending must be allowed for because often times a situation arises in which the State obtains grant money after the appropriation process has occurred. If an agency had to wait until an appropriation was received, it would delay the delivery of needed services. By allowing non-appropriated spending this situation is avoided. To insure that non-appropriated spending is not abused, the Comptroller's Office must ascertain that all such spending would not violate the General Assembly's intent.

New Funds by Fund Number

<i>Fund Number</i>	<i>Fund Name</i>
0120	Home Services Medicaid Trust
0121	Estate Tax Refund Fund
0122	FY13 Backlog Payment Fund
0125	Municipal Wireless Service Emergency Fund
0133	Food and Agricultural Research Fund
0149	Capitol Restoration Trust Fund
0157	Public-Private Partnerships for Transportation Fund
0158	Sexual Assault Services and Prevention Fund
0166	State Police Merit Board Public Safety Fund
0168	CMS VS AFSCME Wages Trust Fund
0169	Illinois Independent Tax Tribunal
0172	Childhood Cancer Research
0178	Children's Wellness Charities Fund
0181	Housing for Families Fund
0194	Illinois State Museum Fund
0199	Illinois Fisheries Management Fund
0201	Human Rights Commission Special Projects Trust Fund
0405	Deaf and Hard of Hearing Special Projects Fund
0424	Illinois Power Agency Trust Fund
0425	Illinois Power Agency Operations Fund
0426	Illinois Power Agency Facilities Fund
0427	Illinois Power Agency Debt Service Fund
0428	Supreme Court Historic Preservation Fund
0429	Multiple Sclerosis Research Fund
0435	Charitable Trust Stabilization Fund
0437	Quality of Life Endowment Fund
0444	High Speed Internet Services and Information Technology Fund
0445	Sex Offender Investigation Fund
0446	Employee Classification Fund
0449	Interpreters for the Deaf Fund

<i>Fund Number</i>	<i>Fund Name</i>
0451	Indigent BAIID Fund
0453	Monitoring Device Driving Permit Administration
0454	Rotary Club Fund
0456	Lung Cancer Research Fund
0458	Autism Awareness Fund
0459	Ovarian Cancer Awareness Fund
0463	Illinois Professional Golfers Association Foundation Junior Golf Fund
0464	Boy Scout and Girl Scout Fund
0466	Agriculture in the Classroom Fund
0468	Sheet Metal Workers International Association of Illinois Fund
0469	Autoimmune Disease Research Fund
0474	Human Services Priority Capital Program Fund
0478	Predatory Lending Database Program Fund
0480	Secretary of State Identification Security and Theft Prevention Fund
0490	Franchise Tax and License Fee Amnesty Fund
0494	Cigarette Fire Safety Standard Act Fund
0496	Support Our Troops Fund
0498	School Facility Occupation Tax Fund
0499	Domestic Violence Fund
0503	Electronic Health Record Incentive Fund
0505	Athletics Supervision and Regulation Fund
0506	State Small Business Credit Initiative Fund
0509	Department of Human Services Community Services Fund
0511	Illinois Main Street Fund
0512	After-School Rescue Fund
0513	Illinois State Crime Stoppers Association Fund
0516	Small Business Development Grant Fund
0521	Illinois Affordable Housing Capital Fund
0522	The Money Follows The Person Budget Transfer Fund
0531	Energy Efficiency Portfolio Standards Fund
0532	Illinois Department of Corrections Parole Division Offender Supervision Fund

<i>Fund Number</i>	<i>Fund Name</i>
0533	Attorney General Tobacco Fund
0539	Death Penalty Abolition Fund
0545	Domestic Violence Surveillance Fund
0547	Conservation Police Operations Assistance Fund
0558	Flood Prevention Occupation Tax Fund
0559	Downstate Transit Improvement Fund
0563	Illinois Law Enforcement Alarm Systems Fund
0565	Veterans Traumatic Brain Injury and Post-Traumatic Stress Disorder Public Service Announcement Fund
0579	Savings Institutions Regulatory Fund
0590	STAR Bonds Revenue Fund
0591	STAR Bond School Improvement and Operations Trust Fund
0596	Illiana Expressway Proceeds Fund
0606	Health Information Exchange Fund
0615	Debt Settlement Consumer Protection Fund
0616	Debt Management Service Consumer Protection Fund
0623	Special Olympics Illinois Fund
0624	Chicago Travel Industry Promotion Fund
0633	Reciprocal Tax Collection Fund
0639	Chicago Police Memorial Foundation Fund
0640	Fund for the Advancement of Education
0644	Commitment to Human Services Fund
0647	State Board of Elections Federal Trust Fund
0654	Health Smiles Fund
0655	Illinois Police Association Fund
0659	Historic Property Administrative Fund
0660	Academic Quality Assurance Fund
0661	Private College Academic Quality Assurance Fund
0662	Octave Chanute Aerospace Heritage Fund
0665	Prescription Pill and Drug Disposal Fund
0666	University of Illinois Income Trust Fund
0667	Disaster Response and Recovery Fund

<i>Fund Number</i>	<i>Fund Name</i>
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0675	Electronics Recycling Fund
0678	FY09 Budget Relief Fund
0679	Financial Institutions Settlement of 2008 Fund
0680	Federal Research and Technology Fund
0681	Federal Low Income Housing Tax Credit Gap Home Investment Fund
0682	Federal Low Income Housing Tax Credit Exchange Fund
0687	Court of Claims Federal Grant Fund
0693	American Recovery and Reinvestment Act Administrative Revolving Fund
0694	Capital Projects Fund
0695	Transportation Bond Series D
0696	Olympic Games and Paralympic Games Trust Fund
0697	Roadside Memorial Fund
0698	Long Term Care Ombudsman Fund
0699	Nursing Home Conversion Fund
0704	School Wind and Solar Generation Revolving Loan Fund
0706	Hunger Relief Fund
0707	Public Interest Attorney Loan Repayment Assistance Fund
0710	Homeland Security Emergency Preparedness Fund
0715	Roseland Community Medical District Income Fund
0722	Comptroller Debt Recovery Trust Fund
0730	Illinois National Guard State Active Duty Fund
0748	FY12 Hospital Relief Fund
0749	Historic Preservation Agency State Trust Fund
0751	Private Business and Vocational Schools Quality Assurance Fund
0777	Crisis Nursery Fund
0778	Department of Human Rights Training and Development Fund
0779	Stretcher Van Licensure Fund
0780	Intermodal Facilities Promotion Fund
0781	Farm Fresh Schools Program Fund
0783	Hospital Stroke Care Fund

<i>Fund Number</i>	<i>Fund Name</i>
0785	Quarter Horse Purse Fund
0790	Private Sewage Disposal Program Fund
0792	Cemetery Oversight Licensing and Disciplinary Fund
0793	Healthcare Provider Relief Fund
0797	Department of Human Rights Special Fund
0799	State Universities Retirement System Fund
0800	Illinois EMS Scholarship and Training Fund
0803	International Brotherhood of Teamsters Fund
0804	United Auto Workers' Fund
0805	Pre-Need Funeral Consumer Protection Fund
0806	Ex-Offender Fund
0807	Corn Commodity Trust Fund
0809	Transportation Development Partnership Trust Fund
0810	2-1-1 Account Fund
0813	Trucking Environmental and Education Fund
0814	Metropolitan Pier and Exposition Authority Incentive Fund
0816	Money Laundering Asset Recovery Fund
0817	State Police Operations Assistance Fund
0822	Fire Station Revolving Loan Fund
0824	Commodity Trust Fund
0829	Community Association Manager Licensing and Disciplinary Fund
0832	21st Century Workforce Development Fund
0833	Cemetery Relief Fund
0836	Illinois Power Agency Renewable Energy Resources Fund
0837	Administration Fund - The Illinois State Chamber of Commerce v. Filan
0842	Local Government Video Gaming Distributive Fund
0843	Court of Claims Federal Recovery Victim Compensation Grant Fund
0846	State Police Streetgang-Related Crime Fund
0847	Claims Fund - Illinois Chamber of Commerce v. Filan
0848	Settlement Fund - Illinois Chamber of Commerce v. Filan
0852	State's Attorneys Appellate Prosecutor Anti-Corruption Fund

<i>Fund Number</i>	<i>Fund Name</i>
0854	Share the Road Fund
0856	Employment of Illinois Workers on Public Works Projects Fund
0857	U.S. Department of Education Jobs Program Federal Trust Fund
0864	Farmers' Market Technology Improvement Fund
0867	Fraternal Order of Police Fund
0874	Illinois Route 66 Fund
0877	Habitat for Humanity Fund
0880	Disabled Veterans Property Tax Relief Fund
0881	Green Manufacturing Grant Fund
0885	Wage Theft Enforcement Fund
0891	Foreclosure Prevention Program Fund
0892	Abandoned Residential Property Municipality
0895	Soil and Water Conservation District Fund
0899	St. Jude Children's Research Fund
0915	4-H Fund
0918	Ducks Unlimited Fund
0933	Convention Center Support Fund
0941	MPEA Grants Fund
0958	Attorney General Sex Offender Awareness, Training and Education Fund

New Funds by Number with Statutory Language

Fund Number 0120 Home Services Medicaid Trust

Chapter 0020 **Act** 1705 **Section** 18.7 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Human Services **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from Section 18.7 of the Mental Health and Developmental Disabilities Act, investment income as well as any other legal sources of revenue. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for the purchase of services, and operation and administrative expenses in relation to the Home Services Program.

Statutory Language:

(a) The Home Services Medicaid Trust Fund is hereby created as a special fund in the State treasury.

(b) Amounts paid to the State during each State fiscal year by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered in relation to the Department's Home Services Program established pursuant to Section 3 of the Disabled Persons Rehabilitation Act, and any interest earned thereon, shall be deposited into the Fund.

(c) Moneys in the Fund may be used by the Department for the purchase of services, and operational and administrative expenses, in relation to the Home Services Program.

Fund Number 0121 Estate Tax Refund Fund

Chapter 0035 **Act** 0405 **Section** 13(c) **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Treasurer **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from taxes, interest and penalties collected under the Act. Monies in the Fund shall be expended exclusively for paying refunds resulting from overpayment of tax liability under the Act, except when the State Treasurer determines that any such money in the Fund exceeds the amount required for paying refunds, the Treasurer may transfer any such excess amounts to the General Revenue Fund.

Statutory Language:

(c) On and after July 1, 2012, 94% of the amounts collected from the taxes, interest, and penalties collected under this Act shall be deposited into the General Revenue Fund and 6% of those amounts shall be deposited into the Estate Tax Refund Fund, a special fund created in the State treasury.

Moneys in the Estate Tax Refund Fund shall be expended exclusively for the purpose of paying refunds resulting from overpayment of tax liability under this Act, except that, whenever the State Treasurer determines that any such moneys in the Fund exceed the amount required for the purpose of paying refunds resulting from overpayment of tax liability under this Act, the State Treasurer may transfer any such excess amounts from the Estate Tax Refund Fund to the General Revenue Fund.

The Treasurer shall order payment of refunds resulting from overpayment of tax liability under this Act from the Estate Tax Refund Fund only to the extent that amounts have been deposited and retained in the Fund.

This amendatory Act of the 97th General Assembly shall constitute an irrevocable and continuing appropriation from the Estate Tax Refund Fund for the purpose of paying refunds upon the order of the Treasurer in accordance with the provisions of this Act and for the purpose of paying refunds under this Act.

New Funds by Number with Statutory Language

Fund Number 0122 FY13 Backlog Payment Fund

Chapter 0030 **Act** 0105 **Section** 6z-93 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Comptroller **Total Revenue FY12:** \$0

Fund Purpose: Monies in the Fund shall be transferred to the General Revenue Fund as needed for the payment of vouchers and transfers to other State funds obligated in State Fiscal Year 2012, other than costs incurred for claims under the Medical Assistance Program.

Statutory Language:

The FY 13 Backlog Payment Fund is created as a special fund in the State treasury. Beginning July 1, 2012 and on or before December 31, 2012, the State Comptroller shall direct and the State Treasurer shall transfer funds from the FY 13 Backlog Payment Fund to the General Revenue Fund as needed for the payment of vouchers and transfers to other State funds obligated in State fiscal year 2012, other than costs incurred for claims under the Medical Assistance Program.

Fund Number 0125 Municipal Wireless Service Emergency Fund

Chapter 0050 **Act** 0753 **Section** 20(e) **Fund Type:** Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$0

Administering Agency: Revenue **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from E911 surcharges.

Statutory Language:

(e) If a home rule municipality having a population in excess of 500,000 as of the effective date of this amendatory Act of the 97th General Assembly imposes an E911 surcharge under subsection (a-5) of Section 15 of this Act, then the Department shall pay to the State Treasurer all prepaid wireless E911 charges, penalties, and interest collected for deposit into the Municipal Wireless Service Emergency Fund. All deposits into the Municipal Wireless Service Emergency Fund shall be held by the State Treasurer as ex officio custodian apart from all public moneys or funds of this State. Any interest attributable to moneys in the Fund must be deposited into the Fund. Moneys in the Municipal Wireless Service Emergency Fund are not subject to appropriation. On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the amount available for disbursement to the home rule municipality out of the Municipal Wireless Service Emergency Fund. The amount to be paid to the Municipal Wireless Service Emergency Fund shall be the amount (not including credit memoranda) collected during the second preceding calendar month by the Department plus an amount the Department determines is necessary to offset any amounts which were erroneously paid to a different taxing body. The amount paid to the Municipal Wireless Service Emergency Fund shall not include any amount equal to the amount of refunds made during the second preceding calendar month by the Department to retailers under this Act or any amount that the Department determines is necessary to offset any amounts which were payable to a different taxing body but were erroneously paid to the Municipal Wireless Service Emergency Fund. Within 10 days after receipt by the Comptroller of the certification provided for in this subsection, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with the directions in the certification. The Department may deduct an amount, not to exceed 3% during the first year following the effective date of this amendatory Act of the 97th General Assembly and not to exceed 2% during every year thereafter of remitted charges, to be transferred into the Tax Compliance and Administration Fund to reimburse the Department for its direct costs of administering the collection and remittance of prepaid wireless 9-1-1 surcharges.

New Funds by Number with Statutory Language

Fund Number 0133 Food and Agricultural Research Fund

Chapter 0505 **Act** 0082 **Section** 25(b) **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Agriculture **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive grants and donations . Monies in the Fund may be used in conjunction with appropriated funds for research.

Statutory Language:

(b) The Department, with the assistance of the Illinois Council on Food and Agricultural Research, may seek additional grants and donations for research. Additional funds shall be used in conjunction with appropriated funds for research. All additional grants and donations for research shall be deposited into the Food and Agricultural Research Fund, a special fund created in the State treasury, and used as provided in this Act.

Fund Number 0149 Capitol Restoration Trust Fund

Chapter 25 **Act** 0130 **Section** 8A-35 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Architect of the Capitol **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from Section 8A-15 of the Legislative Commission Reorganization Act of 1984. Monies in the Fund may be expended for the use of the Architect of the Capitol in the performance of his or her duties.

Statutory Language:

(a) The Capitol Restoration Trust Fund is created as a special fund within the State treasury. The Fund may accept deposits from any source, whether private or public, and may be appropriated only for the use of the Architect of the Capitol in the performance of his or her powers and duties. The Architect of the Capitol may seek private and public funds for deposit into the Capitol Restoration Trust Fund.

(b) The Architect of the Capitol shall submit all budget requests to implement the master plan that relate to areas of the legislative complex other than the State Capitol Building to the Capitol Historic Preservation Board for review and comment. The Architect of the Capitol shall submit all budget requests to the Board of the Office of the Architect of the Capitol for approval.

Fund Number 0157 Public-Private Partnerships for Transportation Fund

Chapter 630 **Act** 0005 **Section** 90 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Transportation **Total Revenue FY12:** \$0

Fund Purpose: Moneys in the Fund shall be appropriated to the Department of Transportation to promote the development, financing and operation of transportation facilities under this Act.

Statutory Language:

New Funds by Number with Statutory Language

The Public-Private Partnerships for Transportation Fund is created as a special fund in the State treasury. Moneys in the Public-Private Partnerships for Transportation Fund shall be appropriated to the Department of Transportation to promote the development, financing, and operation of transportation facilities under this Act. Investment income which is attributable to the investment of moneys in the Public-Private Partnerships for Transportation Fund shall be retained in the Public-Private Partnerships for Transportation Fund.

Fund Number 0158 Sexual Assault Services and Prevention Fund

Chapter 30 **Act** 0105 **Section** 6b-4 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Human Services **Total Revenue FY12:** \$0

Fund Purpose: The Fund may receive surcharge proceeds and gifts, grants and awards from any public or private entity. The Fund shall be used by the Department of Human Services to appropriate grants to sexual assault organizations for the purpose of providing community-based assistance to victims of sexual assault and for activities concerning the prevention of sexual assault.

Statutory Language:

On the second Monday of every month, the Director of Public Health shall certify to the State Comptroller and the State Treasurer the amount generated by the issuance of commemorative birth certificates under subsection (14) of Section 25 of the Vital Records Act in excess of the costs incurred in issuing the documents. Within 15 days of receipt of the certification required by this Section, the State Comptroller and the State Treasurer shall transfer from the General Revenue Fund, one-half of the amount certified as being received from the issuance of commemorative birth certificates to the Child Abuse Prevention Fund and one-half of the amount to the Domestic Violence Shelter and Service Fund.

The State Treasurer shall deposit into the Domestic Violence Shelter and Service Fund each fine received from circuit clerks under Section 5-9-1.5 of the Unified Code of Corrections.

The State Treasurer shall deposit into the Sexual Assault Services Fund and the Domestic Violence Shelter and Service Fund each of those fines received from circuit clerks under Section 5-9-1.7 of the Unified Code of Corrections in accordance with the provisions of that Section.

Fund Number 0166 State Police Merit Board Public Safety Fund

Chapter 705 **Act** 0105 **Section** 27.6(n) **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: State Police Merit Board **Total Revenue FY12:** \$0

Fund Purpose: The Fund may receive State appropriations, gifts, grants and federal funds and include earnings from the investment of moneys in the Fund. The Fund shall be used by the State Police Merit Board to provide a cadet program for State Police personnel and to meet all costs associated with the function of the State Police Merit Board

Statutory Language:

(n) In addition to any other fines and court costs assessed by the courts, any person who is convicted of or pleads guilty to a violation of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, or who is convicted of, pleads guilty to, or receives a disposition of court supervision for a violation of the Illinois Vehicle Code, or a similar provision of a local ordinance, shall pay an additional fee of \$15 to the clerk of the circuit court. This additional fee of \$15 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. This amount, less 2.5% that shall be used to defray administrative costs incurred by the clerk, shall be remitted

New Funds by Number with Statutory Language

by the clerk to the State Treasurer within 60 days after receipt for deposit into the State Police Merit Board Public Safety Fund.

Fund Number 0168 CMS VS AFSCME Wages Trust Fund

Chapter **Act** **Section** **Fund Type:** Non-Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$0

Administering Agency: Central Management Services **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive monies to pay AFSCME wage increases that were not paid. The source of the receipts will be interfund payments via other Illinois state agencies.

Statutory Language:

[Directed by Court Order]

Fund Number 0169 Illinois Independent Tax Tribunal

Chapter 0035 **Act** 1010 **Section** 1-55 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Illinois Independent Tax Tribunal **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive monies from fees imposed by the Tax Tribunal for filing of petitions, preparing and comparing a transcript of the record or for copying any record, entry or other paper and the comparison and certification thereof. Moneys deposited into the Fund shall be appropriated to the Tribunal to reimburse the Tribunal for costs associated with administering and enforcing provisions of the Act.

Statutory Language:

- (a) The Tax Tribunal shall impose a fee of \$500 for the filing of petitions.
- (b) The Tax Tribunal may fix a fee, not in excess of the fees charged and collected by the clerk of the circuit courts, for comparing, or for preparing and comparing, a transcript of the record, or for copying any record, entry, or other paper and the comparison and certification thereof.
- (c) Fees collected under this Section shall be deposited into the Illinois Independent Tax Tribunal Fund, a special fund created in the State treasury. Moneys deposited into the Fund shall be appropriated to the Tribunal to reimburse the Tribunal for costs associated with administering and enforcing the provisions of this Act.
- (d) The Tax Tribunal shall not assign any costs or attorney's fees incurred by one party against another party. Claims for expenses and attorney's fees under Section 10-55 of the Administrative Procedure Act shall first be made to the Department of Revenue. If the claimant is dissatisfied because of the Department's failure to make any award or because of the insufficiency of the award, the claimant may petition the Court of Claims for the amount deemed owed.

Fund Number 0172 Childhood Cancer Research

Chapter 0030 **Act** 0105 **Section** 6z-93 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Public Health **Total Revenue FY12:** \$0

New Funds by Number with Statutory Language

Fund Purpose: The purpose of the Fund is to receive monies for the Department of Public Health to use to make grants to public or private not-for-profit entities for the purpose of conducting childhood cancer research. The source of the receipts will be from contributions made on Illinois Income Tax forms.

Statutory Language:

The Childhood Cancer Research Fund is created as a special fund in the State treasury. Moneys in the Fund shall be used by the Department of Public Health to make grants to public or private not-for-profit entities for the purpose of conducting childhood cancer research. For the purposes of this Section, "research" includes, but is not limited to, expenditures to develop and advance the understanding, techniques, and modalities effective in early detection, prevention, cure, screening, and treatment of childhood cancer and may include clinical trials. The grant funds may not be used for institutional overhead costs, indirect costs, other organizational levies, or costs of community-based support services.

Fund Number 0178 Children's Wellness Charities Fund

Chapter 0030 **Act** 0105 **Section** 6z-94 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Human Services **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive monies for the Department of Human Services to use to make grants to public or private not-for-profit entities for the purpose of administering grants to children's health and well-being charities located in Illinois. The source of receipts will be from contributions made on Illinois Income Tax forms.

Statutory Language:

The Children's Wellness Charities Fund is created as a special fund in the State treasury. Moneys in the Fund shall be used by the Department of Human Services to make grants to public or private not-for-profit entities for the purpose of administering grants to children's health and well-being charities located in Illinois. For the purposes of this Section, "children's health and well-being charities" include, but are not limited to, charities that provide mobile care centers, free or low-cost lodging, or other services to assist children who are being treated for illnesses and their families. For the purposes of this Section, "mobile care center" means any vehicle built specifically for delivering pediatric health care services.

Fund Number 0181 Housing for Families Fund

Chapter 0030 **Act** 0105 **Section** 6z-95 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Human Services **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive monies for the Department of Human Services to use to make grants to public or private not-for-profit entities for the purpose of building new housing for low income, working poor, disabled, low credit and no credit families. The source of the receipts will be from contributions made on Illinois Income Tax forms.

Statutory Language:

The Housing for Families Fund is created as a special fund in the State treasury. Moneys in the Fund shall be used by the Department of Human Services to make grants to public or private not-for-profit entities for the purpose of building new housing for low income, working poor, disabled, low credit, and no credit families. For the purposes of this Section, "low income", "working poor", "disabled", "low credit", and "no credit families" shall be defined by the Department of Human Services by rule.

New Funds by Number with Statutory Language

Fund Number 0194 Illinois State Museum Fund

Chapter 0020 **Act** 0801 **Section** 20-15 **Fund Type:** Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$0

Administering Agency: Natural Resources **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive monies from entrance fees charged to visitors to the Illinois State Museum. Monies deposited in the Fund shall be used to support the Illinois State Museum.

Statutory Language:

The Department may set by administrative rule an entrance fee for visitors to the Illinois State Museum. The fee assessed by this Section shall be deposited into the Illinois State Museum Fund for the Department to use to support the Illinois State Museum. The monies deposited into the Illinois State Museum Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

Fund Number 0199 Illinois Fisheries Management Fund

Chapter 0020 **Act** 0805 **Section** 805-420 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Natural Resources **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive 20% of the revenue derived from fees paid for certificates of title, duplicate certificates of title and corrected certificates of title. Monies deposited in the Fund shall be used for the operation of the Division of Fisheries within the Department.

Statutory Language:

The Department has the power to expend monies appropriated to the Department from the Park and Conservation Fund in the State treasury for conservation and park purposes.

Eighty percent of the revenue derived from fees paid for certificates of title, duplicate certificates of title and corrected certificates of title and deposited in the Park and Conservation Fund, as provided for in Section 2-119 of the Illinois Vehicle Code, shall be expended solely by the Department pursuant to an appropriation for acquisition, development, and maintenance of bike paths, including grants for the acquisition and development of bike paths and 20% of the revenue derived from fees shall be deposited into the Illinois Fisheries Management Fund, a special fund created in the State Treasury to be used for the operation of the Division of Fisheries within the Department.

Revenue derived from fees paid for the registration of motor vehicles of the first division and deposited in the Park and Conservation Fund, as provided for in Section 3-806 of the Illinois Vehicle Code, shall be expended by the Department for the following purposes:

(A) Fifty percent of funds derived from the vehicle registration fee shall be used by the Department for normal operations.

(B) Fifty percent of funds derived from the vehicle registration fee shall be used by the Department for construction and maintenance of State owned, leased, and managed sites.

The monies deposited into the Park and Conservation Fund and the Illinois Fisheries Management Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

New Funds by Number with Statutory Language

Fund Number 0201 Human Rights Commission Special Projects Trust Fund

Chapter 0775 **Act** 0005 **Section** 8-112 **Fund Type:** Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$0

Administering Agency: Human Rights Commission **Total Revenue FY12:** \$0

Fund Purpose: The Human Rights Commission has the authority to accept and receive public grants, private gifts, and to apply for and accept any funds that may become available for the Commission's work from governmental grants, private gifts, donations or bequests from any sources. The Human Rights Commission has received a grant from the Department of Justice/Edward Byrne Memorial Justice Assistance (JAG) Program.

Statutory Language:

The commission is authorized to accept public grants and private gifts and bequests so long as the conditions of the grant, gift, or bequest are not inconsistent with the purposes of this Act.

Fund Number 0405 Deaf and Hard of Hearing Special Projects Fund

Chapter 20 **Act** 3932 **Section** 25 **Fund Type:** Non-Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$15,000

Administering Agency: Deaf and Hard of Hearing Commission **Total Revenue FY12:** \$25,500

Fund Purpose: The purpose of the new Fund is to receive and record grant monies and contributions for the purpose of disbursement in accordance with the Commission's powers and duties.

Statutory Language:

Powers and duties of the Commission. The Commission shall be a coordinating and advocating body that acts on behalf of the interests of persons in Illinois who are deaf or hard of hearing, including children, adults, senior citizens, and those with any additional disability. The Commission shall submit an annual report of its activities to the Governor and the General Assembly on January 1st of each year. The Commission shall:

- (1) Make available and provide an educational and informational program through printed materials, workshop and training sessions, presentations, demonstrations, and public awareness events about hearing loss for citizens in Illinois and for public and private entities. The program shall include, but not be limited to, information concerning information and referral services, lending libraries, service and resource availability, the interpreter registry, accessibility and accommodation issues, assistive technology, empowerment issues, obligations of service providers and employers, educational options, and current federal and State statutes, regulations, and policies regarding hearing loss.
- (2) Cooperate with public and private agencies and local, State, and federal governments to coordinate programs for persons who are deaf or hard of hearing.
- (3) Provide technical assistance, consultation, and training support to start and enhance existing programs and services for persons who are deaf or hard of hearing.
- (4) Evaluate and monitor State programs delivering services to deaf and hard of hearing persons to determine their effectiveness; identify and promote new services or programs whenever necessary; and make recommendations to public officials about changes necessary to improve the quality and delivery of services, programs, and activities and about future financial support to continue existing programs and establish new programs.
- (5) Monitor State funded programs delivering services to persons who are deaf or hard of hearing to determine the extent that promised and mandated services are delivered.
- (6) Review, evaluate, and participate in the development of proposed and amended statutes, rules, regulations, and policies relating to services, programs, and activities for deaf and hard of hearing persons and make recommendations on

New Funds by Number with Statutory Language

existing statutes, rules, regulations, and policies to the Governor, General Assembly, and State agencies.

(7) Promote cooperation among State and local agencies providing educational programs for deaf and hard of hearing individuals.

(8) Establish rules and regulations related to evaluation, certification, licensure, and training standards of interpreters for deaf and hard of hearing persons.

Fund Number 0424 Illinois Power Agency Trust Fund

Chapter 0030 **Act** 0105 **Section** 6z-75 **Fund Type:** Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$44,853

Administering Agency: Illinois Power Agency **Total Revenue FY12:** \$24,512,184

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from grants, loans or other monies made available from any source. No more than 90% of investment income is to be appropriated by the General Assembly on an annual basis. Investment income not appropriated is to be added to the principal of the Fund.

Statutory Language:

(a) Creation. The Illinois Power Agency Trust Fund is created as a special fund in the State treasury. The State Treasurer shall be the custodian of the Fund. Amounts in the Fund, both principal and interest not appropriated, shall be invested as provided by law.

(b) Funding and investment.

(1) The Illinois Power Agency Trust Fund may accept, receive, and administer any grants, loans, or other funds made available to it by any source. Any such funds received by the Fund shall not be considered income, but shall be added to the principal of the Fund.

(2) The investments of the Fund shall be managed by the Illinois State Board of Investment, for the purpose of obtaining a total return on investments for the long term, as provided for under Article 22A of the Illinois Pension Code.

(c) Investment proceeds. Subject to the provisions of subsection (d) of this Section, the General Assembly may annually appropriate from the Illinois Power Agency Trust Fund to the Illinois Power Agency Operations Fund an amount not to exceed 90% of the annual investment income earned by the Fund to the Illinois Power Agency. Any investment income not appropriated by the General Assembly in a given fiscal year shall be added to the principal of the Fund, and thereafter considered a part thereof and not subject to appropriation as income earned by the Fund.

(d) Expenditures.

(1) During Fiscal Year 2008 and Fiscal Year 2009, the General Assembly shall not appropriate any of the investment income earned by the Illinois Power Agency Trust Fund to the Illinois Power Agency.

(2) During Fiscal Year 2010 and Fiscal Year 2011, the General Assembly shall appropriate a portion of the investment income earned by the Illinois Power Agency Trust Fund to repay to the General Revenue Fund of the State of Illinois those amounts, if any, appropriated from the General Revenue Fund for the operation of the Illinois Power Agency during Fiscal Year 2008 and Fiscal Year 2009, so that at the end of Fiscal Year 2011, the entire amount, if any, appropriated from the General Revenue Fund for the operation of the Illinois Power Agency during Fiscal Year 2008 and Fiscal Year 2009 will be repaid in full to the General Revenue Fund.

(3) In Fiscal Year 2012 and thereafter, the General Assembly shall consider the need to balance its appropriations from the investment income earned by the Fund with the need to provide for the growth of the principal of the Illinois Power Agency Trust Fund in order to ensure that the Fund is able to produce sufficient investment income to fund the operations of the Illinois Power Agency in future years.

(4) If the Illinois Power Agency shall cease operations, then, unless otherwise provided for by law or appropriation, the principal and any investment income earned by the Fund shall be transferred into the Supplemental Low-Income Energy Assistance Program (LIHEAP) Fund under Section 13 of the Energy Assistance Act of 1989.

(e) Implementation. The provisions of this Section shall not be operative until the Illinois Power Agency Trust Fund has accumulated a principal balance of \$25,000,000.

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Fund Number 0425 Illinois Power Agency Operations Fund

Chapter 0020 **Act** 3855 **Section** 1-40 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$11,704,795

Administering Agency: Illinois Power Agency **Total Revenue FY12:** \$1,720,160

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from public and private sources. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for operations of the Illinois Power Agency.

Statutory Language:

- (a) The Illinois Power Agency Operations Fund is created as a special fund in the State treasury.
- (b) The Illinois Power Agency Operations Fund shall be administered by the Agency for the Agency's operations as specified in this Section.
- (c) All moneys used by the Agency from the Illinois Power Agency Operations Fund are subject to appropriation by the General Assembly.
- (d) All disbursements from the Illinois Power Agency Operations Fund shall be made only upon warrants of the State Comptroller drawn upon the State Treasurer as custodian of the Fund upon vouchers signed by the Director or by the person or persons designated by the Director for that purpose. The Comptroller is authorized to draw the warrant upon vouchers so signed. The State Treasurer shall accept all warrants so signed and shall be released from liability for all payments made on those warrants.

Fund Number 0426 Illinois Power Agency Facilities Fund

Chapter 0020 **Act** 3855 **Section** 1-45 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Illinois Power Agency **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from public and private sources. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for costs incurred in association with the development, construction, operation and maintenance of a facility to be used by the Illinois Power Agency.

Statutory Language:

- (a) The Illinois Power Agency Facilities Fund is created as a special fund in the State treasury.
- (b) The Illinois Power Agency Facilities Fund shall be administered by the Agency for costs incurred in connection with the development and construction of a facility by the Agency as well as costs incurred in connection with the operation and maintenance of an Agency facility.
- (c) All moneys used by the Agency from the Illinois Power Agency Facilities Fund are subject to appropriation by the General Assembly.
- (d) All disbursements from the Illinois Power Agency Facilities Fund shall be made only upon warrants of the State Comptroller drawn upon the State Treasurer as custodian of the Fund upon vouchers signed by the Director or by the person or persons designated by the Director for that purpose. The Comptroller is authorized to draw the warrant upon vouchers so signed. The State Treasurer shall accept all warrants so signed and shall be released from liability for all payments made on those warrants.

New Funds by Number with Statutory Language

Fund Number 0427 Illinois Power Agency Debt Service Fund

Chapter 0020 **Act** 3855 **Section** 1-50 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Illinois Power Agency **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from public and private sources. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for the retirement of revenue bonds issued for any Illinois Power Agency facility.

Statutory Language:

- (a) The Illinois Power Agency Debt Service Fund is created as a special fund in the State treasury.
- (b) The Illinois Power Agency Debt Service Fund shall be administered by the Agency for retirement of revenue bonds issued for any Agency facility.

Fund Number 0428 Supreme Court Historic Preservation Fund

Chapter 0705 **Act** 0017 **Section** 20 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$22,762

Administering Agency: Supreme Court **Total Revenue FY12:** \$41,191

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from grants, gifts, donations, bequests, sales and any other public or private source. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, by the Supreme Court Historic Preservation Commission for historic preservation purposes.

Statutory Language:

- (a) The Supreme Court Historic Preservation Fund is created as a special fund in the State treasury. Subject to appropriation, the moneys in the Fund shall be used only by the Commission as deemed appropriate for historic preservation and related purposes, including the hiring of necessary staff.
- (b) All moneys received by the Commission, including without limitation, grants, gifts, donations, bequests, fees, admissions, sales, and concessions, from any source, including private, public, governmental, and individual, must be deposited into the Fund. All interest that is attributable to moneys in the Fund must be deposited into the Fund.
- (c) On July 1, 2007, or as soon thereafter as may be practical, the State Treasurer shall transfer the amount of \$5,000,000 from the General Revenue Fund to the Supreme Court Historic Preservation Fund.

Fund Number 0429 Multiple Sclerosis Research Fund

Chapter 0020 **Act** 1605 **Section** 21.7 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$1,293,719

Administering Agency: Public Health **Total Revenue FY12:** \$2,785,651

New Funds by Number with Statutory Language

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from a special instant scratch-off game, gifts, awards from any public or private entity and interest income. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to Illinois organizations for research on the repair of damage caused by multiple sclerosis.

Statutory Language:

(a) The Department shall offer a special instant scratch-off game for the benefit of research pertaining to multiple sclerosis. The game shall commence on July 1, 2008 or as soon thereafter, in the discretion of the Superintendent, as is reasonably practical. The operation of the game shall be governed by this Act and any rules adopted by the Department. If any provision of this Section is inconsistent with any other provision of this Act, then this Section governs.

(b) The Multiple Sclerosis Research Fund is created as a special fund in the State treasury. The net revenue from the scratch-out multiple sclerosis scratch-off game created under this Section shall be deposited into the Fund for appropriation by the General Assembly to the Department of Public Health for the purpose of making grants to organizations in Illinois that conduct research pertaining to the repair of damage caused by an acquired demyelinating disease of the central nervous system.

Moneys received for the purposes of this Section, including, without limitation, net revenue from the special instant scratch-off game and from gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

For purposes of this Section, the term "research" includes, without limitation, expenditures to develop and advance the understanding, techniques, and modalities effective for maintaining function, mobility, and strength through preventive physical therapy or other treatments and to develop and advance the repair of myelin, neuron, and axon damage caused by an acquired demyelinating disease of the central nervous system and the restoration of function, including but not limited to, nervous system repair or neuroregeneration.

The grant funds may not be used for institutional, organizational, or community-based overhead costs, indirect costs, or levies.

For purposes of this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in the prizes and the actual administrative expenses of the Department solely related to the scratch-off game under this Section.

(c) During the time that tickets are sold for the scratch-out multiple sclerosis scratch-off game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(d) The Department may adopt any rules necessary to implement and administer the provisions of this Section.

Fund Number 0435 Charitable Trust Stabilization Fund

Chapter 0805 Act 0105 Section 115.10(m)	Fund Type: Appropriated
Fund Group: Special State Fund	Total Revenue FY11: \$426,830
Administering Agency: Commerce and Economic Opportunity	Total Revenue FY12: \$2,448,137

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees, gifts, grants awards from any public or private entity and interest income. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to participating organizations for start-up purposes, short-term, low interest loans, operation expansion and administrative costs.

Statutory Language:

(m) Filing an annual report of a domestic or foreign corporation, \$10, of which \$5 must be deposited into the Charitable Trust Stabilization Fund.

New Funds by Number with Statutory Language

Fund Number 0437 Quality of Life Endowment Fund

Chapter 0020 **Act** 1605 **Section** 21.8 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$893,895

Administering Agency: Revenue, Public Health **Total Revenue FY12:** \$2,902,455

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from a special instant scratch-off lottery game, any public or private source, gifts or grants. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for the purpose of HIV/AIDS prevention education and grants to fund organizations serving the highest at-risk categories for contracting HIV or developing AIDS.

Statutory Language:

(a) The Department shall offer a special instant scratch-off game with the title of "Quality of Life". The game shall commence on July 1, 2007 or as soon thereafter, in the discretion of the Superintendent, as is reasonably practical, and shall be discontinued on December 31, 2017. The operation of the game is governed by this Act and by any rules adopted by the Department. The Department must consult with the Quality of Life Board, which is established under Section 2310-348 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, regarding the design and promotion of the game. If any provision of this Section is inconsistent with any other provision of this Act, then this Section governs.

(b) The Quality of Life Endowment Fund is created as a special fund in the State treasury. The net revenue from the Quality of Life special instant scratch-off game must be deposited into the Fund for appropriation by the General Assembly solely to the Department of Public Health for the purpose of HIV/AIDS-prevention education and for making grants to public or private entities in Illinois for the purpose of funding organizations that serve the highest at-risk categories for contracting HIV or developing AIDS. Grants shall be targeted to serve at-risk populations in proportion to the distribution of recent reported Illinois HIV/AIDS cases among risk groups as reported by the Illinois Department of Public Health. The recipient organizations must be engaged in HIV/AIDS-prevention education and HIV/AIDS healthcare treatment. The Department must, before grants are awarded, provide copies of all grant applications to the Quality of Life Board, receive and review the Board's recommendations and comments, and consult with the Board regarding the grants. Organizational size will determine an organization's competitive slot in the "Request for Proposal" process. Organizations with an annual budget of \$300,000 or less will compete with like size organizations for 50% of the Quality of Life annual fund. Organizations with an annual budget of \$300,001 to \$700,000 will compete with like organizations for 25% of the Quality of Life annual fund, and organizations with an annual budget of \$700,001 and upward will compete with like organizations for 25% of the Quality of Life annual fund. The lottery may designate a percentage of proceeds for marketing purpose. The grant funds may not be used for institutional, organizational, or community-based overhead costs, indirect costs, or levies.

Grants awarded from the Fund are intended to augment the current and future State funding for the prevention and treatment of HIV/AIDS and are not intended to replace that funding.

Moneys received for the purposes of this Section, including, without limitation, net revenue from the special instant scratch-off game and gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

For purposes of this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in prizes and the actual administrative expenses of the Department solely related to the Quality of Life game.

(c) During the time that tickets are sold for the Quality of Life game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(d) The Department may adopt any rules necessary to implement and administer the provisions of this Section in consultation with the Quality of Life Board.

New Funds by Number with Statutory Language

Fund Number 0444 High Speed Internet Services and Information Technology Fund

Chapter 0020 **Act** 0661 **Section** 30 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Commerce and Economic Opportunity **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from a fund transfer from the Digital Divide Elimination Infrastructure Fund. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to the selected non-profit organization to perform the services of the High Speed Internet Services and Technology Act.

Statutory Language:

(a) There is created in the State treasury a special fund to be known as the High Speed Internet Services and Information Technology Fund, to be used, subject to appropriation, by the Department of Commerce and Economic Development for purposes of providing grants to the nonprofit organization enlisted under this Act.

(b) On the effective date of this Act, \$4,000,000 in the Digital Divide Elimination Infrastructure Fund shall be transferred to the High Speed Internet Services and Information Technology Fund. Nothing contained in this subsection (b) shall affect the validity of grants issued with moneys from the Digital Divide Elimination Infrastructure Fund before June 30, 2007.

Fund Number 0445 Sex Offender Investigation Fund

Chapter 0730 **Act** 0005 **Section** 5-9-1.15 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$35,530

Administering Agency: State Police **Total Revenue FY12:** \$96,739

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from fines imposed as a result of a guilty plea, judgment of conviction or an order of supervision. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, to investigate alleged sex offenses and for grants to local law enforcement agencies to investigate alleged sex offenses.

Statutory Language:

(a) There shall be added to every penalty imposed in sentencing for a sex offense as defined in Section 2 of the Sex Offender Registration Act an additional fine in the amount of \$500 to be imposed upon a plea of guilty, stipulation of facts or finding of guilty resulting in a judgment of conviction or order of supervision.

(b) Such additional amount shall be assessed by the court imposing sentence and shall be collected by the circuit clerk in addition to the fine, if any, and costs in the case. Each such additional penalty shall be remitted by the circuit clerk within one month after receipt to the State Treasurer for deposit into the Sex Offender Investigation Fund. The circuit clerk shall retain 10% of such penalty for deposit into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court to cover the costs incurred in administering and enforcing this Section. Such additional penalty shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing.

(c) Not later than March 1 of each year the clerk of the circuit court shall submit to the State Comptroller a report of the amount of funds remitted by him or her to the State Treasurer under this Section during the preceding calendar year. Except as otherwise provided by Supreme Court Rules, if a court in sentencing an offender levies a gross amount for fine, costs, fees and penalties, the amount of the additional penalty provided for herein shall be collected from the amount remaining after deducting from the gross amount levied all fees of the circuit clerk, the State's Attorney, and the sheriff. After deducting from the gross amount levied the fees and additional penalty provided for herein, less any other additional penalties provided by law, the clerk shall remit \$100 of each \$500 additional fine imposed under this Section to the State's Attorney of the county which prosecuted the case or the local law enforcement agency that investigated the case leading to

New Funds by Number with Statutory Language

the defendant's judgment of conviction or order of supervision and after such remission the net balance remaining to the entity authorized by law to receive the fine imposed in the case. For purposes of this Section "fees of the circuit clerk" shall include, if applicable, the fee provided for under Section 27.3a of the Clerks of Courts Act and the fee, if applicable, payable to the county in which the violation occurred under Section 5-1101 of the Counties Code.

(d) Subject to appropriation, moneys in the Sex Offender Investigation Fund shall be used by the Department of State Police to investigate alleged sex offenses and to make grants to local law enforcement agencies to investigate alleged sex offenses as such grants are awarded by the Director of State Police under rules established by the Director of State Police.

Fund Number	0446	Employee Classification Fund
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Chapter	0820	Act	0185	Section	50	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$21,917
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Administering Agency: Labor	Total Revenue FY12:	\$90,919
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Fund Purpose: The purpose of this Fund is to receive and record monies obtained from fees and civil penalties assessed under the Employee Classification Act. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for administration and investigation costs and any expenses associated with carrying out the provisions of the Act.

Statutory Language:

All moneys received by the Department as fees and civil penalties under this Act shall be deposited into the Employee Classification Fund and shall be used, subject to appropriation by the General Assembly, by the Department for administration, investigation, and other expenses incurred in carrying out its powers and duties under this Act. The Department shall hire as many investigators and other personnel as may be necessary to carry out the purposes of this Act. Any moneys in the Fund at the end of a fiscal year in excess of those moneys necessary for the Department to carry out its powers and duties under this Act shall be available to the Department for the next fiscal year for any of the Department's duties.

Fund Number	0449	Interpreters for the Deaf Fund
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Chapter	0225	Act	0443	Section	110	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$133,611
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Administering Agency: Deaf and Hard of Hearing Commission	Total Revenue FY12:	\$171,701
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Fund Purpose: The purpose of this Fund is to receive and record monies obtained from fees and fines in accordance with the Interpreter for the Deaf Licensure Act of 2007 and interest income. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for the administration and enforcement of the Act.

Statutory Language:

The moneys received as fees and fines by the Commission under this Act shall be deposited in the Interpreters for the Deaf Fund, which is hereby created as a special fund in the State treasury, and shall be used only for the administration and enforcement of this Act, including (i) for costs directly related to the regulating of persons under this Act, (ii) by the Board and Commission in the exercise of its powers and performance of its duties, and (iii) for direct and allocable indirect cost related to the public purposes of the Commission. All moneys deposited in the Fund shall be appropriated to the Commission for expenses of the Commission and the Board in the administration and enforcement of this Act. Moneys in the Fund may be invested and reinvested, with all earnings deposited in the Fund and used for the purposes set forth in this Act. The Fund shall comply with the Illinois State Auditing Act.

New Funds by Number with Statutory Language

Fund Number 0451 Indigent BAIID Fund

Chapter 0625 **Act** 0005 **Section** 6-206.1(o) **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$248,233

Administering Agency: Secretary of State **Total Revenue FY12:** \$186,460

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from surcharge fees for each ignition interlock device supplied by any person or entity. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, to reimburse ignition interlock device providers who have installed devices in vehicles of indigent persons pursuant to court order.

Statutory Language:

(o) The Indigent BAIID Fund is created as a special fund in the State treasury. The Secretary shall, subject to appropriation by the General Assembly, use all money in the Indigent BAIID Fund to reimburse ignition interlock device providers who have installed devices in vehicles of indigent persons. The Secretary shall make payments to such providers every 3 months. If the amount of money in the fund at the time payments are made is not sufficient to pay all requests for reimbursement submitted during that 3 month period, the Secretary shall make payments on a pro-rata basis, and those payments shall be considered payment in full for the requests submitted.

Fund Number 0453 Monitoring Device Driving Permit Administration

Chapter 0625 **Act** 0005 **Section** 1-144.5 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$1,693,980

Administering Agency: Secretary of State **Total Revenue FY12:** \$1,734,265

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from monitoring device driving permit fees. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for costs associated with the administration of monitoring driving device permits.

Statutory Language:

A permit that allows a person whose driver's license has been summarily suspended under Section 11-501.1 to drive a vehicle, for the applicable period described in Section 6-206.1, if the vehicle is equipped with an ignition interlock device as defined in Section 1-129.1.

Fund Number 0454 Rotary Club Fund

Chapter 0625 **Act** 0005 **Section** 3-673 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$3,837

Administering Agency: Secretary of State **Total Revenue FY12:** \$4,162

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees for the issuance of special license plates. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants for charitable purposes sponsored by the Rotary Club.

Statutory Language:

New Funds by Number with Statutory Language

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as Rotary Club license plates.

The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds.

Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary. Appropriate documentation, as determined by the Secretary, shall accompany each application.

(c) An applicant for the special plate shall be charged a \$25 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$10 shall be deposited into the Rotary Club Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$23 shall be deposited into the Rotary Club Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Rotary Club Fund is created as a special fund in the State treasury. All moneys in the Rotary Club Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to charitable entities designated by the Rotary Club.

Fund Number 0456 Lung Cancer Research Fund

Chapter 0020 **Act** 2310 **Section** 2310-361 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Public Health **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from income tax return check-offs. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to public and private not-for-profit entities for lung cancer research purposes.

Statutory Language:

The Lung Cancer Research Fund is created as a special fund in the State treasury. From appropriations to the Department from the Fund, the Department shall make grants to public or private not-for-profit entities for the purpose of lung cancer research.

Fund Number 0458 Autism Awareness Fund

Chapter 0625 **Act** 0005 **Section** 3-670 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$5,625

Administering Agency: Secretary of State **Total Revenue FY12:** \$9,075

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from fees for the issuance of special license plates. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants for research, education and awareness associated with autism and autism spectrum disorders.

Statutory Language:

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Autism Awareness license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than

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8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary of State. The Secretary, in his or her discretion, may allow the plates to be issued as vanity or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a \$40 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$25 shall be deposited into the Autism Awareness Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$25 shall be deposited into the Autism Awareness Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Autism Awareness Fund is created as a special fund in the State treasury. All moneys in the Autism Awareness Fund shall be used, subject to appropriation by the General Assembly, by the Illinois Department of Human Services for the purpose of grants for research, education, and awareness regarding autism and autism spectrum disorders.

Fund Number 0459 Ovarian Cancer Awareness Fund

Chapter 0625 **Act** 0005 **Section** 3-678 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$6,869

Administering Agency: Secretary of State **Total Revenue FY12:** \$8,396

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from fees for the issuance of special license plates. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to the National Ovarian Cancer Coalition, Inc. for ovarian cancer research.

Statutory Language:

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Ovarian Cancer Awareness license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a \$25 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$10 shall be deposited into the Ovarian Cancer Awareness Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$23 shall be deposited into the Ovarian Cancer Awareness Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Ovarian Cancer Awareness Fund is created as a special fund in the State treasury. All moneys in the Ovarian Cancer Awareness Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the National Ovarian Cancer Coalition, Inc. for ovarian cancer research, education, screening, and treatment.

New Funds by Number with Statutory Language

Fund Number 0463 Illinois Professional Golfers Association Foundation Junior Golf Fund

Chapter 0625 **Act** 0005 **Section** 3-672 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$28,982

Administering Agency: Secretary of State **Total Revenue FY12:** \$34,313

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from fees for the issuance of special license plates. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to the Illinois Professional Golfers Association Foundation.

Statutory Language:

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as Illinois Professional Golfers Association Foundation Junior Golf license plates.

The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds.

Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary. Appropriate documentation, as determined by the Secretary, shall accompany each application.

(c) An applicant for the special plate shall be charged a \$40 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$25 shall be deposited into the Illinois Professional Golfers Association Foundation Junior Golf Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$40 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$38 shall be deposited into the Illinois Professional Golfers Association Foundation Junior Golf Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Illinois Professional Golfers Association Foundation Junior Golf Fund is created as a special fund in the State treasury. All moneys in the Illinois Professional Golfers Association Foundation Junior Golf Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the Illinois Professional Golfers Association Foundation to help Association members expose Illinois youngsters to the game of golf.

Fund Number 0464 Boy Scout and Girl Scout Fund

Chapter 0625 **Act** 0005 **Section** 3-671 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$9,725

Administering Agency: Secretary of State **Total Revenue FY12:** \$12,100

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees for the issuance of special license plates. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to the Illinois division of the Boy Scouts of America and the Girl Scouts of the U.S.A.

Statutory Language:

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated to be Boy Scout and Girl Scout plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) Except as provided in subsections (c) and (d), the design and color of the plates shall be wholly within the discretion

New Funds by Number with Statutory Language

of the Secretary. Appropriate documentation, as determined by the Secretary, shall accompany the application.

(c) The Secretary may issue Boy Scout plates bearing the Eagle Scout badge only to an applicant who provides written proof of Eagle Scout rank, in the form of appropriate documentation from the National Boy Scout Council. The Secretary shall make these plates available to qualified applicants.

(d) The Secretary may issue Girl Scout plates bearing the symbol of the Gold Award only to an applicant who provides written proof of Gold Award status, in the form of appropriate documentation from the National Office of the Girl Scouts of the U.S.A. The Secretary shall make these plates available to qualified applicants.

(e) An applicant shall be charged a \$40 fee for original issuance in addition to the appropriate registration fee, if applicable. Of this fee, \$25 shall be deposited into the Boy Scout and Girl Scout Fund as created by this Section and \$15 shall be deposited into the Secretary of State Special License Plate Fund to be used by the Secretary to help defray the administrative processing costs. For each registration renewal period a \$27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$25 shall be deposited into the Boy Scout and Girl Scout Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(f) The Boy Scout and Girl Scout Fund is created as a special fund in the State treasury. All moneys in the Boy Scout and Girl Scout Fund shall, subject to appropriation by the General Assembly and distribution by the Secretary, be paid as grants, to be divided between the Illinois divisions of the Boys Scouts of America and the Girl Scouts of the U.S.A. on a pro rata basis, according to the number of each type of plate sold. Grants shall be made to the county division in which the plates are sold.

Fund Number	0466	Agriculture in the Classroom Fund
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Chapter 0625	Act 0005	Section 3-665	Fund Type: Appropriated
Fund Group: Special State Fund			Total Revenue FY11: \$53,875
Administering Agency: Secretary of State			Total Revenue FY12: \$64,600

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from fees for the issuance of special license plates. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to support Agriculture in the Classroom programming for public and private schools of Illinois.

Statutory Language:

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as Agriculture in the Classroom license plates.

The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds.

Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary.

(c) An applicant for the special plate shall be charged a \$40 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$25 shall be deposited into the Agriculture in the Classroom Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$25 shall be deposited into the Agriculture in the Classroom Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Agriculture in the Classroom Fund is created as a special fund in the State treasury. All moneys in the Agriculture in the Classroom Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, to the Illinois Agricultural Association Foundation, a charitable organization that meets the requirements of Title 26, Section 501(c)(3) of the United States Code, to be used as grants to support Agriculture in the Classroom programming for public and private schools within Illinois.

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Fund Number 0468 Sheet Metal Workers International Association of Illinois Fund

Chapter	0625	Act	0005	Section	3-674	Fund Type: Appropriated
Fund Group: Special State Fund						Total Revenue FY11: \$1,634
Administering Agency: Secretary of State						Total Revenue FY12: \$2,083

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from fees for the issuance of special license plates. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants for charitable purposes sponsored by the Illinois local chapters of the Sheet Metal Workers International Association.

Statutory Language:

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as Sheet Metal Workers International Association license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary. Appropriate documentation, as determined by the Secretary, shall accompany each application. The Secretary may allow the plates to be issued as vanity plates or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a \$25 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$10 shall be deposited into the Sheet Metal Workers International Association of Illinois Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$23 shall be deposited into the Sheet Metal Workers International Association of Illinois Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Sheet Metal Workers International Association of Illinois Fund is created as a special fund in the State treasury. All moneys in the Sheet Metal Workers International Association of Illinois Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to charitable entities designated by Illinois local chapters of the Sheet Metal Workers International Association.

Fund Number 0469 Autoimmune Disease Research Fund

Chapter	0020	Act	2310	Section	2310-362	Fund Type: Appropriated
Fund Group: Special State Fund						Total Revenue FY11: \$44,141
Administering Agency: Public Health						Total Revenue FY12: \$313

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from income tax return check-offs, gifts, awards from any public or private entity and interest income. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to public and private not-for-profit entities for research for the treatment and cure of autoimmune diseases.

Statutory Language:

(a) The Autoimmune Disease Research Fund is created as a special fund in the State treasury. From appropriations to the Department from the Fund, the Department shall make grants to public and private entities in the State for the purpose of funding research for the treatment and cure of autoimmune diseases.

New Funds by Number with Statutory Language

(b) For the purposes of this Section:

"Autoimmune disease" means any disease that results from an aberrant immune response, including, without limitation, rheumatoid arthritis, systemic lupus erythematosus, and scleroderma.

"Research" includes, without limitation, expenditures to develop and advance the understanding, techniques, and modalities effective in the detection, prevention, screening, and treatment of autoimmune disease and may include clinical trials. "Research" does not include institutional overhead costs, indirect costs, other organizational levies, or costs of community-based support services.

(c) Moneys received for the purposes of this Section, including, without limitation, income tax checkoff receipts and gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earnings that are attributable to moneys in the Fund must be deposited into the Fund.

Fund Number	0474	Human Services Priority Capital Program Fund
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Chapter	0030	Act	0105	Section	6z-71	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$2,240
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Administering Agency: Human Services	Total Revenue FY12:	\$1,662,729
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Fund Purpose: The purpose of this Fund is to receive and record monies obtained from transfers, loan repayments and interest income. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to the Illinois Facilities Fund for long term below market rate loans to non-profit human service providers under contract to Illinois to assist with capital needs.

Statutory Language:

The Human Services Priority Capital Program Fund is created as a special fund in the State treasury. Subject to appropriation, the Department of Human Services shall use moneys in the Human Services Priority Capital Program Fund to make grants to the Illinois Facilities Fund, a not-for-profit corporation, to make long term below market rate loans to nonprofit human service providers working under contract to the State of Illinois to assist those providers in meeting their capital needs. The loans shall be for the purpose of such capital needs, including but not limited to special use facilities, requirements for serving the disabled, mentally ill, or substance abusers, and medical and technology equipment. Loan repayments shall be deposited into the Human Services Priority Capital Program Fund. Interest income may be used to cover expenses of the program. The Illinois Facilities Fund shall report to the Department of Human Services and the General Assembly by April 1, 2008, and again by April 1, 2009, as to the use and earnings of the program.

Fund Number	0478	Predatory Lending Database Program Fund
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Chapter	0765	Act	0077	Section	80	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$0
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Administering Agency: Revenue	Total Revenue FY12:	\$550,000
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Fund Purpose: The purpose of this Fund is to provide grants for HUD-certified counseling agencies participating in the Predatory Lending Database Program. The grants are to be used for assistance with the implementation and development of the Program. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, by the Illinois Housing Development Authority.

Statutory Language:

The Predatory Lending Database Program Fund is created as a special fund in the State treasury. Subject to appropriation, moneys in the Fund shall be appropriated to the Illinois Housing Development Authority for the purpose of making grants for HUD-certified counseling agencies participating in the Predatory Lending Database Program to assist with

New Funds by Number with Statutory Language

implementation and development of the Predatory Lending Database Program.

Fund Number	0480	Secretary of State Identification Security and Theft Prevention Fund
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Chapter	0030	Act	0105	Section	6z-70	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$8,288,103
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Administering Agency: Secretary of State	Total Revenue FY12:	\$16,310,319
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Fund Purpose: The purpose of this Fund is to receive and record monies obtained from grants, transfers, fees and any other public or private source. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for funding identification security and theft prevention measures.

Statutory Language:

(a) The Secretary of State Identification Security and Theft Prevention Fund is created as a special fund in the State treasury. The Fund shall consist of any fund transfers, grants, fees, or moneys from other sources received for the purpose of funding identification security and theft prevention measures.

(b) All moneys in the Secretary of State Identification Security and Theft Prevention Fund shall be used, subject to appropriation, for any costs related to implementing identification security and theft prevention measures.

(c) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2007, and until June 30, 2008, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

- Lobbyist Registration Administration Fund.....\$100,000
- Registered Limited Liability Partnership Fund.....\$75,000
- Securities Investors Education Fund.....\$500,000
- Securities Audit and Enforcement Fund.....\$5,725,000
- Department of Business Services
- Special Operations Fund.....\$3,000,000
- Corporate Franchise Tax Refund Fund.....\$3,000,000.

(d) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2008, and until June 30, 2009, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

- Lobbyist Registration Administration Fund.....\$100,000
- Registered Limited Liability Partnership Fund.....\$75,000
- Securities Investors Education Fund.....\$500,000
- Securities Audit and Enforcement Fund.....\$5,725,000
- Department of Business Services
- Special Operations Fund.....\$3,000,000
- Corporate Franchise Tax Refund Fund.....\$3,000,000
- State Parking Facility Maintenance Fund.....\$100,000

(e) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2009, and until June 30, 2010, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

- Lobbyist Registration Administration Fund.....\$100,000
- Registered Limited Liability Partnership Fund....\$175,000
- Securities Investors Education Fund.....\$750,000
- Securities Audit and Enforcement Fund.....\$750,000
- Department of Business Services
- Special Operations Fund.....\$3,000,000
- Corporate Franchise Tax Refund Fund.....\$3,000,000

New Funds by Number with Statutory Language

State Parking Facility Maintenance Fund.....\$100,000

(f) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2010, and until June 30, 2011, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

Registered Limited Liability Partnership Fund....\$287,000
 Securities Investors Education Board.....\$750,000
 Securities Audit and Enforcement Fund.....\$750,000
 Department of Business Services Special
 Operations Fund.....\$3,000,000

Corporate Franchise Tax Refund Fund.....\$3,000,000

(g) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2011, and until June 30, 2012, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

Division of Corporations Registered
 Limited Liability Partnership Fund.....\$287,000
 Securities Investors Education Fund.....\$750,000
 Securities Audit and Enforcement Fund.....\$3,500,000
 Department of Business Services
 Special Operations Fund.....\$3,000,000
 Corporate Franchise Tax Refund Fund.....\$3,000,000

Fund Number 0490 Franchise Tax and License Fee Amnesty Fund

Chapter 0805 **Act** 0008 **Section** 5-6 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Secretary of State **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from fund transfers, fees or any other source. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for costs associated with the administration of the Franchise Tax and License Fee Amnesty Act of 2007.

Statutory Language:

The Franchise Tax and License Fee Amnesty Administration Fund is created as a special fund in the State treasury. The Fund shall consist of any fund transfers, fees, or moneys from other sources received for the purpose of funding the administration of this Act. All moneys in the Franchise Tax and License Fee Amnesty Administration Fund shall be used, subject to appropriation, by the Secretary for any costs associated with the administration of this Act.

Fund Number 0494 Cigarette Fire Safety Standard Act Fund

Chapter 0425 **Act** 0008 **Section** 45 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: State Fire Marshal **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from civil penalties assessed for violations of the Cigarette Fire Safety Standard Act. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for fire safety and prevention programs.

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Statutory Language:

(a) Any manufacturer, wholesale dealer, agent, or other person or entity who knowingly sells cigarettes wholesale in violation of item (3) of subsection (a) of Section 10 of this Act shall be subject to a civil penalty not to exceed \$10,000 for each sale of the cigarettes. Any retail dealer who knowingly sells cigarettes in violation of Section 10 of this Act shall be subject to the following: (i) a civil penalty not to exceed \$500 for each sale or offer for sale of cigarettes, provided that the total number of cigarettes sold or offered for sale in such sale does not exceed 1,000 cigarettes; (ii) a civil penalty not to exceed \$1,000 for each sale or offer for sale of the cigarettes, provided that the total number of cigarettes sold or offered for sale in such sale exceeds 1,000 cigarettes.

(b) In addition to any penalty prescribed by law, any corporation, partnership, sole proprietor, limited partnership, or association engaged in the manufacture of cigarettes that knowingly makes a false certification pursuant to Section 30 of this Act shall be subject to a civil penalty not to exceed \$10,000 for each false certification.

(c) Upon discovery by the Office of the State Fire Marshal, the Department of Revenue, the Office of the Attorney General, or a law enforcement agency that any person offers, possesses for sale, or has made a sale of cigarettes in violation of Section 10 of this Act, the Office of the State Fire Marshal, the Department of Revenue, the Office of the Attorney General, or the law enforcement agency may seize those cigarettes possessed in violation of this Act.

(d) The Cigarette Fire Safety Standard Act Fund is established as a special fund in the State treasury. The Fund shall consist of all moneys recovered by the Attorney General from the assessment of civil penalties authorized by this Section. The moneys in the Fund shall, in addition to any moneys made available for such purpose, be available, subject to appropriation, to the Office of the State Fire Marshal for the purpose of fire safety and prevention programs.

Fund Number	0496	Support Our Troops Fund
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Chapter	0625	Act	0005	Section	3-675	Fund Type:	Appropriated
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Fund Group:	Special State Fund	Total Revenue FY11:	\$8,150
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Administering Agency:	Secretary of State	Total Revenue FY12:	\$16,025
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Fund Purpose: The purpose of this Fund is to receive and record monies obtained from fees for the issuance of special license plates. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to Illinois Support Our Troops, Inc. for charitable assistance to the troops and their families.

Statutory Language:

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as Support Our Troops license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary, except that the emblem of the organization Illinois Support Our Troops, Inc., and its "Support Our Troops!" mark shall appear on the plate. The address of the organization's Internet web site may appear on the plate, and the organization may alternate the mark to "Salute our Heroes!" in a manner that respects inventory. The field of the plate may be colored. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code. The plates are not required to designate "Land of Lincoln", as prescribed in subsection (b) of Section 3-412 of this Code. The Secretary, in his or her discretion, shall approve and prescribe stickers or decals as provided under Section 3-412.

(c) An applicant for the special plate shall be charged a \$40 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$25 shall be deposited into the Support Our Troops Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund to be used by the Secretary to help defray the administrative processing costs. For each registration renewal period, a \$27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$25 shall be deposited into the Support Our Troops Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Support Our Troops Fund is created as a special fund in the State treasury. All moneys in the Support Our Troops

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Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to Illinois Support Our Troops, Inc., a not-for-profit public purpose charity under Internal Revenue Code Section 501(c)(3), for charitable assistance to the troops and their families in accordance with its Articles of Incorporation.

Fund Number 0498 School Facility Occupation Tax Fund

Chapter 0055 **Act** 0005 **Section** 5-1006.7 **Fund Type:** Non-Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$30,468,516

Administering Agency: Revenue **Total Revenue FY12:** \$42,012,489

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from taxes and penalties in accordance with 55 ILCS 5/5-1006.7. Monies in the Fund shall be expended for disbursements to regional superintendents of schools.

Statutory Language:

(a) In any county, a tax shall be imposed upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of this State's government, at retail in the county on the gross receipts from the sales made in the course of business to provide revenue to be used exclusively for school facility purposes if a proposition for the tax has been submitted to the electors of that county and approved by a majority of those voting on the question as provided in subsection (c). The tax under this Section shall be imposed only in one-quarter percent increments and may not exceed 1%.

This additional tax may not be imposed on the sale of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics. The Department of Revenue has full power to administer and enforce this subsection, to collect all taxes and penalties due under this subsection, to dispose of taxes and penalties so collected in the manner provided in this subsection, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this subsection. The Department shall deposit all taxes and penalties collected under this subsection into a special fund created for that purpose.

In the administration of and compliance with this subsection, the Department and persons who are subject to this subsection (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) are subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) shall employ the same modes of procedure as are set forth in Sections 1 through 1o, 2 through 2-70 (in respect to all provisions contained in those Sections other than the State rate of tax), 2a through 2h, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act as if those provisions were set forth in this subsection.

The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act permits the retailer to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this subsection.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their seller's tax liability by separately stating that tax as an additional charge, which may be stated in combination, in a single amount, with State tax that sellers are required to collect under the Use Tax Act, pursuant to any bracketed schedules set forth by the Department.

(b) If a tax has been imposed under subsection (a), then a service occupation tax must also be imposed at the same rate upon all persons engaged, in the county, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the county as an incident to a sale of service.

This tax may not be imposed on sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics.

The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department and deposited into a special fund created for that purpose. The Department has full power to

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administer and enforce this subsection, to collect all taxes and penalties due under this subsection, to dispose of taxes and penalties so collected in the manner provided in this subsection, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this subsection.

In the administration of and compliance with this subsection, the Department and persons who are subject to this subsection shall (i) have the same rights, remedies, privileges, immunities, powers and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties and definition of terms, and (iii) employ the same modes of procedure as are set forth in Sections 2 (except that that reference to State in the definition of supplier maintaining a place of business in this State means the county), 2a through 2d, 3 through 3-50 (in respect to all provisions contained in those Sections other than the State rate of tax), 4 (except that the reference to the State shall be to the county), 5, 7, 8 (except that the jurisdiction to which the tax is a debt to the extent indicated in that Section 8 is the county), 9 (except as to the disposition of taxes and penalties collected), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State means the county), Section 15, 16, 17, 18, 19, and 20 of the Service Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their serviceman's tax liability by separately stating the tax as an additional charge, which may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, pursuant to any bracketed schedules set forth by the Department.

(c) The tax under this Section may not be imposed until the question of imposing the tax has been submitted to the electors of the county at a regular election and approved by a majority of the electors voting on the question. For all regular elections held prior to the effective date of this amendatory Act of the 97th General Assembly, upon a resolution by the county board or a resolution by school district boards that represent at least 51% of the student enrollment within the county, the county board must certify the question to the proper election authority in accordance with the Election Code.

For all regular elections held prior to the effective date of this amendatory Act of the 97th General Assembly, the election authority must submit the question in substantially the following form:

Shall (name of county) be authorized to impose a retailers' occupation tax and a service occupation tax (commonly referred to as a "sales tax") at a rate of (insert rate) to be used exclusively for school facility purposes?

The election authority must record the votes as "Yes" or "No".

If a majority of the electors voting on the question vote in the affirmative, then the county may, thereafter, impose the tax.

For all regular elections held on or after the effective date of this amendatory Act of the 97th General Assembly, the regional superintendent of schools for the county must, upon receipt of a resolution or resolutions of school district boards that represent more than 50% of the student enrollment within the county, certify the question to the proper election authority for submission to the electors of the county at the next regular election at which the question lawfully may be submitted to the electors, all in accordance with the Election Code.

For all regular elections held on or after the effective date of this amendatory Act of the 97th General Assembly, the election authority must submit the question in substantially the following form:

Shall a retailers' occupation tax and a service occupation tax (commonly referred to as a "sales tax") be imposed in (name of county) at a rate of (insert rate) to be used exclusively for school facility purposes?

The election authority must record the votes as "Yes" or "No".

If a majority of the electors voting on the question vote in the affirmative, then the tax shall be imposed at the rate set forth in the question.

For the purposes of this subsection (c), "enrollment" means the head count of the students residing in the county on the last school day of September of each year, which must be reported on the Illinois State Board of Education Public School Fall Enrollment/Housing Report.

(d) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the School Facility Occupation Tax Fund, which shall be an unappropriated trust fund held outside the State treasury.

On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the regional superintendents of schools in counties from which retailers or servicemen have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to each regional superintendent of schools and disbursed to him or her in accordance with Section 3-14.31 of the School Code, is equal to the amount (not including credit memoranda) collected from the county under this Section during the second preceding calendar month by the Department, (i) less 2% of that amount, which shall be deposited into the Tax Compliance and Administration Fund and shall be used by the Department, subject to appropriation, to cover the costs of the Department in administering and enforcing the provisions of this Section, on behalf of the county, (ii) plus an amount that the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body; (iii) less

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an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county; and (iv) less any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the county. When certifying the amount of a monthly disbursement to a regional superintendent of schools under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements within the previous 6 months from the time a miscalculation is discovered.

Within 10 days after receipt by the Comptroller from the Department of the disbursement certification to the regional superintendents of the schools provided for in this Section, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with directions contained in the certification.

If the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, then the Department shall notify the Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the Treasurer out of the School Facility Occupation Tax Fund.

(e) For the purposes of determining the local governmental unit whose tax is applicable, a retail sale by a producer of coal or another mineral mined in Illinois is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This subsection does not apply to coal or another mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the United States Constitution as a sale in interstate or foreign commerce.

(f) Nothing in this Section may be construed to authorize a tax to be imposed upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

(g) If a county board imposes a tax under this Section pursuant to a referendum held before the effective date of this amendatory Act of the 97th General Assembly at a rate below the rate set forth in the question approved by a majority of electors of that county voting on the question as provided in subsection (c), then the county board may, by ordinance, increase the rate of the tax up to the rate set forth in the question approved by a majority of electors of that county voting on the question as provided in subsection (c). If a county board imposes a tax under this Section pursuant to a referendum held before the effective date of this amendatory Act of the 97th General Assembly, then the board may, by ordinance, discontinue or reduce the rate of the tax. If a tax is imposed under this Section pursuant to a referendum held on or after the effective date of this amendatory Act of the 97th General Assembly, then the county board may reduce or discontinue the tax, but only in accordance with subsection (h-5) of this Section. If, however, a school board issues bonds that are secured by the proceeds of the tax under this Section, then the county board may not reduce the tax rate or discontinue the tax if that rate reduction or discontinuance would adversely affect the school board's ability to pay the principal and interest on those bonds as they become due or necessitate the extension of additional property taxes to pay the principal and interest on those bonds. If the county board reduces the tax rate or discontinues the tax, then a referendum must be held in accordance with subsection (c) of this Section in order to increase the rate of the tax or to reimpose the discontinued tax.

The results of any election that imposes, reduces, or discontinues a tax under this Section must be certified by the election authority, and any ordinance that increases or lowers the rate or discontinues the tax must be certified by the county clerk and, in each case, filed with the Illinois Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of January next following the filing.

(h) For purposes of this Section, "school facility purposes" means (i) the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the capital facilities and (ii) the payment of bonds or other obligations heretofore or hereafter issued, including bonds or other obligations heretofore or hereafter issued to refund or to continue to refund bonds or other obligations issued, for school facility purposes, provided that the taxes levied to pay those bonds are abated by the amount of the taxes imposed under this Section that are used to pay those bonds. "School-facility purposes" also includes fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes set forth under Section 17-2.11 of the School Code.

(h-5) A county board in a county where a tax has been imposed under this Section pursuant to a referendum held on or after the effective date of this amendatory Act of the 97th General Assembly may, by ordinance or resolution, submit to the voters of the county the question of reducing or discontinuing the tax. In the ordinance or resolution, the county board shall certify the question to the proper election authority in accordance with the Election Code. The election authority must submit the question in substantially the following form:

Shall the school facility retailers' occupation tax and service occupation tax (commonly referred to as the "school

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facility sales tax") currently imposed in (name of county) at a rate of (insert rate) be (reduced to (insert rate))(discontinued)? If a majority of the electors voting on the question vote in the affirmative, then, subject to the provisions of subsection (g) of this Section, the tax shall be reduced or discontinued as set forth in the question.

(i) This Section does not apply to Cook County.

(j) This Section may be cited as the County School Facility Occupation Tax Law.

Fund Number 0499 Domestic Violence Fund

Chapter 0030 **Act** 0105 **Section** 6z-72 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$382,919

Administering Agency: Attorney General **Total Revenue FY12:** \$407,905

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from fees assessed for marriage licenses. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to public or private non-profit agencies to facilitate or provide free domestic violence legal advocacy, assistance or services to married or formerly married victims of domestic violence.

Statutory Language:

The Domestic Violence Fund is created as a special fund in the State treasury. Subject to appropriation and subject to approval by the Attorney General, the moneys in the Fund shall be paid as grants to public or private nonprofit agencies solely for the purposes of facilitating or providing free domestic violence legal advocacy, assistance, or services to married or formerly married victims of domestic violence related to order of protection proceedings, dissolution of marriage proceedings, declaration of invalidity of marriage proceedings, legal separation proceedings, child custody proceedings, visitation proceedings, or other proceedings for civil remedies for domestic violence. The Attorney General shall adopt rules concerning application for and disbursement of the moneys in the Fund.

Fund Number 0503 Electronic Health Record Incentive Fund

Chapter 0305 **Act** 0005 **Section** 12-106a **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Healthcare and Family Services **Total Revenue FY12:** \$69,770,735

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from the federal government to encourage the use of certified electronic health records technology. Monies in the Fund may be expended for payments to qualifying health care providers.

Statutory Language:

(a) The Electronic Health Record Incentive Fund is a special fund created in the State treasury. All federal moneys received by the Department of Healthcare and Family Services for payments to qualifying health care providers to encourage the adoption and use of certified electronic health records technology pursuant to paragraph 1903(t)(1) of the Social Security Act, shall be deposited into the Fund.

(b) Disbursements from the Fund shall be made at the direction of the Director of Healthcare and Family Services to qualifying health care providers, in amounts established under applicable federal regulation (42 CFR 495 et seq.), in order to encourage the adoption and use of certified electronic health records technology.

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Fund Number 0505 Athletics Supervision and Regulation Fund

Chapter 0225 **Act** 0105 **Section** 13 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Financial and Professional Regulation **Total Revenue FY12:** \$287,894

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from the sale, lease, broadcast, or other taxes associated with the promotion of professional or combination of professional and amateur contests. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for the administration of the Professional Boxing Act.

Statutory Language:

(Section scheduled to be repealed on January 1, 2022)

Tickets to professional or amateur contests, or a combination of both, shall be printed in such form as the Department shall prescribe. A certified inventory of all tickets printed for any professional or amateur contest, or a combination of both, shall be mailed to the Department by the promoter not less than 7 days before the contest. The total number of tickets printed shall not exceed the total seating capacity of the premises in which the professional or amateur contest, or a combination of both, is to be held. No tickets of admission to any professional or amateur contest, or a combination of both, shall be sold except those declared on an official ticket inventory as described in this Section.

A promoter who conducts a professional or a combination of a professional and amateur contest under this Act shall, within 24 hours after such a contest:

(1) furnish to the Department a written report verified by the promoter or his authorized designee showing the number of tickets sold for such a contest or the actual ticket stubs of tickets sold and the amount of the gross proceeds thereof; and

(2) pay to the Department a tax of 5% of gross receipts from the sale of admission tickets, not to exceed \$52,500, to be collected by the Department and placed in the Athletics Supervision and Regulation Fund, a special fund created in the State Treasury to be administered by the Department.

Moneys in the Athletics Supervision and Regulation Fund shall be used by the Department, subject to appropriation, for expenses incurred in administering this Act. Moneys in the Fund may be transferred to the Professions Indirect Cost Fund, as authorized under Section 2105-300 of the Department of Professional Regulation Law.

In addition to the payment of any other taxes and money due under this Section, every promoter of a professional or a combination of a professional and amateur contest shall pay to the Department 3% of the first \$500,000 and 4% thereafter, which shall not exceed \$35,000 in total from the total gross receipts from the sale, lease, or other exploitation of broadcasting, including, but not limited to, Internet, cable, television, and motion picture rights for that professional or professional and amateur combination contest or exhibition without any deductions for commissions, brokerage fees, distribution fees, advertising, professional contestants' purses, or any other expenses or charges. These fees shall be paid to the Department within 72 hours after the broadcast of the contest and placed in the Athletics Supervision and Regulation Fund.

Fund Number 0506 State Small Business Credit Initiative Fund

Chapter 0015 **Act** 0515 **Section** 1 **Fund Type:** Appropriated

Fund Group: Federal Trust Fund **Total Revenue FY11:** \$0

Administering Agency: Commerce and Economic Opportunity **Total Revenue FY12:** \$25,978,059

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from capital provided in accordance with the provisions of the State Small Business Credit Initiative which was established by the Small Business Job Act of 2010. Monies in the Fund may be expended for the purposes of the Initiative as well as administrative costs of the federal Treasury.

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Statutory Language:

The Treasurer of the State of Illinois is authorized to receive from the United States of America or any agency thereof and to hold as ex-officio custodian thereof any money which has been or shall be allotted by the United States of America or any agency thereof, for use by or in conjunction with the State of Illinois or some agency thereof under the provisions of:

1. Titles I, IV, V, X, and XX of the "Social Security Act", enacted by the 74th Congress of the United States, as amended; or
2. "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor," enacted by the 68th Congress of the United States; or
3. The Act approved June 16, 1933, authorizing the creation of a Federal Emergency Administration of Public Works; or
4. An Act of Congress dated May 23, 1908, 35 Statutes 260, as the same appears in Section 500, Title 16, United States Code, relating to the receipt and distribution of moneys among counties in which are located national forests; or
- 4a. An Act of Congress dated September 3, 1954, 68 Statutes 1266, as the same appears in Section 701c-3, Title 33, United States Code, relating to the receipt and distribution of moneys among counties in which are located lands leased by the United States which it had acquired for flood control, navigation and allied purposes; or
- 4b. Section 110 of the Federal-Aid Highway Act of 1956 (Public Law 627 of the 84th Congress); or
5. Any other law of the United States of America now or hereafter in force providing for the allotment of money for use by or in conjunction with the State of Illinois or some agency thereof whenever a condition or limitation is imposed by that law or by a rule or regulation of the officer or board having charge of the allotment or transmission of such money which prevents payment thereof into the treasury of the State of Illinois, except as otherwise provided in "An Act in relation to the administration of the assets of the Illinois Rural Rehabilitation Corporation", approved April 24, 1951, as amended; or
6. The following laws of the United States of America now in force: (1) "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress approved July second, eighteen hundred and sixty-two", approved August 30, 1890; (2) "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and eight", approved March 4, 1907; (3) "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935; and any other law of the United States of America hereafter in force providing for the benefit of or the more complete endowment and support of land-grant colleges and universities.

Fund Number	0509	Department of Human Services Community Services Fund
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Chapter	0020	Act	0105	Section	4.01a	Fund Type:	Appropriated
Fund Group:	Special State Fund					Total Revenue FY11:	\$0
Administering Agency:	Human Services					Total Revenue FY12:	\$13,850,000

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from fund transfers, federal moneys received as a result of expenditures attributable to moneys deposited in the Fund, interest income and any other sources. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for expenses incurred for the support of balancing services.

Statutory Language:

Use of certain moneys deposited into the Department on Aging State Projects Fund. All moneys transferred into the Department on Aging State Projects Fund from the Long-Term Care Provider Fund shall, subject to appropriation, be used for older adult services, as described in subsection (f) of Section 20 of the Older Adult Services Act. All federal moneys received as a result of expenditures of such moneys shall be deposited into the Department of Human Services Community Services Fund.

New Funds by Number with Statutory Language

Fund Number 0511 Illinois Main Street Fund

Chapter 0020 **Act** 0720 **Section** 15 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Commerce and Economic Opportunity **Total Revenue FY12:** \$0

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from private contributions, federal funds, appropriations, and fees levied for services. Monies in the Fund may be expended, pursuant to General Assembly appropriation, only for the benefit of the Illinois Main Street Program.

Statutory Language:

The Illinois Main Street Program is created within the Department. In order to implement the Illinois Main Street Program, the Department shall do all of the following:

- (1) Provide assistance to municipalities designated as Main Street Communities, municipalities interested in becoming designated through the program, and businesses, property owners, organizations, and municipalities undertaking a comprehensive downtown or neighborhood commercial district revitalization initiative and management strategy. Assistance may include, but is not limited to, initial site evaluations and assessments, training for local programs, training for local program staff, site visits and assessments by technical specialists, local program design assistance and evaluation, and continued local program on-site assistance.
- (2) To the extent funds are made available, provide financial assistance to municipalities or local organizations to assist in initial downtown or neighborhood commercial district revitalization program specialized training, specific project feasibility studies, market studies, and design assistance.
- (3) Operate the Illinois Main Street Program in accordance with the plan developed by the Department.
- (4) Consider other factors the Department deems necessary for the implementation of this Act.

Fund Number 0512 After-School Rescue Fund

Chapter 0035 **Act** 0005 **Section** 507ZZ **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: State Board of Education **Total Revenue FY12:** \$46,669

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from income tax check-off contributions. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for grants to at-risk schools for promotion of extracurricular and after-school programs.

Statutory Language:

For taxable years ending on or after December 31, 2011, the Department must print on its standard individual income tax form a provision (i) indicating that if the taxpayer wishes to contribute to the After-School Rescue Fund, as authorized by this amendatory Act of the 97th General Assembly, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and (ii) stating that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section does not apply to any amended return.

New Funds by Number with Statutory Language

Fund Number 0513 Illinois State Crime Stoppers Association Fund

Chapter 0035 **Act** 0005 **Section** 507YY **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Illinois Criminal Justice Information Aut **Total Revenue FY12:** \$21,685

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from income tax check-off contributions. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for grants to enhance and develop Crime Stoppers programs in Illinois.

Statutory Language:

For taxable years ending on or after December 31, 2011, the Department shall print, on its standard individual income tax form, a provision indicating that, if the taxpayer wishes to contribute to the Illinois State Crime Stoppers Association Fund, as authorized by this amendatory Act of the 97th General Assembly, then he or she may do so by stating the amount of the contribution (not less than \$1) on the return and indicating that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. The taxpayer's failure to remit any amount of the increased payment reduces the contribution accordingly. This Section does not apply to any amended return.

Fund Number 0516 Small Business Development Grant Fund

Chapter 0030 **Act** 0105 **Section** 6z-90 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Commerce and Economic Opportunity **Total Revenue FY12:** \$0

Fund Purpose: Monies in the Fund may be expended, pursuant to General Assembly appropriation, for grants to small businesses for the creation of jobs, relocation costs and individual projects.

Statutory Language:

- (a) The Small Business Development Grant Fund is created as a special fund in the State treasury. Subject to appropriation, the Department of Commerce and Economic Opportunity shall make grants from the Fund:
 - (1) to small businesses in the State that commit to using the grant moneys to create additional jobs;
 - (2) to small businesses from outside of the State that commit to relocate within the State; and
 - (3) for individual projects that create 100 or fewer additional jobs.
- (b) For the purposes of this Section, "small business" means a legal entity, including a corporation, partnership, or sole proprietorship that:
 - (1) is formed for the purpose of making a profit;
 - (2) is independently owned and operated; and
 - (3) has fewer than 100 employees.
- (c) In making grants under this Section, the Department of Commerce and Economic Opportunity shall give priority to minority owned businesses, female owned businesses, and businesses owned by a person with a disability, as those terms are defined in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.
- (d) In making grants under this Section, the Department of Commerce and Economic Opportunity shall also give priority to small businesses that pledge not to pay any of the grant moneys to an executive of the business in the form of compensation above the executive's base salary.
- (e) In making grants under this Section, the Department of Commerce and Economic Opportunity shall also give priority to small businesses that have as their primary purpose the provision of energy derived from renewable energy technology. For the purposes of this Section, "renewable energy technology" means any technology that exclusively relies on an energy source that is naturally regenerated over a short time and derived (i) directly from the sun, (ii) indirectly from the sun, or (iii)

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from moving water or other natural movements and mechanisms of the environment. The term "renewable energy technology" includes sources that rely on energy derived directly from the sun, on wind, geothermal, hydroelectric, wave, or tidal energy, or on biomass or biomass-based waste products, including landfill gas. The term "renewable energy technology" does not include energy resources derived from fossil fuels, waste products from fossil fuels, or waste products from inorganic sources.

Fund Number 0521 Illinois Affordable Housing Capital Fund

Chapter	0310	Act	0065	Section	5.5	Fund Type: Non-Appropriated	
Fund Group:	State Trust Fund					Total Revenue FY11:	\$0
Administering Agency:	Revenue					Total Revenue FY12:	\$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees, charges, asset proceeds, appropriations, interest income and any other public or private sources. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants, mortgages or loans for single-family and multi-family housing in Illinois.

Statutory Language:

(a) There is hereby created the Illinois Affordable Housing Capital Fund, hereinafter referred to as the "Capital Fund", to be held as a separate fund within the State treasury and to be administered by the Program Administrator. The purpose of the Capital Fund is to finance projects of the Illinois Affordable Housing Program as authorized by the Illinois Housing Development Authority's comprehensive plan and approved by the Program Administrator. The Funding Agent shall establish, within the Capital Fund, a general account to be used for expenditures associated with implementing the provisions of the Illinois Housing Development Authority's comprehensive plan, a Commitment Account, and a Development Credits Account. The Funding Agent shall authorize distribution of Capital Fund moneys to the Program Administrator or a payee designated by the Program Administrator for purposes authorized by this Act. After receipt of the Capital Fund moneys by the Program Administrator or designated payee, the Program Administrator shall ensure that all those moneys are expended for a public purpose and only as authorized by this Act.

(b) There shall be deposited in the Capital Fund such amounts as may become available under the provisions of this Act, including, but not limited to:

- (1) any appropriations made to the Funding Agent on behalf of the Program Administrator pursuant to an issuance of General Obligation Bonds of the State of Illinois;
- (2) all receipts, including dividends, principal, and interest repayments, attributable to any loans or agreements funded from the Capital Fund;
- (3) all proceeds of assets of whatever nature received by the Program Administrator and attributable to default with respect to loans or agreements funded from the Capital Fund;
- (4) all fees or charges collected by the Program Administrator or Funding Agent in connection with loans or agreements funded from the Capital Fund pursuant to this Act;
- (5) any other funds as appropriated by the General Assembly; and
- (6) any income, less any administrative costs and fees associated with the Program Escrow, received by the Program Administrator that is derived from moneys in the Capital Fund held in the Program Escrow prior to expenditure of such moneys.

Fund Number 0522 The Money Follows The Person Budget Transfer Fund

Chapter	0305	Act	0005	Section	12-10.7a	Fund Type: Appropriated	
Fund Group:	Special State Fund					Total Revenue FY11:	\$500,570
Administering Agency:	Healthcare and Family Services					Total Revenue FY12:	\$1,690,044

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Fund Purpose: The purpose of the new Fund is to receive and record monies obtained from enhanced federal financial participation funds associated with spending under a Money Follows The Person demonstration project. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for reimbursement or payment for costs relating to rebalancing long-term care services between institutional and community-based settings as authorized under the demonstration project.

Statutory Language:

The Money Follows the Person Budget Transfer Fund is hereby created as a special fund in the State treasury.

(a) Notwithstanding any State law to the contrary, the following moneys shall be deposited into the Fund:

(1) enhanced federal financial participation funds related to any spending under a Money Follows the Person demonstration project as approved by the federal Centers for Medicare and Medicaid Services on May 14, 2007, and as codified at 20 ILCS 2407/51 et seq., regardless of whether such spending occurred from the Money Follows the Person Budget Transfer Fund;

(2) federal financial participation funds related to any spending under a Money Follows the Person demonstration project as approved by the federal Centers for Medicare and Medicaid Services on May 14, 2007, and as codified at 20 ILCS 2407/51 et seq., that occurred from the Money Follows the Person Budget Transfer Fund;

(3) deposits made via the voucher-warrant process from institutional long-term care appropriations to the Department of Healthcare and Family Services and institutional developmentally disabled long-term care appropriations to the Department of Human Services;

(4) deposits made via the voucher-warrant process from appropriation lines used to fund community-based services for individuals eligible for nursing facility level of care to the Department of Human Services, the Department on Aging, or the Department of Healthcare and Family Services;

(5) interest earned on moneys in the Fund; and

(6) all other moneys received by the Fund from any source.

(b) Subject to appropriation, moneys in the Fund may be used by the Department of Healthcare and Family Services for reimbursement or payment for:

(1) expenses related to rebalancing long-term care services between institutional and community-based settings as authorized under a Money Follows the Person demonstration project as approved by the federal Centers for Medicare and Medicaid Services on May 14, 2007, and as codified at 20 ILCS 2407/51 et seq.;

(2) expenses for community-based services for individuals eligible for nursing facility level of care in the Department of Human Services, the Department on Aging, or the Department of Healthcare and Family Services to the extent the expenses reimbursed or paid are in excess of the amounts budgeted to those Departments each fiscal year for persons transitioning out of institutional long-term care settings under a Money Follows the Person demonstration project as approved by the federal Centers for Medicare and Medicaid Services on May 14, 2007, and as codified at 20 ILCS 2407/51 et seq.;

(3) expenses for institutional long-term care services at the Department of Healthcare and Family Services to the extent that the expenses reimbursed or paid are for services in excess of the amount budgeted to the Department each fiscal year for persons who had or otherwise were expected to transition out of institutional long-term care settings under a Money Follows the Person demonstration project as approved by the federal Centers for Medicare and Medicaid Services on May 14, 2007, and as codified at 20 ILCS 2407/51 et seq.; and

(4) expenses, including operational, administrative, and refund expenses, necessary to implement and operate a Money Follows the Person demonstration project as approved by the federal Centers for Medicare and Medicaid Services on May 14, 2007, and as codified at 20 ILCS 2407/51 et seq.

Expenses reimbursed or paid on behalf of other agencies by the Department of Healthcare and Family Services under this subsection shall be pursuant to an interagency agreement and allowable under a Money Follows the Person demonstration project as approved by the federal Centers for Medicare and Medicaid Services on May 14, 2007, and as codified at 20 ILCS 2407/51 et seq.

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Fund Number 0531 Energy Efficiency Portfolio Standards Fund

Chapter 0220 **Act** 0005 **Section** 8-103(e) **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Commerce and Economic Opportunity **Total Revenue FY12:** \$34,948,655

Fund Purpose: Monies in the Fund may be expended for grants, contracts and administrative expenses associated with energy efficiency programs.

Statutory Language:

(e) Electric utilities shall be responsible for overseeing the design, development, and filing of energy efficiency and demand-response plans with the Commission. Electric utilities shall implement 100% of the demand-response measures in the plans. Electric utilities shall implement 75% of the energy efficiency measures approved by the Commission, and may, as part of that implementation, outsource various aspects of program development and implementation. The remaining 25% of those energy efficiency measures approved by the Commission shall be implemented by the Department of Commerce and Economic Opportunity, and must be designed in conjunction with the utility and the filing process. The Department may outsource development and implementation of energy efficiency measures. A minimum of 10% of the entire portfolio of cost-effective energy efficiency measures shall be procured from units of local government, municipal corporations, school districts, and community college districts. The Department shall coordinate the implementation of these measures.

The apportionment of the dollars to cover the costs to implement the Department's share of the portfolio of energy efficiency measures shall be made to the Department once the Department has executed rebate agreements, grants, or contracts for energy efficiency measures and provided supporting documentation for those rebate agreements, grants, and contracts to the utility. The Department is authorized to adopt any rules necessary and prescribe procedures in order to ensure compliance by applicants in carrying out the purposes of rebate agreements for energy efficiency measures implemented by the Department made under this Section.

The details of the measures implemented by the Department shall be submitted by the Department to the Commission in connection with the utility's filing regarding the energy efficiency and demand-response measures that the utility implements.

A utility providing approved energy efficiency and demand-response measures in the State shall be permitted to recover costs of those measures through an automatic adjustment clause tariff filed with and approved by the Commission. The tariff shall be established outside the context of a general rate case. Each year the Commission shall initiate a review to reconcile any amounts collected with the actual costs and to determine the required adjustment to the annual tariff factor to match annual expenditures.

Each utility shall include, in its recovery of costs, the costs estimated for both the utility's and the Department's implementation of energy efficiency and demand-response measures. Costs collected by the utility for measures implemented by the Department shall be submitted to the Department pursuant to Section 605-323 of the Civil Administrative Code of Illinois, shall be deposited into the Energy Efficiency Portfolio Standards Fund, and shall be used by the Department solely for the purpose of implementing these measures. A utility shall not be required to advance any moneys to the Department but only to forward such funds as it has collected. The Department shall report to the Commission on an annual basis regarding the costs actually incurred by the Department in the implementation of the measures. Any changes to the costs of energy efficiency measures as a result of plan modifications shall be appropriately reflected in amounts recovered by the utility and turned over to the Department.

The portfolio of measures, administered by both the utilities and the Department, shall, in combination, be designed to achieve the annual savings targets described in subsections (b) and (c) of this Section, as modified by subsection (d) of this Section.

The utility and the Department shall agree upon a reasonable portfolio of measures and determine the measurable corresponding percentage of the savings goals associated with measures implemented by the utility or Department.

No utility shall be assessed a penalty under subsection (f) of this Section for failure to make a timely filing if that failure is the result of a lack of agreement with the Department with respect to the allocation of responsibilities or related costs or target assignments. In that case, the Department and the utility shall file their respective plans with the Commission and the Commission shall determine an appropriate division of measures and programs that meets the requirements of this Section.

If the Department is unable to meet incremental annual performance goals for the portion of the portfolio implemented by

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the Department, then the utility and the Department shall jointly submit a modified filing to the Commission explaining the performance shortfall and recommending an appropriate course going forward, including any program modifications that may be appropriate in light of the evaluations conducted under item (7) of subsection (f) of this Section. In this case, the utility obligation to collect the Department's costs and turn over those funds to the Department under this subsection (e) shall continue only if the Commission approves the modifications to the plan proposed by the Department.

Fund Number 0532 Illinois Department of Corrections Parole Division Offender Supervision Fund

Chapter	0730	Act	0005	Section	5-9-1.20	Fund Type:	Appropriated
Fund Group:	Special State Fund					Total Revenue FY11:	\$0
Administering Agency:	Corrections					Total Revenue FY12:	\$100

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fines assessed for persons convicted of any violation of the Criminal Code of 1961 who at the time of commission of the offense was on parole or mandatory supervised release. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for administrative costs and initiatives to combat and supervise paroled offenders.

Statutory Language:

Additional violation of parole fines. In addition to any other penalty imposed, a fine of \$25 shall be imposed upon a person convicted of any violation of the Criminal Code of 1961 or the Criminal Code of 2012 who was, at the time of the commission of the offense on parole or mandatory supervised release. Such additional fine shall be assessed by the court imposing sentence and shall be collected by the circuit clerk. Of this fine, \$5 shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds as provided by law. The remainder of each such additional fine shall be remitted by the Circuit Court Clerk within one month after receipt to the State Treasurer for deposit into the Illinois Department of Corrections Parole Division Offender Supervision Fund in the State treasury.

Fund Number 0533 Attorney General Tobacco Fund

Chapter	0030	Act	0105	Section	6z-43	Fund Type:	Appropriated
Fund Group:	Special State Fund					Total Revenue FY11:	\$0
Administering Agency:	Attorney General					Total Revenue FY12:	\$2,500,000

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from the Railsplitter Tobacco Settlement Authority Act. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for enforcement of the Tobacco Master Settlement Agreement and for law enforcement activities of the Attorney General.

Statutory Language:

(a) There is created in the State Treasury a special fund to be known as the Tobacco Settlement Recovery Fund, which shall contain 3 accounts: (i) the General Account, (ii) the Tobacco Settlement Bond Proceeds Account and (iii) the Tobacco Settlement Residual Account. There shall be deposited into the several accounts of the Tobacco Settlement Recovery Fund and the Attorney General Tobacco Fund all monies paid to the State pursuant to (1) the Master Settlement Agreement entered in the case of People of the State of Illinois v. Philip Morris, et al. (Circuit Court of Cook County, No. 96-L13146) and (2) any settlement with or judgment against any tobacco product manufacturer other than one participating in the Master Settlement Agreement in satisfaction of any released claim as defined in the Master Settlement Agreement, as well as any

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other monies as provided by law. Moneys shall be deposited into the Tobacco Settlement Bond Proceeds Account and the Tobacco Settlement Residual Account as provided by the terms of the Railsplitter Tobacco Settlement Authority Act, provided that an annual amount not less than \$2,500,000, subject to appropriation, shall be deposited into the Attorney General Tobacco Fund for use only by the Attorney General's office. The scheduled \$2,500,000 deposit into the Tobacco Settlement Residual Account for fiscal year 2011 should be transferred to the Attorney General Tobacco Fund in fiscal year 2012 as soon as this fund has been established. All other moneys available to be deposited into the Tobacco Settlement Recovery Fund shall be deposited into the General Account. An investment made from moneys credited to a specific account constitutes part of that account and such account shall be credited with all income from the investment of such moneys. The Treasurer may invest the moneys in the several accounts the Fund in the same manner, in the same types of investments, and subject to the same limitations provided in the Illinois Pension Code for the investment of pension funds other than those established under Article 3 or 4 of the Code. Notwithstanding the foregoing, to the extent necessary to preserve the tax-exempt status of any bonds issued pursuant to the Railsplitter Tobacco Settlement Authority Act, the interest on which is intended to be excludable from the gross income of the owners for federal income tax purposes, moneys on deposit in the Tobacco Settlement Bond Proceeds Account and the Tobacco Settlement Residual Account may be invested in obligations the interest upon which is tax-exempt under the provisions of Section 103 of the Internal Revenue Code of 1986, as now or hereafter amended, or any successor code or provision.

(b) Moneys on deposit in the Tobacco Settlement Bond Proceeds Account and the Tobacco Settlement Residual Account may be expended, subject to appropriation, for the purposes authorized in Section 6(g) of the Railsplitter Tobacco Settlement Authority Act.

(c) As soon as may be practical after June 30, 2001, upon notification from and at the direction of the Governor, the State Comptroller shall direct and the State Treasurer shall transfer the unencumbered balance in the Tobacco Settlement Recovery Fund as of June 30, 2001, as determined by the Governor, into the Budget Stabilization Fund. The Treasurer may invest the moneys in the Budget Stabilization Fund in the same manner, in the same types of investments, and subject to the same limitations provided in the Illinois Pension Code for the investment of pension funds other than those established under Article 3 or 4 of the Code.

(d) All federal financial participation moneys received pursuant to expenditures from the Fund shall be deposited into the General Account.

Fund Number	0539	Death Penalty Abolition Fund
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Chapter 0725	Act 0005	Section 119-1	Fund Type: Appropriated
Fund Group: Special State Fund		Total Revenue FY11: \$0	
Administering Agency: Illinois Criminal Justice Information Aut		Total Revenue FY12: \$17,799,913	

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from the Capital Litigation Fund. Monies in the Fund may be expended for services for families of victims of homicide or murder and for the training of law enforcement personnel.

Statutory Language:

(a) Beginning on the effective date of this amendatory Act of the 96th General Assembly, notwithstanding any other law to the contrary, the death penalty is abolished and a sentence to death may not be imposed.

(b) All unobligated and unexpended moneys remaining in the Capital Litigation Trust Fund on the effective date of this amendatory Act of the 96th General Assembly shall be transferred into the Death Penalty Abolition Fund, a special fund in the State treasury, to be expended by the Illinois Criminal Justice Information Authority, for services for families of victims of homicide or murder and for training of law enforcement personnel.

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Fund Number 0545 Domestic Violence Surveillance Fund

Chapter 0730 **Act** 0005 **Section** 5-9-1.16 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Treasurer **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fines assessed for violations of protection orders. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, to offset the costs of surveillance for violators of protection orders.

Statutory Language:

(a) There shall be added to every penalty imposed in sentencing for a violation of an order of protection under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012 an additional fee to be set in an amount not less than \$200 to be imposed upon a plea of guilty or finding of guilty resulting in a judgment of conviction.

(b) Such additional amount shall be assessed by the court imposing sentence and shall be collected by the Circuit Clerk in addition to the fine, if any, and costs in the case to be used by the supervising authority in implementing the domestic violence surveillance program. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the probation and court services fund under Section 15.1 of the Probation and Probations Officers Act.

(c) The supervising authority of a domestic violence surveillance program under Section 5-8A-7 of this Act shall assess a person either convicted of, or charged with, the violation of an order of protection an additional fee to cover the costs of providing the equipment used and the additional supervision needed for such domestic violence surveillance program. If the court finds that the fee would impose an undue burden on the victim, the court may reduce or waive the fee. The court shall order that the defendant may not use funds belonging solely to the victim of the offense for payment of the fee.

When the supervising authority is the court or the probation and court services department, the fee shall be collected by the circuit court clerk. The clerk of the circuit court shall pay all monies collected from this fee and all other required probation fees that are assessed to the county treasurer for deposit in the probation and court services fund under Section 15.1 of the Probation and Probations Officers Act. In counties with a population of 2 million or more, when the supervising authority is the court or the probation and court services department, the fee shall be collected by the supervising authority. In these counties, the supervising authority shall pay all monies collected from this fee and all other required probation fees that are assessed, to the county treasurer for deposit in the probation and court services fund under Section 15.1 of the Probation and Probations Officers Act.

When the supervising authority is the Department of Corrections, the Department shall collect the fee for deposit into the Illinois Department of Corrections "fund". The Circuit Clerk shall retain 10% of such penalty and deposit that percentage into the Circuit Court Clerk Operation and Administrative Fund to cover the costs incurred in administering and enforcing this Section.

(d) (Blank).

(e) (Blank).

Fund Number 0547 Conservation Police Operations Assistance Fund

Chapter 0030 **Act** 0105 **Section** 6z-87 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Natural Resources **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from Section 27.3a of the Clerks of Courts Act, investment income as well as any other legal sources of revenue. Monies in the Fund may be expended, pursuant to General Assembly appropriation, to support the lawful operations of the Illinois Conservation Police.

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Statutory Language:

Fees for automated record keeping, probation and court services operations, and State and Conservation Police operations.

1. The expense of establishing and maintaining automated record keeping systems in the offices of the clerks of the circuit court shall be borne by the county. To defray such expense in any county having established such an automated system or which elects to establish such a system, the county board may require the clerk of the circuit court in their county to charge and collect a court automation fee of not less than \$1 nor more than \$15 to be charged and collected by the clerk of the court. Such fee shall be paid at the time of filing the first pleading, paper or other appearance filed by each party in all civil cases or by the defendant in any felony, traffic, misdemeanor, municipal ordinance, or conservation case upon a judgment of guilty or grant of supervision, provided that the record keeping system which processes the case category for which the fee is charged is automated or has been approved for automation by the county board, and provided further that no additional fee shall be required if more than one party is presented in a single pleading, paper or other appearance. Such fee shall be collected in the manner in which all other fees or costs are collected.

1.1. Starting on July 6, 2012 (the effective date of Public Act 97-761) and pursuant to an administrative order from the chief judge of the circuit or the presiding judge of the county authorizing such collection, a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section shall also charge and collect an additional \$10 operations fee for probation and court services department operations.

This additional fee shall be paid by the defendant in any felony, traffic, misdemeanor, local ordinance, or conservation case upon a judgment of guilty or grant of supervision, except such \$10 operations fee shall not be charged and collected in cases governed by Supreme Court Rule 529 in which the bail amount is \$120 or less.

1.2. With respect to the fee imposed and collected under subsection 1.1 of this Section, each clerk shall transfer all fees monthly to the county treasurer for deposit into the probation and court services fund created under Section 15.1 of the Probation and Probation Officers Act, and such monies shall be disbursed from the fund only at the direction of the chief judge of the circuit or another judge designated by the Chief Circuit Judge in accordance with the policies and guidelines approved by the Supreme Court.

1.5. Starting on the effective date of this amendatory Act of the 96th General Assembly, a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section, shall charge and collect an additional fee in an amount equal to the amount of the fee imposed pursuant to subsection 1 of this Section. This additional fee shall be paid by the defendant in any felony, traffic, misdemeanor, or local ordinance case upon a judgment of guilty or grant of supervision. This fee shall not be paid by the defendant for any conservation violation listed in subsection 1.6 of this Section.

1.6. Starting on July 1, 2012 (the effective date of Public Act 97-46), a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section shall charge and collect an additional fee in an amount equal to the amount of the fee imposed pursuant to subsection 1 of this Section. This additional fee shall be paid by the defendant upon a judgment of guilty or grant of supervision for a conservation violation under the State Parks Act, the Recreational Trails of Illinois Act, the Illinois Explosives Act, the Timber Buyers Licensing Act, the Forest Products Transportation Act, the Firearm Owners Identification Card Act, the Environmental Protection Act, the Fish and Aquatic Life Code, the Wildlife Code, the Cave Protection Act, the Illinois Exotic Weed Act, the Illinois Forestry Development Act, the Ginseng Harvesting Act, the Illinois Lake Management Program Act, the Illinois Natural Areas Preservation Act, the Illinois Open Land Trust Act, the Open Space Lands Acquisition and Development Act, the Illinois Prescribed Burning Act, the State Forest Act, the Water Use Act of 1983, the Illinois Veteran, Youth, and Young Adult Conservation Jobs Act, the Snowmobile Registration and Safety Act, the Boat Registration and Safety Act, the Illinois Dangerous Animals Act, the Hunter and Fishermen Interference Prohibition Act, the Wrongful Tree Cutting Act, or Section 11-1426.1, 11-1426.2, 11-1427, 11-1427.1, 11-1427.2, 11-1427.3, 11-1427.4, or 11-1427.5 of the Illinois Vehicle Code, or Section 48-3 or 48-10 of the Criminal Code of 2012.

2. With respect to the fee imposed under subsection 1 of this Section, each clerk shall commence such charges and collections upon receipt of written notice from the chairman of the county board together with a certified copy of the board's resolution, which the clerk shall file of record in his office.

3. With respect to the fee imposed under subsection 1 of this Section, such fees shall be in addition to all other fees and charges of such clerks, and assessable as costs, and may be waived only if the judge specifically provides for the waiver of the court automation fee. The fees shall be remitted monthly by such clerk to the county treasurer, to be retained by him in a special fund designated as the court automation fund. The fund shall be audited by the county auditor, and the board shall make expenditure from the fund in payment of any cost related to the automation of court records, including hardware, software, research and development costs and personnel related thereto, provided that the expenditure is approved by the clerk of the court and by the chief judge of the circuit court or his designate.

4. With respect to the fee imposed under subsection 1 of this Section, such fees shall not be charged in any matter coming

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to any such clerk on change of venue, nor in any proceeding to review the decision of any administrative officer, agency or body.

5. With respect to the additional fee imposed under subsection 1.5 of this Section, the fee shall be remitted by the circuit clerk to the State Treasurer within one month after receipt for deposit into the State Police Operations Assistance Fund.

6. With respect to the additional fees imposed under subsection 1.5 of this Section, the Director of State Police may direct the use of these fees for homeland security purposes by transferring these fees on a quarterly basis from the State Police Operations Assistance Fund into the Illinois Law Enforcement Alarm Systems (ILEAS) Fund for homeland security initiatives programs. The transferred fees shall be allocated, subject to the approval of the ILEAS Executive Board, as follows: (i) 66.6% shall be used for homeland security initiatives and (ii) 33.3% shall be used for airborne operations. The ILEAS Executive Board shall annually supply the Director of State Police with a report of the use of these fees.

7. With respect to the additional fee imposed under subsection 1.6 of this Section, the fee shall be remitted by the circuit clerk to the State Treasurer within one month after receipt for deposit into the Conservation Police Operations Assistance Fund.

Fund Number	0558	Flood Prevention Occupation Tax Fund
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Chapter	0070	Act	0750	Section	25	Fund Type: Non-Appropriated
Fund Group:	State Trust Fund				Total Revenue FY11:	\$13,040,124
Administering Agency:	Revenue				Total Revenue FY12:	\$11,522,864

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from a retailer's occupation tax and associated penalties imposed in accordance with Section 25 of the Flood Prevention District Act. Monies in the Fund shall be expended to pay revenue bonds issued by the District.

Statutory Language:

(a) If the Board of Commissioners of a flood prevention district determines that an emergency situation exists regarding levee repair or flood prevention, and upon an ordinance confirming the determination adopted by the affirmative vote of a majority of the members of the county board of the county in which the district is situated, the county may impose a flood prevention retailers' occupation tax upon all persons engaged in the business of selling tangible personal property at retail within the territory of the district to provide revenue to pay the costs of providing emergency levee repair and flood prevention and to secure the payment of bonds, notes, and other evidences of indebtedness issued under this Act for a period not to exceed 25 years or as required to repay the bonds, notes, and other evidences of indebtedness issued under this Act. The tax rate shall be 0.25% of the gross receipts from all taxable sales made in the course of that business. The tax imposed under this Section and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this Section; to collect all taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder.

In the administration of and compliance with this subsection, the Department and persons who are subject to this subsection (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) are subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) shall employ the same modes of procedure as are set forth in Sections 1 through 1o, 2 through 2-70 (in respect to all provisions contained in those Sections other than the State rate of tax), 2a through 2h, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act as if those provisions were set forth in this subsection.

Persons subject to any tax imposed under this Section may reimburse themselves for their seller's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination in a single amount with State taxes that sellers are required to collect under the Use Tax Act, under any bracket schedules the Department may prescribe.

If a tax is imposed under this subsection (a), a tax shall also be imposed under subsection (b) of this Section.

(b) If a tax has been imposed under subsection (a), a flood prevention service occupation tax shall also be imposed upon all persons engaged within the territory of the district in the business of making sales of service, who, as an incident to making the sales of service, transfer tangible personal property, either in the form of tangible personal property or in the

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form of real estate as an incident to a sale of service to provide revenue to pay the costs of providing emergency levee repair and flood prevention and to secure the payment of bonds, notes, and other evidences of indebtedness issued under this Act for a period not to exceed 25 years or as required to repay the bonds, notes, and other evidences of indebtedness. The tax rate shall be 0.25% of the selling price of all tangible personal property transferred.

The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this subsection; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder.

In the administration of and compliance with this subsection, the Department and persons who are subject to this subsection shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) employ the same modes of procedure as are set forth in Sections 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State means the district), 2a through 2d, 3 through 3-50 (in respect to all provisions contained in those Sections other than the State rate of tax), 4 (except that the reference to the State shall be to the district), 5, 7, 8 (except that the jurisdiction to which the tax is a debt to the extent indicated in that Section 8 is the district), 9 (except as to the disposition of taxes and penalties collected), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State means the district), Section 15, 16, 17, 18, 19, and 20 of the Service Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, that charge may be stated in combination in a single amount with State tax that servicemen are authorized to collect under the Service Use Tax Act, under any bracket schedules the Department may prescribe.

(c) The taxes imposed in subsections (a) and (b) may not be imposed on personal property titled or registered with an agency of the State; food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption); prescription and non-prescription medicines, drugs, and medical appliances; modifications to a motor vehicle for the purpose of rendering it usable by a disabled person; or insulin, urine testing materials, and syringes and needles used by diabetics.

(d) Nothing in this Section shall be construed to authorize the district to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by the State.

(e) The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act or a serviceman under the Service Occupation Tax Act permits the retailer or serviceman to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this Section.

(f) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the Flood Prevention Occupation Tax Fund, which shall be an unappropriated trust fund held outside the State treasury.

On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the counties from which retailers or servicemen have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to each county is equal to the amount (not including credit memoranda) collected from the county under this Section during the second preceding calendar month by the Department, (i) less 2% of that amount, which shall be deposited into the Tax Compliance and Administration Fund and shall be used by the Department in administering and enforcing the provisions of this Section on behalf of the county, (ii) plus an amount that the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body; (iii) less an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county; and (iv) less any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the county. When certifying the amount of a monthly disbursement to a county under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements within the previous 6 months from the time a miscalculation is discovered.

Within 10 days after receipt by the Comptroller from the Department of the disbursement certification to the counties provided for in this Section, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with directions contained in the certification.

If the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, then the Department shall notify the Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the Treasurer out of

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the Flood Prevention Occupation Tax Fund.

(g) If a county imposes a tax under this Section, then the county board shall, by ordinance, discontinue the tax upon the payment of all indebtedness of the flood prevention district. The tax shall not be discontinued until all indebtedness of the District has been paid.

(h) Any ordinance imposing the tax under this Section, or any ordinance that discontinues the tax, must be certified by the county clerk and filed with the Illinois Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of January next following the filing.

(j) County Flood Prevention Occupation Tax Fund. All proceeds received by a county from a tax distribution under this Section must be maintained in a special fund known as the [name of county] flood prevention occupation tax fund. The county shall, at the direction of the flood prevention district, use moneys in the fund to pay the costs of providing emergency levee repair and flood prevention and to pay bonds, notes, and other evidences of indebtedness issued under this Act.

(k) This Section may be cited as the Flood Prevention Occupation Tax Law.

Fund Number	0559	Downstate Transit Improvement Fund
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Chapter 0030	Act 0740	Section 2-15	Fund Type: Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$12,240,000
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Administering Agency: Transportation	Total Revenue FY12:	\$32,265,000
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Fund Purpose: The purpose of the Fund is to receive and record monies obtained from transfers from the Downstate Public Transportation Fund and the Metro-East Public Transportation Fund. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for competitive grants to qualified participants in the two Funds.

Statutory Language:

(a) Except as otherwise provided in this Section, all funds which remain in the Downstate Public Transportation Fund or the Metro-East Public Transportation Fund after the payment of the fourth quarterly payment to participants other than Metro-East Transit District participants and the last monthly payment to Metro-East Transit participants in each fiscal year shall be transferred (i) to the General Revenue Fund through fiscal year 2008 and (ii) to the Downstate Transit Improvement Fund for fiscal year 2009 and each fiscal year thereafter. Transfers shall be made no later than 90 days following the end of such fiscal year. Beginning fiscal year 2010, all moneys each year in the Downstate Transit Improvement Fund, held solely for the benefit of the participants in the Downstate Public Transportation Fund and shall be appropriated to the Department to make competitive capital grants to the participants of the respective funds. However, such amount as the Department determines to be necessary for (1) allocation to participants for the purposes of Section 2-7 for the first quarter of the succeeding fiscal year and (2) an amount equal to 2% of the total allocations to participants in the fiscal year just ended to be used for the purpose of audit adjustments shall be retained in such Funds to be used by the Department for such purposes.

(b) Notwithstanding any other provision of law, in addition to any other transfers that may be provided by law, on July 1, 2011, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the remaining balance from the Metro East Public Transportation Fund into the General Revenue Fund. Upon completion of the transfers, the Metro East Public Transportation Fund is dissolved, and any future deposits due to that Fund and any outstanding obligations or liabilities of that Fund pass to the General Revenue Fund.

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Fund Number 0563 Illinois Law Enforcement Alarm Systems Fund

Chapter 0705 **Act** 0105 **Section** 27.3a **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: State Police **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from grants, donations, appropriations, investment income and any other legal source. Monies in the Fund may be expended, pursuant to General Assembly Appropriation, to finance support for law enforcement, airborne and terrorism operations as approved by Illinois Law Enforcement Alarm Systems (ILEAS).

Statutory Language:

Fees for automated record keeping, probation and court services operations, and State and Conservation Police operations.

1. The expense of establishing and maintaining automated record keeping systems in the offices of the clerks of the circuit court shall be borne by the county. To defray such expense in any county having established such an automated system or which elects to establish such a system, the county board may require the clerk of the circuit court in their county to charge and collect a court automation fee of not less than \$1 nor more than \$15 to be charged and collected by the clerk of the court. Such fee shall be paid at the time of filing the first pleading, paper or other appearance filed by each party in all civil cases or by the defendant in any felony, traffic, misdemeanor, municipal ordinance, or conservation case upon a judgment of guilty or grant of supervision, provided that the record keeping system which processes the case category for which the fee is charged is automated or has been approved for automation by the county board, and provided further that no additional fee shall be required if more than one party is presented in a single pleading, paper or other appearance. Such fee shall be collected in the manner in which all other fees or costs are collected.

1.1. Starting on July 6, 2012 (the effective date of Public Act 97-761) and pursuant to an administrative order from the chief judge of the circuit or the presiding judge of the county authorizing such collection, a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section shall also charge and collect an additional \$10 operations fee for probation and court services department operations.

This additional fee shall be paid by the defendant in any felony, traffic, misdemeanor, local ordinance, or conservation case upon a judgment of guilty or grant of supervision, except such \$10 operations fee shall not be charged and collected in cases governed by Supreme Court Rule 529 in which the bail amount is \$120 or less.

1.2. With respect to the fee imposed and collected under subsection 1.1 of this Section, each clerk shall transfer all fees monthly to the county treasurer for deposit into the probation and court services fund created under Section 15.1 of the Probation and Probation Officers Act, and such monies shall be disbursed from the fund only at the direction of the chief judge of the circuit or another judge designated by the Chief Circuit Judge in accordance with the policies and guidelines approved by the Supreme Court.

1.5. Starting on the effective date of this amendatory Act of the 96th General Assembly, a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section, shall charge and collect an additional fee in an amount equal to the amount of the fee imposed pursuant to subsection 1 of this Section. This additional fee shall be paid by the defendant in any felony, traffic, misdemeanor, or local ordinance case upon a judgment of guilty or grant of supervision. This fee shall not be paid by the defendant for any conservation violation listed in subsection 1.6 of this Section.

1.6. Starting on July 1, 2012 (the effective date of Public Act 97-46), a clerk of the circuit court in any county that imposes a fee pursuant to subsection 1 of this Section shall charge and collect an additional fee in an amount equal to the amount of the fee imposed pursuant to subsection 1 of this Section. This additional fee shall be paid by the defendant upon a judgment of guilty or grant of supervision for a conservation violation under the State Parks Act, the Recreational Trails of Illinois Act, the Illinois Explosives Act, the Timber Buyers Licensing Act, the Forest Products Transportation Act, the Firearm Owners Identification Card Act, the Environmental Protection Act, the Fish and Aquatic Life Code, the Wildlife Code, the Cave Protection Act, the Illinois Exotic Weed Act, the Illinois Forestry Development Act, the Ginseng Harvesting Act, the Illinois Lake Management Program Act, the Illinois Natural Areas Preservation Act, the Illinois Open Land Trust Act, the Open Space Lands Acquisition and Development Act, the Illinois Prescribed Burning Act, the State Forest Act, the Water Use Act of 1983, the Illinois Veteran, Youth, and Young Adult Conservation Jobs Act, the Snowmobile Registration and Safety Act, the Boat Registration and Safety Act, the Illinois Dangerous Animals Act, the Hunter and Fishermen

New Funds by Number with Statutory Language

Interference Prohibition Act, the Wrongful Tree Cutting Act, or Section 11-1426.1, 11-1426.2, 11-1427, 11-1427.1, 11-1427.2, 11-1427.3, 11-1427.4, or 11-1427.5 of the Illinois Vehicle Code, or Section 48-3 or 48-10 of the Criminal Code of 2012.

2. With respect to the fee imposed under subsection 1 of this Section, each clerk shall commence such charges and collections upon receipt of written notice from the chairman of the county board together with a certified copy of the board's resolution, which the clerk shall file of record in his office.

3. With respect to the fee imposed under subsection 1 of this Section, such fees shall be in addition to all other fees and charges of such clerks, and assessable as costs, and may be waived only if the judge specifically provides for the waiver of the court automation fee. The fees shall be remitted monthly by such clerk to the county treasurer, to be retained by him in a special fund designated as the court automation fund. The fund shall be audited by the county auditor, and the board shall make expenditure from the fund in payment of any cost related to the automation of court records, including hardware, software, research and development costs and personnel related thereto, provided that the expenditure is approved by the clerk of the court and by the chief judge of the circuit court or his designate.

4. With respect to the fee imposed under subsection 1 of this Section, such fees shall not be charged in any matter coming to any such clerk on change of venue, nor in any proceeding to review the decision of any administrative officer, agency or body.

5. With respect to the additional fee imposed under subsection 1.5 of this Section, the fee shall be remitted by the circuit clerk to the State Treasurer within one month after receipt for deposit into the State Police Operations Assistance Fund.

6. With respect to the additional fees imposed under subsection 1.5 of this Section, the Director of State Police may direct the use of these fees for homeland security purposes by transferring these fees on a quarterly basis from the State Police Operations Assistance Fund into the Illinois Law Enforcement Alarm Systems (ILEAS) Fund for homeland security initiatives programs. The transferred fees shall be allocated, subject to the approval of the ILEAS Executive Board, as follows: (i) 66.6% shall be used for homeland security initiatives and (ii) 33.3% shall be used for airborne operations. The ILEAS Executive Board shall annually supply the Director of State Police with a report of the use of these fees.

7. With respect to the additional fee imposed under subsection 1.6 of this Section, the fee shall be remitted by the circuit clerk to the State Treasurer within one month after receipt for deposit into the Conservation Police Operations Assistance Fund.

Fund Number	0565	Veterans Traumatic Brain Injury and Post-Traumatic Stress Disorder Public Service Announcement Fund
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Chapter	0030	Act	0105	Section	6z-89	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$0
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Administering Agency: Veterans' Affairs	Total Revenue FY12:	\$0
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Fund Purpose: The purpose of the Fund is to receive and record monies obtained from gifts, donations, and charitable contributions from any individual or entity. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for public service announcements to inform veterans of the services and benefits available for those suffering from traumatic brain injuries or post-traumatic stress disorder.

Statutory Language:

The Veterans Traumatic Brain Injury and Post-Traumatic Stress Disorder Public Service Announcement Fund is created as a special fund in the State treasury. The Department of Veterans' Affairs may collect gifts, donations, and charitable contributions from any private individual or entity for the purpose of providing public service announcements to inform veterans of the services and benefits of State and federal laws, including but not limited to the services and benefits available to veterans suffering from traumatic brain injuries or post-traumatic stress disorder. The gifts, donations, and charitable contributions shall be deposited into the Veterans Traumatic Brain Injury and Post-Traumatic Stress Disorder Public Service Announcement Fund. All money in the Veterans Traumatic Brain Injury and Post-Traumatic Stress Disorder Public Service Announcement Fund shall be used, subject to appropriation by the General Assembly, by the Department of Veterans' Affairs for this purpose.

New Funds by Number with Statutory Language

Fund Number 0579 Savings Institutions Regulatory Fund

Chapter 0205 **Act** 0105 **Section** 7-19.2 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Financial and Professional Regulation **Total Revenue FY12:** \$1,594,169

Fund Purpose: The purpose of the Fund is to receive and record monies obtained in accordance with the Division of Banking Act, interest income and transfers. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for costs associated with the administering and enforcing of the Illinois Savings and Loan Act of 1985, the Savings Bank Act and any other applicable law.

Statutory Language:

(a) On or after the effective date of this amendatory Act of the 97th General Assembly, the aggregate of all moneys collected by the Secretary under this Act shall be paid promptly after receipt of the same, accompanied by a detailed statement thereof, into the State treasury and shall be set apart in the Savings Institutions Regulatory Fund, a special fund created in the State treasury. The amounts deposited into the Fund shall be used for the ordinary and contingent expenses of the Department of Financial and Professional Regulation and the Division of Banking, or their successors, in administering and enforcing the Illinois Savings and Loan Act of 1985, the Savings Bank Act, and other laws, rules, and regulations as may apply to the administration and enforcement of the foregoing laws, rules, and regulations, as amended from time to time. Nothing in this Act shall prevent continuing the practice of paying expenses involving salaries, retirement, social security, and State-paid insurance of State officers by appropriation from the General Revenue Fund.

(b) Moneys in the Savings Institution Regulatory Fund may be transferred to the Professions Indirect Cost Fund, as authorized under Section 2105-300 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(c) All earnings received from investments of funds in the Savings Institutions Regulatory Fund shall be deposited into that Fund and may be used for the same purposes as fees deposited into that Fund.

(d) When the balance in the Savings Institutions Regulatory Fund at the end of a fiscal year exceeds 25% of the total actual administrative and operational expenses incurred by the State for that fiscal year in administering and enforcing the Illinois Savings and Loan Act of 1985 and the Savings Bank Act and such other laws, rules, and regulations as may apply to the administration and enforcement of the foregoing laws, rules, and regulations, the excess shall be credited to the appropriate institutions and entities and applied against their regulatory fees for the subsequent fiscal year. The amount credited to each institution or entity shall be in the same proportion that the regulatory fees paid by the institution or entity for the fiscal year in which the excess is produced bear to the aggregate amount of all fees collected by the Secretary under the Illinois Savings and Loan Act of 1985 and the Savings Bank Act for the same fiscal year. For the purpose of this Section, "fiscal year" means the period beginning July 1 of any year and ending June 30 of the next calendar year.

(e) Moneys in the Savings and Residential Finance Regulatory Fund apportioned to the moneys collected under the Illinois Savings and Loan Act of 1985 and the Savings Bank Act shall be transferred to the Savings Institutions Regulatory Fund upon creation of the Savings Institutions Regulatory Fund. Any amount used or borrowed from the moneys apportioned to the moneys collected under the Illinois Savings and Loan Act of 1985 and the Savings Bank Act that would have been required to be returned to that apportionment shall be instead paid into the Savings Institutions Regulatory Fund in the same manner.

Fund Number 0590 STAR Bonds Revenue Fund

Chapter 0050 **Act** 470 **Section** 30(3) **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Revenue **Total Revenue FY12:** \$0

New Funds by Number with Statutory Language

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from transfers based on a calculation related to local sales tax increments. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for costs associated with administering the Innovation Development and Economy Act.

Statutory Language:

(e) There is created in the State treasury a special fund to be known as the STAR Bonds Revenue Fund. As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, from the General Revenue Fund to the STAR Bonds Revenue Fund the State sales tax increment for the second preceding month, less 3% of that amount, which shall be transferred into the Tax Compliance and Administration Fund and shall be used by the Department, subject to appropriation, to cover the costs of the Department in administering the Innovation Development and Economy Act. As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, from the Local Government Tax Fund to the STAR Bonds Revenue Fund the local sales tax increment for the second preceding month, as provided in Section 6z-18 of the State Finance Act and from the County and Mass Transit District Fund to the STAR Bonds Revenue Fund the local sales tax increment for the second preceding month, as provided in Section 6z-20 of the State Finance Act.

On or before the 25th day of each calendar month, beginning on January 1, 2011, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money out of the STAR Bonds Revenue Fund to named municipalities and counties, the municipalities and counties to be those entitled to distribution of taxes or penalties paid to the Department during the second preceding calendar month. The amount to be paid to each municipality or county shall be the amount of the State sales tax increment and the local sales tax increment (not including credit memoranda or the amount transferred into the Tax Compliance and Administration Fund) collected during the second preceding calendar month by the Department from retailers and servicemen on transactions at places of business located within a STAR bond district in that municipality or county, plus an amount the Department determines is necessary to offset any amounts which were erroneously paid to a different taxing body, and not including an amount equal to the amount of refunds made during the second preceding calendar month by the Department, and not including any amount which the Department determines is necessary to offset any amounts which are payable to a different taxing body but were erroneously paid to the municipality or county. Within 10 days after receipt, by the Comptroller, of the disbursement certification to the municipalities and counties, provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with the directions contained in such certification.

When certifying the amount of monthly disbursement to a municipality or county under this subsection, the Department shall increase or decrease that amount by an amount necessary to offset any misallocation of previous disbursements. The offset amount shall be the amount erroneously disbursed within the 6 months preceding the time a misallocation is discovered.

Fund Number	0591	STAR Bond School Improvement and Operations Trust Fund
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Chapter	0050	Act	0470	Section	33	Fund Type: Non-Appropriated	
Fund Group:	State Trust Fund					Total Revenue FY11:	\$0
Administering Agency:	Revenue					Total Revenue FY12:	\$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from taxes attributable to the increase in equalized assessed value within the STAR bond district from each certified taxing district. Monies in the Fund may be expended for payments to school districts in educational service regions that include or are adjacent to the STAR bond district.

Statutory Language:

(a) The STAR Bonds School Improvement and Operations Trust Fund is created as a trust fund in the State treasury. Deposits into the Trust Fund shall be made as provided under this Section. Moneys in the Trust Fund shall be used by the Department of Revenue only for the purpose of making payments to school districts in educational service regions that

New Funds by Number with Statutory Language

include or are adjacent to the STAR bond district. Moneys in the Trust Fund are not subject to appropriation and shall be used solely as provided in this Section. All deposits into the Trust Fund shall be held in the Trust Fund by the State Treasurer as ex officio custodian separate and apart from all public moneys or funds of this State and shall be administered by the Department exclusively for the purposes set forth in this Section. All moneys in the Trust Fund shall be invested and reinvested by the State Treasurer. All interest accruing from these investments shall be deposited in the Trust Fund.

(b) Upon approval of a STAR bond district, the political subdivision shall immediately transmit to the county clerk of the county in which the district is located a certified copy of the ordinance creating the district, a legal description of the district, a map of the district, identification of the year that the county clerk shall use for determining the total initial equalized assessed value of the district consistent with subsection (c), and a list of the parcel or tax identification number of each parcel of property included in the district.

(c) Upon approval of a STAR bond district, the county clerk immediately thereafter shall determine (i) the most recently ascertained equalized assessed value of each lot, block, tract, or parcel of real property within the STAR bond district, from which shall be deducted the homestead exemptions under Article 15 of the Property Tax Code, which value shall be the initial equalized assessed value of each such piece of property, and (ii) the total equalized assessed value of all taxable real property within the district by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within the district, from which shall be deducted the homestead exemptions under Article 15 of the Property Tax Code, and shall certify that amount as the total initial equalized assessed value of the taxable real property within the STAR bond district.

(d) In reference to any STAR bond district created within any political subdivision, and in respect to which the county clerk has certified the total initial equalized assessed value of the property in the area, the political subdivision may thereafter request the clerk in writing to adjust the initial equalized value of all taxable real property within the STAR bond district by deducting therefrom the exemptions under Article 15 of the Property Tax Code applicable to each lot, block, tract, or parcel of real property within the STAR bond district. The county clerk shall immediately, after the written request to adjust the total initial equalized value is received, determine the total homestead exemptions in the STAR bond district as provided under Article 15 of the Property Tax Code by adding together the homestead exemptions provided by said Article on each lot, block, tract, or parcel of real property within the STAR bond district and then shall deduct the total of said exemptions from the total initial equalized assessed value. The county clerk shall then promptly certify that amount as the total initial equalized assessed value as adjusted of the taxable real property within the STAR bond district.

(e) The county clerk or other person authorized by law shall compute the tax rates for each taxing district with all or a portion of its equalized assessed value located in the STAR bond district. The rate per cent of tax determined shall be extended to the current equalized assessed value of all property in the district in the same manner as the rate per cent of tax is extended to all other taxable property in the taxing district.

(f) Beginning with the assessment year in which the first destination user in the first STAR bond project in a STAR bond district makes its first retail sales and for each assessment year thereafter until final maturity of the last STAR bonds issued in the district, the county clerk or other person authorized by law shall determine the increase in equalized assessed value of all real property within the STAR bond district by subtracting the initial equalized assessed value of all property in the district certified under subsection (c) from the current equalized assessed value of all property in the district. Each year, the property taxes arising from the increase in equalized assessed value in the STAR bond district shall be determined for each taxing district and shall be certified to the county collector.

(g) Beginning with the year in which taxes are collected based on the assessment year in which the first destination user in the first STAR bond project in a STAR bond district makes its first retail sales and for each year thereafter until final maturity of the last STAR bonds issued in the district, the county collector shall, within 30 days after receipt of property taxes, transmit to the Department to be deposited into the STAR Bonds School Improvement and Operations Trust Fund 15% of property taxes attributable to the increase in equalized assessed value within the STAR bond district from each taxing district as certified in subsection (f).

(h) The Department shall pay to the regional superintendent of schools whose educational service region includes Franklin and Williamson Counties, for each year for which money is remitted to the Department and paid into the STAR Bonds School Improvement and Operations Trust Fund, the money in the Fund as provided in this Section. The amount paid to each school district shall be allocated proportionately, based on each qualifying school district's fall enrollment for the then-current school year, such that the school district with the largest fall enrollment receives the largest proportionate share of money paid out of the Fund or by any other method or formula that the regional superintendent of schools deems fit, equitable, and in the public interest. The regional superintendent may allocate moneys to school districts that are outside of his or her educational service region or to other regional superintendents.

The Department shall determine the distributions under this Section using its best judgment and information. The Department shall be held harmless for the distributions made under this Section and all distributions shall be final.

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(i) In any year that an assessment appeal is filed, the extension of taxes on any assessment so appealed shall not be delayed. In the case of an assessment that is altered, any taxes extended upon the unauthorized assessment or part thereof shall be abated, or, if already paid, shall be refunded with interest as provided in Section 23-20 of the Property Tax Code. In the case of an assessment appeal, the county collector shall notify the Department that an assessment appeal has been filed and the amount of the tax that would have been deposited in the STAR Bonds School Improvement and Operations Trust Fund. The county collector shall hold that amount in a separate fund until the appeal process is final. After the appeal process is finalized, the county collector shall transmit to the Department the amount of tax that remains, if any, after all required refunds are made. The Department shall pay any amount deposited into the Trust Fund under this Section in the same proportion as determined for payments for that taxable year under subsection (h).

(j) In any year that ad valorem taxes are allocated to the STAR Bonds School Improvement and Operations Trust Fund, that allocation shall not reduce or otherwise impact the school aid provided to any school district under the general State school aid formula provided for in Section 18-8.05 of the School Code.

Fund Number 0596 Illiana Expressway Proceeds Fund

Chapter 0605 **Act** 0130 **Section** 40 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Transportation **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to record and receive monies obtained as compensation for the Public Private Agreement between the State of Illinois and one or more entities for the Illiana Expressway. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for purposes relating to the Illiana Expressway.

Statutory Language:

After the payment of all transaction costs, including payments for legal, accounting, financial, consultation, and other professional services, all moneys received by the State as compensation for the public private agreement shall be deposited into the Illiana Expressway Proceeds Fund, which is hereby created as a special fund in the State treasury. Expenditures may be made from the Fund only in the manner as appropriated by the General Assembly by law.

Fund Number 0606 Health Information Exchange Fund

Chapter 0020 **Act** 3860 **Section** 25 **Fund Type:** Non-Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$0

Administering Agency: Health Information Exchange Authority **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from the federal government, grants, gifts, donations and any other sources. Monies in the Fund may be expended for the purposes of the Illinois Health Information Exchange and Technology Act.

Statutory Language:

(a) The Health Information Exchange Fund (the "Fund") is created as a separate fund outside the State treasury. Moneys in the Fund are not subject to appropriation by the General Assembly. The State Treasurer shall be ex-officio custodian of the Fund. Revenues arising from the operation and administration of the Authority and the ILHIE shall be deposited into the Fund. Fees, charges, State and federal moneys, grants, donations, gifts, interest, or other moneys shall be deposited into the Fund. "Private funds" means gifts, donations, and private grants.

(b) The Authority is authorized to spend moneys in the Fund on activities suitable to the performance of its duties as provided in Section 20 of this Act and authorized by this Act. Disbursements may be made from the Fund for purposes

New Funds by Number with Statutory Language

related to the operations and functions of the Authority and the ILHIE.

(c) The Illinois General Assembly may appropriate moneys to the Authority and the ILHIE, and those moneys shall be deposited into the Fund.

(d) The Fund is not subject to administrative charges or charge-backs, including but not limited to those authorized under Section 8h of the State Finance Act.

(e) The Authority's accounts and books shall be set up and maintained in accordance with the Office of the Comptroller's requirements, and the Authority's Executive Director shall be responsible for the approval of recording of receipts, approval of payments, and proper filing of required reports. The moneys held and made available by the Authority shall be subject to financial and compliance audits by the Auditor General in compliance with the Illinois State Auditing Act.

Fund Number	0615	Debt Settlement Consumer Protection Fund
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Chapter 0225	Act 0429	Section 103	Fund Type: Non-Appropriated
Fund Group: State Trust Fund		Total Revenue FY11:	\$0
Administering Agency: Financial and Professional Regulation		Total Revenue FY12:	\$0

Fund Purpose: The purpose of this fund is to protect consumers who enter into agreements with debt settlement providers and to regulate the providers. Monies in the Fund are not subject to General Assembly appropriations.

Statutory Language:

(a) A special income-earning fund is hereby created in the State Treasury, known as the Debt Settlement Consumer Protection Fund. This Fund is not subject to appropriation by the Illinois General Assembly.

(b) All moneys paid into the Fund together with all accumulated, undistributed income thereon shall be held as a special Fund in the State Treasury. All interest earned on the Fund is non-distributable and shall be returned to the Fund, and shall be invested and re-invested in the Fund by the Treasurer or his or her designee. The Fund shall be used solely for the purpose of providing restitution to consumers who have suffered monetary loss arising out of a transaction regulated by this Act.

(c) The Fund shall be applied only to restitution when restitution has been ordered by the Secretary. Restitution shall not exceed the amount actually lost by the consumer. The Fund shall not be used for the payment of any attorney or other fees.

(d) The Fund shall be subrogated to the amount of the restitution, and the Secretary shall request the Attorney General to engage in all reasonable collection steps to collect restitution from the party responsible for the loss and reimburse the Fund.

(e) Notwithstanding any other provisions of this Section, the payment of restitution from the Fund shall be a matter of grace and not right, and no consumer shall have any vested rights in the Fund as a beneficiary or otherwise. Before seeking restitution from the Fund, the consumer or beneficiary seeking payment of restitution shall apply for restitution on a form provided by the Secretary. The form shall include any information the Secretary may reasonably require in order to determine that restitution is appropriate. All documentation required by the Secretary, including the form, is subject to audit. Distributions from the Fund shall be made solely at the discretion of the Secretary, except that no payments or distributions may be made under any circumstance if the Fund is depleted.

(f) All deposits to this Fund shall be made pursuant to Section 83 of this Act.

(g) Notwithstanding any other law to the contrary, the Fund is not subject to administrative charges or charge-backs that would in any way transfer moneys from the Fund into any other fund of the State.

Fund Number	0616	Debt Management Service Consumer Protection Fund
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Chapter 0205	Act 0665	Section 16.6	Fund Type: Non-Appropriated
Fund Group: State Trust Fund		Total Revenue FY11:	\$0
Administering Agency: Financial and Professional Regulation		Total Revenue FY12:	\$0

New Funds by Number with Statutory Language

Fund Purpose: The purpose of the Fund is to protect consumers who enter into agreements with debt management providers and to regulation the providers. Monies in the Fund are not subject to General Assembly appropriation.

Statutory Language:

- (a) A special non-appropriated income-earning fund is hereby created in the State Treasury, known as the Debt Management Service Consumer Protection Fund. This Fund is not subject to appropriation by the Illinois General Assembly.
- (b) All moneys paid into the Fund together with all accumulated, undistributed interest thereon shall be held as a special Fund in the State Treasury. All interest earned on the Fund is non-distributable and shall be returned to the Fund, and shall be invested and re-invested in the Fund by the Treasurer or his or her designee. The Fund shall be used solely for the purpose of providing restitution to consumers who have suffered monetary loss arising out of a transaction regulated by this Act.
- (c) The Fund shall be applied only to restitution when restitution has been ordered by the Secretary. Restitution shall not exceed the amount actually lost by the consumer. The Fund shall not be used for the payment of any attorney or other fees.
- (d) The Fund shall be subrogated to the amount of the restitution, and the Secretary shall request the Attorney General to engage in all reasonable collection steps to collect restitution from the party responsible for the loss and reimburse the Fund.
- (e) Notwithstanding any other provision of this Section, the payment of restitution from the Fund shall be a matter of grace and not of right, and no consumer shall have any vested rights in the Fund as a beneficiary or otherwise. Before seeking restitution from the Fund, the consumer or beneficiary seeking payment of restitution shall apply for restitution on a form provided by the Secretary. The form shall include any information the Secretary may reasonably require in order to determine that restitution is appropriate. All documentation required by the Secretary, including the form, is subject to audit. Distributions from the Fund shall be made solely at the discretion of the Secretary, except that no payments or distributions may be made under any circumstance if the Fund is depleted.
- (f) All deposits to this Fund shall be made pursuant to Section 16.5 of this Act.
- (g) Notwithstanding any other law to the contrary, the Fund is not subject to administrative charges or charge-backs that would in any way transfer moneys from the Fund into any other fund of the State.

Fund Number	0623	Special Olympics Illinois Fund
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Chapter	0625	Act	0005	Section	3-679	Fund Type:	Appropriated
Fund Group:	Special State Fund				Total Revenue FY11:	\$13,010	
Administering Agency:	Human Services				Total Revenue FY12:	\$36,605	

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees associated with the issuance of special license plates. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants to Special Olympics Illinois.

Statutory Language:

- (a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary of State, may issue special registration plates designated to be Law Enforcement Torch Run For Special Olympics license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division, motor vehicles of the second division weighing not more than 8,000 pounds, and recreational vehicles as defined by Section 1-169 of this Code. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.
- (b) The design and color of the plates shall be wholly within the discretion of the Secretary of State. Appropriate documentation, as determined by the Secretary, shall accompany the application. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code.
- (c) An applicant shall be charged a \$45 fee for original issuance in addition to the appropriate registration fee, if applicable. Of this fee, \$30 shall be deposited into the Special Olympics Illinois Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund. For each registration renewal period, a \$27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$25 shall be deposited into the Special Olympics Illinois Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

New Funds by Number with Statutory Language

Fund Number 0624 Chicago Travel Industry Promotion Fund

Chapter 0070 **Act** 0210 **Section** 5(n) **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Metropolitan Pier and Exposition Author **Total Revenue FY12:** \$7,520,925

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from airport departure taxes. Monies in the Fund may be expended, pursuant to General Assembly appropriation, to promote the travel industry of the City of Chicago.

Statutory Language:

(n) To enter into grant agreements with the Chicago Convention and Tourism Bureau providing for the marketing of the convention facilities to large and small conventions, meetings, and trade shows and the promotion of the travel industry in the City of Chicago, provided such agreements meet the requirements of Section 5.6 of this Act. Receipts of the Authority from the increase in the airport departure tax authorized by Section 13(f) of this amendatory Act of the 96th General Assembly and, subject to appropriation to the Authority, funds deposited in the Chicago Travel Industry Promotion Fund pursuant to Section 6 of the Hotel Operators' Occupation Tax Act shall be granted to the Bureau for such purposes.

Fund Number 0633 Reciprocal Tax Collection Fund

Chapter 0035 **Act** 0717 **Section** 5-5(5)(b)(1) **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Revenue **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from the collection of taxes on behalf of claimant states in accordance with reciprocal agreements with those entities. Monies in the Fund may be expended for the purpose of paying amounts collected to claimant states.

Statutory Language:

- (5) "Director" means the Illinois Director of Revenue.
- (b) Request of claimant state for collection.

(1) Upon the request and certification of the tax officer of a claimant state to the Director that a taxpayer owes taxes to that claimant state, the Director may collect those taxes, using all legal authority available to the Department of Revenue to collect debt, and shall deposit the amounts collected into the Reciprocal Tax Collection Fund and order payment to the claimant state under Section 5-10 of this Act.

Fund Number 0639 Chicago Police Memorial Foundation Fund

Chapter 0625 **Act** 0005 **Section** 3-697 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Secretary of State **Total Revenue FY12:** \$8,897

New Funds by Number with Statutory Language

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from original and renewal issuance fees associated with the purchase of special license plates. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for grants to the Chicago Police Memorial Foundation.

Statutory Language:

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as Chicago Police Memorial Foundation license plates to active or retired law enforcement officers and their family members, surviving family members of deceased law enforcement officers, and members of or donors to the Chicago Police Memorial Foundation.

The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds.

Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code. Appropriate documentation, as determined by the Secretary, shall accompany each application. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a \$25 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$10 shall be deposited into the Chicago Police Memorial Foundation Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$23 shall be deposited into the Chicago Police Memorial Foundation Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Chicago Police Memorial Foundation Fund is created as a special fund in the State treasury. All moneys in the Chicago Police Memorial Foundation Fund shall be paid, subject to appropriation by the General Assembly and approval by the Secretary, as grants to the Chicago Police Memorial Foundation for maintenance of a memorial and park, holding an annual memorial commemoration, giving scholarships to children of police officers killed or catastrophically injured in the line of duty, providing financial assistance to police officers and their families when a police officer is killed or injured in the line of duty, and paying the insurance premiums for police officers who are terminally ill.

Fund Number 0640 Fund for the Advancement of Education

Chapter	0035	Act	0005	Section	901(f)	Fund Type: Appropriated
Fund Group:	Special State Fund				Total Revenue FY11:	\$0
Administering Agency:	State Board of Education				Total Revenue FY12:	\$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from taxes imposed on individuals, trusts and estates in accordance with the Illinois Income Tax Act. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for financial assistance for education programs. Monies appropriated from the Fund shall supplement and not supplant the current level of education funding.

Statutory Language:

(f) Deposits into the Fund for the Advancement of Education. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act during the preceding month, minus deposits into the Income Tax Refund Fund, into the Fund for the Advancement of Education:

- (1) beginning February 1, 2015, and prior to February 1, 2025, 1/30; and
- (2) beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the

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Department shall not make the deposits required by this subsection (f) on or after the effective date of the reduction.

Fund Number 0644 Commitment to Human Services Fund

Chapter 0035 **Act** 0005 **Section** 901(g) **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Human Services **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from taxes imposed on individuals, trusts and estates in accordance with the Illinois Income Tax Act. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for financial assistance for community-based human service providers and for State funded human service programs. Monies appropriated from the Fund shall supplement and not supplant the current level of human services funding.

Statutory Language:

(g) Deposits into the Commitment to Human Services Fund. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act during the preceding month, minus deposits into the Income Tax Refund Fund, into the Commitment to Human Services Fund:

- (1) beginning February 1, 2015, and prior to February 1, 2025, 1/30; and
- (2) beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (g) on or after the effective date of the reduction.

Fund Number 0647 State Board of Elections Federal Trust Fund

Chapter 0005 **Act** 0220 **Section** 3 **Fund Type:** Appropriated

Fund Group: Federal Trust Fund **Total Revenue FY11:** \$1,752

Administering Agency: State Board of Elections **Total Revenue FY12:** \$349

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from a grant from the Federal Election Assistance Commission along with any interest income. Monies in the Fund shall be expended to administer operations of the Election Assistance Commission "Data Collections Grant Program" within the State of Illinois.

Statutory Language:

Intergovernmental cooperation. Any power or powers, privileges, functions, or authority exercised or which may be exercised by a public agency of this State may be exercised, combined, transferred, and enjoyed jointly with any other public agency of this State and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States do not prohibit joint exercise or enjoyment and except where specifically and expressly prohibited by law. This includes, but is not limited to, (i) arrangements between the Illinois Student Assistance Commission and agencies in other states which issue professional licenses and (ii) agreements between the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) and public agencies for the establishment and enforcement of child support orders and for the exchange of information that may be necessary for the enforcement of those child support orders.

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Fund Number 0654 Health Smiles Fund

Chapter 0035 **Act** 0005 **Section** 507RR **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$54,100

Administering Agency: Public Health **Total Revenue FY12:** \$368,426

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from gifts, grants, transfers, appropriations and any other public or private source. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, to secure federal matching grants for quality assurance program evaluation activities for oral health programs operating under the direction of the Department of Public Health.

Statutory Language:

The Healthy Smiles Fund checkoff. For taxable years ending on or after December 31, 2008, the Department must print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Healthy Smiles Fund, as authorized by this amendatory Act of the 95th General Assembly, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly. This Section does not apply to any amended return.

Fund Number 0655 Illinois Police Association Fund

Chapter 0625 **Act** 0005 **Section** 3-682 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$32,335

Administering Agency: Secretary of State **Total Revenue FY12:** \$47,537

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees associated with the issuance of special license plates. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, to provide death benefits for families of police officers killed in the line of duty.

Statutory Language:

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Illinois Police Association license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code.

(c) An applicant for the special plate shall be charged a \$25 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$10 shall be deposited into the Illinois Police Association Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$23 shall be deposited into the Illinois Police Association Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

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(d) The Illinois Police Association Fund is created as a special fund in the State treasury. All money in the Illinois Police Association Fund shall be used, subject to appropriation, for providing death benefits for the families of police officers killed in the line of duty, and for providing scholarships, for graduate study, undergraduate study, or both, to children and spouses of police officers killed in the line of duty.

Fund Number 0659 Historic Property Administrative Fund

Chapter 0035 **Act** 0005 **Section** 221 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Commerce and Economic Opportunity **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from issuance fees associated with tax credits for the restoration and preservation of a qualified historic structure located in a River Edge Redevelopment Zone. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for costs of administering Section 221 of the Illinois Income Tax Act.

Statutory Language:

(a) For taxable years beginning on or after January 1, 2012 and ending prior to January 1, 2017, there shall be allowed a tax credit against the tax imposed by subsections (a) and (b) of Section 201 in an amount equal to 25% of qualified expenditures incurred by a qualified taxpayer during the taxable year in the restoration and preservation of a qualified historic structure located in a River Edge Redevelopment Zone pursuant to a qualified rehabilitation plan, provided that the total amount of such expenditures (i) must equal \$5,000 or more and (ii) must exceed 50% of the purchase price of the property.

(b) To obtain a tax credit pursuant to this Section, the taxpayer must apply with the Department of Commerce and Economic Opportunity. The Department of Commerce and Economic Opportunity, in consultation with the Historic Preservation Agency, shall determine the amount of eligible rehabilitation costs and expenses. The Historic Preservation Agency shall determine whether the rehabilitation is consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation. Upon completion and review of the project, the Department of Commerce and Economic Opportunity shall issue a certificate in the amount of the eligible credits. At the time the certificate is issued, an issuance fee up to the maximum amount of 2% of the amount of the credits issued by the certificate may be collected from the applicant to administer the provisions of this Section. If collected, this issuance fee shall be deposited into the Historic Property Administrative Fund, a special fund created in the State treasury. Subject to appropriation, moneys in the Historic Property Administrative Fund shall be evenly divided between the Department of Commerce and Economic Opportunity and the Historic Preservation Agency to reimburse the Department of Commerce and Economic Opportunity and the Historic Preservation Agency for the costs associated with administering this Section. The taxpayer must attach the certificate to the tax return on which the credits are to be claimed. The Department of Commerce and Economic Opportunity may adopt rules to implement this Section.

(c) The tax credit under this Section may not reduce the taxpayer's liability to less than zero.

(d) As used in this Section, the following terms have the following meanings.

"Qualified expenditure" means all the costs and expenses defined as qualified rehabilitation expenditures under Section 47 of the federal Internal Revenue Code that were incurred in connection with a qualified historic structure.

"Qualified historic structure" means a certified historic structure as defined under Section 47 (c)(3) of the federal Internal Revenue Code.

"Qualified rehabilitation plan" means a project that is approved by the Historic Preservation Agency as being consistent with the standards in effect on the effective date of this amendatory Act of the 97th General Assembly for rehabilitation as adopted by the federal Secretary of the Interior.

"Qualified taxpayer" means the owner of the qualified historic structure or any other person who qualifies for the federal rehabilitation credit allowed by Section 47 of the federal Internal Revenue Code with respect to that qualified historic structure. Partners, shareholders of subchapter S corporations, and owners of limited liability companies (if the limited liability company is treated as a partnership for purposes of federal and State income taxation) are entitled to a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 703 and subchapter S of the Internal Revenue Code, provided that credits granted to a partnership, a

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limited liability company taxed as a partnership, or other multiple owners of property shall be passed through to the partners, members, or owners respectively on a pro rata basis or pursuant to an executed agreement among the partners, members, or owners documenting any alternate distribution method.

Fund Number 0660 Academic Quality Assurance Fund

Chapter 0110 **Act** 1010 **Section** 10.10 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$644,400

Administering Agency: Board of Higher Education **Total Revenue FY12:** \$591,950

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees collected for the administration and enforcement of the Academic Degree Act. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for the administration and enforcement of the Act.

Statutory Language:

The Academic Quality Assurance Fund is created as a special fund in the State treasury. All fees collected for the administration and enforcement of this Act must be deposited into this Fund. All money in the Fund must be used, subject to appropriation, by the Board to supplement support for the administration and enforcement of this Act and must not be used for any other purpose.

Rulemaking authority to implement this amendatory Act of the 95th General Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

Fund Number 0661 Private College Academic Quality Assurance Fund

Chapter 0110 **Act** 1005 **Section** 14.10 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$49,250

Administering Agency: Board of Higher Education **Total Revenue FY12:** \$125,000

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees collected for the administration and enforcement of the Private College Act. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for the administration and enforcement of the Act.

Statutory Language:

The Private College Academic Quality Assurance Fund is created as a special fund in the State treasury. All fees collected for the administration and enforcement of this Act must be deposited into this Fund. All money in the Fund must be used, subject to appropriation, by the Board to supplement support for the administration and enforcement of this Act and must not be used for any other purpose.

Rulemaking authority to implement this amendatory Act of the 95th General Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

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Fund Number 0662 Octave Chanute Aerospace Heritage Fund

Chapter 0625 **Act** 0005 **Section** 3-698 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Secretary of State **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from original and renewal issuance fees associated with the purchase of special license plates. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for grants to the Octave Chanute Aerospace Heritage Foundation of Illinois for operational and program expenses of the Chanute Air Museum.

Statutory Language:

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary of State, may issue special registration plates designated as U.S. Air Force license plates to residents of Illinois who meet eligibility requirements prescribed by the Secretary of State. The special plate issued under this Section shall be affixed only to passenger vehicles of the first division, motor vehicles of the second division weighing not more than 8,000 pounds, and recreational vehicles as defined by Section 1-169 of this Code. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design, color, and format of the plates shall be wholly within the discretion of the Secretary of State, except that the U.S. Air Force emblem shall appear on the plates. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code. The plates are not required to designate "Land Of Lincoln", as prescribed in subsection (b) of Section 3-412 of this Code. The Secretary shall prescribe the eligibility requirements and, in his or her discretion, shall approve and prescribe stickers or decals as provided under Section 3-412.

(c) An applicant shall be charged a \$20 fee for original issuance in addition to the applicable registration fee. Of this additional fee, \$15 shall be deposited into the Secretary of State Special License Plate Fund and \$5 shall be deposited into the Octave Chanute Aerospace Heritage Fund. For each registration renewal period, a \$20 fee, in addition to the appropriate registration fee, shall be charged. Of this additional fee, \$2 shall be deposited into the Secretary of State Special License Plate Fund and \$18 shall be deposited into the Octave Chanute Aerospace Heritage Fund.

(d) The Octave Chanute Aerospace Heritage Fund is created as a special fund in the State treasury. All moneys in the Octave Chanute Aerospace Heritage Fund shall be paid, subject to appropriation by the General Assembly and approval by the Secretary, as grants to the Octave Chanute Aerospace Heritage Foundation of Illinois for operational and program expenses of the Chanute Air Museum.

Fund Number 0665 Prescription Pill and Drug Disposal Fund

Chapter 0020 **Act** 3930 **Section** 9.3 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Criminal Justice Information Authority **Total Revenue FY12:** \$3,225

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees assessed as a result of a conviction for drug related offenses as well as any interest income. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for grants to local law enforcement agencies for the purpose of facilitating collection, transportation and incineration of pharmaceuticals.

Statutory Language:

The Prescription Pill and Drug Disposal Fund is created as a special fund in the State treasury. Moneys in the Fund shall be used for grants by the Illinois Criminal Justice Information Authority to local law enforcement agencies for the purpose of

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facilitating the collection, transportation, and incineration of pharmaceuticals from residential sources that are collected and transported by law enforcement agencies under Section 17.9A of the Environmental Protection Act. Before awarding a grant from this Fund but no later than July 1, 2012, the Authority shall adopt rules that (i) specify the conditions under which grants will be awarded from this Fund and (ii) otherwise provide for the implementation and administration of the grant program created by this Section. Interest attributable to moneys in the Fund shall be paid into the Fund.

Fund Number 0666 University of Illinois Income Trust Fund

Chapter 0030 **Act** 0105 **Section** 80 **Fund Type:** Non-Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$15,826,508

Administering Agency: University of Illinois **Total Revenue FY12:** \$15,826,507

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from a transfer from the General Revenue Fund. Monies in the Fund shall be expended for Scientific Surveys.

Statutory Language:

- (a) Immediately upon the effective date of this Section, the State Comptroller shall direct and the State Treasurer shall transfer \$15,826,499 from the General Revenue Fund to the University of Illinois Income Fund.
- (b) In addition to any other transfers that may be provided for by law, on the first day of each calendar quarter of the fiscal year beginning July 1, 2009, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer an amount equal to one-fourth of \$15,826,499 from the General Revenue Fund to the University of Illinois Income Fund.
- (c) In addition to any other transfers that may be provided for by law, on the first day of each calendar quarter of the fiscal year beginning July 1, 2010, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer an amount equal to one fourth of \$15,826,499 from the General Revenue Fund to the University of Illinois Income Fund.
- (d) In addition to any other transfers that may be provided for by law, on the first day of each calendar quarter of the fiscal year beginning July 1, 2011, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer an amount equal to one fourth of \$15,826,499 from the General Revenue Fund to the University of Illinois Income Fund.

Fund Number 0667 Disaster Response and Recovery Fund

Chapter 0045 **Act** 0151 **Section** 5 **Fund Type:** Non-Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$0

Administering Agency: Illinois Emergency Management Agenc **Total Revenue FY12:** \$2,146,344

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from the federal government, other state governments as well as local governments and any other private or public source. Monies in the Fund may be expended for payment of costs associated with disaster response and recovery.

Statutory Language:

ARTICLE III. Party State Responsibilities

(a) It shall be the responsibility of each party state to formulate procedural plans and programs for interstate cooperation in the performance of the responsibilities listed in this article. In formulating such plans, and in carrying them out, the party states, insofar as practical, shall:

- (i) Review individual state hazards analyses and, to the extent reasonably possible, determine all those potential emergencies the party states might jointly suffer, whether due to natural disaster, technological hazard, man-made disaster,

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emergency aspects of resource shortages, civil disorders, insurgency, or enemy attack.

(ii) Review party states' individual emergency plans and develop a plan which will determine the mechanism for the interstate management and provision of assistance concerning any potential emergency.

(iii) Develop interstate procedures to fill any identified gaps and to resolve any identified inconsistencies or overlaps in existing or developed plans.

(iv) Assist in warning communities adjacent to or crossing the state boundaries.

(v) Protect and assure uninterrupted delivery of services, medicines, water, food, energy and fuel, search and rescue, and critical lifeline equipment, services, and resources, both human and material.

(vi) Inventory and set procedures for the interstate loan and delivery of human and material resources, together with procedures for reimbursement or forgiveness.

(vii) Provide, to the extent authorized by law, for temporary suspension of any statutes.

(b) The authorized representative of a party state may request assistance of another party state by contacting the authorized representative of that state. The provisions of this agreement shall only apply to requests for assistance made by and to authorized representatives. Requests may be verbal or in writing. If verbal, the request shall be confirmed in writing within 30 days of the verbal request. Requests shall provide the following information:

(i) A description of the emergency service function for which assistance is needed, such as but not limited to fire services, law enforcement, emergency medical, transportation, communications, public works and engineering, building inspection, planning and information assistance, mass care, resource support, health and medical services, and search and rescue.

(ii) The amount and type of personnel, equipment, materials and supplies needed, and a reasonable estimate of the length of time they will be needed.

(iii) The specific place and time for staging of the assisting party's response and a point of contact at that location.

(c) There shall be frequent consultation between state officials who have assigned emergency management responsibilities and other appropriate representatives of the party states with affected jurisdictions and the United States government, with free exchange of information, plans, and resource records relating to emergency capabilities.

Fund Number 0674 State Charter School Commission Fund

Chapter	0105	Act	0005	Section	27A-7.5(g)	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11: \$0
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Administering Agency: State Charter School Commission	Total Revenue FY12: \$100,000
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Fund Purpose: The purpose of the Fund is to receive and record monies obtained from charter school authorization fees. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for the operational and administrative costs of the State Charter School Commission.

Statutory Language:

(g) Subject to the State Officials and Employees Ethics Act, the Commission is authorized to receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of this Article, subject to the terms and conditions under which they are given, provided that all such terms and conditions are permissible under law. Funds received under this subsection (g) must be deposited into the State Charter School Commission Fund.

The State Charter School Commission Fund is created as a special fund in the State treasury. All money in the Fund shall be used, subject to appropriation, by the State Board, acting on behalf and with the consent of the Commission, for operational and administrative costs of the Commission.

Subject to appropriation, any funds appropriated for use by the State Board, acting on behalf and with the consent of the Commission, may be used for the following purposes, without limitation: personal services, contractual services, and other operational and administrative costs. The State Board is further authorized to make expenditures with respect to any other amounts deposited in accordance with law into the State Charter School Commission Fund.

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Fund Number 0675 Electronics Recycling Fund

Chapter 0415 **Act** 0150 **Section** 85 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$401,730

Administering Agency: Environmental Protection Agency **Total Revenue FY12:** \$479,475

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from registration fees collected in association with the Electronics Products Recycling and Reuse Act along with any interest income. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for the administration of the Act.

Statutory Language:

The Electronics Recycling Fund is created as a special fund in the State treasury. The Agency shall deposit all registration fees received under this Act into the Fund. All amounts held in the Fund shall be invested at interest by the State Treasurer. All income earned from the investments shall be deposited into the Electronics Recycling Fund no less frequently than quarterly. Pursuant to appropriation, all moneys in the Electronics Recycling Fund may be used by the Agency for its administration of this Act. Any moneys appropriated from the Electronics Recycling Fund, but not obligated, shall revert to the Fund.

Fund Number 0678 FY09 Budget Relief Fund

Chapter 0030 **Act** 0105 **Section** 8.46 - 8.48 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$13,402

Administering Agency: Comptroller **Total Revenue FY12:** \$14,000,000

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from transfers from various funds in accordance with Public Act 95-1000. Monies in the Fund shall be expended pursuant only to specific authorization by appropriation.

Statutory Language:

Sec. 8.46. Transfers to the FY09 Budget Relief Fund.

(a) The FY09 Budget Relief Fund is created as a special fund in the State Treasury. Amounts may be expended from the Fund only pursuant to specific authorization by appropriation.

(b) Notwithstanding any other State law to the contrary, the State Treasurer and State Comptroller are directed to transfer to the FY09 Budget Relief Fund the following amounts from the funds specified, in equal quarterly installments with the first made on the effective date of this amendatory Act of the 95th General Assembly, or as soon thereafter as practical, and with the remaining transfers to be made on October 1, 2008, January 1, 2009, and April 1, 2009, or as soon thereafter as practical:

FUND NAME AND NUMBER	AMOUNT
Alternate Fuels Fund (0422).....	2,000,000
Alternative Compliance Market Account Fund (0738).....	200,000
Appraisal Administration Fund (0386).....	250,000
Asbestos Abatement Fund (0224).....	2,000,000
Assisted Living and Shared Housing Regulatory Fund (0702).....	100,000
Whistleblower Reward and Protection Fund (0600).....	8,250,000
Auction Recovery Fund (0643).....	200,000
Auction Regulation Administration Fund (0641).....	500,000

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Audit Expense Fund (0342).....	3,250,000
Build Illinois Capital Revolving Loan Fund (0973).....	2,000,000
Capital Development Board Revolving Fund (0215).....	250,000
Care Provider Fund for Persons with a Developmental Disability Fund (0344).....	1,000,000
Child Labor and Day and Temporary Labor Services Enforcement Fund (0357).....	500,000
Child Support Administrative Fund (0757).....	1,000,000
Community Water Supply Laboratory Fund (0288).....	200,000
Corporate Franchise Tax Refund Fund (0380).....	200,000
Death Certificate Surcharge Fund (0635).....	500,000
Department of Corrections Reimbursement and Education Fund (0523).....	1,500,000
Dram Shop Fund (0821).....	500,000
Drivers Education Fund (0031).....	1,000,000
Drug Rebate Fund (0728).....	3,000,000
Drycleaner Environmental Response Trust Fund (0548).....	2,000,000
Energy Efficiency Trust Fund (0571).....	1,000,000
Environmental Protection Permit and Inspection Fund (0944).....	1,500,000
Fair and Exposition Fund (0245).....	500,000
Federal Asset Forfeiture Fund (0520).....	500,000
Feed Control Fund (0369).....	250,000
Fertilizer Control Fund (0290).....	250,000
Financial Institution Fund (0021).....	2,000,000
Fish and Wildlife Endowment Fund (0260).....	500,000
Food and Drug Safety Fund (0014).....	250,000
Fund for Illinois' Future Fund (0611).....	10,000,000
General Professions Dedicated Fund (0022).....	5,000,000
Group Workers' Compensation Pool Insolvency Fund (0739).....	250,000
Hazardous Waste Fund (0828).....	1,000,000
Health and Human Services Medicaid Trust Fund (0365).....	5,000,000
Health Facility Plan Review Fund (0524).....	500,000
Health Insurance Reserve Fund (0907).....	5,000,000
Home Inspector Administration Fund (0746).....	500,000
Horse Racing Fund (0632).....	250,000
Illinois Affordable Housing Trust Fund (0286).....	2,000,000
Illinois Charity Bureau Fund (0549).....	200,000
Illinois Clean Water Fund (0731).....	5,000,000
Illinois Community College Board Contracts and Grants Fund (0339).....	250,000
Illinois Forestry Development Fund (0905).....	500,000
Illinois Habitat Fund (0391).....	1,000,000
Illinois Health Facilities Planning Fund (0238).....	1,000,000
Illinois Historic Sites Fund (0538).....	250,000
Illinois State Dental Disciplinary Fund (0823).....	1,000,000
Illinois State Medical Disciplinary Fund (0093).....	5,000,000
Illinois State Pharmacy Disciplinary Fund (0057).....	250,000
Illinois State Podiatric Disciplinary Fund (0954).....	200,000
Illinois Tax Increment Fund (0281).....	250,000
Innovations in Long-term Care Quality Demonstration Grants Fund (0371).....	1,000,000
Insurance Financial Regulation Fund (0997).....	5,000,000
Insurance Producer Administration Fund (0922).....	3,000,000
International Tourism Fund (0621).....	5,000,000
Large Business Attraction Fund (0975).....	500,000
Law Enforcement Camera Grant Fund (0356).....	800,000
Lead Poisoning, Screening, Prevention, and Abatement Fund (0360).....	250,000
Local Tourism Fund (0969).....	5,000,000
Long Term Care Monitor/Receiver Fund (0285).....	1,000,000
Low-Level Radioactive Waste Facility Development & Operation Fund (0942).....	250,000

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Medicaid Buy-In Program Revolving Fund (0740).....	500,000
Medical Special Purpose Trust Fund (0808).....	500,000
Mental Health Fund (0050).....	5,000,000
Metabolic Screening and Treatment Fund (0920).....	500,000
Nuclear Safety Emergency Preparedness Fund (0796).....	3,000,000
Nursing Dedicated and Professional Fund (0258).....	2,000,000
Off-Highway Vehicle Trails Fund (0574).....	250,000
Optometric Licensing and Disciplinary Board Fund (0259).....	200,000
Park and Conservation Fund (0962).....	2,000,000
Pesticide Control Fund (0576).....	500,000
Pet Population Control Fund (0764).....	250,000
Plumbing Licensure and Program Fund (0372).....	750,000
Presidential Library and Museum Operating Fund (0776).....	500,000
Professions Indirect Cost Fund (0218).....	2,000,000
Provider Inquiry Trust Fund (0341).....	250,000
Public Health Laboratory Services Revolving Fund (0340).....	500,000
Public Infrastructure Construction Loan Revolving Fund (0993).....	1,000,000
Public Pension Regulation Fund (0546).....	250,000
Public Utility Fund (0059).....	5,000,000
Rail Freight Loan Repayment Fund (0936).....	1,000,000
Real Estate License Administration Fund (0850).....	5,000,000
Registered Certified Public Accountants' Admin. & Disciplinary Fund (0151).....	500,000
Renewable Energy Resources Trust Fund (0564).....	5,000,000
School Technology Revolving Loan Fund (0569).....	500,000
Solid Waste Management Fund (0078).....	2,000,000
State Asset Forfeiture Fund (0514).....	1,000,000
State Boating Act Fund (0039).....	500,000
State Migratory Waterfowl Stamp Fund (0953).....	500,000
State Offender DNA Identification System Fund (0537).....	250,000
State Parks Fund (0040).....	250,000
State Pensions Fund (0054).....	5,000,000
State Pheasant Fund (0353).....	250,000
State Police DUI Fund (0222).....	250,000
State Police Services Fund (0906).....	6,000,000
State Police Whistleblower Reward and Protection Fund (0705).....	2,000,000
State Police Wireless Service Emergency Fund (0637).....	1,000,000
State Rail Freight Loan Repayment Fund (0265).....	2,000,000
Subtitle D Management Fund (0089).....	250,000
Tax Compliance and Administration Fund (0384).....	250,000
Tax Recovery Fund (0310).....	250,000
Teacher Certificate Fee Revolving Fund (0016).....	250,000
Tobacco Settlement Recovery Fund (0733).....	3,000,000
Tourism Promotion Fund (0763).....	5,000,000
Traffic and Criminal Conviction Surcharge Fund (0879).....	1,000,000
Transportation Regulatory Fund (0018).....	500,000
Trauma Center Fund (0397).....	2,000,000
Underground Resources Conservation Enforcement Trust Fund (0261).....	200,000
Used Tire Management Fund (0294).....	1,000,000
Weights and Measures Fund (0163).....	1,000,000
Wildlife and Fish Fund (0041).....	5,000,000
Wireless Carrier Reimbursement Fund (0613).....	5,000,000
Petroleum Violation Fund (0900).....	1,000,000
Communications Revolving Fund (0312).....	1,000,000
Facilities Management Revolving Fund (0314).....	1,000,000
Professional Services Fund (0317).....	2,000,000

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State Garage Revolving Fund (0303).....	1,000,000
Statistical Services Revolving Fund (0304).....	2,000,000
Workers' Compensation Revolving Fund (0332).....	1,000,000
Working Capital Revolving Fund (0301).....	500,000
Abandoned Mined Lands Reclamation Set Aside Fund (0257).....	5,000,000
DHS Private Resources Fund (0690).....	500,000
DHS Recoveries Trust Fund (0921).....	1,000,000
DNR Special Projects Fund (0884).....	500,000
Early Intervention Services Revolving Fund (0502).....	1,000,000
EPA Special State Projects Trust Fund (0074).....	1,000,000
Environmental Protection Trust Fund (0845).....	250,000
Land Reclamation Fund (0858).....	250,000
Local Government Health Insurance Reserve Fund (0193).....	1,000,000
Narcotics Profit Forfeiture Fund (0951).....	250,000
Public Aid Recoveries Trust Fund (0421).....	3,000,000
Public Health Special State Projects Fund (0896).....	3,000,000
CDB Contributory Trust Fund (0617).....	2,000,000
Department of Labor Special State Trust Fund (0251).....	250,000
IPTIP Administrative Trust Fund (0195).....	250,000
Illinois Agricultural Loan Guarantee Fund (0994).....	2,000,000
Illinois Farmer and Agri-Business Loan Guarantee Fund (0205).....	1,000,000
Illinois Habitat Endowment Trust Fund (0390).....	2,000,000
Illinois Tourism Tax Fund (0452).....	250,000
Injured Workers' Benefit Fund (0179).....	500,000
Natural Heritage Endowment Trust Fund (0069).....	250,000
Pollution Control Board State Trust Fund (0207).....	250,000
Real Estate Recovery Fund (0629).....	250,000
TOTAL	221,250,000

(c) On and after the effective date of this amendatory Act of the 95th General Assembly through June 30, 2009, when any of the funds listed in subsection (b) have insufficient cash from which the State Comptroller may make expenditures properly supported by appropriations from the fund, then the State Treasurer and State Comptroller shall transfer from the FY09 Budget Relief Fund to the fund only such amount as is immediately necessary to satisfy outstanding expenditure obligations on a timely basis, subject to the provisions of the State Prompt Payment Act. All or a portion of the amounts transferred from the FY09 Budget Relief Fund to a fund pursuant to this subsection (c) from time to time may be re-transferred by the State Comptroller and the State Treasurer from the receiving fund into the FY09 Budget Relief Fund as soon as and to the extent that deposits are made into or receipts are collected by the receiving fund.

(d) In addition to any other transfers that may be provided for by law, on December 1, 2010, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$500,000 from the FY09 Budget Relief Fund to the DHS Private Resources Fund.

Sec. 8.47. Reversal of transfers; limitation on transfers from certain funds.

(a) (Blank).

(b) The transfers directed under subsection (a) of this Section were made under Public Act 95-1030, and it is not the intent of the General Assembly to duplicate those transfers.

(c) No further transfers shall be made from the funds listed in items (1) through (6) of subsection (b) of Section 8.48 of this Act to the FY09 Budget Relief Fund pursuant to subsection (b) or (c) of Section 8.46.

Sec. 8.48. Reversal of transfers; limitation on transfers from certain funds.

(a) Notwithstanding any State law to the contrary, on the effective date of this amendatory Act of the 96th General Assembly, the State Comptroller and the State Treasurer shall transfer to each of the following funds any amounts transferred from those funds to the FY09 Budget Relief Fund under subsection (b) or (c) of Section 8.46 prior to the effective date of this amendatory Act of the 96th General Assembly, as well as any interest accrued thereon since the date of the transfers:

- (1) the Abandoned Mined Lands Reclamation Set Aside Fund; and
- (2) the Land Reclamation Fund.

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On and after the effective date of this amendatory Act of the 96th General Assembly, no further transfers shall be made from the funds listed in items (1) and (2) of this subsection to the FY09 Budget Relief Fund pursuant to subsection (b) or (c) of Section 8.46.

(b) Notwithstanding any State law to the contrary, on the effective date of this amendatory Act of the 96th General Assembly, the State Comptroller and the State Treasurer shall transfer to each of the following funds any interest accrued on amounts transferred from those funds to the FY09 Budget Relief Fund under subsection (b) or (c) of Section 8.46 since the date of the transfers and prior to the effective date of this amendatory Act of the 96th General Assembly:

- (1) the Wildlife and Fish Fund;
- (2) the Fish and Wildlife Endowment Fund;
- (3) the State Pheasant Fund;
- (4) the Illinois Habitat Endowment Trust Fund;
- (5) the Illinois Habitat Fund; and
- (6) the State Migratory Waterfowl Stamp Fund.

On and after the effective date of this amendatory Act of the 96th General Assembly, no further transfers shall be made from the funds listed in items (1) through (6) of this subsection to the FY09 Budget Relief Fund pursuant to subsection (b) or (c) of Section 8.46.

Fund Number	0679	Financial Institutions Settlement of 2008 Fund
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Chapter	0030	Act	0105	Section	6z-73	Fund Type:	Non-Appropriated
Fund Group: State Trust Fund						Total Revenue FY11:	\$0
Administering Agency: Comptroller						Total Revenue FY12:	\$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fund transfers as required by Public Act 95-1047. Monies in the Fund shall be expended for the payment of outstanding vouchers pursuant to 30 ILCS 105/6z-73.

Statutory Language:

The Financial Institutions Settlement of 2008 Fund is created as a nonappropriated trust fund to be held outside the State treasury, with the State Treasurer as custodian. Moneys in the Fund shall be used by the Comptroller solely for the purpose of payment of outstanding vouchers as of the effective date of this amendatory Act of the 95th General Assembly for expenses related to medical assistance under the Illinois Public Aid Code, the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, and the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. The Department of Healthcare and Family Services must submit all necessary and proper documentation to the Comptroller for administration of this Fund.

Fund Number	0680	Federal Research and Technology Fund
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Chapter	0005	Act	0220	Section	3	Fund Type:	Appropriated
Fund Group: Federal Trust Fund						Total Revenue FY11:	\$0
Administering Agency: Commerce and Economic Opportunity						Total Revenue FY12:	\$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from federal monies made available by the American Recovery and Reinvestment Act of 2009. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for grants, contracts and administrative expenses associated with the American Recovery and Reinvestment Act of 2009.

Statutory Language:

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Intergovernmental cooperation. Any power or powers, privileges, functions, or authority exercised or which may be exercised by a public agency of this State may be exercised, combined, transferred, and enjoyed jointly with any other public agency of this State and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States do not prohibit joint exercise or enjoyment and except where specifically and expressly prohibited by law. This includes, but is not limited to, (i) arrangements between the Illinois Student Assistance Commission and agencies in other states which issue professional licenses and (ii) agreements between the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) and public agencies for the establishment and enforcement of child support orders and for the exchange of information that may be necessary for the enforcement of those child support orders.

Fund Number	0681	Federal Low Income Housing Tax Credit Gap Home Investment Fund
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Chapter	0005	Act	0220	Section	3	Fund Type:	Appropriated
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Fund Group: Federal Trust Fund	Total Revenue FY11:	\$0
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Administering Agency: Revenue	Total Revenue FY12:	\$0
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Fund Purpose: The purpose of the Fund is to receive and record monies obtained from federal monies made available by the American Recovery and Reinvestment Act of 2009. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for capital investment in low income housing tax credit housing developments.

Statutory Language:

Intergovernmental cooperation. Any power or powers, privileges, functions, or authority exercised or which may be exercised by a public agency of this State may be exercised, combined, transferred, and enjoyed jointly with any other public agency of this State and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States do not prohibit joint exercise or enjoyment and except where specifically and expressly prohibited by law. This includes, but is not limited to, (i) arrangements between the Illinois Student Assistance Commission and agencies in other states which issue professional licenses and (ii) agreements between the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) and public agencies for the establishment and enforcement of child support orders and for the exchange of information that may be necessary for the enforcement of those child support orders.

Fund Number	0682	Federal Low Income Housing Tax Credit Exchange Fund
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Chapter	0005	Act	0220	Section	3	Fund Type:	Appropriated
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Fund Group: Federal Trust Fund	Total Revenue FY11:	\$0
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Administering Agency: Revenue	Total Revenue FY12:	\$0
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Fund Purpose: The purpose of the Fund is to receive and record monies obtained from federal monies made available by the American Recovery and Reinvestment Act of 2009. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for capital investment in affordable housing developments.

Statutory Language:

Intergovernmental cooperation. Any power or powers, privileges, functions, or authority exercised or which may be exercised by a public agency of this State may be exercised, combined, transferred, and enjoyed jointly with any other public agency of this State and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States do not prohibit joint exercise or enjoyment and except where specifically and

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expressly prohibited by law. This includes, but is not limited to, (i) arrangements between the Illinois Student Assistance Commission and agencies in other states which issue professional licenses and (ii) agreements between the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) and public agencies for the establishment and enforcement of child support orders and for the exchange of information that may be necessary for the enforcement of those child support orders.

Fund Number 0687 Court of Claims Federal Grant Fund

Chapter 0030 **Act** 0105 **Section** 6p-7 **Fund Type:** Appropriated

Fund Group: Federal Trust Fund **Total Revenue FY11:** \$2,934,504

Administering Agency: Court of Claims **Total Revenue FY12:** \$1,164,440

Fund Purpose: The purpose of the Fund is to receive and record federal grant monies awarded by the U.S. Department of Justice, Office of Justice Programs and the Office for Victims of Crime. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for payment of claims pursuant to the Crime Victims Compensation Act.

Statutory Language:

The Court of Claims Federal Grant Fund is created as a special fund in the State treasury. The Fund shall consist of federal Victims of Crime Act grant funds awarded to the Court of Claims from the U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime for the payment of claims pursuant to the Crime Victims Compensation Act (740 ILCS 45/). All moneys in the Fund shall be used for payment of claims pursuant to the Crime Victims Compensation Act (740 ILCS 45/). The General Assembly may appropriate moneys from the Court of Claims Federal Grant Fund to the Court of Claims for the purpose of payment of claims pursuant to the Crime Victims Compensation Act (740 ILCS 45/).

Fund Number 0693 American Recovery and Reinvestment Act Administrative Revolving Fund

Chapter 0030 **Act** 0105 **Section** 6p-6 **Fund Type:** Appropriated

Fund Group: Federal Trust Fund **Total Revenue FY11:** \$0

Administering Agency: Governor's Office of Management and B **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from federal monies made obtained in accordance with the central administration of the American Recovery and Reinvestment Act of 2009. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for costs associated with the implementation of the Act.

Statutory Language:

There is created in the State treasury the American Recovery and Reinvestment Act Administrative Revolving Fund. Federal moneys associated with the central administration of the American Recovery and Reinvestment Act of 2009 may be deposited or paid into this Fund. Subject to appropriation by the General Assembly, the moneys in this Fund shall be used to fund central administrative costs necessary and required to implement the American Recovery and Reinvestment Act of 2009.

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Fund Number 0694 Capital Projects Fund

Chapter 0030 **Act** 0105 **Section** 6z-77, 6z-78 **Fund Type:** Appropriated

Fund Group: Debt Service Fund	Total Revenue FY11:	\$458,451,743
Administering Agency: Treasurer	Total Revenue FY12:	\$673,032,494

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from deposits pursuant to the Video Gaming Act, Illinois Vehicle Code, Service Use Tax Act, Service Occupation Tax Act, Use Tax Act, Retailer's Occupation Tax Act, Liquor Tax and Illinois Lottery Law. Monies in the Fund shall be expended, pursuant to General Assembly appropriation, for capital projects and the payment of debt service on bonds issued for capital projects.

Statutory Language:

Sec. 6z-77. The Capital Projects Fund. The Capital Projects Fund is created as a special fund in the State Treasury. The State Comptroller and State Treasurer shall transfer from the Capital Projects Fund to the General Revenue Fund \$61,294,550 on October 1, 2009, \$122,589,100 on January 1, 2010, and \$61,294,550 on April 1, 2010. Beginning on July 1, 2010, and on July 1 and January 1 of each year thereafter, the State Comptroller and State Treasurer shall transfer the sum of \$122,589,100 from the Capital Projects Fund to the General Revenue Fund. Subject to appropriation, the Capital Projects Fund may be used only for capital projects and the payment of debt service on bonds issued for capital projects. All interest earned on moneys in the Fund shall be deposited into the Fund. The Fund shall not be subject to administrative charges or chargebacks, such as but not limited to those authorized under Section 8h.

Sec. 6z-78. Capital Projects Fund; bonded indebtedness; transfers. Money in the Capital Projects Fund shall, if and when the State of Illinois incurs any bonded indebtedness using the bond authorizations enacted in Public Act 96-36, Public Act 96-1554, and this amendatory Act of the 97th General Assembly, be set aside and used for the purpose of paying and discharging annually the principal and interest on that bonded indebtedness then due and payable.

In addition to other transfers to the General Obligation Bond Retirement and Interest Fund made pursuant to Section 15 of the General Obligation Bond Act, upon each delivery of general obligation bonds using bond authorizations enacted in Public Act 96-36, Public Act 96-1554, and this amendatory Act of the 97th General Assembly the State Comptroller shall compute and certify to the State Treasurer the total amount of principal of, interest on, and premium, if any, on such bonds during the then current and each succeeding fiscal year. With respect to the interest payable on variable rate bonds, such certifications shall be calculated at the maximum rate of interest that may be payable during the fiscal year, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for the period.

(a) Except as provided for in subsection (b), on or before the last day of each month, the State Treasurer and State Comptroller shall transfer from the Capital Projects Fund to the General Obligation Bond Retirement and Interest Fund an amount sufficient to pay the aggregate of the principal of, interest on, and premium, if any, on the bonds payable on their next payment date, divided by the number of monthly transfers occurring between the last previous payment date (or the delivery date if no payment date has yet occurred) and the next succeeding payment date. Interest payable on variable rate bonds shall be calculated at the maximum rate of interest that may be payable for the relevant period, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for that period. Interest for which moneys have already been deposited into the capitalized interest account within the General Obligation Bond Retirement and Interest Fund shall not be included in the calculation of the amounts to be transferred under this subsection.

(b) On or before the last day of each month, the State Treasurer and State Comptroller shall transfer from the Capital Projects Fund to the General Obligation Bond Retirement and Interest Fund an amount sufficient to pay the aggregate of the principal of, interest on, and premium, if any, on the bonds issued prior to January 1, 2012 pursuant to Section 4(d) of the General Obligation Bond Act payable on their next payment date, divided by the number of monthly transfers occurring between the last previous payment date (or the delivery date if no payment date has yet occurred) and the next succeeding payment date. If the available balance in the Capital Projects Fund is not sufficient for the transfer required in this subsection, the State Treasurer and State Comptroller shall transfer the difference from the Road Fund to the General

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Obligation Bond Retirement and Interest Fund; except that such Road Fund transfers shall constitute a debt of the Capital Projects Fund which shall be repaid according to subsection (c). Interest payable on variable rate bonds shall be calculated at the maximum rate of interest that may be payable for the relevant period, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for that period. Interest for which moneys have already been deposited into the capitalized interest account within the General Obligation Bond Retirement and Interest Fund shall not be included in the calculation of the amounts to be transferred under this subsection.

(c) On the first day of any month when the Capital Projects Fund is carrying a debt to the Road Fund due to the provisions of subsection (b), the State Treasurer and State Comptroller shall transfer from the Capital Projects Fund to the Road Fund an amount sufficient to discharge that debt. These transfers to the Road Fund shall continue until the Capital Projects Fund has repaid to the Road Fund all transfers made from the Road Fund pursuant to subsection (b). Notwithstanding any other law to the contrary, transfers to the Road Fund from the Capital Projects Fund shall be made prior to any other expenditures or transfers out of the Capital Projects Fund.

Fund Number 0695 Transportation Bond Series D

Chapter 0030 **Act** 0330 **Section** 4(d) **Fund Type:** Appropriated

Fund Group: Bond Financed Fund **Total Revenue FY11:** \$271,291,873

Administering Agency: Transportation **Total Revenue FY12:** \$585,965,191

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from the sale of bonds as authorized by the General Obligation Bond Act. Monies in the Fund shall be expended for use statewide for State highways, arterial highways, roads, bridges, freeways, structures separating highways and structures maintained by counties, municipalities, townships or road districts.

Statutory Language:

(d) \$3,066,300,000 for use statewide for State or local highways, arterial highways, freeways, roads, bridges, and structures separating highways and railroads and roads, and for grants to counties, municipalities, townships, or road districts for planning, engineering, acquisition, construction, reconstruction, development, improvement, extension, and all construction-related expenses of the public infrastructure and other transportation improvement projects which are related to economic development in the State of Illinois.

Fund Number 0696 Olympic Games and Paralympic Games Trust Fund

Chapter 0030 **Act** 0105 **Section** 6z-80 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Office of the Governor **Total Revenue FY12:** \$0

Fund Purpose: Monies in the Fund are to be expended, pursuant to General Assembly, for payments required under the Olympic Games and Paralympic Games (2016) Law.

Statutory Language:

The Olympic Games and Paralympic Games Trust Fund is created as a special fund in the State treasury. Subject to appropriation, all money in the Olympic Games and Paralympic Games Trust Fund must be used to make payments required under the Olympic Games and Paralympic Games (2016) Law.

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Fund Number 0697 Roadside Memorial Fund

Chapter 0605 **Act** 0125 **Section** 20 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$211,962

Administering Agency: Transportation **Total Revenue FY12:** \$418,917

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees imposed on persons convicted of or receiving a disposition of court supervision for a violation of Section 11-501 of the Illinois Vehicle Code. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, by the Department of Transportation to pay fees imposed under subsection (f) of Section 20 of the Roadside Memorial Act.

Statutory Language:

(a) A DUI memorial marker shall consist of a white on blue panel bearing the message "Please Don't Drink and Drive". At the request of the qualified relative, a separate panel bearing the words "In Memory of (victim's name)", followed by the date of the crash that was the proximate cause of the loss of the victim's life, shall be mounted below the primary panel.

(b) A DUI memorial marker may memorialize more than one victim who died as a result of the same DUI-related crash. If one or more additional DUI crash deaths subsequently occur in close proximity to an existing DUI memorial marker, the supporting jurisdiction may use the same marker to memorialize the subsequent death or deaths, by adding the names of the additional persons.

(c) A DUI memorial marker shall be maintained for at least 2 years from the date the last person was memorialized on the marker.

(d) The supporting jurisdiction has the right to install a marker at a location other than the location of the crash or to relocate a marker due to restricted room, property owner complaints, interference with essential traffic control devices, safety concerns, or other restrictions. In such cases, the sponsoring jurisdiction may select an alternate location.

(e) The Department shall secure the consent of any municipality before placing a DUI memorial marker within the corporate limits of the municipality.

(f) A fee in an amount to be determined by the supporting jurisdiction may be paid in whole or in part from the Roadside Memorial Fund if moneys are made available by the Department of Transportation from that Fund or may be charged to the qualified relative to the extent moneys from that Fund are not made available. The fee shall not exceed the costs associated with the fabrication, installation, and maintenance of the DUI memorial marker.

Fund Number 0698 Long Term Care Ombudsman Fund

Chapter 0020 **Act** 0105 **Section** 4.04 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$250,065

Administering Agency: Aging **Total Revenue FY12:** \$1,700,609

Fund Purpose: The purpose of the Fund is to receive and record monies for the purposes established in the Long Term Care Ombudsman Program. All interest earned on monies in the Fund are to be retained in the Fund.

Statutory Language:

Sec. 4.04. Long Term Care Ombudsman Program.

(a) Long Term Care Ombudsman Program. The Department shall establish a Long Term Care Ombudsman Program, through the Office of State Long Term Care Ombudsman ("the Office"), in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended.

(b) Definitions. As used in this Section, unless the context requires otherwise:

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(1) "Access" has the same meaning as in Section 1-104 of the Nursing Home Care Act, as now or hereafter amended; that is, it means the right to:

- (i) Enter any long term care facility or assisted living or shared housing establishment or supportive living facility;
- (ii) Communicate privately and without restriction with any resident, regardless of age, who consents to the communication;
- (iii) Seek consent to communicate privately and without restriction with any resident, regardless of age;
- (iv) Inspect the clinical and other records of a resident, regardless of age, with the express written consent of the resident;
- (v) Observe all areas of the long term care facility or supportive living facilities, assisted living or shared housing establishment except the living area of any resident who protests the observation.

(2) "Long Term Care Facility" means (i) any facility as defined by Section 1-113 of the Nursing Home Care Act, as now or hereafter amended; and (ii) any skilled nursing facility or a nursing facility which meets the requirements of Section 1819(a), (b), (c), and (d) or Section 1919(a), (b), (c), and (d) of the Social Security Act, as now or hereafter amended (42 U.S.C. 1395i-3(a), (b), (c), and (d) and 42 U.S.C. 1396r(a), (b), (c), and (d)); and any facility as defined by Section 1-113 of the MR/DD Community Care Act, as now or hereafter amended.

(2.5) "Assisted living establishment" and "shared housing establishment" have the meanings given those terms in Section 10 of the Assisted Living and Shared Housing Act.

(2.7) "Supportive living facility" means a facility established under Section 5-5.01a of the Illinois Public Aid Code.

(3) "State Long Term Care Ombudsman" means any person employed by the Department to fulfill the requirements of the Office of State Long Term Care Ombudsman as required under the Older Americans Act of 1965, as now or hereafter amended, and Departmental policy.

(3.1) "Ombudsman" means any designated representative of a regional long term care ombudsman program; provided that the representative, whether he is paid for or volunteers his ombudsman services, shall be qualified and designated by the Office to perform the duties of an ombudsman as specified by the Department in rules and in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended.

(c) Ombudsman; rules. The Office of State Long Term Care Ombudsman shall be composed of at least one full-time ombudsman and shall include a system of designated regional long term care ombudsman programs. Each regional program shall be designated by the State Long Term Care Ombudsman as a subdivision of the Office and any representative of a regional program shall be treated as a representative of the Office.

The Department, in consultation with the Office, shall promulgate administrative rules in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended, to establish the responsibilities of the Department and the Office of State Long Term Care Ombudsman and the designated regional Ombudsman programs. The administrative rules shall include the responsibility of the Office and designated regional programs to investigate and resolve complaints made by or on behalf of residents of long term care facilities, supportive living facilities, and assisted living and shared housing establishments, including the option to serve residents under the age of 60, relating to actions, inaction, or decisions of providers, or their representatives, of long term care facilities, of supported living facilities, of assisted living and shared housing establishments, of public agencies, or of social services agencies, which may adversely affect the health, safety, welfare, or rights of such residents. The Office and designated regional programs may represent all residents, but are not required by this Act to represent persons under 60 years of age, except to the extent required by federal law. When necessary and appropriate, representatives of the Office shall refer complaints to the appropriate regulatory State agency. The Department, in consultation with the Office, shall cooperate with the Department of Human Services and other State agencies in providing information and training to designated regional long term care ombudsman programs about the appropriate assessment and treatment (including information about appropriate supportive services, treatment options, and assessment of rehabilitation potential) of the residents they serve, including children, persons with mental illness (other than Alzheimer's disease and related disorders), and persons with developmental disabilities.

The State Long Term Care Ombudsman and all other ombudsmen, as defined in paragraph (3.1) of subsection (b) must submit to background checks under the Health Care Worker Background Check Act and receive training, as prescribed by the Illinois Department on Aging, before visiting facilities. The training must include information specific to assisted living establishments, supportive living facilities, and shared housing establishments and to the rights of residents guaranteed under the corresponding Acts and administrative rules.

(c-5) Consumer Choice Information Reports. The Office shall:

(1) In collaboration with the Attorney General, create a Consumer Choice Information Report form to be completed by all licensed long term care facilities to aid Illinoisans and their families in making informed choices about long term care. The Office shall create a Consumer Choice Information Report for each type of licensed long term care facility. The Office shall collaborate with the Attorney General and the Department of Human Services to create a Consumer Choice

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Information Report form for facilities licensed under the MR/DD Community Care Act.

(2) Develop a database of Consumer Choice Information Reports completed by licensed long term care facilities that includes information in the following consumer categories:

- (A) Medical Care, Services, and Treatment.
- (B) Special Services and Amenities.
- (C) Staffing.
- (D) Facility Statistics and Resident Demographics.
- (E) Ownership and Administration.
- (F) Safety and Security.
- (G) Meals and Nutrition.
- (H) Rooms, Furnishings, and Equipment.
- (I) Family, Volunteer, and Visitation Provisions.

(3) Make this information accessible to the public, including on the Internet by means of a hyperlink labeled "Resident's Right to Know" on the Office's World Wide Web home page. Information about facilities licensed under the MR/DD Community Care Act shall be made accessible to the public by the Department of Human Services, including on the Internet by means of a hyperlink labeled "Resident's and Families' Right to Know" on the Department of Human Services' "For Customers" website.

(4) Have the authority, with the Attorney General, to verify that information provided by a facility is accurate.

(5) Request a new report from any licensed facility whenever it deems necessary.

(6) Include in the Office's Consumer Choice Information Report for each type of licensed long term care facility additional information on each licensed long term care facility in the State of Illinois, including information regarding each facility's compliance with the relevant State and federal statutes, rules, and standards; customer satisfaction surveys; and information generated from quality measures developed by the Centers for Medicare and Medicaid Services.

(d) Access and visitation rights.

(1) In accordance with subparagraphs (A) and (E) of paragraph (3) of subsection (c) of Section 1819 and subparagraphs (A) and (E) of paragraph (3) of subsection (c) of Section 1919 of the Social Security Act, as now or hereafter amended (42 U.S.C. 1395i-3 (c)(3)(A) and (E) and 42 U.S.C. 1396r (c)(3)(A) and (E)), and Section 712 of the Older Americans Act of 1965, as now or hereafter amended (42 U.S.C. 3058f), a long term care facility, supportive living facility, assisted living establishment, and shared housing establishment must:

(i) permit immediate access to any resident, regardless of age, by a designated ombudsman; and

(ii) permit representatives of the Office, with the permission of the resident's legal representative or legal guardian, to examine a resident's clinical and other records, regardless of the age of the resident, and if a resident is unable to consent to such review, and has no legal guardian, permit representatives of the Office appropriate access, as defined by the Department, in consultation with the Office, in administrative rules, to the resident's records.

(2) Each long term care facility, supportive living facility, assisted living establishment, and shared housing establishment shall display, in multiple, conspicuous public places within the facility accessible to both visitors and residents and in an easily readable format, the address and phone number of the Office of the Long Term Care Ombudsman, in a manner prescribed by the Office.

(e) Immunity. An ombudsman or any representative of the Office participating in the good faith performance of his or her official duties shall have immunity from any liability (civil, criminal or otherwise) in any proceedings (civil, criminal or otherwise) brought as a consequence of the performance of his official duties.

(f) Business offenses.

(1) No person shall:

(i) Intentionally prevent, interfere with, or attempt to impede in any way any representative of the Office in the performance of his official duties under this Act and the Older Americans Act of 1965; or

(ii) Intentionally retaliate, discriminate against, or effect reprisals against any long term care facility resident or employee for contacting or providing information to any representative of the Office.

(2) A violation of this Section is a business offense, punishable by a fine not to exceed \$501.

(3) The Director of Aging, in consultation with the Office, shall notify the State's Attorney of the county in which the long term care facility, supportive living facility, or assisted living or shared housing establishment is located, or the Attorney General, of any violations of this Section.

(g) Confidentiality of records and identities. The Department shall establish procedures for the disclosure by the State Ombudsman or the regional ombudsmen entities of files maintained by the program. The procedures shall provide that the files and records may be disclosed only at the discretion of the State Long Term Care Ombudsman or the person designated by the State Ombudsman to disclose the files and records, and the procedures shall prohibit the disclosure of the identity of

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any complainant, resident, witness, or employee of a long term care provider unless:

- (1) the complainant, resident, witness, or employee of a long term care provider or his or her legal representative consents to the disclosure and the consent is in writing;
- (2) the complainant, resident, witness, or employee of a long term care provider gives consent orally; and the consent is documented contemporaneously in writing in accordance with such requirements as the Department shall establish; or
- (3) the disclosure is required by court order.

(h) Legal representation. The Attorney General shall provide legal representation to any representative of the Office against whom suit or other legal action is brought in connection with the performance of the representative's official duties, in accordance with the State Employee Indemnification Act.

(i) Treatment by prayer and spiritual means. Nothing in this Act shall be construed to authorize or require the medical supervision, regulation or control of remedial care or treatment of any resident in a long term care facility operated exclusively by and for members or adherents of any church or religious denomination the tenets and practices of which include reliance solely upon spiritual means through prayer for healing.

(j) The Long Term Care Ombudsman Fund is created as a special fund in the State treasury to receive moneys for the express purposes of this Section. All interest earned on moneys in the fund shall be credited to the fund. Moneys contained in the fund shall be used to support the purposes of this Section.

Fund Number	0699	Nursing Home Conversion Fund
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Chapter	0320	Act	0042	Section	30	Fund Type: Appropriated
Fund Group:	Special State Fund				Total Revenue FY11:	\$0
Administering Agency:	Public Health				Total Revenue FY12:	\$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from transfers and General Assembly appropriations. All interest earned on monies in the Fund are to be retained in the Fund. Monies in the Fund are to be used for the purposes of the Nursing Home Conversion Program.

Statutory Language:

(a) The Department of Public Health, in collaboration with the Department on Aging and the Department of Healthcare and Family Services, shall establish a nursing home conversion program. Start-up grants, pursuant to subsections (l) and (m) of this Section, shall be made available to nursing homes as appropriations permit as an incentive to reduce certified beds, retrofit, and retool operations to meet new service delivery expectations and demands.

(b) Grant moneys shall be made available for capital and other costs related to: (1) the conversion of all or a part of a nursing home to an assisted living establishment or a special program or unit for persons with Alzheimer's disease or related disorders licensed under the Assisted Living and Shared Housing Act or a supportive living facility established under Section 5-5.01a of the Illinois Public Aid Code; (2) the conversion of multi-resident bedrooms in the facility into single-occupancy rooms; and (3) the development of any of the services identified in a priority service plan that can be provided by a nursing home within the confines of a nursing home or transportation services. Grantees shall be required to provide a minimum of a 20% match toward the total cost of the project.

(c) Nothing in this Act shall prohibit the co-location of services or the development of multifunctional centers under subsection (f) of Section 20, including a nursing home offering community-based services or a community provider establishing a residential facility.

(d) A certified nursing home with at least 50% of its resident population having their care paid for by the Medicaid program is eligible to apply for a grant under this Section.

(e) Any nursing home receiving a grant under this Section shall reduce the number of certified nursing home beds by a number equal to or greater than the number of beds being converted for one or more of the permitted uses under item (1) or (2) of subsection (b). The nursing home shall retain the Certificate of Need for its nursing and sheltered care beds that were converted for 15 years. If the beds are reinstated by the provider or its successor in interest, the provider shall pay to the fund from which the grant was awarded, on an amortized basis, the amount of the grant. The Department shall establish, by rule, the bed reduction methodology for nursing homes that receive a grant pursuant to item (3) of subsection (b).

(f) Any nursing home receiving a grant under this Section shall agree that, for a minimum of 10 years after the date that the grant is awarded, a minimum of 50% of the nursing home's resident population shall have their care paid for by the

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Medicaid program. If the nursing home provider or its successor in interest ceases to comply with the requirement set forth in this subsection, the provider shall pay to the fund from which the grant was awarded, on an amortized basis, the amount of the grant.

(g) Before awarding grants, the Department of Public Health shall seek recommendations from the Department on Aging and the Department of Healthcare and Family Services. The Department of Public Health shall attempt to balance the distribution of grants among geographic regions, and among small and large nursing homes. The Department of Public Health shall develop, by rule, the criteria for the award of grants based upon the following factors:

- (1) the unique needs of older adults (including those with moderate and low incomes), caregivers, and providers in the geographic area of the State the grantee seeks to serve;
- (2) whether the grantee proposes to provide services in a priority service area;
- (3) the extent to which the conversion or transition will result in the reduction of certified nursing home beds in an area with excess beds;
- (4) the compliance history of the nursing home; and
- (5) any other relevant factors identified by the Department, including standards of need.

(h) A conversion funded in whole or in part by a grant under this Section must not:

- (1) diminish or reduce the quality of services available to nursing home residents;
- (2) force any nursing home resident to involuntarily accept home-based or community-based services instead of nursing home services;
- (3) diminish or reduce the supply and distribution of nursing home services in any community below the level of need, as defined by the Department by rule; or
- (4) cause undue hardship on any person who requires nursing home care.

(i) The Department shall prescribe, by rule, the grant application process. At a minimum, every application must include:

- (1) the type of grant sought;
- (2) a description of the project;
- (3) the objective of the project;
- (4) the likelihood of the project meeting identified needs;
- (5) the plan for financing, administration, and evaluation of the project;
- (6) the timetable for implementation;
- (7) the roles and capabilities of responsible individuals and organizations;
- (8) documentation of collaboration with other service providers, local community government leaders, and other stakeholders, other providers, and any other stakeholders in the community;
- (9) documentation of community support for the project, including support by other service providers, local community government leaders, and other stakeholders;
- (10) the total budget for the project;
- (11) the financial condition of the applicant; and
- (12) any other application requirements that may be established by the Department by rule.

(j) A conversion project funded in whole or in part by a grant under this Section is exempt from the requirements of the Illinois Health Facilities Planning Act. The Department of Public Health, however, shall send to the Health Facilities and Services Review Board a copy of each grant award made under this Section.

(k) Applications for grants are public information, except that nursing home financial condition and any proprietary data shall be classified as nonpublic data.

(l) The Department of Public Health may award grants from the Long Term Care Civil Money Penalties Fund established under Section 1919(h)(2)(A)(ii) of the Social Security Act and 42 CFR 488.422(g) if the award meets federal requirements.

(m) The Nursing Home Conversion Fund is created as a special fund in the State treasury. Moneys appropriated by the General Assembly or transferred from other sources for the purposes of this Section shall be deposited into the Fund. All interest earned on moneys in the fund shall be credited to the fund. Moneys contained in the fund shall be used to support the purposes of this Section.

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Fund Number 0704 School Wind and Solar Generation Revolving Loan Fund

Chapter 0020 **Act** 3501 **Section** 825-100 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Illinois Finance Authority **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from General Assembly appropriations, as well as all loan repayments from loans made under the School Wind and Solar Generation Program. All interest earned on monies in the Fund are to be retained in the Fund. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for the purposes provided in 20 ILCS 3501/825-100.

Statutory Language:

(a) There is created the School Wind and Solar Generation Program to fund wind generation projects and solar generation projects for school districts and community college districts. The Authority may implement and administer this program. Under the program, the Authority may provide to school districts and community college districts that apply, full or partial low-interest loans for, without limitation, engineering studies, feasibility studies, research studies, and construction costs for wind generation projects and solar generation projects. The loan funds, subject to appropriation, shall be paid out of the School Wind and Solar Generation Revolving Loan Fund. All repayments of loans shall be deposited into the School Wind and Solar Generation Revolving Loan Fund.

(b) The Authority may make available information regarding the School Wind and Solar Generation Program to all school districts and community college districts in this State.

(c) The School Wind and Solar Generation Revolving Loan Fund is created as a special fund in the State treasury. The School Wind and Solar Generation Revolving Loan Fund shall consist of any moneys appropriated into the School Wind and Solar Generation Revolving Loan Fund, as well as all repayments of loans made under the School Wind and Solar Generation Program. All interest earned on moneys in the School Wind and Solar Generation Revolving Loan Fund shall be deposited into the Fund. All money in the School Wind and Solar Generation Revolving Loan Fund must be used, subject to appropriation, by the Authority for the purposes of this Section.

(d) The Authority may accept additional funding for the School Wind and Solar Generation Program from the federal government and private donations.

(e) The Authority may adopt any rules necessary to implement this Section.

Fund Number 0706 Hunger Relief Fund

Chapter 0020 **Act** 1305 **Section** 10-65 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$196,846

Administering Agency: Human Services **Total Revenue FY12:** \$93,024

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from appropriations, gifts, awards from any private or public entity, interest income and income tax check-offs. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to food banks for the purpose of purchasing food and related supplies.

Statutory Language:

(a) The Hunger Relief Fund is created as a special fund in the State treasury. From appropriations to the Department from the Fund, the Department shall make grants to food banks for the purpose of purchasing food and related supplies. In this Section, "food bank" means a public or charitable institution that maintains an established operation involving the provision of food or edible commodities, or the products of food or edible commodities, to food pantries, soup kitchens, hunger relief

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centers, or other food or feeding centers that, as an integral part of their normal activities, provide meals or food to feed needy persons on a regular basis.

(b) Moneys received for the purposes of this Section, including, without limitation, appropriations, gifts, donations, grants, and awards from any public or private entity must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

Fund Number 0707 Public Interest Attorney Loan Repayment Assistance Fund

Chapter 0110 **Act** 0916 **Section** 20 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Illinois Student Assistance Commission **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from monies remitted to the Illinois Student Assistance Commission pursuant to the provisions of the Public Interest Attorney Assistance Act. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for loan repayment assistance for eligible participants.

Statutory Language:

(a) The Commission shall establish and administer the Program for the primary purpose of providing loan repayment assistance to practicing attorneys to encourage them to pursue careers as public interest attorneys to protect the rights of this State's most vulnerable citizens or provide quality enforcement of State law. The Commission shall create an advisory committee composed of representatives from organizations with relevant expertise, including one person from each of the following entities:

- (1) The Illinois State's Attorneys Association.
- (2) An office of an Illinois Public Defender.
- (3) An office of an Illinois public guardian.
- (4) The Office of the Illinois Attorney General.
- (5) An Illinois metropolitan bar association.
- (6) An Illinois statewide bar association.
- (7) A public law school in this State.

(b) The Public Interest Attorney Loan Repayment Assistance Fund is created as a special fund in the State treasury. The Fund shall consist of all moneys remitted to the Commission under the terms of this Act. All money in the Fund shall be used, subject to appropriation, by the Commission for the purposes of this Act.

(c) Subject to the availability of appropriations and subsections (d) and (e) of this Section, the Commission shall distribute funds to eligible applicants.

(d) The Commission is authorized to prescribe all rules, policies, and procedures necessary or convenient for the administration of the Program and all terms and conditions applicable to payments made under this Act. This shall be done with the guidance and assistance of the Committee.

(e) The Commission shall administer the Program, including, but not limited to, establishing and implementing the following:

(1) An application process. Subject to the availability of appropriations, the Commission shall, each year, consider applications by eligible public interest attorneys for loan repayment assistance under the Program.

(2) Eligibility requirements. The Commission shall, on an annual basis, receive and consider applications for loan repayment assistance under the Program if the Commission finds that the applicant:

- (i) is a citizen or permanent resident of the United States;
- (ii) is a licensed member of the Illinois Bar in good standing;
- (iii) has eligible debt in grace or repayment status; and
- (iv) is employed as a public interest attorney with a qualifying employer in Illinois.

(3) A maximum amount of loan repayment assistance for each participant, which shall be \$6,000 per year, up to a maximum of \$30,000 during the participant's career.

(4) Prioritization. The Commission shall develop criteria for prioritization among eligible applicants in the event that there are insufficient funds available to make payments to all eligible applicants under this Act. The prioritization criteria

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shall include the timeliness of the application, the applicant's salary level, the amount of the applicant's eligible debt, the availability of other loan repayment assistance to the applicant, the applicant's length of service as a public interest attorney, and the applicant's prior participation in the Program.

(f) The distribution of funds available after administrative costs must be made by the Commission to eligible public interest attorneys in the following manner:

- (1) Loan repayment assistance must be in the form of a forgivable loan.
- (2) To have the loan forgiven, the participant shall (i) complete a year of employment with a qualifying employer and (ii) make educational debt payments (interest or principal or both) that equal at least the amount of assistance received under the Program during the assistance year.
- (3) Each loan must be documented by means of a promissory note executed by the borrower in a form provided by the Commission and shall be forgiven when an eligible participant meets the requirements set forth by the Commission.

Fund Number	0710	Homeland Security Emergency Preparedness Fund
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Chapter	0020	Act	3305	Section	17.5	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$0
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Administering Agency: Illinois Emergency Management Agenc	Total Revenue FY12:	\$0
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Fund Purpose: The purpose of the Fund is to receive and record monies obtained from the federal government and interest income. Monies in the Fund may be expended for the specific purposes established by the terms and conditions of the federal awards.

Statutory Language:

The Homeland Security Emergency Preparedness Fund is created as a special fund in the State treasury. The Fund shall be held separate and apart from all public moneys or funds of this State. All moneys received by the Agency under Section 17 from a federal department or agency shall be deposited into the Fund. Interest earned by the investment or deposit of moneys accumulated in the Fund shall be deposited into the Fund. The Agency is authorized to expend any moneys in the Fund for the specific purposes established by the terms and conditions of the federal awards received by the Agency and in any amount that the Agency deems necessary to make grants and pay expenses in connection with its emergency management and preparedness programs.

Fund Number	0715	Roseland Community Medical District Income Fund
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Chapter	0070	Act	0935	Section	70	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$0
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Administering Agency: Roseland Community Medical District C	Total Revenue FY12:	\$0
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Fund Purpose: The purpose of the Fund is to receive and record monies obtained from the sale or lease of any property owned by the Commission. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for the planning, acquisition and development of District property.

Statutory Language:

All money received by the Commission from the sale or lease of any property, in excess of the amount expended by the Commission for authorized purposes under this Act shall be paid into the State treasury for deposit into the Roseland Community Medical District Income Fund. The Commission is authorized to use all money received as rentals for the purposes of planning, acquisition, and development of property within the District, for the operation, maintenance, and improvement of property of the Commission, and for all purposes and powers set forth in this Act. All moneys held pursuant to this Section shall be maintained in a depository approved by the State Treasurer. The Auditor General shall, at least

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biennially, audit or cause to be audited all records and accounts of the Commission pertaining to the operation of the District.

Fund Number 0722 Comptroller Debt Recovery Trust Fund

Chapter 0015 **Act** 0405 **Section** 10.05d **Fund Type:** Non-Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$0

Administering Agency: Comptroller **Total Revenue FY12:** \$12,088,570

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from the collection of local entity offsets and processing charges. Monies in the Fund may be expended for the payment of refunds, administrative costs and disbursements to local entities.

Statutory Language:

Deductions for delinquent obligations owed to units of local government, school districts, public institutions of higher education, and clerks of the circuit courts. Pursuant to Section 10.05 and this Section, the Comptroller may enter into intergovernmental agreements with a unit of local government, a school district, a public institution of higher education, or the clerk of a circuit court, in order to provide for (i) the use of the Comptroller's offset system to collect delinquent obligations owed to that entity and (ii) the payment to the Comptroller of a processing charge of up to \$15 per transaction for such offsets. The Comptroller shall deduct, from a warrant or other payment described in Section 10.05, in accordance with the procedures provided therein, its processing charge and the amount certified as necessary to satisfy, in whole or in part, the delinquent obligation owed to the unit of local government, school district, public institution of higher education, or clerk of the circuit court, as applicable. The Comptroller shall provide the unit of local government, school district, public institution of higher education, or clerk of the circuit court, as applicable, with the address to which the warrant or other payment was to be mailed and any other information pertaining to each person from whom a deduction is made pursuant to this Section. All deductions ordered under this Section and processing charges imposed under this Section shall be deposited into the Comptroller Debt Recovery Trust Fund, a special fund that the Comptroller shall use for the collection of deductions and processing charges, as provided by law, and the payment of deductions and administrative expenses, as provided by law.

Upon processing a deduction, the Comptroller shall give written notice to the person subject to the offset. The notice shall inform the person that he or she may make a written protest to the Comptroller within 60 days after the Comptroller has given notice. The protest shall include the reason for contesting the deduction and any other information that will enable the Comptroller to determine the amount due and payable. The intergovernmental agreement entered into under Section 10.05 and this Section shall establish procedures through which the Comptroller shall determine the validity of the protest and shall make a final disposition concerning the deduction. If the person subject to the offset has not made a written protest within 60 days after the Comptroller has given notice or if a final disposition is made concerning the deduction, the Comptroller shall pay the deduction to the unit of local government, school district, public institution of higher education, or clerk of the circuit court, as applicable, from the Comptroller Debt Recovery Trust Fund.

For the purposes of this Section, "clerk of a circuit court" means a clerk of the circuit court in any county in the State.

Fund Number 0730 Illinois National Guard State Active Duty Fund

Chapter 0020 **Act** 1805 **Section** 56-2 **Fund Type:** Non-Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$0

Administering Agency: Military Affairs **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from a transfer as well as all monies received from any government entity that reimburse costs incurred in the performance of state active duty. Monies in the Fund may be expended for disbursements to support the Illinois National Guard.

Statutory Language:

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The Illinois National Guard State Active Duty Fund is created and shall be initially financed by a transfer from the Federal Support Agreement Revolving Fund to the Illinois National Guard State Active Duty Fund as provided in Section 56-1 of this Code. Thereafter, all monies received from any government entity that reimburse costs incurred in the performance of State Active Duty shall be paid into the Illinois National Guard State Active Duty Fund. Disbursement from the Fund for purposes as set forth in this Section shall be by voucher ordered by the Adjutant General and paid by a warrant drawn by the State Comptroller and countersigned by the State Treasurer. The Director shall order disbursements from the Illinois National Guard State Active Duty Fund only for payment of expenses necessary to support the Illinois National Guard in the performance of State Active Duty. Monies in this Fund shall not be subject to appropriation by the General Assembly, but shall be subject to audit by the Auditor General.

Fund Number 0748 FY12 Hospital Relief Fund

Chapter 0030 **Act** 0105 **Section** 8.51 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Comptroller **Total Revenue FY12:** \$140,000,000

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from transfers from the General Revenue Fund. Monies in the Fund may be expended only pursuant to specific authorization by appropriation.

Statutory Language:

(a) The FY12 Hospital Relief Fund is created as a special fund in the State treasury. Amounts may be expended from the Fund only pursuant to specific authorization by appropriation.

(b) Notwithstanding any other State law to the contrary, the State Comptroller shall order transferred and the State Treasurer shall transfer \$140,000,000 to the FY12 Hospital Relief Fund from the General Revenue Fund in equal quarterly installments with the first transfer to be made on the effective date of this amendatory Act of the 97th General Assembly, or as soon thereafter as practical, and with each of the remaining transfers to be made on February 1, 2012, April 1, 2012, and June 1, 2012, or as soon thereafter as practical.

Fund Number 0749 Historic Preservation Agency State Trust Fund

Chapter 0005 **Act** 0220 **Section** 3 **Fund Type:** Non-Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$732

Administering Agency: Historic Preservation Agency **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to record the receipt and disbursement of operating monies from the Illinois Department of Natural Resources in accordance with an interagency agreement.

Statutory Language:

Intergovernmental cooperation. Any power or powers, privileges, functions, or authority exercised or which may be exercised by a public agency of this State may be exercised, combined, transferred, and enjoyed jointly with any other public agency of this State and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States do not prohibit joint exercise or enjoyment and except where specifically and expressly prohibited by law. This includes, but is not limited to, (i) arrangements between the Illinois Student Assistance Commission and agencies in other states which issue professional licenses and (ii) agreements between the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) and public agencies for the establishment and enforcement of child support orders and for the exchange of information that may be necessary for the enforcement of those child support orders.

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Fund Number 0751 Private Business and Vocational Schools Quality Assurance Fund

Chapter 0105 **Act** 0426 **Section** 80 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Board of Higher Education **Total Revenue FY12:** \$13,265

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from all fees collected in association with the Private Business and Vocational Schools Act of 2012. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for the administration and enforcement of the Act.

Statutory Language:

The Private Business and Vocational Schools Quality Assurance Fund is created as a special fund in the State treasury. All fees collected for the administration and enforcement of this Act must be deposited into this Fund. All money in the Fund must be used, subject to appropriation, by the Board to supplement support for the administration and enforcement of this Act and must not be used for any other purpose.

Fund Number 0777 Crisis Nursery Fund

Chapter 0020 **Act** 1305 **Section** 10-6 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$85,062

Administering Agency: Human Services **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from income tax check-offs. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to crisis nurseries located within Illinois.

Statutory Language:

The Crisis Nursery Fund is created as a special fund in the State treasury. From appropriations to the Department from the Fund, the Department shall make grants, in equal amounts, to crisis nurseries located in Illinois. For the purposes of this Section, a "crisis nursery" is an organization licensed by the Department that operates on a continuous basis and provides immediate crisis child care, respite care, parent support, and parent education groups. A child care center does not qualify as a crisis nursery under this Section.

Fund Number 0778 Department of Human Rights Training and Development Fund

Chapter 0775 **Act** 0005 **Section** 7-112.5 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$6,779

Administering Agency: Human Rights **Total Revenue FY12:** \$36,397

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from tuition fees for training provided by the Department of Human Rights Institute for Training and Development. Monies in the Fund are to be expended for quality enhancement of the Department's training services and cost-free training for eligible groups or organizations.

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Statutory Language:

The Department is authorized to charge tuition to non-governmental entities, other than not for profit groups or organizations in Illinois that have no more than 50 employees, for training offered by the Department's Institute for Training and Development. The tuition shall be paid into the Department of Human Rights Training and Development Fund, a special fund that is created in the State treasury. Moneys in the Fund shall be used to: (i) enhance the quality of the Department's training services; (ii) make training available at no cost to not for profit groups or organizations in Illinois that have no more than 50 employees, Department employees, other State agencies and instrumentalities of the State, and community organizations; and (iii) make training available to any other non-governmental entities on a tuition basis.

Fund Number 0779 Stretcher Van Licensure Fund

Chapter	0210	Act	0050	Section	3.86	Fund Type:	Appropriated
Fund Group:	Special State Fund					Total Revenue FY11:	\$0
Administering Agency:	Public Health					Total Revenue FY12:	\$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from license fees. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for implementing the relevant provisions of the Emergency Medical Services (EMS) Systems Act.

Statutory Language:

- (a) In this Section, "stretcher van provider" means an entity licensed by the Department to provide non-emergency transportation of passengers on a stretcher in compliance with this Act or the rules adopted by the Department pursuant to this Act, utilizing stretcher vans.
- (b) The Department has the authority and responsibility to do the following:
 - (1) Require all stretcher van providers, both publicly and privately owned, to be licensed by the Department.
 - (2) Establish licensing and safety standards and requirements for stretcher van providers, through rules adopted pursuant to this Act, including but not limited to:
 - (A) Vehicle design, specification, operation, and maintenance standards.
 - (B) Safety equipment requirements and standards.
 - (C) Staffing requirements.
 - (D) Annual license renewal.
 - (3) License all stretcher van providers that have met the Department's requirements for licensure.
 - (4) Annually inspect all licensed stretcher van providers, and relicense providers that have met the Department's requirements for license renewal.
 - (5) Suspend, revoke, refuse to issue, or refuse to renew the license of any stretcher van provider, or that portion of a license pertaining to a specific vehicle operated by a provider, after an opportunity for a hearing, when findings show that the provider or one or more of its vehicles has failed to comply with the standards and requirements of this Act or the rules adopted by the Department pursuant to this Act.
 - (6) Issue an emergency suspension order for any provider or vehicle licensed under this Act when the Director or his or her designee has determined that an immediate or serious danger to the public health, safety, and welfare exists. Suspension or revocation proceedings that offer an opportunity for a hearing shall be promptly initiated after the emergency suspension order has been issued.
 - (7) Prohibit any stretcher van provider from advertising, identifying its vehicles, or disseminating information in a false or misleading manner concerning the provider's type and level of vehicles, location, response times, level of personnel, licensure status, or EMS System participation.
 - (8) Charge each stretcher van provider a fee, to be submitted with each application for licensure and license renewal.
- (c) A stretcher van provider may provide transport of a passenger on a stretcher, provided the passenger meets all of the following requirements:
 - (1) (Blank).
 - (2) He or she needs no medical monitoring or clinical observation.
 - (3) He or she needs routine transportation to or from a medical appointment or service if the passenger is convalescent

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or otherwise bed-confined and does not require clinical observation, aid, care, or treatment during transport.

(d) A stretcher van provider may not transport a passenger who meets any of the following conditions:

(1) He or she is being transported to a hospital for emergency medical treatment.

(2) He or she is experiencing an emergency medical condition or needs active medical monitoring, including isolation precautions, supplemental oxygen that is not self-administered, continuous airway management, suctioning during transport, or the administration of intravenous fluids during transport.

(e) The Stretcher Van Licensure Fund is created as a special fund within the State treasury. All fees received by the Department in connection with the licensure of stretcher van providers under this Section shall be deposited into the fund. Moneys in the fund shall be subject to appropriation to the Department for use in implementing this Section.

Fund Number	0780	Intermodal Facilities Promotion Fund
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Chapter	0030	Act	0743	Section	15	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$355,159
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Administering Agency: Commerce and Economic Opportunity	Total Revenue FY12:	\$179,365
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Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fund transfers from the General Revenue Fund. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for infrastructure grants to eligible developers.

Statutory Language:

The Intermodal Facilities Promotion Fund is created as a special fund in the State treasury. As soon as possible, upon certification of the Department of Revenue following review of the amounts contained in the quarter annual report required under paragraph (4) of Section 30, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Intermodal Facilities Promotion Fund an amount equal to the incremental income tax for the previous month attributable to a project that is the subject of an agreement.

Fund Number	0781	Farm Fresh Schools Program Fund
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Chapter	0105	Act	0124	Section	20	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$0
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Administering Agency: Agriculture	Total Revenue FY12:	\$0
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Fund Purpose: The purpose of the Fund is to support the provisions of the Farm Fresh School Program Act. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for the review of grant proposals and the awarding of grants to eligible applicants for the Program.

Statutory Language:

The Farm Fresh Schools Program Fund is created as a special fund in the State treasury. Moneys in the Fund shall be used, subject to appropriation, by the Department of Agriculture and the State Board of Education for the purposes of this Act.

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Fund Number 0783 Hospital Stroke Care Fund

Chapter 0210 **Act** 0050 **Section** 3.226 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Public Health **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from appropriations, donations and grants. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to hospitals that are certified as Primary Stroke/Emergent Stroke Ready Centers or seeking certification.

Statutory Language:

(a) The Hospital Stroke Care Fund is created as a special fund in the State treasury for the purpose of receiving appropriations, donations, and grants collected by the Illinois Department of Public Health pursuant to Department designation of Primary Stroke Centers and Emergent Stroke Ready Hospitals. All moneys collected by the Department pursuant to its authority to designate Primary Stroke Centers and Emergent Stroke Ready Hospitals shall be deposited into the Fund, to be used for the purposes in subsection (b).

(b) The purpose of the Fund is to allow the Director of the Department to award matching grants to hospitals that have been certified Primary Stroke Centers, that seek certification or designation or both as Primary Stroke Centers, that have been designated Emergent Stroke Ready Hospitals, that seek designation as Emergent Stroke Ready Hospitals, and for the development of stroke networks. Hospitals may use grant funds to work with the EMS System to improve outcomes of possible acute stroke patients.

(c) Moneys deposited in the Hospital Stroke Care Fund shall be allocated according to the hospital needs within each EMS region and used solely for the purposes described in this Act.

(d) Interfund transfers from the Hospital Stroke Care Fund shall be prohibited.

Fund Number 0785 Quarter Horse Purse Fund

Chapter 0230 **Act** 0005 **Section** 27 **Fund Type:** Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$239,702

Administering Agency: Racing Board **Total Revenue FY12:** \$260,355

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from pari-mutuel taxes imposed on advance deposit wagering. Monies in the Fund are to be expended for grants to thoroughbred organization licensees for payment of purses for quarter horse races conducted by the organization licensee.

Statutory Language:

(a) In addition to the organization license fee provided by this Act, until January 1, 2000, a graduated privilege tax is hereby imposed for conducting the pari-mutuel system of wagering permitted under this Act. Until January 1, 2000, except as provided in subsection (g) of Section 27 of this Act, all of the breakage of each racing day held by any licensee in the State shall be paid to the State. Until January 1, 2000, such daily graduated privilege tax shall be paid by the licensee from the amount permitted to be retained under this Act. Until January 1, 2000, each day's graduated privilege tax, breakage, and Horse Racing Tax Allocation funds shall be remitted to the Department of Revenue within 48 hours after the close of the racing day upon which it is assessed or within such other time as the Board prescribes. The privilege tax hereby imposed, until January 1, 2000, shall be a flat tax at the rate of 2% of the daily pari-mutuel handle except as provided in Section 27.1.

In addition, every organization licensee, except as provided in Section 27.1 of this Act, which conducts multiple wagering shall pay, until January 1, 2000, as a privilege tax on multiple wagers an amount equal to 1.25% of all moneys wagered each

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day on such multiple wagers, plus an additional amount equal to 3.5% of the amount wagered each day on any other multiple wager which involves a single betting interest on 3 or more horses. The licensee shall remit the amount of such taxes to the Department of Revenue within 48 hours after the close of the racing day on which it is assessed or within such other time as the Board prescribes.

This subsection (a) shall be inoperative and of no force and effect on and after January 1, 2000.

(a-5) Beginning on January 1, 2000, a flat pari-mutuel tax at the rate of 1.5% of the daily pari-mutuel handle is imposed at all pari-mutuel wagering facilities and on advance deposit wagering from a location other than a wagering facility, except as otherwise provided for in this subsection (a-5). In addition to the pari-mutuel tax imposed on advance deposit wagering pursuant to this subsection (a-5), beginning on the effective date of this amendatory Act of the 97th General Assembly until January 1, 2013, an additional pari-mutuel tax at the rate of 0.25% shall be imposed on advance deposit wagering. Until August 25, 2012, the additional 0.25% pari-mutuel tax imposed on advance deposit wagering by Public Act 96-972 shall be deposited into the Quarter Horse Purse Fund, which shall be created as a non-appropriated trust fund administered by the Board for grants to thoroughbred organization licensees for payment of purses for quarter horse races conducted by the organization licensee. Beginning on August 26, 2012, the additional 0.25% pari-mutuel tax imposed on advance deposit wagering shall be deposited equally into the standardbred purse accounts of organization licensees conducting standardbred racing. Thoroughbred organization licensees may petition the Board to conduct quarter horse racing and receive purse grants from the Quarter Horse Purse Fund. The Board shall have complete discretion in distributing the Quarter Horse Purse Fund to the petitioning organization licensees. Beginning on the effective date of this amendatory Act of the 96th General Assembly and until moneys deposited pursuant to Section 54 are distributed and received, a pari-mutuel tax at the rate of 0.75% of the daily pari-mutuel handle is imposed at a pari-mutuel facility whose license is derived from a track located in a county that borders the Mississippi River and conducted live racing in the previous year. After moneys deposited pursuant to Section 54 are distributed and received, a pari-mutuel tax at the rate of 1.5% of the daily pari-mutuel handle is imposed at a pari-mutuel facility whose license is derived from a track located in a county that borders the Mississippi River and conducted live racing in the previous year. The pari-mutuel tax imposed by this subsection (a-5) shall be remitted to the Department of Revenue within 48 hours after the close of the racing day upon which it is assessed or within such other time as the Board prescribes.

(b) On or before December 31, 1999, in the event that any organization licensee conducts 2 separate programs of races on any day, each such program shall be considered a separate racing day for purposes of determining the daily handle and computing the privilege tax on such daily handle as provided in subsection (a) of this Section.

(c) Licensees shall at all times keep accurate books and records of all monies wagered on each day of a race meeting and of the taxes paid to the Department of Revenue under the provisions of this Section. The Board or its duly authorized representative or representatives shall at all reasonable times have access to such records for the purpose of examining and checking the same and ascertaining whether the proper amount of taxes is being paid as provided. The Board shall require verified reports and a statement of the total of all monies wagered daily at each wagering facility upon which the taxes are assessed and may prescribe forms upon which such reports and statement shall be made.

(d) Any licensee failing or refusing to pay the amount of any tax due under this Section shall be guilty of a business offense and upon conviction shall be fined not more than \$5,000 in addition to the amount found due as tax under this Section. Each day's violation shall constitute a separate offense. All fines paid into Court by a licensee hereunder shall be transmitted and paid over by the Clerk of the Court to the Board.

(e) No other license fee, privilege tax, excise tax, or racing fee, except as provided in this Act, shall be assessed or collected from any such licensee by the State.

(f) No other license fee, privilege tax, excise tax or racing fee shall be assessed or collected from any such licensee by units of local government except as provided in paragraph 10.1 of subsection (h) and subsection (f) of Section 26 of this Act. However, any municipality that has a Board licensed horse race meeting at a race track wholly within its corporate boundaries or a township that has a Board licensed horse race meeting at a race track wholly within the unincorporated area of the township may charge a local amusement tax not to exceed 10¢ per admission to such horse race meeting by the enactment of an ordinance. However, any municipality or county that has a Board licensed inter-track wagering location facility wholly within its corporate boundaries may each impose an admission fee not to exceed \$1.00 per admission to such inter-track wagering location facility, so that a total of not more than \$2.00 per admission may be imposed. Except as provided in subparagraph (g) of Section 27 of this Act, the inter-track wagering location licensee shall collect any and all such fees and within 48 hours remit the fees to the Board, which shall, pursuant to rule, cause the fees to be distributed to the county or municipality.

(g) Notwithstanding any provision in this Act to the contrary, if in any calendar year the total taxes and fees required to be collected from licensees and distributed under this Act to all State and local governmental authorities exceeds the amount of such taxes and fees distributed to each State and local governmental authority to which each State and local governmental

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authority was entitled under this Act for calendar year 1994, then the first \$11 million of that excess amount shall be allocated at the earliest possible date for distribution as purse money for the succeeding calendar year. Upon reaching the 1994 level, and until the excess amount of taxes and fees exceeds \$11 million, the Board shall direct all licensees to cease paying the subject taxes and fees and the Board shall direct all licensees to allocate any such excess amount for purses as follows:

- (i) the excess amount shall be initially divided between thoroughbred and standardbred purses based on the thoroughbred's and standardbred's respective percentages of total Illinois live wagering in calendar year 1994;
- (ii) each thoroughbred and standardbred organization licensee issued an organization licensee in that succeeding allocation year shall be allocated an amount equal to the product of its percentage of total Illinois live thoroughbred or standardbred wagering in calendar year 1994 (the total to be determined based on the sum of 1994 on-track wagering for all organization licensees issued organization licenses in both the allocation year and the preceding year) multiplied by the total amount allocated for standardbred or thoroughbred purses, provided that the first \$1,500,000 of the amount allocated to standardbred purses under item (i) shall be allocated to the Department of Agriculture to be expended with the assistance and advice of the Illinois Standardbred Breeders Funds Advisory Board for the purposes listed in subsection (g) of Section 31 of this Act, before the amount allocated to standardbred purses under item (i) is allocated to standardbred organization licensees in the succeeding allocation year.

To the extent the excess amount of taxes and fees to be collected and distributed to State and local governmental authorities exceeds \$11 million, that excess amount shall be collected and distributed to State and local authorities as provided for under this Act.

Fund Number	0790	Private Sewage Disposal Program Fund
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Chapter	0225	Act	0225	Section	4	Fund Type: Appropriated
Fund Group:	Special State Fund				Total Revenue FY11:	\$120,659
Administering Agency:	Public Health				Total Revenue FY12:	\$117,376

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees in accordance with the Private Sewage Disposal Licensing Act. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, by the Department of Public Health to administer the Act.

Statutory Language:

(a) After January 1, 1974, no person or private sewage disposal system contractor may construct, install, modify, repair, maintain, or service a private sewage disposal system or transport and dispose of waste removed therefrom, in such a manner that does not comply with the requirements of this Act and the private sewage disposal code promulgated hereunder by the Department. A person who owns and occupies a single family dwelling and who constructs, installs, maintains, services or cleans the private sewage disposal system which serves his single family residence shall not be required to be licensed under this Act, however, such person shall comply with all other provisions of this Act and the private sewage disposal code promulgated hereunder by the Department.

Any person who constructs, installs, repairs, modifies, or maintains a private sewage disposal system, other than a system which serves his own single family residence, shall be licensed by the Department as a Private Sewage System Installation Contractor and any person who cleans or pumps waste from a private sewage disposal system, other than a system which serves his own single family residence, or hauls or disposes of wastes removed therefrom shall be licensed by the Department as a Private Sewage Disposal System Pumping Contractor in accordance with this Act.

(b) No new private sewage disposal system shall be installed by any person until drawings, specifications and other information requested by the Department are submitted to and reviewed by the Department and found to comply with the private sewage disposal code, and until approval for the installation of such system is issued by the Department.

(c) The licensing requirements of this Act shall not apply to any person who cleans or pumps, hauls or disposes of waste from chemical toilets located in an underground coal mine. This waste shall be (i) transported to and disposed of at a sewage treatment facility permitted by the Illinois Environmental Protection Agency and located on the mine property, or (ii) stored on-site in a sanitary manner pending removal and subsequent disposal by a licensed private sewage disposal pumping contractor.

(d) There is hereby created in the State treasury a special fund to be known as the Private Sewage Disposal Program Fund.

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All fees collected by the Department for exams, licenses, permits, and fines in accordance with this Act shall be deposited into the Fund and shall be appropriated by the General Assembly to the Department. Gifts, grants and other monies from any source available for this purpose may be deposited into the Fund. Subject to appropriation, money from this Fund shall be used by the Department to administer this Act. Interest attributable to monies in this Fund shall be returned to the Fund. Monies in the Fund shall be appropriated and used only for the purposes stated in this Act.

Fund Number 0792 Cemetery Oversight Licensing and Disciplinary Fund

Chapter 0225 **Act** 0411 **Section** 75-45 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$22,924

Administering Agency: Financial and Professional Regulation **Total Revenue FY12:** \$41

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees and fines in accordance with the provisions of the Cemetery Oversight Act. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for the ordinary and contingent expenses of enforcing and administering the Act.

Statutory Language:

(Section scheduled to be repealed on January 1, 2021)

Sec. 75-45. Fees. The Department shall by rule provide for fees for the administration and enforcement of this Act, and those fees are nonrefundable. All of the fees and fines collected under this Act shall be deposited into the Cemetery Oversight Licensing and Disciplinary Fund and be appropriated to the Department for the ordinary and contingent expenses of the Department in the administration and enforcement of this Act.

Fund Number 0793 Healthcare Provider Relief Fund

Chapter 0030 **Act** 0105 **Section** 6z-81 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$1,786,936,693

Administering Agency: Healthcare and Family Services **Total Revenue FY12:** \$935,914,769

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from short-term borrowing agreements, associated federal matching funds and earned interest. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for payment of medical bills and related expenses for which the State is responsible, including the repayment of borrowed monies.

Statutory Language:

(a) There is created in the State treasury a special fund to be known as the Healthcare Provider Relief Fund.

(b) The Fund is created for the purpose of receiving and disbursing moneys in accordance with this Section.

Disbursements from the Fund shall be made only as follows:

(1) Subject to appropriation, for payment by the Department of Healthcare and Family Services or by the Department of Human Services of medical bills and related expenses, including administrative expenses, for which the State is responsible under Titles XIX and XXI of the Social Security Act, the Illinois Public Aid Code, the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, and the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act.

(2) For repayment of funds borrowed from other State funds or from outside sources, including interest thereon.

(c) The Fund shall consist of the following:

(1) Moneys received by the State from short-term borrowing pursuant to the Short Term Borrowing Act on or after the effective date of this amendatory Act of the 96th General Assembly.

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(2) All federal matching funds received by the Illinois Department of Healthcare and Family Services as a result of expenditures made by the Department that are attributable to moneys deposited in the Fund.

(3) All federal matching funds received by the Illinois Department of Healthcare and Family Services as a result of federal approval of Title XIX State plan amendment transmittal number 07-09.

(4) All other moneys received for the Fund from any other source, including interest earned thereon.

(d) In addition to any other transfers that may be provided for by law, on the effective date of this amendatory Act of the 97th General Assembly, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$365,000,000 from the General Revenue Fund into the Healthcare Provider Relief Fund.

(e) In addition to any other transfers that may be provided for by law, on July 1, 2011, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$160,000,000 from the General Revenue Fund to the Healthcare Provider Relief Fund.

(f) Notwithstanding any other State law to the contrary, and in addition to any other transfers that may be provided for by law, the State Comptroller shall order transferred and the State Treasurer shall transfer \$500,000,000 to the Healthcare Provider Relief Fund from the General Revenue Fund in equal monthly installments of \$100,000,000, with the first transfer to be made on July 1, 2012, or as soon thereafter as practical, and with each of the remaining transfers to be made on August 1, 2012, September 1, 2012, October 1, 2012, and November 1, 2012, or as soon thereafter as practical. This transfer may assist the Department of Healthcare and Family Services in improving Medical Assistance bill processing timeframes or in meeting the possible requirements of Senate Bill 3397, or other similar legislation, of the 97th General Assembly should it become law.

Fund Number	0797	Department of Human Rights Special Fund
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Chapter	0775	Act	0005	Section	7-113	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$196,950
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Administering Agency: Human Rights	Total Revenue FY12:	\$292,081
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Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees for the registration and renewal of eligibility to be awarded a contract by a State agency. Monies in the Fund are to be expended for costs associated with administering the Department of Human Rights contract compliance monitoring program and other Department programs and activities

Statutory Language:

When a person files an "Employer Report Form" (PC-1) with the Department as specified in subsection (J) of Section 2-101 to establish eligibility to be awarded a contract by a State agency, the person must pay a \$75 registration fee. A person must also pay a \$75 registration fee when the person files for renewal of eligibility. These fees shall be paid into the Department of Human Rights Special Fund, a special fund that is created in the State treasury. Notwithstanding any other law to the contrary, the Fund is not subject to administrative charges or charge-backs. Moneys in the Fund shall be used solely to fund the Department's public contract compliance monitoring program and other Department programs and activities.

Fund Number	0799	State Universities Retirement System Fund
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Chapter	0040	Act	0005	Section	15-155	Fund Type:	Non-Appropriated
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Fund Group: State Trust Fund	Total Revenue FY11:	\$713,478,354
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Administering Agency: State Universities Retirement System	Total Revenue FY12:	\$0
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Fund Purpose: The purpose of the Fund is to receive and record monies obtained from bond proceeds, interest income and any other sources which are to be used pursuant to 40 ILCS 5/15. Monies in the Fund are to be expended to meet the pension obligations of the System for Fiscal Year 2010 and Fiscal Year

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2011.

Statutory Language:

(a) The State of Illinois shall make contributions by appropriations of amounts which, together with the other employer contributions from trust, federal, and other funds, employee contributions, income from investments, and other income of this System, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (a-1).

(a-1) For State fiscal years 2012 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is \$166,641,900.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is \$252,064,100.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2010 is \$702,514,000 and shall be made from the State Pensions Fund and proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2010, (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2011 is the amount recertified by the System on or before April 1, 2011 pursuant to Section 15-165 and shall be made from the State Pensions Fund and proceeds of bonds sold in fiscal year 2011 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the General Revenue Fund in fiscal year 2011, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 15-165, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so

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that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(b) If an employee is paid from trust or federal funds, the employer shall pay to the Board contributions from those funds which are sufficient to cover the accruing normal costs on behalf of the employee. However, universities having employees who are compensated out of local auxiliary funds, income funds, or service enterprise funds are not required to pay such contributions on behalf of those employees. The local auxiliary funds, income funds, and service enterprise funds of universities shall not be considered trust funds for the purpose of this Article, but funds of alumni associations, foundations, and athletic associations which are affiliated with the universities included as employers under this Article and other employers which do not receive State appropriations are considered to be trust funds for the purpose of this Article.

(b-1) The City of Urbana and the City of Champaign shall each make employer contributions to this System for their respective firefighter employees who participate in this System pursuant to subsection (h) of Section 15-107. The rate of contributions to be made by those municipalities shall be determined annually by the Board on the basis of the actuarial assumptions adopted by the Board and the recommendations of the actuary, and shall be expressed as a percentage of salary for each such employee. The Board shall certify the rate to the affected municipalities as soon as may be practical. The employer contributions required under this subsection shall be remitted by the municipality to the System at the same time and in the same manner as employee contributions.

(c) Through State fiscal year 1995: The total employer contribution shall be apportioned among the various funds of the State and other employers, whether trust, federal, or other funds, in accordance with actuarial procedures approved by the Board. State of Illinois contributions for employers receiving State appropriations for personal services shall be payable from appropriations made to the employers or to the System. The contributions for Class I community colleges covering earnings other than those paid from trust and federal funds, shall be payable solely from appropriations to the Illinois Community College Board or the System for employer contributions.

(d) Beginning in State fiscal year 1996, the required State contributions to the System shall be appropriated directly to the System and shall be payable through vouchers issued in accordance with subsection (c) of Section 15-165, except as provided in subsection (g).

(e) The State Comptroller shall draw warrants payable to the System upon proper certification by the System or by the employer in accordance with the appropriation laws and this Code.

(f) Normal costs under this Section means liability for pensions and other benefits which accrues to the System because of the credits earned for service rendered by the participants during the fiscal year and expenses of administering the System, but shall not include the principal of or any redemption premium or interest on any bonds issued by the Board or any expenses incurred or deposits required in connection therewith.

(g) If the amount of a participant's earnings for any academic year used to determine the final rate of earnings, determined on a full-time equivalent basis, exceeds the amount of his or her earnings with the same employer for the previous academic year, determined on a full-time equivalent basis, by more than 6%, the participant's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in earnings that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. The System may require the employer to provide any pertinent information or documentation.

Whenever it determines that a payment is or may be required under this subsection (g), the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute and, if the employer asserts that the calculation is subject to subsection (h) or (i) of this Section, must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of subsection (h) or (i). Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.

The employer contributions required under this subsection (f) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the System's annual actuarially assumed rate of return on investment compounded annually from the 91st day after receipt of the bill. Payments must be concluded within 3 years after the employer's receipt of the bill.

(h) This subsection (h) applies only to payments made or salary increases given on or after June 1, 2005 but before July 1, 2011. The changes made by Public Act 94-1057 shall not require the System to refund any payments received before July 31, 2006 (the effective date of Public Act 94-1057).

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases paid to participants under contracts or collective bargaining agreements entered into, amended, or renewed before June 1, 2005.

New Funds by Number with Statutory Language

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases paid to a participant at a time when the participant is 10 or more years from retirement eligibility under Section 15-135.

When assessing payment for any amount due under subsection (g), the System shall exclude earnings increases resulting from overload work, including a contract for summer teaching, or overtime when the employer has certified to the System, and the System has approved the certification, that: (i) in the case of overloads (A) the overload work is for the sole purpose of academic instruction in excess of the standard number of instruction hours for a full-time employee occurring during the academic year that the overload is paid and (B) the earnings increases are equal to or less than the rate of pay for academic instruction computed using the participant's current salary rate and work schedule; and (ii) in the case of overtime, the overtime was necessary for the educational mission.

When assessing payment for any amount due under subsection (g), the System shall exclude any earnings increase resulting from (i) a promotion for which the employee moves from one classification to a higher classification under the State Universities Civil Service System, (ii) a promotion in academic rank for a tenured or tenure-track faculty position, or (iii) a promotion that the Illinois Community College Board has recommended in accordance with subsection (k) of this Section. These earnings increases shall be excluded only if the promotion is to a position that has existed and been filled by a member for no less than one complete academic year and the earnings increase as a result of the promotion is an increase that results in an amount no greater than the average salary paid for other similar positions.

(i) When assessing payment for any amount due under subsection (g), the System shall exclude any salary increase described in subsection (h) of this Section given on or after July 1, 2011 but before July 1, 2014 under a contract or collective bargaining agreement entered into, amended, or renewed on or after June 1, 2005 but before July 1, 2011. Notwithstanding any other provision of this Section, any payments made or salary increases given after June 30, 2014 shall be used in assessing payment for any amount due under subsection (g) of this Section.

(j) The System shall prepare a report and file copies of the report with the Governor and the General Assembly by January 1, 2007 that contains all of the following information:

(1) The number of recalculations required by the changes made to this Section by Public Act 94-1057 for each employer.

(2) The dollar amount by which each employer's contribution to the System was changed due to recalculations required by Public Act 94-1057.

(3) The total amount the System received from each employer as a result of the changes made to this Section by Public Act 94-4.

(4) The increase in the required State contribution resulting from the changes made to this Section by Public Act 94-1057.

(k) The Illinois Community College Board shall adopt rules for recommending lists of promotional positions submitted to the Board by community colleges and for reviewing the promotional lists on an annual basis. When recommending promotional lists, the Board shall consider the similarity of the positions submitted to those positions recognized for State universities by the State Universities Civil Service System. The Illinois Community College Board shall file a copy of its findings with the System. The System shall consider the findings of the Illinois Community College Board when making determinations under this Section. The System shall not exclude any earnings increases resulting from a promotion when the promotion was not submitted by a community college. Nothing in this subsection (k) shall require any community college to submit any information to the Community College Board.

(l) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(m) For purposes of determining the required State contribution to the system for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the system's actuarially assumed rate of return.

New Funds by Number with Statutory Language

Fund Number 0800 Illinois EMS Scholarship and Training Fund

Chapter 0625 **Act** 0005 **Section** 3-684 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$1,320

Administering Agency: Secretary of State **Total Revenue FY12:** \$156

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from registration and renewal fees assessed for special license plates. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for scholarship and training grants.

Statutory Language:

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary of State, may issue special registration plates designated to be Illinois EMS Memorial Scholarship and Training license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division, motor vehicles of the second division weighing not more than 8,000 pounds, recreational vehicles as defined in Section 1-169 of this Code, and subject to the staggered registration system. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates shall be wholly within the discretion of the Secretary of State. The Secretary of State may, in his or her discretion, allow the plates to be issued as vanity plates or personalized in accordance with Section 3-405.1 of this Code. The plates are not required to designate "Land of Lincoln", as prescribed in subsection (b) of Section 3-412 of this Code. The Secretary of State shall prescribe stickers or decals as provided under Section 3-412.

(c) An applicant shall be charged a \$27 fee for original issuance in addition to the applicable registration fee. Of this additional fee, \$15 shall be deposited into the Secretary of State Special License Plate Fund and \$12 shall be deposited into the Illinois EMS Memorial Scholarship and Training Fund. For each registration renewal period, a \$17 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$2 shall be deposited into the Secretary of State Special License Plate Fund and \$15 shall be deposited into the Illinois EMS Memorial Scholarship and Training Fund.

(d) The Illinois EMS Memorial Scholarship and Training Fund is created as a special fund in the State treasury. All money in the Illinois EMS Memorial Scholarship and Training Fund shall, subject to appropriation by the General Assembly and distribution by the Secretary of State, as grants to the EMS Memorial Scholarship and Training Council, a not-for-profit corporation, for the purposes (i) of providing scholarships for graduate study, undergraduate study, or both, to children and spouses of emergency medical services (EMS) personnel killed in the course of their employment, and (ii) for grants for the training of EMS personnel.

Fund Number 0803 International Brotherhood of Teamsters Fund

Chapter 0625 **Act** 0005 **Section** 3-687 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$50

Administering Agency: Secretary of State **Total Revenue FY12:** \$25

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from registration and renewal fees assessed for special license plates. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to the Teamsters Joint Council 25 Charitable Trust.

Statutory Language:

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as International Brotherhood of Teamsters license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division, motor vehicles of the second division weighing not more than 8,000 pounds and recreational vehicles as defined by Section 1-169 of this Code. Plates

New Funds by Number with Statutory Language

issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary of State. Appropriate documentation, as determined by the Secretary, shall accompany the application. The Secretary, in his or her discretion, may allow the plates to be issued as vanity or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a \$40 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$25 shall be deposited into the International Brotherhood of Teamsters Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$25 shall be deposited into the International Brotherhood of Teamsters Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The International Brotherhood of Teamsters Fund is created as a special fund in the State treasury. All money in the International Brotherhood of Teamsters Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary of State, as grants to the Teamsters Joint Council 25 Charitable Trust, an independent organization established and registered as a tax exempt entity under Section 501(c)(3) of the Internal Revenue Code, for religious, charitable, scientific, literary, and educational purposes.

Fund Number	0804	United Auto Workers' Fund
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Chapter	0625	Act	0005	Section	3-685	Fund Type:	Appropriated
Fund Group:	Special State Fund					Total Revenue FY11:	\$0
Administering Agency:	Secretary of State					Total Revenue FY12:	\$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from registration and renewal fees assessed for special license plates. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants for charitable purposes sponsored by Illinois local unions affiliated with the United Auto Workers.

Statutory Language:

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as United Auto Workers license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary. Appropriate documentation, as determined by the Secretary, shall accompany each application. The Secretary may allow the plates to be issued as vanity plates or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a \$25 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$10 shall be deposited into the United Auto Workers' Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$23 shall be deposited into the United Auto Workers' Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The United Auto Workers' Fund is created as a special fund in the State treasury. All moneys in the United Auto Workers' Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to charitable entities designated by Illinois local unions affiliated with the United Auto Workers.

New Funds by Number with Statutory Language

Fund Number 0805 Pre-Need Funeral Consumer Protection Fund

Chapter 0225 **Act** 0045 **Section** 1a-2 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$83,565

Administering Agency: Comptroller **Total Revenue FY12:** \$88,297

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees associated with the selling of pre-need funeral contracts. Monies in the Fund may be expended for the purposes provided for in 225 ILCS 45/1a-2 (b) and to purchase insurance to cover losses guaranteed by the Fund.

Statutory Language:

(a) Each licensee shall pay a fee of \$5 out of the funds received for each pre-need contract sold and shall forward this sum to the Comptroller semi-annually within 30 days of the end of June and December. Fees collected under this Section shall be deposited into the Pre-need Funeral Consumer Protection Fund, which is hereby created as a special fund in the State treasury. Moneys in the Fund may be expended for the purposes specified in subsection (b) and to purchase insurance to cover losses guaranteed by the Fund.

(b) In the event that the purchaser is unable to receive the benefits of his or her pre-need contract or to receive the funds due by reason of cancellation of the contract, the purchaser may apply to the Comptroller on a form prescribed by the Comptroller for restitution from the Pre-need Funeral Consumer Protection Fund. Upon a finding by the Comptroller that the benefits or return of payment is not available to the purchaser, the Comptroller may cause restitution to be paid to the purchaser from the Pre-need Funeral Consumer Protection Fund.

(c) In all such cases where a purchaser is paid restitution from the Fund, the Comptroller shall be subrogated to that purchaser's claims against the licensee for all amounts paid from the Fund. If the licensee's liability for default is subsequently proven, any award made by a court of law shall be made payable to the Pre-need Funeral Consumer Protection Fund up to the amount paid to the purchaser from the Fund and the Comptroller shall request that the Attorney General engage in all reasonable post-judgment collection steps to collect such claims from the judgment debtor and reimburse the Fund.

(d) The Fund shall not be applied toward any restitution for losses in any lawsuit initiated by the Attorney General or Comptroller or with respect to any claim made on a pre-need contract that occurred prior to the effective date of this amendatory Act of the 96th General Assembly.

(e) Notwithstanding any other provision of this Section, the payment of restitution from the Fund shall be a matter of grace and not of right and no purchaser shall have any vested right in the Fund as a beneficiary or otherwise.

(f) The Fund may not be allocated for any purpose other than that specified in this Act.

Fund Number 0806 Ex-Offender Fund

Chapter 0020 **Act** 0605 **Section** 605-416 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Commerce and Economic Opportunity **Total Revenue FY12:** \$0

Fund Purpose: Monies in the Fund are to be used for the support of the Ex-Offender Business Ownership Grant and Loan Program. The purpose of the Program is to provide low interest loans to ex-offenders in order to start and operate their own businesses.

Statutory Language:

(a) The Department of Commerce and Economic Opportunity may establish an ex-offender business ownership grant and loan program. Funding for this program shall come from the Ex-Offender Fund. The Department shall provide grants to organizations and entities that work with ex-offenders and facilitate the reentry of ex-offenders into society. Organizations

New Funds by Number with Statutory Language

wishing to participate in the program must present an application to the Department in order to receive funding.

(b) Funding distributed from the Ex-Offender Fund may be used only for the following purposes:

(1) For the awarding of grants to organizations and entities to provide low interest loans to ex-offenders so that these individuals may start and operate their own businesses that have a positive impact on society. The maximum amount of a loan funded by a grant under this Section that an ex-offender may receive is \$5,000.

(2) For the awarding of grants to entities or organizations assisting ex-offenders, so that individual ex-offenders may develop business plans to start up their own businesses. These grants are to be used for the sole purpose of acquiring a business plan developed by a credible source. In order to receive these grants, qualified ex-offenders must submit an application and provide 50% of the cost to develop the business plan.

(3) For the administration costs of the program.

(c) For purposes of this Section, "qualified ex-offender" means any person who:

(1) is an eligible offender, as defined under Section 5-5.5-5 of the Unified Code of Corrections;

(2) was sentenced to a period of incarceration in an Illinois adult correctional center; and

(3) presents an application and a professional business plan to the organization or entity that is making the loan.

Fund Number 0807 Corn Commodity Trust Fund

Chapter	0505	Act	0040	Section	8	Fund Type: Non-Appropriated
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Fund Group: State Trust Fund	Total Revenue FY11: \$0
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Administering Agency: Agriculture	Total Revenue FY12: \$5,000
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Fund Purpose: The purpose of the Fund is to receive and record monies from deposits associated with proposed corn marketing programs or amendments to help defray referendum costs.

Statutory Language:

Prior to the consideration of any proposed corn marketing program or amendment, the Director may require the sponsors therefor to deposit with him such funds, not to exceed \$5,000, as may be necessary to defray the expenses of preparing, holding hearings and conducting the referendum on such corn marketing program or amendment. Any funds received by the Director shall be deposited with the State Treasurer as ex-officio custodian and held by him separate and apart from any other public moneys of this State in a trust fund designated as the Corn Commodity Trust Fund and disbursed only upon a voucher or order issued by the Director and paid by a warrant drawn by the State comptroller and countersigned by the State Treasurer. The Director shall order disbursements from the Corn Commodity Trust Fund only for payment of the expenses authorized by this Act. Any funds collected beyond actual expenses shall be reimbursed to the sponsors. The Treasurer of the corn marketing board shall reimburse the sponsors in the amount of the deposit, less any refunds, from fees received under such program if such program is established.

Fund Number 0809 Transportation Development Partnership Trust Fund

Chapter	0030	Act	0177	Section	5	Fund Type: Non-Appropriated
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Fund Group: State Trust Fund	Total Revenue FY11: \$0
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Administering Agency: Transportation	Total Revenue FY12: \$0
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Fund Purpose: The purpose of the Fund is to receive and record monies obtained from taxes and penalties applicable under the County Option Motor Fuel Tax and Special County Retailers' Occupation Tax for Public Safety or Transportation. Monies in the Fund are to be used for transportation related projects.

Statutory Language:

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Transportation Development Partnership Trust Fund. The Transportation Development Partnership Trust Fund is created as a trust fund in the State treasury. The State Treasurer shall be the custodian of the Fund. If a county or an entity created by an intergovernmental agreement between 2 or more counties elects to participate under Section 5-1035.1 or 5-1006.5 of the Counties Code or designates funds by ordinance, the Department of Revenue shall transfer to the State Treasurer all or a portion of the taxes and penalties collected under the Special County Retailers Occupation Tax For Public Safety or Transportation and under the County Option Motor Fuel Tax or the funds designated by the county or entity by ordinance into the Transportation Development Partnership Trust Fund. The Department of Transportation shall maintain a separate account for each participating county or entity within the Fund. The Department of Transportation shall administer the Fund.

Moneys in the Fund shall be used for transportation-related projects. The Department of Transportation and participating counties or entities may, at the Secretary's discretion under agency procedures, enter into an intergovernmental agreement. The agreement shall at a minimum:

- (1) Describe the project to be constructed from the Department of Transportation's Multi-Year Highway Improvement Program.
- (2) Provide that an eligible project cost a minimum of \$5,000,000.
- (3) Provide that the county or entity must raise a significant percentage, no less than the amount contributed by the State, of required federal matching funds.
- (4) Provide that the Secretary of Transportation must certify that the county or entity has transferred the required moneys to the Fund and the certification shall be transmitted to each county or entity no more than 30 days after the final deposit is made.
- (5) Provide for the repayment, without interest, to the county or entity of the moneys contributed by the county or entity to the Fund, less 10% of the aggregate funds contributed as matching funds and as federal funds.
- (6) Provide that the repayment of the moneys contributed by the county or the entity shall be made by the Department of Transportation no later than 10 years after the certification by the Secretary of Transportation that the money has been deposited by the county or entity into the Fund.

Fund Number 0810 2-1-1 Account Fund

Chapter	0020	Act	1335	Section	50	Fund Type: Appropriated
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Fund Group: Special State Fund	Total Revenue FY11: \$0
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Administering Agency: Human Services	Total Revenue FY12: \$0
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Fund Purpose: The purpose of the Fund is to receive and record monies obtained from appropriations, the federal government, earnings from monies in the Fund, gifts and grants. Monies in the Fund may be expended, pursuant to General Assembly appropriation, for grants to the lead entity as provided for by the 2-1-1 Service Act. "2-1-1" is created as the official State dialing code for public access to information and referral for health and human services and information about access to services after a natural or non-natural disaster.

Statutory Language:

The 2-1-1 Account Fund is established in the State treasury and is separate and distinct from the General Revenue Fund. All moneys received by the Department for the 2-1-1 system under this Section shall be deposited into the Fund and may be spent only pursuant to appropriation to the Department for grants to the lead entity to use pursuant to Section 55 of this Act. The 2-1-1 Account Fund consists of the following:

- (1) Money appropriated to the Fund by the General Assembly.
- (2) Funds received from the federal government for the support of 2-1-1 services in this State.
- (3) Earnings attributable to money in the Fund.
- (4) Money received from any other source for deposit into the Fund, including gifts and grants.

New Funds by Number with Statutory Language

Fund Number 0813 Trucking Environmental and Education Fund

Chapter 0625 **Act** 0005 **Section** 11-1429 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Environmental Protection Agency **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fines and penalties assessed in accordance with Section 10 of the Illinois Vehicle Code. Monies in the Fund may be expended, pursuant to General Assembly appropriation, to educate the trucking industry on air pollution preventative measures related to idling.

Statutory Language:

- (a) The purpose of this law is to protect public health and the environment by reducing emissions while conserving fuel and maintaining adequate rest and safety of all drivers of diesel vehicles.
- (b) As used in this Section, "affected areas" means the counties of Cook, DuPage, Lake, Kane, McHenry, Will, Madison, St. Clair, and Monroe and the townships of Aux Sable and Goose Lake in Grundy County and the township of Oswego in Kendall County.
- (c) A person that operates a motor vehicle operating on diesel fuel in an affected area may not cause or allow the motor vehicle, when it is not in motion, to idle for more than a total of 10 minutes within any 60 minute period, except under the following circumstances:
 - (1) the motor vehicle has a Gross Vehicle Weight Rating of less than 8,000 pounds;
 - (2) the motor vehicle idles while forced to remain motionless because of on-highway traffic, an official traffic control device or signal, or at the direction of a law enforcement official;
 - (3) the motor vehicle idles when operating defrosters, heaters, air conditioners, or other equipment solely to prevent a safety or health emergency;
 - (4) a police, fire, ambulance, public safety, other emergency or law enforcement motor vehicle, or any motor vehicle used in an emergency capacity, idles while in an emergency or training mode and not for the convenience of the vehicle operator;
 - (5) the primary propulsion engine idles for maintenance, servicing, repairing, or diagnostic purposes if idling is necessary for such activity;
 - (6) a motor vehicle idles as part of a government inspection to verify that all equipment is in good working order, provided idling is required as part of the inspection;
 - (7) when idling of the motor vehicle is required to operate auxiliary equipment to accomplish the intended use of the vehicle (such as loading, unloading, mixing, or processing cargo; controlling cargo temperature; construction operations; lumbering operations; oil or gas well servicing; or farming operations), provided that this exemption does not apply when the vehicle is idling solely for cabin comfort or to operate non-essential equipment such as air conditioning, heating, microwave ovens, or televisions;
 - (8) an armored motor vehicle idles when a person remains inside the vehicle to guard the contents, or while the vehicle is being loaded or unloaded;
 - (9) a bus idles a maximum of 15 minutes in any 60 minute period to maintain passenger comfort while non-driver passengers are on board;
 - (10) if the motor vehicle has a sleeping berth, when the operator is occupying the vehicle during a rest or sleep period and idling of the vehicle is required to operate air conditioning or heating;
 - (11) when the motor vehicle idles due to mechanical difficulties over which the operator has no control;
 - (12) the motor vehicle is used as airport ground support equipment, including, but not limited to, motor vehicles operated on the air side of the airport terminal to service or supply aircraft;
 - (13) the motor vehicle is (i) a bus owned by a public transit authority and (ii) being operated on a designated bus route or on a street or highway between designated bus routes for the provision of public transportation;
 - (14) the motor vehicle is an implement of husbandry exempt from registration under subdivision A(2) of Section 3-402 of this Code;
 - (15) the motor vehicle is owned by an electric utility and is operated for electricity generation or hydraulic pressure to

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power equipment necessary in the restoration, repair, modification or installation of electric utility service; or

(16) the outdoor temperature is less than 32 degrees Fahrenheit or greater than 80 degrees Fahrenheit.

(d) When the outdoor temperature is 32 degrees Fahrenheit or higher and 80 degrees Fahrenheit or lower, a person who operates a motor vehicle operating on diesel fuel in an affected area may not cause or allow the motor vehicle to idle for a period greater than 30 minutes in any 60 minute period while waiting to weigh, load, or unload cargo or freight, unless the vehicle is in a line of vehicles that regularly and periodically moves forward.

(e) This Section does not prohibit the operation of an auxiliary power unit or generator set as an alternative to idling the main engine of a motor vehicle operating on diesel fuel.

(f) This Section does not apply to the owner of a motor vehicle rented or leased to another entity or person operating the vehicle.

(g) Any person convicted of any violation of this Section is guilty of a petty offense and shall be fined \$90 for the first conviction and \$500 for a second or subsequent conviction within any 12 month period.

(h) Fines; distribution. All fines and all penalties collected under this Section shall be deposited in the State Treasury and shall be distributed as follows: (i) \$50 for the first conviction and \$150 for a second or subsequent conviction within any 12 month period under this Section shall be deposited into the State's General Revenue Fund; (ii) \$20 for the first conviction and \$262.50 for a second or subsequent conviction within any 12 month period under this Section shall be distributed to the law enforcement agency that issued the citation; and (iii) \$20 for the first conviction and \$87.50 for a second or subsequent conviction within any 12 month period under this Section shall be deposited into the Trucking Environmental and Education Fund.

(i) The Trucking Environmental and Education Fund is created as a special fund in the State Treasury. All money deposited into the Trucking Environmental and Education Fund shall be paid, subject to appropriation by the General Assembly, to the Illinois Environmental Protection Agency for the purpose of educating the trucking industry on air pollution and preventative measures specifically related to idling. Any interest earned on deposits into the Fund shall remain in the Fund and be used for the purposes set forth in this subsection. Notwithstanding any other law to the contrary, the Fund is not subject to administrative charges or charge-backs that would in any way transfer moneys from the Fund into any other fund of the State.

Fund Number	0814	Metropolitan Pier and Exposition Authority Incentive Fund
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Chapter	0070	Act	0210	Section	5(1)	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$0
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Administering Agency: Commerce and Economic Opportunity	Total Revenue FY12:	\$0
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Fund Purpose: Monies in the Fund are to be expended for reimbursements to the Metropolitan Pier and Exposition Authority for incentives awarded by the Authority to attract large conventions, meetings and trade shows to its facilities.

Statutory Language:

(l) To provide incentives to organizations and entities that agree to make use of the grounds, buildings, and facilities of the Authority for conventions, meetings, or trade shows. The incentives may take the form of discounts from regular fees charged by the Authority, subsidies for or assumption of the costs incurred with respect to the convention, meeting, or trade show, or other inducements. The Authority shall award incentives to attract large conventions, meetings, and trade shows to its facilities under the terms set forth in this subsection (l) from amounts appropriated to the Authority from the Metropolitan Pier and Exposition Authority Incentive Fund for this purpose.

No later than May 15 of each year, the Chief Executive Officer of the Metropolitan Pier and Exposition Authority shall certify to the State Comptroller and the State Treasurer the amounts of incentive grant funds used during the current fiscal year to provide incentives for conventions, meetings, or trade shows that (i) have been approved by the Authority, in consultation with an organization meeting the qualifications set out in Section 5.6 of this Act, provided the Authority has entered into a marketing agreement with such an organization, (ii) demonstrate registered attendance in excess of 5,000 individuals or in excess of 10,000 individuals, as appropriate, and (iii) but for the incentive, would not have used the facilities of the Authority for the convention, meeting, or trade show. The State Comptroller may request that the Auditor General conduct an audit of the accuracy of the certification. If the State Comptroller determines by this process of

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certification that incentive funds, in whole or in part, were disbursed by the Authority by means other than in accordance with the standards of this subsection (l), then any amount transferred to the Metropolitan Pier and Exposition Authority Incentive Fund shall be reduced during the next subsequent transfer in direct proportion to that amount determined to be in violation of the terms set forth in this subsection (l).

On July 15, 2012, the Comptroller shall order transferred, and the Treasurer shall transfer, into the Metropolitan Pier and Exposition Authority Incentive Fund from the General Revenue Fund the sum of \$7,500,000 plus an amount equal to the incentive grant funds certified by the Chief Executive Officer as having been lawfully paid under the provisions of this Section in the previous 2 fiscal years that have not otherwise been transferred into the Metropolitan Pier and Exposition Authority Incentive Fund, provided that transfers in excess of \$15,000,000 shall not be made in any fiscal year.

On July 15, 2013, the Comptroller shall order transferred, and the Treasurer shall transfer, into the Metropolitan Pier and Exposition Authority Incentive Fund from the General Revenue Fund the sum of \$7,500,000 plus an amount equal to the incentive grant funds certified by the Chief Executive Officer as having been lawfully paid under the provisions of this Section in the previous fiscal year that have not otherwise been transferred into the Metropolitan Pier and Exposition Authority Incentive Fund, provided that transfers in excess of \$15,000,000 shall not be made in any fiscal year.

On July 15, 2014, and every year thereafter, the Comptroller shall order transferred, and the Treasurer shall transfer, into the Metropolitan Pier and Exposition Authority Incentive Fund from the General Revenue Fund an amount equal to the incentive grant funds certified by the Chief Executive Officer as having been lawfully paid under the provisions of this Section in the previous fiscal year that have not otherwise been transferred into the Metropolitan Pier and Exposition Authority Incentive Fund, provided that transfers in excess of \$15,000,000 shall not be made in any fiscal year.

After a transfer has been made under this subsection (l), the Chief Executive Officer shall file a request for payment with the Comptroller evidencing that the incentive grants have been made and the Comptroller shall thereafter order paid, and the Treasurer shall pay, the requested amounts to the Metropolitan Pier and Exposition Authority.

In no case shall more than \$5,000,000 be used in any one year by the Authority for incentives granted conventions, meetings, or trade shows with a registered attendance of more than 5,000 and less than 10,000. Amounts in the Metropolitan Pier and Exposition Authority Incentive Fund shall only be used by the Authority for incentives paid to attract large conventions, meetings, and trade shows to its facilities as provided in this subsection (l).

Fund Number	0816	Money Laundering Asset Recovery Fund
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Chapter	0720	Act	0005	Section	29B-1(h)(6)(C)	Fund Type:	Appropriated
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Fund Group: Special State Fund	Total Revenue FY11:	\$1,779,328
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Administering Agency: State Police	Total Revenue FY12:	\$1,367,930
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Fund Purpose: The purpose of the Fund is to receive and record monies and sales proceeds distributed to the Department of State Police pursuant to Section 1(h)(6)(C) of the Money Laundering section of the Criminal Code of 2012. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for State law enforcement purposes.

Statutory Language:

(6) All monies and the sale proceeds of all other property forfeited and seized under this Article shall be distributed as follows:

(A) 65% shall be distributed to the metropolitan enforcement group, local, municipal, county, or State law enforcement agency or agencies which conducted or participated in the investigation resulting in the forfeiture. The distribution shall bear a reasonable relationship to the degree of direct participation of the law enforcement agency in the effort resulting in the forfeiture, taking into account the total value of the property forfeited and the total law enforcement effort with respect to the violation of the law upon which the forfeiture is based. Amounts distributed to the agency or agencies shall be used for the enforcement of laws.

(B)(i) 12.5% shall be distributed to the Office of the State's Attorney of the county in which the prosecution resulting in the forfeiture was instituted, deposited in a special fund in the county treasury and appropriated to the State's Attorney for use in the enforcement of laws. In counties over 3,000,000 population, 25% shall be distributed to the Office of the State's Attorney for use in the enforcement of laws. If the prosecution is undertaken solely by the Attorney General, the portion provided hereunder shall be distributed to the Attorney General for use in the enforcement of laws.

New Funds by Number with Statutory Language

(ii) 12.5% shall be distributed to the Office of the State's Attorneys Appellate Prosecutor and deposited in the Narcotics Profit Forfeiture Fund of that office to be used for additional expenses incurred in the investigation, prosecution and appeal of cases arising under laws. The Office of the State's Attorneys Appellate Prosecutor shall not receive distribution from cases brought in counties with over 3,000,000 population.

(C) 10% shall be retained by the Department of State Police for expenses related to the administration and sale of seized and forfeited property.

Moneys and the sale proceeds distributed to the Department of State Police under this Article shall be deposited in the Money Laundering Asset Recovery Fund created in the State treasury and shall be used by the Department of State Police for State law enforcement purposes.

Fund Number 0817 State Police Operations Assistance Fund

Chapter	0030	Act	0105	Section	6z-82	Fund Type:	Appropriated
Fund Group:	Special State Fund				Total Revenue FY11:	\$7,587,531	
Administering Agency:	State Police				Total Revenue FY12:	\$12,299,183	

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from revenues in accordance with the Clerks of the Court Act, grants, donations and investment income. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, to finance lawful purposes or functions of the Department of State Police.

Statutory Language:

(a) There is created in the State treasury a special fund known as the State Police Operations Assistance Fund. The Fund shall receive revenue pursuant to Section 27.3a of the Clerks of Courts Act. The Fund may also receive revenue from grants, donations, appropriations, and any other legal source.

(b) The Department of State Police may use moneys in the Fund to finance any of its lawful purposes or functions.

(c) Expenditures may be made from the Fund only as appropriated by the General Assembly by law.

(d) Investment income that is attributable to the investment of moneys in the Fund shall be retained in the Fund for the uses specified in this Section.

(e) The State Police Operations Assistance Fund shall not be subject to administrative chargebacks.

(f) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2012, and until June 30, 2013, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of State Police, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the State Police Operations Assistance Fund from the designated funds not exceeding the following totals:

State Police Vehicle Fund.....	\$2,250,000
State Police Wireless Service Emergency Fund.....	\$2,500,000
State Police Services Fund.....	\$3,500,000

Fund Number 0822 Fire Station Revolving Loan Fund

Chapter	0020	Act	3501	Section	825-81	Fund Type:	Appropriated
Fund Group:	Special State Fund				Total Revenue FY11:	\$0	
Administering Agency:	Illinois Finance Authority				Total Revenue FY12:	\$0	

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from appropriations, transfers, interest income and loan repayment monies. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for construction or expansion of fire stations.

Statutory Language:

New Funds by Number with Statutory Language

(a) The Authority and the State Fire Marshal may jointly administer a fire station revolving loan program. The program shall, in instances where sufficient loan funds exist to permit applications to be accepted, provide zero-interest and low-interest loans for the construction, rehabilitation, remodeling, or expansion of a fire station or the acquisition of land for the construction or expansion of a fire station by a fire department, a fire protection district, or a township fire department. Once the program receives funding, the Authority shall make loans based on need, as determined by the State Fire Marshal.

(b) The loan funds, subject to appropriation, may be paid out of the Fire Station Revolving Loan Fund, a special fund in the State treasury. The Fund may consist of any moneys transferred or appropriated into the Fund, as well as all repayments of loans made under the program. Once the program receives funding, the Fund may be used for loans to fire departments and fire protection districts to construct, rehabilitate, remodel, or expand fire stations or acquire land for the construction or expansion of fire stations and for no other purpose. All interest earned on moneys in the Fund shall be deposited into the Fund. As soon as practical after the effective date of this amendatory Act of the 97th General Assembly, all moneys in the Fire Station Revolving Loan Fund shall be paid by the State Fire Marshal to the Authority, and, on and after the effective date of this amendatory Act of the 97th General Assembly, all future moneys deposited into the Fire Station Revolving Loan Fund under this Section shall be paid by the State Fire Marshal to the Authority under the continuing appropriation provision of subsection (b-1) of this Section; provided that the Authority and the State Fire Marshal enter into an intergovernmental agreement to use the moneys paid by the State Fire Marshal to the Authority from the Fund solely for the purposes for which the moneys would otherwise be used under this Section and to set forth procedures to otherwise administer the use of the moneys.

(b-1) There is hereby appropriated, on a continuing annual basis in each fiscal year, from the Fire Station Revolving Loan Fund, the amount, if any, of funds received into the Fire Station Revolving Loan Fund to the State Fire Marshal for payment to the Authority for the purposes for which the moneys would otherwise be used under this Section.

(c) A loan under the program may not exceed \$2,000,000 to any fire department or fire protection district. The repayment period for the loan may not exceed 25 years. The fire department or fire protection district shall repay each year at least 4% of the principal amount borrowed or the remaining balance of the loan, whichever is less. All repayments of loans shall be deposited into the Fire Station Revolving Loan Fund.

(d) The Authority and the State Fire Marshal may adopt rules in accordance with the Illinois Administrative Procedure Act to administer the program.

Fund Number	0824	Commodity Trust Fund
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Chapter	0505	Act	0130	Section	18	Fund Type: Non-Appropriated
Fund Group:	State Trust Fund				Total Revenue FY11:	\$0
Administering Agency:	Agriculture				Total Revenue FY12:	\$0

Fund Purpose: The purpose of the Fund is to receive and record monies from sponsoring organizations and individuals within the soybean industry for expenses of preparing, holding hearings and conducting a referendum on soybean marketing programs and amendments.

Statutory Language:

Any funds received by the Director under Section 9 of this Act shall be deposited with the State Treasurer as ex-officio custodian and held by him separate and apart from any other public moneys of this State in a trust fund designated as the Commodity Trust Fund and disbursed only upon a voucher or order issued by the Director and paid by a warrant drawn by the State Comptroller and countersigned by the State Treasurer. The Director shall order disbursement from the Commodity Trust Fund only for payment of the expenses authorized by this Act.

Persons who collect marketing program assessment funds pursuant to Sections 16 or 20 of this Act shall remit such funds to the program operating board which shall deposit such in an account to be used as authorized by the marketing program.

New Funds by Number with Statutory Language

Fund Number 0829 Community Association Manager Licensing and Disciplinary Fund

Chapter 0225 **Act** 0427 **Section** 65 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Financial and Professional Regulation **Total Revenue FY12:** \$378,370

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from testing fees and licensure, renewal and restoration fees. Monies in the Fund are to be disbursed for costs associated with administering the Community Association Manager Licensing and Disciplinary Act.

Statutory Language:

(Section scheduled to be repealed on January 1, 2020)

Sec. 65. Fees; Community Association Manager Licensing and Disciplinary Fund.

(a) The fees for the administration and enforcement of this Act, including, but not limited to, initial licensure, renewal, and restoration, shall be set by rule of the Department. The fees shall be nonrefundable.

(b) In addition to the application fee, applicants for the examination are required to pay, either to the Department or the designated testing service, a fee covering the cost of determining an applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application and fee for examination have been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the fee.

(c) To support the costs of administering this Act, all community associations that (i) are subject to this Act by having 10 or more units, (ii) retain an individual to provide services as a community association manager for compensation, (iii) are not master associations under Section 18.5 of the Condominium Property Act or the Common Interest Community Association Act, and (iv) are registered in this State as not-for-profit corporations shall pay to the Department an annual fee of \$50 plus an additional \$1 per unit, but shall not exceed an annual fee of \$1,000 for any community association. The Department may establish forms and promulgate any rules for the effective collection of such fees under this subsection (c).

Any not-for-profit corporation in this State that fails to pay in full to the Department all fees owed under this subsection (c) shall be subject to the penalties and procedures provided for under Section 92 of this Act.

(d) All fees, fines, penalties, or other monies received or collected pursuant to this Act shall be deposited in the Community Association Manager Licensing and Disciplinary Fund.

Fund Number 0832 21st Century Workforce Development Fund

Chapter 0030 **Act** 0787 **Section** 5 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Commerce and Economic Opportunity **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from appropriations, capital projects, federal funds, gifts, grants, private contributions and earnings attributable to monies in the Fund. Monies in the Fund are to be disbursed through competitive grantmaking processes administered by the Department of Commerce and Economic Opportunity.

Statutory Language:

Sec. 5. The 21st Century Workforce Development Fund. The 21st Century Workforce Development Fund is created as a special fund in the State Treasury. The Fund shall be administered by the Department of Commerce and Economic Opportunity ("the Department"), in consultation with other appropriate State agencies, and overseen by the 21st Century Workforce Development Fund Advisory Committee ("the Advisory Committee"). There shall be credited to the Fund any moneys specifically designated for deposit into the Fund, including State appropriations, set asides from public expenditures

New Funds by Number with Statutory Language

on capital projects, federal funds, gifts, grants, and private contributions. Earnings attributable to moneys in the fund shall be deposited into the fund.

Sec. 10. Purpose. The purpose of the 21st Century Workforce Development Fund is to promote the State's interest in the creation and maintenance of a diverse and skilled workforce for the economic development of the State. The Fund is intended to support integrated, innovative, and emergency workforce development strategies that promote local economic development and a continuum of workforce and education strategies, including workforce development activities to prepare individuals for occupations in the energy efficiency and renewable energy industries, as well as other occupations that are created or transformed by the implementation of policy to reduce greenhouse gas emissions, to prevent and remediate pollution, and to promote energy-efficient, healthy, and lead-safe homes in Illinois.

Fund Number 0833 Cemetery Relief Fund

Chapter 0225 **Act** 0411 **Section** 25-75 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Financial and Professional Regulation **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from deposits from the Cemetery Oversight Licensing and Disciplinary Fund as well as any earned income. Monies in the Fund may be expended for grants to units of local government and not-for-profit cemetery authorities.

Statutory Language:

(Section scheduled to be repealed on January 1, 2021)

Sec. 25-75. Cemetery Relief Fund.

(a) A special income-earning fund is hereby created in the State treasury, known as the Cemetery Relief Fund.

(b) Beginning on July 1, 2011, and occurring on an annual basis every year thereafter, three percent of the moneys in the Cemetery Oversight Licensing and Disciplinary Fund shall be transferred into the Cemetery Relief Fund.

(c) All monies transferred into the fund together with all accumulated undistributed income thereon shall be held as a special fund in the State treasury. The fund shall be used solely for the purpose of providing grants to units of local government and not-for-profit organizations, including, but not limited to, not-for-profit cemetery authorities, to clean up cemeteries that have been abandoned, neglected, or are otherwise in need of additional care.

(d) The grant program shall be administered by the Department.

(e) In the event there is a structural surplus in the Cemetery Oversight Licensing and Disciplinary Fund, the Department may expend moneys out of the Cemetery Oversight Licensing and Disciplinary Fund for the purposes described in subsection (c) of this Section.

Fund Number 0836 Illinois Power Agency Renewable Energy Resources Fund

Chapter 0020 **Act** 3855 **Section** 1-56 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$7,148,262

Administering Agency: Illinois Power Agency **Total Revenue FY12:** \$12,316,245

Fund Purpose: The purpose of the Fund is to procure renewable energy resources.

Statutory Language:

(a) The Illinois Power Agency Renewable Energy Resources Fund is created as a special fund in the State treasury.

(b) The Illinois Power Agency Renewable Energy Resources Fund shall be administered by the Agency to procure renewable energy resources. Prior to June 1, 2011, resources procured pursuant to this Section shall be procured from

New Funds by Number with Statutory Language

facilities located in Illinois, provided the resources are available from those facilities. If resources are not available in Illinois, then they shall be procured in states that adjoin Illinois. If resources are not available in Illinois or in states that adjoin Illinois, then they may be purchased elsewhere. Beginning June 1, 2011, resources procured pursuant to this Section shall be procured from facilities located in Illinois or states that adjoin Illinois. If resources are not available in Illinois or in states that adjoin Illinois, then they may be procured elsewhere. To the extent available, at least 75% of these renewable energy resources shall come from wind generation. Of the renewable energy resources procured pursuant to this Section at least the following specified percentages shall come from photovoltaics on the following schedule: 0.5% by June 1, 2012; 1.5% by June 1, 2013; 3% by June 1, 2014; and 6% by June 1, 2015 and thereafter. Of the renewable energy resources procured pursuant to this Section, at least the following percentages shall come from distributed renewable energy generation devices: 0.5% by June 1, 2013, 0.75% by June 1, 2014, and 1% by June 1, 2015 and thereafter. To the extent available, half of the renewable energy resources procured from distributed renewable energy generation shall come from devices of less than 25 kilowatts in nameplate capacity. Renewable energy resources procured from distributed generation devices may also count towards the required percentages for wind and solar photovoltaics. Procurement of renewable energy resources from distributed renewable energy generation devices shall be done on an annual basis through multi-year contracts of no less than 5 years, and shall consist solely of renewable energy credits.

The Agency shall create credit requirements for suppliers of distributed renewable energy. In order to minimize the administrative burden on contracting entities, the Agency shall solicit the use of third-party organizations to aggregate distributed renewable energy into groups of no less than one megawatt in installed capacity. These third-party organizations shall administer contracts with individual distributed renewable energy generation device owners. An individual distributed renewable energy generation device owner shall have the ability to measure the output of his or her distributed renewable energy generation device.

(c) The Agency shall procure renewable energy resources at least once each year in conjunction with a procurement event for electric utilities required to comply with Section 1-75 of the Act and shall, whenever possible, enter into long-term contracts on an annual basis for a portion of the incremental requirement for the given procurement year.

(d) The price paid to procure renewable energy credits using monies from the Illinois Power Agency Renewable Energy Resources Fund shall not exceed the winning bid prices paid for like resources procured for electric utilities required to comply with Section 1-75 of this Act.

(e) All renewable energy credits procured using monies from the Illinois Power Agency Renewable Energy Resources Fund shall be permanently retired.

(f) The procurement process described in this Section is exempt from the requirements of the Illinois Procurement Code, pursuant to Section 20-10 of that Code.

(g) All disbursements from the Illinois Power Agency Renewable Energy Resources Fund shall be made only upon warrants of the Comptroller drawn upon the Treasurer as custodian of the Fund upon vouchers signed by the Director or by the person or persons designated by the Director for that purpose. The Comptroller is authorized to draw the warrant upon vouchers so signed. The Treasurer shall accept all warrants so signed and shall be released from liability for all payments made on those warrants.

(h) The Illinois Power Agency Renewable Energy Resources Fund shall not be subject to sweeps, administrative charges, or chargebacks, including, but not limited to, those authorized under Section 8h of the State Finance Act, that would in any way result in the transfer of any funds from this Fund to any other fund of this State or in having any such funds utilized for any purpose other than the express purposes set forth in this Section.

Fund Number 0837 Administration Fund - The Illinois State Chamber of Commerce v. Filan

Chapter	Act	Section	Fund Type:	Non-Appropriated
Fund Group:	State Trust Fund		Total Revenue FY11:	\$1,003,000
Administering Agency:	State Treasurer		Total Revenue FY12:	\$0
Fund Purpose:	The purpose of the Fund is to receive and record monies obtained from the Protest Fund as specified in the case of The Illinois State Chamber of Commerce v. Filan, and to account for the administrative expenses associated with the Case. Monies in the Fund may be expended for the cost of notice, attorney's fees and expenses.			

New Funds by Number with Statutory Language

Statutory Language:

[Directed by Court Order.]

Fund Number 0842 Local Government Video Gaming Distributive Fund

Chapter 0230 **Act** 0040 **Section** 75 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Revenue **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from taxes imposed on net terminal income collected by the State Gaming Board. Monies in the Fund are to be used for disbursements to counties and municipalities.

Statutory Language:

Revenue sharing; Local Government Video Gaming Distributive Fund.

(a) As soon as may be after the first day of each month, the Department of Revenue shall allocate among those municipalities and counties of this State that have not prohibited video gaming pursuant to Section 27 or Section 70 the amount available in the Local Government Video Gaming Distributive Fund, a special fund in the State Treasury, as provided in Section 60. The Department shall then certify such allocations to the State Comptroller, who shall pay over to those eligible municipalities and counties the respective amounts allocated to them. The amount of such funds allocable to each such municipality and county shall be in proportion to the tax revenue generated from video gaming within the eligible municipality or county compared to the tax revenue generated from video gaming Statewide.

(b) The amounts allocated and paid to a municipality or county of this State pursuant to the provisions of this Section may be used for any general corporate purpose authorized for that municipality or county.

(c) Upon determination by the Department that an amount has been paid pursuant to this Section in excess of the amount to which the county or municipality receiving such payment was entitled, the county or municipality shall, upon demand by the Department, repay such amount. If such repayment is not made within a reasonable time, the Department shall withhold from future payments an amount equal to such overpayment. The Department shall redistribute the amount of such payment to the county or municipality entitled thereto.

Fund Number 0843 Court of Claims Federal Recovery Victim Compensation Grant Fund

Chapter 0030 **Act** 0105 **Section** 6p-8 **Fund Type:** Appropriated

Fund Group: Federal Trust Fund **Total Revenue FY11:** \$2,215,573

Administering Agency: Court of Claims **Total Revenue FY12:** \$835,150

Fund Purpose: The purpose of this Fund is to receive and record monies obtained from federal grants from the U.S. Department of Justice. Monies in the Fund are to be expended on claims pursuant to the Crime Victims Compensation Act.

Statutory Language:

Court of Claims Federal Recovery Victim Compensation Grant Fund. The Court of Claims Federal Recovery Victim Compensation Grant Fund is created as a special fund in the State treasury. The Fund shall consist of federal Victims of Crime Act grant funds awarded to the Court of Claims from the U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime for the payment of claims pursuant to the Crime Victims Compensation Act (740 ILCS 45/). All moneys in the Fund shall be used for payment of claims pursuant to the Crime Victims Compensation Act (740 ILCS 45/). The General Assembly may appropriate moneys from the Court of Claims Federal Recovery Victim Compensation Grant Fund to the Court of Claims for the purpose of payment of claims pursuant to the Crime Victims Compensation Act (740

New Funds by Number with Statutory Language

ILCS 45/).

Fund Number 0846 State Police Streetgang-Related Crime Fund

Chapter 0030 **Act** 0105 **Section** 8p **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$285

Administering Agency: State Police **Total Revenue FY12:** \$1,216

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from monies collected under Section 5-9-1.19 of the Unified Code of Corrections. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for operations and initiatives to combat and prevent streetgang-related crime.

Statutory Language:

(a) The State Police Streetgang-Related Crime Fund is created as a special fund in the State treasury.

(b) All moneys collected and payable to the Department of State Police under Section 5-9-1.19 of the Unified Code of Corrections shall be deposited into the State Police Streetgang-Related Crime Fund and shall be appropriated to and administered by the Department of State Police for operations and initiatives to combat and prevent streetgang-related crime.

(c) The State Police Streetgang-Related Crime Fund shall not be subject to administrative chargebacks.

Fund Number 0847 Claims Fund - Illinois Chamber of Commerce v. Filan

Chapter **Act** **Section** **Fund Type:** Non-Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$3,300,000

Administering Agency: State Treasurer **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from the fund transfers as specified in the Settlement Agreement.

Statutory Language:

[Directed by Court Order.]

Fund Number 0848 Settlement Fund - Illinois Chamber of Commerce v. Filan

Chapter **Act** **Section** **Fund Type:** Non-Appropriated

Fund Group: State Trust Fund **Total Revenue FY11:** \$44,000,000

Administering Agency: State Treasurer **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from the fund transfers as specified in the Settlement Agreement.

Statutory Language:

[Directed by Court Order.]

New Funds by Number with Statutory Language

Fund Number 0852 State's Attorneys Appellate Prosecutor Anti-Corruption Fund

Chapter 0005 **Act** 0283 **Section** 10(g)(3), 10(h) **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: State's Attorneys Appellate Prosecutor **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from sales proceeds from property forfeited and seized pursuant to the Public Corruption Profit Forfeiture Act. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for expenses incurred in prosecuting appeals arising under the Act.

Statutory Language:

(g) All monies and the sale proceeds of all other property forfeited and seized pursuant to this Act shall be distributed as follows:

(1) An amount equal to 50% shall be distributed to the unit of local government or other law enforcement agency whose officers or employees conducted the investigation into a violation of any of the offenses listed in clauses (1) through (4) of subsection (a) of this Section and caused the arrest or arrests and prosecution leading to the forfeiture. Amounts distributed to units of local government and law enforcement agencies shall be used for enforcement of laws governing public corruption, or for other law enforcement purposes. In the event, however, that the investigation, arrest or arrests and prosecution leading to the forfeiture were undertaken solely by a State agency, the portion provided hereunder shall be paid into the State Asset Forfeiture Fund in the State treasury to be used by that State agency in accordance with law. If the investigation, arrest or arrests and prosecution leading to the forfeiture were undertaken by the Attorney General, the portion provided hereunder shall be paid into the Attorney General's Whistleblower Reward and Protection Fund in the State treasury to be used by the Attorney General in accordance with law.

(2) An amount equal to 12.5% shall be distributed to the county in which the prosecution resulting in the forfeiture was instituted, deposited in a special fund in the county treasury and appropriated to the State's Attorney for use in accordance with law. If the prosecution was conducted by the Attorney General, then the amount provided under this subsection shall be paid into the Attorney General's Whistleblower Reward and Protection Fund in the State treasury to be used by the Attorney General in accordance with law.

(3) An amount equal to 12.5% shall be distributed to the Office of the State's Attorneys Appellate Prosecutor and deposited in the State's Attorneys Appellate Prosecutor Anti-Corruption Fund, to be used by the Office of the State's Attorneys Appellate Prosecutor for additional expenses incurred in prosecuting appeals arising under this Act. Any amounts remaining in the Fund after all additional expenses have been paid shall be used by the Office to reduce the participating county contributions to the Office on a prorated basis as determined by the board of governors of the Office of the State's Attorneys Appellate Prosecutor based on the populations of the participating counties. If the appeal is to be conducted by the Attorney General, then the amount provided under this subsection shall be paid into the Attorney General's Whistleblower Reward and Protection Fund in the State treasury to be used by the Attorney General in accordance with law.

(4) An amount equal to 25% shall be paid into the State Asset Forfeiture Fund in the State treasury to be used by the Department of State Police for the funding of the investigation of public corruption activities. Any amounts remaining in the Fund after full funding of such investigations shall be used by the Department in accordance with law to fund its other enforcement activities.

(h) All moneys deposited pursuant to this Act in the State Asset Forfeiture Fund shall, subject to appropriation, be used by the Department of State Police in the manner set forth in this Section. All moneys deposited pursuant to this Act in the Attorney General's Whistleblower Reward and Protection Fund shall, subject to appropriation, be used by the Attorney General for State law enforcement purposes and for the performance of the duties of that office. All moneys deposited pursuant to this Act in the State's Attorneys Appellate Prosecutor Anti-Corruption Fund shall, subject to appropriation, be used by the Office of the State's Attorneys Appellate Prosecutor in the manner set forth in this Section.

New Funds by Number with Statutory Language

Fund Number 0854 Share the Road Fund

Chapter 0625 **Act** 0005 **Section** 3-689 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$17,170

Administering Agency: Secretary of State **Total Revenue FY12:** \$12,631

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees assessed for the issuance and renewal of special license plates. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to educate bicyclists and motorists on how to legally and more safely share the roadways.

Statutory Language:

(a) In addition to any other special license plate, the Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary of State, may issue Share the Road license plates. The special Share the Road plate issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the staggered multi-year procedure established by Section 3-414.1 of this Code.

(b) The design, color, and format of the plates shall be wholly within the discretion of the Secretary of State. Appropriate documentation, as determined by the Secretary, must accompany each application. The Secretary, in his or her discretion, shall approve and prescribe stickers or decals as provided under Section 3-412.

(c) An applicant for the special plate shall be charged a \$22 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$17 shall be deposited into the Share the Road Fund and \$5 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs. For each registration renewal period, a \$22 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$20 shall be deposited into the Share the Road Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Share the Road Fund is created as a special fund in the State treasury. All money in the Share the Road Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to the League of Illinois Bicyclists, a not for profit corporation, for educational programs instructing bicyclists and motorists how to legally and more safely share the roadways.

Fund Number 0856 Employment of Illinois Workers on Public Works Projects Fund

Chapter 0030 **Act** 0570 **Section** 7.10 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Labor **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from civil penalties associated with the Employment of Illinois Workers On Public Works Act. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for the administration, investigation and other costs incurred pursuant to the purposes of the Act.

Statutory Language:

All moneys received by the Department as civil penalties under this Act shall be deposited into the Employment of Illinois Workers on Public Works Projects Fund and shall be used, subject to appropriation by the General Assembly, by the Department for administration, investigation, and other expenses incurred in carrying out its powers and duties under this Act. The Department shall hire as many investigators and other personnel as may be necessary to carry out the purposes of this Act. Any moneys in the Fund at the end of a fiscal year in excess of those moneys necessary for the Department to carry out its powers and duties under this Act shall be available for appropriation to the Department for the next fiscal year for any

New Funds by Number with Statutory Language

of the Department's duties.

Fund Number 0857 U.S. Department of Education Jobs Program Federal Trust Fund

Chapter 0005 **Act** 0220 **Section** 3 **Fund Type:** Non-Appropriated

Fund Group: Federal Trust Fund **Total Revenue FY11:** \$285,058,795

Administering Agency: State Board of Education **Total Revenue FY12:** \$114,856,717

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from the federal government for the purpose of providing assistance to States to save or create education jobs for 2010-2011 school year.

Statutory Language:

Intergovernmental cooperation. Any power or powers, privileges, functions, or authority exercised or which may be exercised by a public agency of this State may be exercised, combined, transferred, and enjoyed jointly with any other public agency of this State and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States do not prohibit joint exercise or enjoyment and except where specifically and expressly prohibited by law. This includes, but is not limited to, (i) arrangements between the Illinois Student Assistance Commission and agencies in other states which issue professional licenses and (ii) agreements between the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) and public agencies for the establishment and enforcement of child support orders and for the exchange of information that may be necessary for the enforcement of those child support orders.

Fund Number 0864 Farmers' Market Technology Improvement Fund

Chapter 0305 **Act** 0043 **Section** 10 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Human Services **Total Revenue FY12:** \$0

Fund Purpose: The purpose of the Fund is to receive and record all monies received pursuant to the Farmers' Market Technology Improvement Program Act. Monies in the Fund are to be expended for the purchase or rental of wireless point of sale terminals, fees and outreach to LINK program participants.

Statutory Language:

(a) The Department of Human Services and the Department of Agriculture shall implement a Farmers' Market Technology Improvement Program. The purpose of this program is to increase access to fresh fruits and vegetables and other LINK eligible food products, including quality meat and dairy, for all Illinois residents by allowing LINK program participants to redeem their SNAP benefits at farmers' markets. The Department of Human Services and the Department of Agriculture shall solicit federal and State funding for the purpose of implementing this program.

(b) The Farmers' Market Technology Improvement Fund is created as a special fund in the State Treasury for the purpose of implementing the Farmers' Market Technology Improvement Program. All monies received pursuant to this Act shall be deposited into the Farmers' Market Technology Improvement Fund. Funding for the program must be used for one or more of the following purposes:

(1) The purchase or rental of wireless point of sale terminals capable of processing SNAP benefits disbursed under the LINK program.

(2) Monthly or transaction fees associated with LINK card transactions. No fees related to credit or debit transactions will be reimbursed.

(3) Outreach to LINK program participants.

New Funds by Number with Statutory Language

Fund Number 0867 Fraternal Order of Police Fund

Chapter 0625 **Act** 0005 **Section** 3-691 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Secretary of State **Total Revenue FY12:** \$5,566

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from issuance and renewal fees associated with the purchase of special license plates. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to the Illinois Fraternal Order of Police.

Statutory Language:

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Illinois Fraternal Order of Police license plates to residents of Illinois who are members in good standing of the Fraternal Order of Police-Illinois State Lodge and meet other eligibility requirements prescribed by the Secretary of State. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds, and recreational vehicles, as defined by Section 1-169 of this Code. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary, except that the Illinois Fraternal Order of Police emblem shall appear on the plates. The Secretary may allow the plates to be issued as vanity plates or personalized under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code. The plates are not required to designate "Land of Lincoln" as prescribed in subsection (b) of Section 3-412 of this Code. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code.

(c) An applicant for the special plate shall be charged a \$25 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$10 shall be deposited into the Fraternal Order of Police Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$25 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$23 shall be deposited into the Fraternal Order of Police Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Fraternal Order of Police Fund is created as a special fund in the State treasury. All money in the Fraternal Order of Police Fund shall be paid, subject to appropriation, as grants to the Illinois Fraternal Order of Police to increase the efficiency and professionalism of law enforcement officers in Illinois, to educate the public about law enforcement issues, to more firmly establish the public confidence in law enforcement, to create partnerships with the public, and to honor the service of law enforcement officers dedicated to the protection of life and property.

Fund Number 0874 Illinois Route 66 Fund

Chapter 0030 **Act** 0105 **Section** 6z-76 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Commerce and Economic Opportunity **Total Revenue FY12:** \$14,561

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from income tax check-off contributions. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to promote statewide tourism.

Statutory Language:

New Funds by Number with Statutory Language

The Illinois Route 66 Fund is created as a special fund in the State treasury. Subject to appropriation, the Fund shall be used by the Department of Commerce and Economic Opportunity to make grants to not-for-profit corporations that have a statewide impact on Illinois Route 66 and that maintain, improve, or repair Historic Route 66 in Illinois. Grant moneys may be used for tourism promotion, matching grant funds, project development and implementation, grants to units of local government, and rehabilitation of historic structures.

Fund Number 0877 Habitat for Humanity Fund

Chapter 0030 **Act** 0105 **Section** 6z-84 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Human Services **Total Revenue FY12:** \$60,532

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from income tax check-off contributions. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to Habitat for Humanity of Illinois, Inc.

Statutory Language:

The Habitat for Humanity Fund is created as a special fund in the State treasury. Moneys in the Fund shall be appropriated to the Department of Human Services for the purpose of making grants to Habitat for Humanity of Illinois, Inc., for the purpose of supporting Habitat for Humanity projects in Illinois.

Fund Number 0880 Disabled Veterans Property Tax Relief Fund

Chapter 0030 **Act** 0105 **Section** 6z-83 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Veterans Affairs **Total Revenue FY12:** \$69,861

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from income tax check-off contributions. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for property tax relief for disabled veterans.

Statutory Language:

The Disabled Veterans Property Tax Relief Fund is created as a special fund in the State treasury. Subject to appropriation, moneys in the Fund shall be used by the Department of Veterans' Affairs for the purpose of providing property tax relief to disabled veterans. The Department of Veterans' Affairs may adopt rules to implement this Section.

Fund Number 0881 Green Manufacturing Grant Fund

Chapter 0020 **Act** 0605 **Section** 605-524 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$0

Administering Agency: Commerce and Economic Opportunity **Total Revenue FY12:** \$0

Fund Purpose: Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to manufacturers with 500 or fewer employees for the cost of capital equipment that will reduce environmental impact and achieve cost savings.

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Statutory Language:

- (a) The Department shall administer the Green Manufacturing Grant Fund, a special fund in the State treasury, to make grants, subject to appropriation, to manufacturers with 500 or fewer employees toward the cost of capital equipment that will reduce environmental impact and achieve cost savings.
- (b) The Department shall make grants only for projects that meet guidelines established by the Department by rule. In establishing those guidelines, the Department shall consult recognized standards and guidelines for green manufacturing.
- (c) The funds may be used for the following purposes:
- (1) improving air quality and reducing emissions and pollution;
 - (2) reducing solid waste disposal in landfills and disposal costs;
 - (3) reducing water use, effluent disposal, and associated costs;
 - (4) reusing, recovering, and recycling waste materials or removing toxic materials from products; and
 - (5) developing, expanding, or retooling a manufacturing facility to produce renewable energy or energy efficiency products or components.
- (d) Grants made under this Section must not exceed \$250,000 per manufacturer.
- (e) The Department shall adopt any rules necessary to implement and operate this program.

Fund Number	0885	Wage Theft Enforcement Fund
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Chapter	0820	Act	0115	Section	14	Fund Type:	Appropriated
Fund Group:	Special State Fund					Total Revenue FY11:	\$0
Administering Agency:	Labor					Total Revenue FY12:	\$19,250

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees and civil penalties associated with the Illinois Wage Payment and Collection Act. Monies in the Fund are to be expended for the purposes of the Act.

Statutory Language:

(a) Any employee not timely paid wages, final compensation, or wage supplements by his or her employer as required by this Act shall be entitled to recover through a claim filed with the Department of Labor or in a civil action, but not both, the amount of any such underpayments and damages of 2% of the amount of any such underpayments for each month following the date of payment during which such underpayments remain unpaid. In a civil action, such employee shall also recover costs and all reasonable attorney's fees.

(a-5) In addition to the remedies provided in subsections (a), (b), and (c) of this Section, any employer or any agent of an employer, who, being able to pay wages, final compensation, or wage supplements and being under a duty to pay, willfully refuses to pay as provided in this Act, or falsely denies the amount or validity thereof or that the same is due, with intent to secure for himself or other person any underpayment of such indebtedness or with intent to annoy, harass, oppress, hinder, delay or defraud the person to whom such indebtedness is due, upon conviction, is guilty of:

- (1) for unpaid wages, final compensation or wage supplements in the amount of \$5,000 or less, a Class B misdemeanor; or
- (2) for unpaid wages, final compensation or wage supplements in the amount of more than \$5,000, a Class A misdemeanor.

Each day during which any violation of this Act continues shall constitute a separate and distinct offense.

Any employer or any agent of an employer who violates this Section of the Act a subsequent time within 2 years of a prior criminal conviction under this Section is guilty, upon conviction, of a Class 4 felony.

(b) Any employer who has been demanded or ordered by the Department or ordered by the court to pay wages, final compensation, or wage supplements due an employee shall be required to pay a non-waivable administrative fee of \$250 to the Department of Labor. Any employer who has been so demanded or ordered by the Department or ordered by a court to pay such wages, final compensation, or wage supplements and who fails to seek timely review of such a demand or order as provided for under this Act and who fails to comply within 15 calendar days after such demand or within 35 days of an administrative or court order is entered shall also be liable to pay a penalty to the Department of Labor of 20% of the amount found owing and a penalty to the employee of 1% per calendar day of the amount found owing for each day of delay in

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paying such wages to the employee. All moneys recovered as fees and civil penalties under this Act, except those owing to the affected employee, shall be deposited into the Wage Theft Enforcement Fund, a special fund which is hereby created in the State treasury. Moneys in the Fund may be used only for enforcement of this Act.

(b-5) Penalties and fees under this Section may be assessed by the Department and recovered in a civil action brought by the Department in any circuit court or in any administrative adjudicative proceeding under this Act. In any such civil action or administrative adjudicative proceeding under this Act, the Department shall be represented by the Attorney General.

(c) Any employer, or any agent of an employer, who discharges or in any other manner discriminates against any employee because that employee has made a complaint to his employer, to the Director of Labor or his authorized representative, in a public hearing, or to a community organization that he or she has not been paid in accordance with the provisions of this Act, or because that employee has caused to be instituted any proceeding under or related to this Act, or because that employee has testified or is about to testify in an investigation or proceeding under this Act, is guilty, upon conviction, of a Class C misdemeanor. An employee who has been unlawfully retaliated against shall be entitled to recover through a claim filed with the Department of Labor or in a civil action, but not both, all legal and equitable relief as may be appropriate. In a civil action, such employee shall also recover costs and all reasonable attorney's fees.

Fund Number 0891 Foreclosure Prevention Program Fund

Chapter 0020 **Act** 3805 **Section** 7.30 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$2,703,256

Administering Agency: Illinois Housing Development Authority **Total Revenue FY12:** \$3,903,695

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees associated with the filing of foreclosure complaints on residential real estate. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to counseling agencies, community-based programs and outreach programs.

Statutory Language:

Foreclosure Prevention Program.

(a) The Authority shall establish and administer a Foreclosure Prevention Program. The Authority shall use moneys in the Foreclosure Prevention Program Fund, and any other funds appropriated for this purpose, to make grants to (i) approved counseling agencies for approved housing counseling and (ii) approved community-based organizations for approved foreclosure prevention outreach programs. The Authority shall promulgate rules to implement this Program and may adopt emergency rules as soon as practicable to begin implementation of the Program.

(b) Subject to appropriation, the Authority shall make grants from the Foreclosure Prevention Program Fund derived from fees paid as specified in subsection (a) of Section 15-1504.1 of the Code of Civil Procedure as follows:

(1) 25% of the moneys in the Fund shall be used to make grants to approved counseling agencies that provide services in Illinois outside of the City of Chicago. Grants shall be based upon the number of foreclosures filed in an approved counseling agency's service area, the capacity of the agency to provide foreclosure counseling services, and any other factors that the Authority deems appropriate.

(2) 25% of the moneys in the Fund shall be distributed to the City of Chicago to make grants to approved counseling agencies located within the City of Chicago for approved housing counseling or to support foreclosure prevention counseling programs administered by the City of Chicago.

(3) 25% of the moneys in the Fund shall be used to make grants to approved community-based organizations located outside of the City of Chicago for approved foreclosure prevention outreach programs.

(4) 25% of the moneys in the Fund shall be used to make grants to approved community-based organizations located within the City of Chicago for approved foreclosure prevention outreach programs, with priority given to programs that provide door-to-door outreach.

(b-1) Subject to appropriation, the Authority shall make grants from the Foreclosure Prevention Program Fund derived from fees paid as specified in paragraph (1) of subsection (a-5) of Section 15-1504.1 of the Code of Civil Procedure, as follows:

(1) 30% shall be used to make grants for approved housing counseling in Cook County outside of the City of Chicago;

(2) 25% shall be used to make grants for approved housing counseling in the City of Chicago;

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(3) 30% shall be used to make grants for approved housing counseling in DuPage, Kane, Lake, McHenry, and Will Counties; and

(4) 15% shall be used to make grants for approved housing counseling in Illinois in counties other than Cook, DuPage, Kane, Lake, McHenry, and Will Counties provided that grants to provide approved housing counseling to borrowers residing within these counties shall be based (i) proportionately on the amount of fees paid to the respective clerks of the courts within these counties and (ii) on any other factors that the Authority deems appropriate.

(b-5) As used in this Section:

"Approved community-based organization" means a not-for-profit entity that provides educational and financial information to residents of a community through in-person contact. "Approved community-based organization" does not include a not-for-profit corporation or other entity or person that provides legal representation or advice in a civil proceeding or court-sponsored mediation services, or a governmental agency.

"Approved foreclosure prevention outreach program" means a program developed by an approved community-based organization that includes in-person contact with residents to provide (i) pre-purchase and post-purchase home ownership counseling, (ii) education about the foreclosure process and the options of a mortgagor in a foreclosure proceeding, and (iii) programs developed by an approved community-based organization in conjunction with a State or federally chartered financial institution.

"Approved counseling agency" means a housing counseling agency approved by the U.S. Department of Housing and Urban Development.

"Approved housing counseling" means in-person counseling provided by a counselor employed by an approved counseling agency to all borrowers, or documented telephone counseling where a hardship would be imposed on one or more borrowers. A hardship shall exist in instances in which the borrower is confined to his or her home due to a medical condition, as verified in writing by a physician, or the borrower resides 50 miles or more from the nearest approved counseling agency. In instances of telephone counseling, the borrower must supply all necessary documents to the counselor at least 72 hours prior to the scheduled telephone counseling session.

(c) (Blank).

Fund Number	0892	Abandoned Residential Property Municipality
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Chapter	0020	Act	3805	Section	7.31	Fund Type:	Appropriated
Fund Group:	Special State Fund				Total Revenue FY11:	\$41,929	
Administering Agency:	Illinois Housing Development Authority				Total Revenue FY12:	\$134,996	

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees associated with the sale of residential real estate. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for distribution to municipalities to assist with removal costs and securing and enclosing costs.

Statutory Language:

Abandoned Residential Property Municipality Relief Program.

(a) The Authority shall establish and administer an Abandoned Residential Property Municipality Relief Program. The Authority shall use moneys in the Abandoned Residential Property Municipality Relief Fund, and any other funds appropriated for this purpose, to make grants to municipalities and to counties to assist with costs incurred by the municipality or county for: cutting of neglected weeds or grass, trimming of trees or bushes, and removal of nuisance bushes or trees; extermination of pests or prevention of the ingress of pests; removal of garbage, debris, and graffiti; boarding up, closing off, or locking windows or entrances or otherwise making the interior of a building inaccessible to the general public; surrounding part or all of an abandoned residential property's underlying parcel with a fence or wall or otherwise making part or all of the abandoned residential property's underlying parcel inaccessible to the general public; demolition of abandoned residential property; and repair or rehabilitation of abandoned residential property, as approved by the Authority under the Program. For purposes of this subsection (a), "pests" has the meaning ascribed to that term in subsection (c) of Section 11-20-8 of the Illinois Municipal Code. The Authority shall promulgate rules for the administration, operation, and maintenance of the Program and may adopt emergency rules as soon as practicable to begin implementation of the Program.

(b) Subject to appropriation, the Authority shall make grants from the Abandoned Residential Property Municipality

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Relief Fund derived from fees paid as specified in paragraph (1) of subsection (a-5) of Section 15-1504.1 of the Code of Civil Procedure as follows:

- (1) 30% of the moneys in the Fund shall be used to make grants to municipalities other than the City of Chicago in Cook County and to Cook County;
- (2) 25% of the moneys in the Fund shall be used to make grants to the City of Chicago;
- (3) 30% of the moneys in the Fund shall be used to make grants to municipalities in DuPage, Kane, Lake, McHenry and Will Counties, and to those counties; and
- (4) 15% of the moneys in the Fund shall be used to make grants to municipalities in Illinois in counties other than Cook, DuPage, Kane, Lake, McHenry, and Will Counties, and to counties other than Cook, DuPage, Kane, Lake, McHenry, and Will Counties. Grants distributed to the municipalities and counties identified in this paragraph (4) shall be based (i) proportionately on the amount of fees paid to the respective clerks of the courts within these counties and (ii) on any other factors that the Authority deems appropriate.

Fund Number	0895	Soil and Water Conservation District Fund
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Chapter	0625	Act	0005	Section	3-692	Fund Type:	Appropriated
Fund Group: Special State Fund						Total Revenue FY11:	\$0
Administering Agency: Secretary of State						Total Revenue FY12:	\$0

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from issuance and renewal fees associated with the purchase of special license plates. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to Illinois soil and water conservation districts for projects that conserve and restore soil and water in Illinois.

Statutory Language:

- (a) In addition to any other special license plate, the Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary of State, may issue Soil and Water Conservation District license plates. The special Soil and Water Conservation District plate issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the staggered multi-year procedure established by Section 3-414.1 of this Code.
- (b) The design, color, and format of the plates shall be wholly within the discretion of the Secretary of State. Appropriate documentation, as determined by the Secretary, must accompany each application. The Secretary, in his or her discretion, shall approve and prescribe stickers or decals as provided under Section 3-412.
- (c) An applicant for the special plate shall be charged a \$40 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$25 shall be deposited into the Soil and Water Conservation District Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs. For each registration renewal period, a \$27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$25 shall be deposited into the Soil and Water Conservation District Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.
- (d) The Soil and Water Conservation District Fund is created as a special fund in the State treasury. All money in the Soil and Water Conservation District Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to Illinois soil and water conservation districts for projects that conserve and restore soil and water in Illinois. All interest earned on moneys in the Fund shall be deposited into the Fund. The Fund shall not be subject to administrative charges or chargebacks, such as but not limited to those authorized under Section 8h of the State Finance Act.

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Fund Number 0899 St. Jude Children's Research Fund

Chapter 0625 **Act** 0005 **Section** 3-690 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$852

Administering Agency: Secretary of State **Total Revenue FY12:** \$2,407

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees assessed for the issuance and renewal of special license plates. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to St. Jude Children's Research Hospital for pediatric treatment and research.

Statutory Language:

(a) In addition to any other special license plate, the Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary of State, may issue St. Jude Children's Research Hospital license plates. The special St. Jude Children's Research Hospital plate issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the staggered multi-year procedure established by Section 3-414.1 of this Code.

(b) The design, color, and format of the plates shall be wholly within the discretion of the Secretary of State. Appropriate documentation, as determined by the Secretary, must accompany each application. The Secretary, in his or her discretion, shall approve and prescribe stickers or decals as provided under Section 3-412.

(c) An applicant for the special plate shall be charged a \$40 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$25 shall be deposited into the St. Jude Children's Research Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs. For each registration renewal period, a \$27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$25 shall be deposited into the St. Jude Children's Research Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The St. Jude Children's Research Fund is created as a special fund in the State treasury. All money in the St. Jude Children's Research Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to St. Jude Children's Research Hospital for pediatric treatment and research. All interest earned on moneys in the Fund shall be deposited into the Fund. The Fund shall not be subject to administrative charges or chargebacks, such as but not limited to those authorized under Section 8h of the State Finance Act.

Fund Number 0915 4-H Fund

Chapter 0625 **Act** 0005 **Section** 3-694 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$4,450

Administering Agency: Secretary of State **Total Revenue FY12:** \$3,125

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees assessed for the issuance and renewal of special license plates. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to the Illinois 4-H Foundation.

Statutory Language:

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as 4-H license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

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(b) The design and color of the plates is wholly within the discretion of the Secretary of State. Appropriate documentation, as determined by the Secretary, shall accompany the application. The Secretary, in his or her discretion, may allow the plates to be issued as vanity or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a \$40 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$25 shall be deposited into the 4-H Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$12 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$10 shall be deposited into the 4-H Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The 4-H Fund is created as a special fund in the State treasury. All money in the 4-H Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary of State, as grants to the Illinois 4-H Foundation, a tax exempt entity under Section 501(c)(3) of the Internal Revenue Code, for the funding of 4-H programs in Illinois.

Fund Number 0918 Ducks Unlimited Fund

Chapter 0625 **Act** 0005 **Section** 3-695 **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$5,725

Administering Agency: Secretary of State **Total Revenue FY12:** \$1,550

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from fees assessed for the issuance and renewal of special license plates. Monies in the Fund are to be expended, pursuant to General Assembly appropriation, for grants to wetland protection, enhancement and restoration projects in the State of Illinois.

Statutory Language:

(a) The Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue special registration plates designated as Ducks Unlimited license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary. Appropriate documentation, as determined by the Secretary, shall accompany each application. The Secretary may allow the plates to be issued as vanity plates or personalized plates under Section 3-405.1 of this Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a \$40 fee for original issuance in addition to the appropriate registration fee. Of this fee, \$25 shall be deposited into the Ducks Unlimited Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$27 fee, in addition to the appropriate registration fee, shall be charged. Of this fee, \$25 shall be deposited into the Ducks Unlimited Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

(d) The Ducks Unlimited Fund is created as a special fund in the State treasury. All moneys in the Ducks Unlimited Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to Ducks Unlimited, Inc., a tax exempt entity under Section 501(c)(3) of the Internal Revenue Code, to fund wetland protection, enhancement, and restoration projects in the State of Illinois, to fund education and outreach for media, volunteers, members, and the general public regarding waterfowl and wetlands conservation in the State of Illinois, and to cover the reasonable cost for Ducks Unlimited special plate advertising and administration of the wetland conservation projects and education program.

New Funds by Number with Statutory Language

Fund Number 0933 Convention Center Support Fund

Chapter	0070	Act	0210	Section	13(f)	Fund Type: Non-Appropriated	
Fund Group:	State Trust Fund					Total Revenue FY11:	\$1,655,519
Administering Agency:	Treasurer					Total Revenue FY12:	\$2,006,367

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from taxes, penalties and interest associated with providing ground transportation in the Chicago Metropolitan area. Monies in the Fund are to be expended for the repair, maintenance and improvement of the Donald E. Stephens Convention Center.

Statutory Language:

(f) By ordinance the Authority shall, as soon as practicable after the effective date of this amendatory Act of 1991, impose an occupation tax on all persons, other than a governmental agency, engaged in the business of providing ground transportation for hire to passengers in the metropolitan area at a rate of (i) \$4 per taxi or livery vehicle departure with passengers for hire from commercial service airports in the metropolitan area, (ii) for each departure with passengers for hire from a commercial service airport in the metropolitan area in a bus or van operated by a person other than a person described in item (iii): \$18 per bus or van with a capacity of 1-12 passengers, \$36 per bus or van with a capacity of 13-24 passengers, and \$54 per bus or van with a capacity of over 24 passengers, and (iii) for each departure with passengers for hire from a commercial service airport in the metropolitan area in a bus or van operated by a person regulated by the Interstate Commerce Commission or Illinois Commerce Commission, operating scheduled service from the airport, and charging fares on a per passenger basis: \$2 per passenger for hire in each bus or van. The term "commercial service airports" means those airports receiving scheduled passenger service and enplaning more than 100,000 passengers per year.

In the ordinance imposing the tax, the Authority may provide for the administration and enforcement of the tax and the collection of the tax from persons subject to the tax as the Authority determines to be necessary or practicable for the effective administration of the tax. The Authority may enter into agreements as it deems appropriate with any governmental agency providing for that agency to act as the Authority's agent to collect the tax.

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

All taxes, penalties, and interest collected under any ordinance adopted under this subsection, less any amounts determined to be necessary for the payment of refunds and less the taxes, penalties, and interest attributable to any increase in the rate of tax authorized by Public Act 96-898, shall be paid forthwith to the State Treasurer, ex officio, for deposit into a trust fund held outside the State Treasury and shall be administered by the State Treasurer as provided in subsection (g) of this Section. All taxes, penalties, and interest attributable to any increase in the rate of tax authorized by Public Act 96-898 shall be paid by the State Treasurer as follows: 25% for deposit into the Convention Center Support Fund, to be used by the Village of Rosemont for the repair, maintenance, and improvement of the Donald E. Stephens Convention Center and for debt service on debt instruments issued for those purposes by the village and 75% to the Authority to be used for grants to an organization meeting the qualifications set out in Section 5.6 of this Act, provided the Metropolitan Pier and Exposition Authority has entered into a marketing agreement with such an organization.

Fund Number 0941 MPEA Grants Fund

Chapter	0070	Act	0210	Section	13(f)	Fund Type: Non-Appropriated	
Fund Group:	State Trust Fund					Total Revenue FY11:	\$4,966,558
Administering Agency:	State Treasurer					Total Revenue FY12:	\$6,019,100

New Funds by Number with Statutory Language

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from taxes, penalties and interest attributable to any increase in the rate of tax authorized by 70 ILCS 210/13(f). Monies in the Fund are to be expended for grants to organizations meeting the qualifications set forth in section 5.6 of the Metropolitan Pier and Exposition Authority Act.

Statutory Language:

(f) By ordinance the Authority shall, as soon as practicable after the effective date of this amendatory Act of 1991, impose an occupation tax on all persons, other than a governmental agency, engaged in the business of providing ground transportation for hire to passengers in the metropolitan area at a rate of (i) \$4 per taxi or livery vehicle departure with passengers for hire from commercial service airports in the metropolitan area, (ii) for each departure with passengers for hire from a commercial service airport in the metropolitan area in a bus or van operated by a person other than a person described in item (iii): \$18 per bus or van with a capacity of 1-12 passengers, \$36 per bus or van with a capacity of 13-24 passengers, and \$54 per bus or van with a capacity of over 24 passengers, and (iii) for each departure with passengers for hire from a commercial service airport in the metropolitan area in a bus or van operated by a person regulated by the Interstate Commerce Commission or Illinois Commerce Commission, operating scheduled service from the airport, and charging fares on a per passenger basis: \$2 per passenger for hire in each bus or van. The term "commercial service airports" means those airports receiving scheduled passenger service and enplaning more than 100,000 passengers per year.

In the ordinance imposing the tax, the Authority may provide for the administration and enforcement of the tax and the collection of the tax from persons subject to the tax as the Authority determines to be necessary or practicable for the effective administration of the tax. The Authority may enter into agreements as it deems appropriate with any governmental agency providing for that agency to act as the Authority's agent to collect the tax.

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

All taxes, penalties, and interest collected under any ordinance adopted under this subsection, less any amounts determined to be necessary for the payment of refunds and less the taxes, penalties, and interest attributable to any increase in the rate of tax authorized by Public Act 96-898, shall be paid forthwith to the State Treasurer, ex officio, for deposit into a trust fund held outside the State Treasury and shall be administered by the State Treasurer as provided in subsection (g) of this Section. All taxes, penalties, and interest attributable to any increase in the rate of tax authorized by Public Act 96-898 shall be paid by the State Treasurer as follows: 25% for deposit into the Convention Center Support Fund, to be used by the Village of Rosemont for the repair, maintenance, and improvement of the Donald E. Stephens Convention Center and for debt service on debt instruments issued for those purposes by the village and 75% to the Authority to be used for grants to an organization meeting the qualifications set out in Section 5.6 of this Act, provided the Metropolitan Pier and Exposition Authority has entered into a marketing agreement with such an organization.

Fund Number 0958 Attorney General Sex Offender Awareness, Training and Education Fund

Chapter 0730 **Act** 0150 **Section** 3(c)(6) **Fund Type:** Appropriated

Fund Group: Special State Fund **Total Revenue FY11:** \$4,431

Administering Agency: Attorney General **Total Revenue FY12:** \$62,868

Fund Purpose: The purpose of the Fund is to receive and record monies obtained from registration and annual renewal fees for sex offenders. Monies in the Fund are to be expended by the Attorney General to administer the I-SORT program and to alert and educate the public, victims and witnesses of their rights under various notification laws. Monies in the Fund may also be expended for training law enforcement agencies, State's Attorneys and medical providers of their legal duties concerning the prosecution and investigation of sex offenses.

Statutory Language:

New Funds by Number with Statutory Language

(a) A sex offender, as defined in Section 2 of this Act, or sexual predator shall, within the time period prescribed in subsections (b) and (c), register in person and provide accurate information as required by the Department of State Police. Such information shall include a current photograph, current address, current place of employment, the sex offender's or sexual predator's telephone number, including cellular telephone number, the employer's telephone number, school attended, all e-mail addresses, instant messaging identities, chat room identities, and other Internet communications identities that the sex offender uses or plans to use, all Uniform Resource Locators (URLs) registered or used by the sex offender, all blogs and other Internet sites maintained by the sex offender or to which the sex offender has uploaded any content or posted any messages or information, extensions of the time period for registering as provided in this Article and, if an extension was granted, the reason why the extension was granted and the date the sex offender was notified of the extension. The information shall also include a copy of the terms and conditions of parole or release signed by the sex offender and given to the sex offender by his or her supervising officer, the county of conviction, license plate numbers for every vehicle registered in the name of the sex offender, the age of the sex offender at the time of the commission of the offense, the age of the victim at the time of the commission of the offense, and any distinguishing marks located on the body of the sex offender. A sex offender convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012 shall provide all Internet protocol (IP) addresses in his or her residence, registered in his or her name, accessible at his or her place of employment, or otherwise under his or her control or custody. If the sex offender is a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, the sex offender shall report to the registering agency whether he or she is living in a household with a child under 18 years of age who is not his or her own child, provided that his or her own child is not the victim of the sex offense. The sex offender or sexual predator shall register:

(1) with the chief of police in the municipality in which he or she resides or is temporarily domiciled for a period of time of 3 or more days, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in the county in which he or she resides or is temporarily domiciled for a period of time of 3 or more days in an unincorporated area or, if incorporated, no police chief exists.

If the sex offender or sexual predator is employed at or attends an institution of higher education, he or she shall also register:

(i) with:

(A) the chief of police in the municipality in which he or she is employed at or attends an institution of higher education, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(B) the sheriff in the county in which he or she is employed or attends an institution of higher education located in an unincorporated area, or if incorporated, no police chief exists; and

(ii) with the public safety or security director of the institution of higher education which he or she is employed at or attends.

The registration fees shall only apply to the municipality or county of primary registration, and not to campus registration.

For purposes of this Article, the place of residence or temporary domicile is defined as any and all places where the sex offender resides for an aggregate period of time of 3 or more days during any calendar year. Any person required to register under this Article who lacks a fixed address or temporary domicile must notify, in person, the agency of jurisdiction of his or her last known address within 3 days after ceasing to have a fixed residence.

A sex offender or sexual predator who is temporarily absent from his or her current address of registration for 3 or more days shall notify the law enforcement agency having jurisdiction of his or her current registration, including the itinerary for travel, in the manner provided in Section 6 of this Act for notification to the law enforcement agency having jurisdiction of change of address.

Any person who lacks a fixed residence must report weekly, in person, with the sheriff's office of the county in which he or she is located in an unincorporated area, or with the chief of police in the municipality in which he or she is located. The agency of jurisdiction will document each weekly registration to include all the locations where the person has stayed during the past 7 days.

The sex offender or sexual predator shall provide accurate information as required by the Department of State Police. That information shall include the sex offender's or sexual predator's current place of employment.

(a-5) An out-of-state student or out-of-state employee shall, within 3 days after beginning school or employment in this State, register in person and provide accurate information as required by the Department of State Police. Such information will include current place of employment, school attended, and address in state of residence. A sex offender convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012 shall provide all Internet protocol (IP) addresses in his or her residence, registered in his or her name, accessible at his or her place of

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employment, or otherwise under his or her control or custody. The out-of-state student or out-of-state employee shall register:

(1) with:

(A) the chief of police in the municipality in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(B) the sheriff in the county in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year in an unincorporated area or, if incorporated, no police chief exists; and

(2) with the public safety or security director of the institution of higher education he or she is employed at or attends for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during a calendar year.

The registration fees shall only apply to the municipality or county of primary registration, and not to campus registration.

The out-of-state student or out-of-state employee shall provide accurate information as required by the Department of State Police. That information shall include the out-of-state student's current place of school attendance or the out-of-state employee's current place of employment.

(a-10) Any law enforcement agency registering sex offenders or sexual predators in accordance with subsections (a) or (a-5) of this Section shall forward to the Attorney General a copy of sex offender registration forms from persons convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, including periodic and annual registrations under Section 6 of this Act.

(b) Any sex offender, as defined in Section 2 of this Act, or sexual predator, regardless of any initial, prior, or other registration, shall, within 3 days of beginning school, or establishing a residence, place of employment, or temporary domicile in any county, register in person as set forth in subsection (a) or (a-5).

(c) The registration for any person required to register under this Article shall be as follows:

(1) Any person registered under the Habitual Child Sex Offender Registration Act or the Child Sex Offender Registration Act prior to January 1, 1996, shall be deemed initially registered as of January 1, 1996; however, this shall not be construed to extend the duration of registration set forth in Section 7.

(2) Except as provided in subsection (c)(2.1) or (c)(4), any person convicted or adjudicated prior to January 1, 1996, whose liability for registration under Section 7 has not expired, shall register in person prior to January 31, 1996.

(2.1) A sex offender or sexual predator, who has never previously been required to register under this Act, has a duty to register if the person has been convicted of any felony offense after July 1, 2011. A person who previously was required to register under this Act for a period of 10 years and successfully completed that registration period has a duty to register if: (i) the person has been convicted of any felony offense after July 1, 2011, and (ii) the offense for which the 10 year registration was served currently requires a registration period of more than 10 years. Notification of an offender's duty to register under this subsection shall be pursuant to Section 5-7 of this Act.

(2.5) Except as provided in subsection (c)(4), any person who has not been notified of his or her responsibility to register shall be notified by a criminal justice entity of his or her responsibility to register. Upon notification the person must then register within 3 days of notification of his or her requirement to register. Except as provided in subsection (c)(2.1), if notification is not made within the offender's 10 year registration requirement, and the Department of State Police determines no evidence exists or indicates the offender attempted to avoid registration, the offender will no longer be required to register under this Act.

(3) Except as provided in subsection (c)(4), any person convicted on or after January 1, 1996, shall register in person within 3 days after the entry of the sentencing order based upon his or her conviction.

(4) Any person unable to comply with the registration requirements of this Article because he or she is confined, institutionalized, or imprisoned in Illinois on or after January 1, 1996, shall register in person within 3 days of discharge, parole or release.

(5) The person shall provide positive identification and documentation that substantiates proof of residence at the registering address.

(6) The person shall pay a \$100 initial registration fee and a \$100 annual renewal fee. The fees shall be used by the registering agency for official purposes. The agency shall establish procedures to document receipt and use of the funds. The law enforcement agency having jurisdiction may waive the registration fee if it determines that the person is indigent and unable to pay the registration fee. Thirty-five dollars for the initial registration fee and \$35 of the annual renewal fee shall be used by the registering agency for official purposes. Five dollars of the initial registration fee and \$5 of the annual fee shall be deposited into the Sex Offender Management Board Fund under Section 19 of the Sex Offender Management Board Act. Money deposited into the Sex Offender Management Board Fund shall be administered by the Sex Offender Management Board and shall be used by the Board to comply with the provisions of the Sex Offender Management Board Act. Thirty

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dollars of the initial registration fee and \$30 of the annual renewal fee shall be deposited into the Sex Offender Registration Fund and shall be used by the Department of State Police to maintain and update the Illinois State Police Sex Offender Registry. Thirty dollars of the initial registration fee and \$30 of the annual renewal fee shall be deposited into the Attorney General Sex Offender Awareness, Training, and Education Fund. Moneys deposited into the Fund shall be used by the Attorney General to administer the I-SORT program and to alert and educate the public, victims, and witnesses of their rights under various victim notification laws and for training law enforcement agencies, State's Attorneys, and medical providers of their legal duties concerning the prosecution and investigation of sex offenses.

(d) Within 3 days after obtaining or changing employment and, if employed on January 1, 2000, within 5 days after that date, a person required to register under this Section must report, in person to the law enforcement agency having jurisdiction, the business name and address where he or she is employed. If the person has multiple businesses or work locations, every business and work location must be reported to the law enforcement agency having jurisdiction.

BACKGROUND

The Commission on Government Forecasting and Accountability (CGFA), a bipartisan, joint legislative commission, provides the General Assembly with information relevant to the Illinois economy, taxes and other sources of revenue and debt obligations of the State. The Commission's specific responsibilities include:

- 1) Preparation of annual revenue estimates with periodic updates;
- 2) Analysis of the fiscal impact of revenue bills;
- 3) Preparation of State debt impact notes on legislation which would appropriate bond funds or increase bond authorization;
- 4) Periodic assessment of capital facility plans;
- 5) Annual estimates of public pension funding requirements and preparation of pension impact notes;
- 6) Annual estimates of the liabilities of the State's group health insurance program and approval of contract renewals promulgated by the Department of Central Management Services;
- 7) Administration of the State Facility Closure Act.

The Commission also has a mandate to report to the General Assembly ". . . on economic trends in relation to long-range planning and budgeting; and to study and make such recommendations as it deems appropriate on local and regional economic and fiscal policies and on federal fiscal policy as it may affect Illinois. . . ." This results in several reports on various economic issues throughout the year.

The Commission publishes several reports each year. In addition to a "Monthly Briefing", the Commission publishes the "Revenue Estimate and Economic Outlook" which describes and projects economic conditions and their impact on State revenues. The "Legislative Capital Plan Analysis" examines the State's capital appropriations plan and debt position. "The Financial Conditions of the Illinois Public Retirement Systems" provides an overview of the funding condition of the State's retirement systems. Also published are an Annual Fiscal Year "Budget Summary"; "Report on the Liabilities of the State Employees' Group Insurance Program"; and "Report of the Cost and Savings of the State Employees' Early Retirement Incentive Program". The Commission also publishes each year special topic reports that have or could have an impact on the economic well being of Illinois. All reports are available on the Commission's website.

These reports are available from:

Commission on Government Forecasting and Accountability
703 Stratton Office Building
Springfield, Illinois 62706
(217) 782-5320
(217) 782-3513 (FAX)

<http://cgfa.ilga.gov>