

AN ACT concerning State government.

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

Section 5. The State Employee Housing Act is amended by changing Sections 5-5, 5-15, 5-20, 5-25, 5-30, and 5-35 as follows:

(5 ILCS 412/5-5)

Sec. 5-5. Policy development. The Department of Corrections, the Department of Natural Resources ~~Historic Preservation Agency~~, the University of Illinois, and the University of Illinois Foundation shall each develop a policy on housing for State employees that addresses the following:

- (1) Purpose of providing housing.
- (2) Application procedures.
- (3) Eligibility.
- (4) Tenant selection criteria.
- (5) Accounting for housing in employee compensation.
- (6) Employee responsibilities that necessitate State-provided housing.
- (7) Procedures for setting and adjusting rent, security deposits, and utility payments.
- (8) Documented justification for State ownership of each house or property.

(Source: P.A. 97-916, eff. 8-9-12.)

(5 ILCS 412/5-15)

Sec. 5-15. Rental housing. The Department of Corrections, the Department of Natural Resources ~~Historic Preservation Agency~~, the Department of Transportation, the University of Illinois, and the University of Illinois Foundation shall each analyze the need for providing low-rent housing to its employees and shall consider alternatives to State-owned housing. Rent charged for State-owned housing shall be evaluated every 3 years for adjustments, including that necessitated by changing economic conditions.

(Source: P.A. 97-916, eff. 8-9-12.)

(5 ILCS 412/5-20)

Sec. 5-20. Security deposit. The Department of Corrections, the Department of Transportation, the Department of Natural Resources ~~Historic Preservation Agency~~, the University of Illinois, and the University of Illinois Foundation shall each analyze the need for all employee and non-employee tenants of State-owned housing to pay a reasonable security deposit and may each collect security deposits and maintain them in interest-bearing accounts.

(Source: P.A. 97-916, eff. 8-9-12.)

(5 ILCS 412/5-25)

Sec. 5-25. Utilities. The Department of Corrections, the Department of Natural Resources ~~Historic Preservation Agency~~, and the University of Illinois may each require its employees for whom it provides housing to pay their own utilities. If direct utility payment is required, a utility schedule shall be established for employees who can not directly pay utilities due to extenuating circumstances, such as occupancy of dormitories not individually metered.

(Source: P.A. 97-916, eff. 8-9-12.)

(5 ILCS 412/5-30)

Sec. 5-30. Tenant selection. The Department of Corrections, the Department of Natural Resources ~~Historic Preservation Agency~~, the Department of Transportation, the University of Illinois, and the University of Illinois Foundation shall each develop and maintain application forms for its State-owned housing, written criteria for selecting employee tenants, and records of decisions as to who was selected to receive State housing and why they were selected.

(Source: P.A. 97-916, eff. 8-9-12.)

(5 ILCS 412/5-35)

Sec. 5-35. Housing justification. The Department of Natural Resources ~~Historic Preservation Agency~~, and the University of Illinois shall each develop written criteria for determining which employment positions necessitate provision

of State housing. The criteria shall include the specific employee responsibilities that can only be performed effectively by occupying State housing.

(Source: P.A. 97-916, eff. 8-9-12.)

Section 7. The Department of Natural Resources Act is amended by adding Section 1-45 as follows:

(20 ILCS 801/1-45 new)

Sec. 1-45. Report on transfer of the powers and duties of the Historic Preservation Agency to the Department.

The Department of Natural Resources shall, on or before December 31, 2018 and annually thereafter for 3 calendar years, provide a report to the General Assembly that includes an analysis of the effect the transfer of the powers and duties from the Historic Preservation Agency to the Department under this amendatory Act of the 100th General Assembly had on State government and State taxpayers. The report shall also include recommendations for further legislation relating to the implementation of the reorganization. A copy of each report shall be filed with the General Assembly as provided under Section 3.1 of the General Assembly Organization Act.

Section 10. The Interagency Wetland Policy Act of 1989 is amended by changing Section 2-1 as follows:

(20 ILCS 830/2-1) (from Ch. 96 1/2, par. 9702-1)

Sec. 2-1. Interagency Wetlands Committee. An Interagency Wetlands Committee, chaired by the Director of Natural Resources or his or her representative, is established. The Directors of the following agencies, or their respective representatives, shall serve as members of the Committee:

Capital Development Board,  
Department of Agriculture,  
Department of Commerce and Economic Opportunity,  
Environmental Protection Agency, and  
Department of Transportation, ~~and~~  
~~Historic Preservation Agency.~~

The Interagency Wetlands Committee shall also include 2 additional persons with relevant expertise designated by the Director of Natural Resources.

The Interagency Wetlands Committee shall advise the Director in the administration of this Act. This will include:

(a) Developing rules and regulations for the implementation and administration of this Act.

(b) Establishing guidelines for developing individual Agency Action Plans.

(c) Developing and adopting technical procedures for the consistent identification, delineation and evaluation of existing wetlands and quantification of their functional values and the evaluation of wetland restoration or creation projects.

(d) Developing a research program for wetland function, restoration and creation.

(e) Preparing reports, including:

(1) A biennial report to the Governor and the General Assembly on the impact of State supported activities on wetlands.

(2) A comprehensive report on the status of the State's wetland resources, including recommendations for additional programs, by January 15, 1991.

(f) Development of educational materials to promote the protection of wetlands.

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

Section 15. The State Parks Designation Act is amended by changing Section 1 as follows:

(20 ILCS 840/1) (from Ch. 105, par. 468g)

Sec. 1. The following described areas are designated State Parks and have the names herein ascribed to them:

Adeline Jay Geo-Karis Illinois Beach State Park, in Lake County;

Apple River Canyon State Park, in Jo Daviess County;

Argyle Lake State Park, in McDonough County;

Beaver Dam State Park, in Macoupin County;

Buffalo Rock State Park, in La Salle County;

Castle Rock State Park, in Ogle County;

Cave-in-Rock State Park, in Hardin County;

Chain O'Lakes State Park, in Lake and McHenry Counties;

Delabar State Park, in Henderson County;

Dixon State Park, in Lee County;

Dixon Springs State Park, in Pope County;

Eagle Creek State Park, in Shelby County;

Eldon Hazlet State Park, in Clinton County;

Ferne Clyffe State Park, in Johnson County;

Fort Creve Coeur State Park, in Tazewell County;

Fort Defiance State Park, in Alexander County;

Fort Massac State Park, in Massac County;

Fox Ridge State Park, in Coles County;

Frank Holten State Park, in St. Clair County;

Funk's Grove State Park, in McLean County;

Gebhard Woods State Park, in Grundy County;

Giant City State Park, in Jackson and Union Counties;

Goose Lake Prairie State Park, in Grundy County;

Hazel and Bill Rutherford Wildlife Prairie State Park, in Peoria County;

Hennepin Canal Parkway State Park, in Bureau, Henry, Rock Island, Lee and Whiteside Counties;

Horseshoe Lake State Park, in Madison and St. Clair Counties;

Illini State Park, in La Salle County;

Illinois and Michigan Canal State Park, in the counties of Cook, Will, Grundy, DuPage and La Salle;

Johnson Sauk Trail State Park, in Henry County;  
Jubilee College State Park, in Peoria County, excepting  
Jubilee College State Historic Site as described in Section 7.1  
of the Historic Preservation ~~Agency~~ Act;

Kankakee River State Park, in Kankakee and Will Counties;

Kickapoo State Park, in Vermilion County;

Lake Le-Aqua-Na State Park, in Stephenson County;

Lake Murphysboro State Park, in Jackson County;

Laurence C. Warren State Park, in Cook County;

Lincoln Trail Homestead State Park, in Macon County;

Lincoln Trail State Park, in Clark County;

Lowden State Park, in Ogle County;

Matthiessen State Park, in La Salle County;

McHenry Dam and Lake Defiance State Park, in McHenry  
County;

Mississippi Palisades State Park, in Carroll County;

Moraine View State Park, in McLean County;

Morrison-Rockwood State Park, in Whiteside County;

Nauvoo State Park, in Hancock County, containing Horton  
Lake;

Pere Marquette State Park, in Jersey County;

Prophetstown State Park, in Whiteside County;

Pyramid State Park, in Perry County;

Railsplitter State Park, in Logan County;

Ramsey Lake State Park, in Fayette County;

Red Hills State Park, in Lawrence County;

Rock Cut State Park, in Winnebago County, containing Pierce Lake;

Rock Island Trail State Park, in Peoria and Stark Counties;

Sam Parr State Park, in Jasper County;

Sangchris Lake State Park, in Christian and Sangamon Counties;

Shabbona Lake and State Park, in DeKalb County;

Siloam Springs State Park, in Brown and Adams Counties;

Silver Springs State Park, in Kendall County;

South Shore State Park, in Clinton County;

Spitler Woods State Park, in Macon County;

Starved Rock State Park, in La Salle County;

Stephen A. Forbes State Park, in Marion County;

Walnut Point State Park, in Douglas County;

Wayne Fitzgerald State Park, in Franklin County;

Weinberg-King State Park, in Schuyler County;

Weldon Springs State Park, in DeWitt County;

White Pines Forest State Park, in Ogle County;

William G. Stratton State Park, in Grundy County;

Wolf Creek State Park, in Shelby County.

(Source: P.A. 94-1042, eff. 7-24-06.)

Section 20. The Outdoor Recreation Resources Act is amended by changing Sections 2a, 3a, 4a, and 5a as follows:

(20 ILCS 860/2a) (from Ch. 105, par. 532a)

Sec. 2a. The Department of Natural Resources ~~Historic Preservation Agency~~ is authorized to have prepared with the Department of Commerce and Economic Opportunity and to maintain, and keep up-to-date a comprehensive plan for the preservation of the historically significant properties and interests of the State.

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

(20 ILCS 860/3a) (from Ch. 105, par. 533a)

Sec. 3a. The Department of Natural Resources ~~Historic Preservation Agency~~ is authorized to survey, design, develop, operate, and maintain historically significant properties and interests of the State; and to acquire land, waters, structures, and interests in land, waters and structures for such historic properties and interests. It may enter into contracts and agreements with the United States or any appropriate agency thereof, keep financial and other records relating thereto, and furnish to appropriate officials and agencies of the United States such reports and information as may be reasonably necessary to enable such officials and agencies to perform their duties under such programs. In connection with obtaining for the State of Illinois the benefits of any such program, the Department of Natural Resources ~~Historic Preservation Agency~~ shall coordinate its activities with and represent the interests of individuals, private organizations and units of government in the survey,

planning and development of historically significant properties and interests in the State.

(Source: P.A. 84-25.)

(20 ILCS 860/4a) (from Ch. 105, par. 534a)

Sec. 4a. The Department of Natural Resources ~~Historic Preservation Agency~~ is authorized to receive Federal monies for the survey, acquisition, planning and development of historically significant properties and interests. Monies so received shall be placed in the Illinois Historic Sites Fund in the State Treasury. The State Treasurer shall, ex officio, be the custodian of such fund. Subject to appropriation, such fund shall be drawn upon by the Department ~~Agency~~ or disbursed by the State Treasurer to local governmental units or other qualified participants upon the direction of the Department ~~Agency~~.

(Source: P.A. 84-25.)

(20 ILCS 860/5a) (from Ch. 105, par. 535a)

Sec. 5a. Projects involving participating Federal-aid funds may be undertaken by the Department of Natural Resources ~~Historic Preservation Agency~~ after it has been determined that sufficient funds are available to the Department ~~Agency~~ for meeting the non-federal share of project costs. It is the legislative intent that, to such extent as may be necessary to assure the proper operation, maintenance and preservation of

historic properties and interests surveyed, acquired or developed pursuant to any program participated in by this State under authority of this Act, such historic properties and interests shall be publicly maintained for historic preservation purposes. The Department of Natural Resources ~~Historic Preservation Agency~~ may enter into and administer agreements with the United States or any appropriate agency thereof for survey, planning, acquisition, development and preservation projects involving participating Federal-aid funds on behalf of any county, city, other governmental unit or qualified participant provided such county, city, other local governmental unit or qualified participant gives necessary assurances to the Department of Natural Resources ~~Historic Preservation Agency~~ that it has available sufficient funds to meet its share of the cost of the project and that the surveyed, acquired or developed historic properties and interests will be operated and maintained at its expense for historic preservation purposes.

(Source: P.A. 84-25.)

Section 25. The Historic Preservation Agency Act is amended by changing Sections 1, 2, 6, 8, 11, 12, 13, 14, 15, 16, 19, 22, and 35 and by adding Sections 3.1 and 4.5 as follows:

(20 ILCS 3405/1) (from Ch. 127, par. 2701)

Sec. 1. This Article shall be known and may be cited as the

"Historic Preservation ~~Agency~~ Act".

(Source: P.A. 84-25.)

(20 ILCS 3405/2) (from Ch. 127, par. 2702)

Sec. 2. For the purposes of this Act:

(a) (Blank); ~~"Agency" means the Historic Preservation Agency;~~

(b) (Blank); ~~"Board" means the Board of Trustees of the Historic Preservation Agency;~~

(b-5) "Department" means the Department of Natural Resources.

(c) "Director" means the Director of Natural Resources ~~Historic Sites and Preservation;~~

(d) (Blank);

(e) (Blank);

(f) (Blank); and

(g) "Historic Sites and Preservation Division" means the Division of Historic Preservation within the Department of Natural Resources ~~that part of the Agency that is headed by the Director of Historic Sites and Preservation.~~

(Source: P.A. 100-120, eff. 8-18-17.)

(20 ILCS 3405/3.1 new)

Sec. 3.1. Agency abolished; functions transferred.

(a) On the effective date of this amendatory Act of the 100th General Assembly, the Historic Preservation Agency,

including the Board of Trustees, is hereby abolished and all powers, duties, rights, and responsibilities of the Historic Preservation Agency, except those functions relating to the Abraham Lincoln Presidential Library and Museum, shall be transferred to the Department of Natural Resources. The powers, duties, rights, and responsibilities related to the functions of the Historic Preservation Agency transferred under this this amendatory Act of the 100th General Assembly shall be vested in and shall be exercised by the Department of Natural Resources. Each act done in the exercise of those powers, duties, rights, and responsibilities shall have the same legal effect as if done by the Historic Preservation Agency or its divisions, officers, or employees.

(b) The personnel and positions within the Historic Preservation Agency shall be transferred to the Department of Natural Resources and shall continue their service within the Department of Natural Resources. The status and rights of those employees under the Personnel Code shall not be affected by this amendatory Act of the 100th General Assembly. The status and rights of the employees and the State of Illinois and its agencies under the Personnel Code, the Illinois Public Labor Relations Act, and applicable collective bargaining agreements or under any pension, retirement, or annuity plan, shall not be affected by this amendatory Act of the 100th General Assembly.

(c) All books, records, papers, documents, property (real and personal), contracts, causes of action, and pending

business pertaining to the powers, duties, rights, and responsibilities transferred by this amendatory Act of the 100th General Assembly from the Historic Preservation Agency to the Department of Natural Resources, including, but not limited to, material in electronic or magnetic format and necessary computer hardware and software, shall be transferred to the Department of Natural Resources.

(d) With respect to the functions of the Historic Preservation Agency transferred under this amendatory Act of the 100th General Assembly, the Department of Natural Resources is the successor agency to the Historic Preservation Agency under the Successor Agency Act and Section 9b of the State Finance Act. All unexpended appropriations and balances and other funds available for use by the Historic Preservation Agency shall, under the direction of the Governor, be transferred for use by the Department of Natural Resources in accordance with this amendatory Act of the 100th General Assembly. Unexpended balances so transferred shall be expended by the Department of Natural Resources only for the purpose for which the appropriations were originally made.

(e) The manner in which any official is appointed, except that when any provision of an Executive Order or Act provides for the membership of the Historic Preservation Agency on any council, commission, board, or other entity, the Director of Natural Resources or his or her designee shall serve in that place; if more than one person is required by law to serve on

any council, commission, board, or other entity, then an equivalent number of representatives of the Department of Natural Resources shall so serve.

(f) Whenever reports or notices are required to be made or given or papers or documents furnished or served by any person to or upon the Historic Preservation Agency in connection with any of the powers, duties, rights, or responsibilities transferred by this amendatory Act of the 100th General Assembly, the same shall be made, given, furnished, or served in the same manner to or upon the Department of Natural Resources.

(g) Any rules of the Historic Preservation Agency that relate to its powers, duties, rights, and responsibilities and are in full force on the effective date of this amendatory Act of the 100th General Assembly shall become the rules of the Department of Natural Resources. This amendatory Act of the 100th General Assembly does not affect the legality of any of those rules in the Illinois Administrative Code. Any proposed rule filed with the Secretary of State by the Historic Preservation Agency that is pending in the rulemaking process on the effective date of this amendatory Act of the 100th General Assembly and pertain to the powers, duties, rights, and responsibilities transferred, shall be deemed to have been filed by the Department of Natural Resources. As soon as practicable hereafter, the Department of Natural Resources shall revise and clarify the rules transferred to it under this

amendatory Act of the 100th General Assembly to reflect the reorganization of powers, duties, rights, and responsibilities affected by this amendatory Act of the 100th General Assembly, using the procedures for recodification of rules available under the Illinois Administrative Procedure Act, except that existing title, part, and section numbering for the affected rules may be retained. On and after the effective date of this amendatory Act of the 100th General Assembly, the Department of Natural Resources may propose and adopt, under the Illinois Administrative Procedure Act, any other rules that relate to the functions of the Historic Preservation Agency transferred to and that will now be administered by the Department of Natural Resources.

(h) The transfer of powers, duties, rights, and responsibilities to the Department of Natural Resources under this amendatory Act of the 100th General Assembly does not affect any person's rights, obligations, or duties, including any civil or criminal penalties applicable, arising out of those transferred powers, duties, rights, and responsibilities.

(i) This amendatory Act of the 100th General Assembly does not affect any act done, ratified, or canceled, or any right occurring or established, or any action or proceeding had or commenced in an administrative, civil, or criminal cause by the Historic Preservation Agency before the effective date of this amendatory Act of the 100th General Assembly; those actions or

proceedings may be defended, prosecuted, or continued by the Department of Natural Resources.

(j) This amendatory Act of the 100th General Assembly does not contravene, and shall not be construed to contravene, any State statute except as provided in this Section or federal law.

(20 ILCS 3405/4.5 new)

Sec. 4.5. Division of Historic Preservation.

On and after the effective date this amendatory Act of the 100th General Assembly, the Division of Historic Preservation of the Department of Natural Resources Office of Land Management shall exercise all rights, powers, and duties vested in the Historic Sites and Preservation Division. The head of the Division shall be known as the Division Manager of Historic Preservation. The Department of Natural Resources may employ or retain other persons to assist in the discharge of its functions under this Act, subject to the Personnel Code and any other applicable Department policies.

(20 ILCS 3405/6) (from Ch. 127, par. 2706)

Sec. 6. Jurisdiction. The Historic Sites and Preservation Division of the ~~Department~~ ~~Agency~~ shall have jurisdiction over the following described areas which are hereby designated as State Historic Sites, State Memorials, and Miscellaneous Properties:

State Historic Sites

Bishop Hill State Historic Site, Henry County;  
Black Hawk State Historic Site, Rock Island County;  
Bryant Cottage State Historic Site, Piatt County;  
Buel House, Pope County;  
Cahokia Courthouse State Historic Site, St. Clair County;  
Cahokia Mounds State Historic Site, in Madison and St.  
Clair Counties (however, the Illinois State Museum  
shall act as curator of artifacts pursuant to the  
provisions of the Archaeological and Paleontological  
Resources Protection Act);  
Dana-Thomas House State Historic Site, Sangamon County;  
David Davis Mansion State Historic Site, McLean County;  
Douglas Tomb State Historic Site, Cook County;  
Fort de Chartres State Historic Site, Randolph County;  
Fort Kaskaskia State Historic Site, Randolph County;  
Grand Village of the Illinois, LaSalle County;  
U. S. Grant Home State Historic Site, Jo Daviess County;  
Hotel Florence, Cook County;  
Jarrot Mansion State Historic Site, St. Clair County;  
Jubilee College State Historic Site, Peoria County;  
Lincoln-Herndon Law Offices State Historic Site, Sangamon  
County;  
Lincoln Log Cabin State Historic Site, Coles County;  
Lincoln's New Salem State Historic Site, Menard County;

Lincoln Tomb State Historic Site, Sangamon County;  
Pierre Menard Home State Historic Site, Randolph County;  
Metamora Courthouse State Historic Site, Woodford County;  
Moore Home State Historic Site, Coles County;  
Mount Pulaski Courthouse State Historic Site, Logan  
County;  
Old Market House State Historic Site, Jo Daviess County;  
Old State Capitol State Historic Site, Sangamon County;  
Postville Courthouse State Historic Site, Logan County;  
Pullman Factory, Cook County;  
Rose Hotel, Hardin County;  
Carl Sandburg State Historic Site, Knox County;  
Shawneetown Bank State Historic Site, Gallatin County;  
Vachel Lindsay Home, Sangamon County;  
Vandalia State House State Historic Site, Fayette County;  
and  
Washburne House State Historic Site, Jo Daviess County.

State Memorials

Campbell's Island State Memorial, Rock Island County;  
Governor Bond State Memorial, Randolph County;  
Governor Coles State Memorial, Madison County;  
Governor Horner State Memorial, Cook County;  
Governor Small State Memorial, Kankakee County;  
Illinois Vietnam Veterans State Memorial, Sangamon County;  
Kaskaskia Bell State Memorial, Randolph County;

Korean War Memorial, Sangamon County;  
Lewis and Clark State Memorial, Madison County;  
Lincoln Monument State Memorial, Lee County;  
Lincoln Trail State Memorial, Lawrence County;  
Lovejoy State Memorial, Madison County;  
Norwegian Settlers State Memorial, LaSalle County; and  
Wild Bill Hickok State Memorial, LaSalle County.

Miscellaneous Properties

Albany Mounds, Whiteside County;  
Emerald Mound, St. Clair County;  
Halfway Tavern, Marion County;  
Hofmann Tower, Cook County; and  
Kincaid Mounds, Massac and Pope Counties.

(Source: P.A. 92-600, eff. 7-1-02.)

(20 ILCS 3405/8)

Sec. 8. Business plans. The Department ~~Agency~~ shall create an individual business plan for each historic site related to Abraham Lincoln that is listed in Section 6 of this Act. Each business plan must address ways to enhance tourism at the historic site and the historic aspect of each site. The Department ~~Agency~~ may seek assistance from the Department of Commerce and Economic Opportunity when creating the business plans. The Department ~~Agency~~ shall complete the business plans no later than January 1, 2008.

(Source: P.A. 95-156, eff. 8-14-07.)

(20 ILCS 3405/11) (from Ch. 127, par. 2711)

Sec. 11. The Historic Sites and Preservation Division of the Department ~~Agency~~ shall exercise all rights, powers and duties vested in the Department of Conservation by the "Illinois Historic Preservation Act", approved August 14, 1976, as amended.

(Source: P.A. 92-600, eff. 7-1-02.)

(20 ILCS 3405/12) (from Ch. 127, par. 2712)

Sec. 12. The Historic Sites and Preservation Division of the Department ~~Agency~~ shall exercise all rights, powers and duties vested in the Department of Conservation by Section 63a34 of the Civil Administrative Code of Illinois (renumbered; now Section 805-220 of the Department of Natural Resources (Conservation) Law, 20 ILCS 805/805-220).

(Source: P.A. 91-239, eff. 1-1-00; 92-600, eff. 7-1-02.)

(20 ILCS 3405/13) (from Ch. 127, par. 2713)

Sec. 13. The Historic Sites and Preservation Division of the Department ~~Agency~~ shall exercise all rights, powers and duties vested in the Department of Conservation by "An Act relating to the planning, acquisition and development of outdoor recreation resources and facilities, and authorizing the participation by the State of Illinois its political

subdivisions and qualified participants in programs of Federal assistance relating thereto", approved July 6, 1965, as amended, solely as it relates to the powers, rights, duties and obligations heretofore exercised by the Department of Conservation over historically significant properties and interests of the State.

(Source: P.A. 92-600, eff. 7-1-02.)

(20 ILCS 3405/14) (from Ch. 127, par. 2714)

Sec. 14. The Historic Sites and Preservation Division of the Department ~~Agency~~ shall exercise all rights, powers and duties set forth in Sections 10-40 through 10-85 of the Property Tax Code.

(Source: P.A. 92-600, eff. 7-1-02.)

(20 ILCS 3405/15) (from Ch. 127, par. 2715)

Sec. 15. The Historic Sites and Preservation Division of the Department ~~Agency~~ shall exercise all rights, powers and duties vested in the Department of Conservation by Section 4-201.5 of the "Illinois Highway Code", approved June 8, 1959, as amended, solely as it relates to access to historic sites and memorials designated pursuant to this Act.

(Source: P.A. 92-600, eff. 7-1-02.)

(20 ILCS 3405/16) (from Ch. 127, par. 2716)

Sec. 16. The Historic Sites and Preservation Division of

the Department ~~Agency~~ shall have the following additional powers:

(a) To hire agents and employees necessary to carry out the duties and purposes of the Historic Sites and Preservation Division of the Department ~~Agency~~.

(b) To take all measures necessary to erect, maintain, preserve, restore, and conserve all State Historic Sites and State Memorials, except when supervision and maintenance is otherwise provided by law. This authorization includes the power, ~~with the consent of the Board,~~ to enter into contracts, acquire and dispose of real and personal property, and enter into leases of real and personal property. The Department ~~Agency~~ has the power to acquire, for purposes authorized by law, any real property in fee simple subject to a life estate in the seller in not more than 3 acres of the real property acquired, subject to the restrictions that the life estate shall be used for residential purposes only and that it shall be non-transferable.

(c) To provide recreational facilities, including campsites, lodges and cabins, trails, picnic areas, and related recreational facilities, at all sites under the jurisdiction of the Department ~~Agency~~.

(d) To lay out, construct, and maintain all needful roads, parking areas, paths or trails, bridges, camp or lodge sites, picnic areas, lodges and cabins, and any other structures and improvements necessary and appropriate in any State historic

site or easement thereto; and to provide water supplies, heat and light, and sanitary facilities for the public and living quarters for the custodians and keepers of State historic sites.

(e) To grant licenses and rights-of-way within the areas controlled by the Historic Sites and Preservation Division of the Department ~~Agency~~ for the construction, operation, and maintenance upon, under or across the property, of facilities for water, sewage, telephone, telegraph, electric, gas, or other public service, subject to the terms and conditions as may be determined by the Department ~~Agency~~.

(f) To authorize the officers, employees, and agents of the Historic Sites and Preservation Division of the Department ~~Agency~~, for the purposes of investigation and to exercise the rights, powers, and duties vested and that may be vested in it, to enter and cross all lands and waters in this State, doing no damage to private property.

(g) To transfer jurisdiction of or exchange any realty under the control of the Historic Sites and Preservation Division of the Department ~~Agency~~ to any other Department of the State Government, or to any agency of the Federal Government, or to acquire or accept Federal lands, when any transfer, exchange, acquisition, or acceptance is advantageous to the State and is approved in writing by the Governor.

(h) To erect, supervise, and maintain all public monuments and memorials erected by the State, except when the supervision

and maintenance of public monuments and memorials is otherwise provided by law.

(i) To accept, hold, maintain, and administer, as trustee, property given in trust for educational or historic purposes for the benefit of the People of the State of Illinois and to dispose, ~~with the consent of the Board,~~ of any property under the terms of the instrument creating the trust.

(j) To lease concessions on any property under the jurisdiction of the Department Agency for a period not exceeding 25 years and to lease a concession complex at Lincoln's New Salem State Historic Site for which a cash incentive has been authorized under Section 5.1 of this the ~~Historic Preservation Agency~~ Act for a period not to exceed 40 years. All leases, for whatever period, shall be made subject to the written approval of the Governor. All concession leases extending for a period in excess of 10 years, will contain provisions for the Department Agency to participate, on a percentage basis, in the revenues generated by any concession operation.

The Department Agency is authorized to allow for provisions for a reserve account and a leasehold account within Department Agency concession lease agreements for the purpose of setting aside revenues for the maintenance, rehabilitation, repair, improvement, and replacement of the concession facility, structure, and equipment of the Department Agency that are part of the leased premises.

The lessee shall be required to pay into the reserve account a percentage of gross receipts, as set forth in the lease, to be set aside and expended in a manner acceptable to the Department Agency by the concession lessee for the purpose of ensuring that an appropriate amount of the lessee's moneys are provided by the lessee to satisfy the lessee's incurred responsibilities for the operation of the concession facility under the terms and conditions of the concession lease.

The lessee account shall allow for the amortization of certain authorized expenses that are incurred by the concession lessee but that are not an obligation of the lessee under the terms and conditions of the lease agreement. The Department Agency may allow a reduction of up to 50% of the monthly rent due for the purpose of enabling the recoupment of the lessee's authorized expenditures during the term of the lease.

(k) To sell surplus agricultural products grown on land owned by or under the jurisdiction of the Historic Sites and Preservation Division of the Department Agency, when the products cannot be used by the Department Agency.

(l) To enforce the laws of the State and the rules and regulations of the Department Agency in or on any lands owned, leased, or managed by the Historic Sites and Preservation Division of the Department Agency.

(m) To cooperate with private organizations and agencies of the State of Illinois by providing areas and the use of staff personnel where feasible for the sale of publications on the

historic and cultural heritage of the State and craft items made by Illinois craftsmen. These sales shall not conflict with existing concession agreements. The Historic Sites and Preservation Division of the Department ~~Agency~~ is authorized to negotiate with the organizations and agencies for a portion of the monies received from sales to be returned to the Historic Sites and Preservation Division of the Department's ~~Agency's~~ Historic Sites Fund for the furtherance of interpretive and restoration programs.

(n) To establish local bank or savings and loan association accounts, upon the written authorization of the Director, to temporarily hold income received at any of its properties. The local accounts established under this Section shall be in the name of the Department ~~Historic Preservation Agency~~ and shall be subject to regular audits. The balance in a local bank or savings and loan association account shall be forwarded to the Department ~~Agency~~ for deposit with the State Treasurer on Monday of each week if the amount to be deposited in a fund exceeds \$500.

No bank or savings and loan association shall receive public funds as permitted by this Section, unless it has complied with the requirements established under Section 6 of the Public Funds Investment Act.

(o) To accept, ~~with the consent of the Board,~~ offers of gifts, gratuities, or grants from the federal government, its agencies, or offices, or from any person, firm, or corporation.

(p) To make reasonable rules and regulations as may be necessary to discharge the duties of the Department Agency.

(q) With appropriate cultural organizations, to further and advance the goals of the Department Agency.

(r) To make grants for the purposes of planning, survey, rehabilitation, restoration, reconstruction, landscaping, and acquisition of Illinois properties (i) designated individually in the National Register of Historic Places, (ii) designated as a landmark under a county or municipal landmark ordinance, or (iii) located within a National Register of Historic Places historic district or a locally designated historic district when the Director determines that the property is of historic significance whenever an appropriation is made therefor by the General Assembly or whenever gifts or grants are received for that purpose and to promulgate regulations as may be necessary or desirable to carry out the purposes of the grants.

Grantees may, as prescribed by rule, be required to provide matching funds for each grant. Grants made under this subsection shall be known as Illinois Heritage Grants.

Every owner of a historic property, or the owner's agent, is eligible to apply for a grant under this subsection.

(s) To establish and implement a pilot program for charging admission to State historic sites. Fees may be charged for special events, admissions, and parking or any combination; fees may be charged at all sites or selected sites. All fees shall be deposited into the Illinois Historic Sites Fund. The

Historic Sites and Preservation Division of the Department Agency shall have the discretion to set and adjust reasonable fees at the various sites, taking into consideration various factors, including, but not limited to: cost of services furnished to each visitor, impact of fees on attendance and tourism, and the costs expended collecting the fees. The Department Agency shall keep careful records of the income and expenses resulting from the imposition of fees, shall keep records as to the attendance at each historic site, and shall report to the Governor and General Assembly by January 31 after the close of each year. The report shall include information on costs, expenses, attendance, comments by visitors, and any other information the Department Agency may believe pertinent, including:

(1) Recommendations as to whether fees should be continued at each State historic site.

(2) How the fees should be structured and imposed.

(3) Estimates of revenues and expenses associated with each site.

(t) To provide for overnight tent and trailer campsites and to provide suitable housing facilities for student and juvenile overnight camping groups. The Historic Sites and Preservation Division of the Department Agency shall charge rates similar to those charged by the Department ~~of Conservation~~ for the same or similar facilities and services.

(u) To engage in marketing activities designed to promote

the sites and programs administered by the Department Agency. In undertaking these activities, the Department Agency may take all necessary steps with respect to products and services, including, but not limited to, retail sales, wholesale sales, direct marketing, mail order sales, telephone sales, advertising and promotion, purchase of product and materials inventory, design, printing and manufacturing of new products, reproductions, and adaptations, copyright and trademark licensing and royalty agreements, and payment of applicable taxes. In addition, the Department Agency shall have the authority to sell advertising in its publications and printed materials. All income from marketing activities shall be deposited into the Illinois Historic Sites Fund.

(Source: P.A. 99-642, eff. 7-28-16.)

(20 ILCS 3405/19) (from Ch. 127, par. 2719)

Sec. 19. Whenever personal property has been loaned to or deposited with the Department Agency and held more than 25 years and no person has made claim upon the property, the property shall be deemed abandoned and shall become the property of the Department Agency. Provided, however, that in order to perfect the title the Department Agency must diligently seek to find the owner by writing to the owner at the last known address by certified mail. If no claim is made within 30 days of sending the certified letter, the Department Agency shall publish in the official State newspaper and in a

local newspaper that distributes in the area of owner's last known address a notice containing the name of the owner, a description of the property, and the method of filing a claim. If no person claims the property within 90 days after the advertisement is published, title to the property vests in the Department Agency.

(Source: P.A. 87-231.)

(20 ILCS 3405/22)

Sec. 22. Amistad Commission.

(a) Purpose. The General Assembly finds and declares that all people should know of and remember the human carnage and dehumanizing atrocities committed during the period of the African slave trade and slavery in America and of the vestiges of slavery in this country; and it is in fact vital to educate our citizens on these events, the legacy of slavery, the sad history of racism in this country, and the principles of human rights and dignity in a civilized society.

It is the policy of the State of Illinois that the history of the African slave trade, slavery in America, the depth of their impact in our society, and the triumphs of African-Americans and their significant contributions to the development of this country is the proper concern of all people, particularly students enrolled in the schools of the State of Illinois.

It is therefore desirable to create a Commission that, as

an organized body and on a continuous basis, will survey, design, encourage, and promote the implementation of education and awareness programs in Illinois that are concerned with the African slave trade, slavery in America, the vestiges of slavery in this country, and the contributions of African-Americans in building our country; to develop workshops, institutes, seminars, and other teacher training activities designed to educate teachers on this subject matter; and that will be responsible for the coordination of events on a regular basis, throughout the State, that provide appropriate memorialization of the events concerning the enslavement of Africans and their descendants in America and their struggle for freedom, liberty, and equality.

(b) Amistad Commission. The Amistad Commission is created within the Department ~~Agency~~. The Commission is named to honor the group of enslaved Africans transported in 1839 on a vessel named the Amistad who overthrew their captors and created an international incident that was eventually argued before the Supreme Court and that shed a growing light on the evils of the slave trade and galvanized a growing abolitionist movement towards demanding the end of slavery in the United States.

(c) Membership. The Commission shall consist of 15 members, including 3 ex officio members: the State Superintendent of Education or his or her designee, the Director of Commerce and Economic Opportunity or his or her designee, and the Director ~~of Historic Sites and Preservation~~ or his or her designee; and

12 public members. Public members shall be appointed as follows:

(i) 2 members appointed by the President of the Senate and one member appointed by the Minority Leader of the Senate;

(ii) 2 members appointed by the Speaker of the House of Representatives and one member appointed by the Minority Leader of the House of Representatives; and

(iii) 6 members, no more than 4 of whom shall be of the same political party, appointed by the Governor.

The public members shall be residents of this State, chosen with due regard to broad geographic representation and ethnic diversity, who have served actively in organizations that educate the public on the history of the African slave trade, the contributions of African-Americans to our society, and civil rights issues.

Each public member of the Commission shall serve for a term of 3 years, except that of the initial members so appointed: one member appointed by the President of the Senate, one member appointed by the Speaker of the House of Representatives, and 2 members appointed by the Governor shall serve for terms of one year; the member appointed by the Minority Leader of the Senate, one member appointed by the Speaker of the House of Representatives, and 2 members appointed by the Governor shall serve for terms of 2 years; and one member appointed by the President of the Senate, the member appointed by the Minority

Leader of the House of Representatives, and 2 members appointed by the Governor shall serve for terms of 3 years. Public members shall be eligible for reappointment. They shall serve until their successors are appointed and qualified, and the term of the successor of any incumbent shall be calculated from the expiration of the term of that incumbent. A vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment, but for the unexpired term only.

(d) Election of chairperson; meetings. At its first meeting and annually thereafter, the Commission shall elect from among its members a chairperson and other officers it considers necessary or appropriate. After its first meeting, the Commission shall meet at least quarterly, or more frequently at the call of the chairperson or if requested by 9 or more members.

(e) Quorum. A majority of the members of the Commission constitute a quorum for the transaction of business at a meeting of the Commission. A majority of the members present and serving is required for official action of the Commission.

(f) Public meeting. All business that the Commission is authorized to perform shall be conducted at a public meeting of the Commission, held in compliance with the Open Meetings Act.

(g) Freedom of Information. A writing prepared, owned, used, in the possession of, or retained by the Commission in the performance of an official function is subject to the

Freedom of Information Act.

(h) Compensation. The members of the Commission shall serve without compensation, but shall be entitled to reimbursement for all necessary expenses incurred in the performance of their official duties as members of the Commission from funds appropriated for that purpose. Reimbursement for travel, meals, and lodging shall be in accordance with the rules of the Governor's Travel Control Board.

(i) Duties. The Commission shall have the following responsibilities and duties:

(1) To provide, based upon the collective interest of the members and the knowledge and experience of the members, assistance and advice to schools within the State with respect to the implementation of education, awareness programs, textbooks, and educational materials concerned with the African slave trade, slavery in America, the vestiges of slavery in this country, and the contributions of African-Americans to our society.

(2) To survey and catalog the extent and breadth of education concerning the African slave trade, slavery in America, the vestiges of slavery in this country, and the contributions of African-Americans to our society presently being incorporated into the curricula and textbooks and taught in the school systems of the State; to inventory those African slave trade, American slavery, or relevant African-American history memorials, exhibits, and

resources that should be incorporated into courses of study at educational institutions, schools, and various other locations throughout the State; and to assist the State Board of Education and other State and educational agencies in the development and implementation of African slave trade, American slavery, and African-American history education programs.

(3) To act as a liaison with textbook publishers, schools, public, private, and nonprofit resource organizations, and members of the United States Senate and House of Representatives and the Illinois Senate and House of Representatives in order to facilitate the inclusion of the history of African slavery and of African-Americans in this country in the curricula of public and nonpublic schools.

(4) To compile a roster of individual volunteers who are willing to share their knowledge and experience in classrooms, seminars, and workshops with students and teachers on the subject of the African slave trade, American slavery, the impact of slavery on our society today, and the contributions of African-Americans to our country.

(5) To coordinate events memorializing the African slave trade, American slavery, and the history of African-Americans in this country that reflect the contributions of African-Americans in overcoming the

burdens of slavery and its vestiges, and to seek volunteers who are willing and able to participate in commemorative events that will enhance student awareness of the significance of the African slave trade, American slavery, its historical impact, and the struggle for freedom.

(6) To prepare reports for the Governor and the General Assembly regarding its findings and recommendations on facilitating the inclusion of the African slave trade, American slavery studies, African-American history, and special programs in the educational system of the State.

(7) To develop, in consultation with the State Board of Education, curriculum guidelines that will be made available to every school board for the teaching of information on the African slave trade, slavery in America, the vestiges of slavery in this country, and the contributions of African-Americans to our country.

(8) To solicit, receive, and accept appropriations, gifts, and donations for Commission operations and programs authorized under this Section.

(j) Commission requests for assistance. The Commission is authorized to call upon any department, office, division, or agency of the State, or of any county, municipality, or school district of the State, to supply such data, program reports, and other information, appropriate school personnel, and assistance as it deems necessary to discharge its responsibilities under this Act. These departments, offices,

divisions, and agencies shall, to the extent possible and not inconsistent with any other law of this State, cooperate with the Commission and shall furnish it with such information, appropriate school personnel, and assistance as may be necessary or helpful to accomplish the purposes of this Act.

(k) State Board of Education assistance. The State Board of Education shall:

(1) Assist the Amistad Commission in marketing and distributing to educators, administrators, and school districts in the State educational information and other materials on the African slave trade, slavery in America, the vestiges of slavery in this country, and the contributions of African-Americans to our society.

(2) Conduct at least one teacher workshop annually on the African slave trade, slavery in America, the vestiges of slavery in this country, and the contributions of African-Americans to our society.

(3) Assist the Amistad Commission in monitoring the inclusion of slavery materials and curricula in the State's educational system.

(4) Consult with the Amistad Commission to determine ways it may survey, catalog, and extend slave trade and American slavery education presently being taught in the State's educational system.

The State Board of Education may, subject to the availability of appropriations, hire additional staff and

consultants to carry out the duties and responsibilities provided within this subsection (k).

(1) Report. The Commission shall report its activities and findings, as required under subsection (i), to the Governor and General Assembly on or before June 30, 2006, and biannually thereafter.

(Source: P.A. 94-285, eff. 7-21-05.)

(20 ILCS 3405/35)

Sec. 35. Products manufactured in the United States. State Historic Sites, State Memorials, and other properties that are under the jurisdiction of the Department ~~Historic Preservation Agency~~ under Section 6 of this Act shall set aside a booth or section for the sale of products manufactured in the United States. As used in this Section, "products manufactured in the United States" means assembled articles, materials, or supplies for which design, final assembly, processing, packaging, testing, or other process that adds value, quality, or reliability occurred in the United States.

(Source: P.A. 98-1031, eff. 8-25-14.)

(20 ILCS 3405/3 rep.)

(20 ILCS 3405/4 rep.)

(20 ILCS 3405/5 rep.)

(20 ILCS 3405/34 rep.)

Section 30. The Historic Preservation Agency Act is amended

by repealing Sections 3, 4, 5, and 34.

Section 35. The Illinois Historic Preservation Act is amended by changing Sections 2, 3, 4, 5, and 15 as follows:

(20 ILCS 3410/2) (from Ch. 127, par. 133d2)

Sec. 2. As used in this Act:

(a) "Council" means the Illinois Historic Sites Advisory Council.

(b) (Blank).

(c) (Blank). ~~"Agency" means the Historic Preservation Agency.~~

(c-5) "Department" means the Department of Natural Resources.

(d) "Director" means the Director of Natural Resources, or his or her designee ~~Historic Preservation who will serve as the State Historic Preservation Officer.~~

(d-1) "Historic resource" means any property which is either publicly or privately held and which:

(1) is listed in the National Register of Historic Places (hereafter "National Register");

(2) has been formally determined by the Director to be eligible for listing in the National Register as defined in Section 106 of Title 16 of the United States Code;

(3) has been nominated by the Director and the Illinois Historic Sites Advisory Council for listing in the National

Register; or

(4) meets one or more criteria for listing in the National Register, as determined by the Director.

(e) "Place" means (1) any parcel or contiguous grouping of parcels of real estate under common or related ownership or control, where any significant improvements are at least 40 years old, or (2) any aboriginal mound, fort, earthwork, village, location, burial ground, historic or prehistoric ruin, mine case or other location which is or may be the source of important archeological data.

(f) (Blank).

(g) (Blank).

(h) (Blank).

(i) (Blank).

(Source: P.A. 97-785, eff. 7-13-12.)

(20 ILCS 3410/3) (from Ch. 127, par. 133d3)

Sec. 3. There is recognized and established hereunder the Illinois Historic Sites Advisory Council, previously established pursuant to Federal regulations, hereafter called the Council. The Council shall consist of 15 members. Of these, there shall be at least 3 historians, at least 3 architectural historians, or architects with a preservation background, and at least 3 archeologists. The remaining 6 members shall be drawn from supporting fields and have a preservation interest. Supporting fields shall include but not be limited to

historical geography, law, urban planning, local government officials, and members of other preservation commissions. All shall be appointed by the Director ~~of Historic Sites and Preservation, with the consent of the Board.~~

The Council Chairperson shall be appointed by the Director ~~of Historic Sites and Preservation~~ from the Council membership and shall serve at the Director's pleasure.

The Executive Director of the Abraham Lincoln Presidential Library and Museum and the Director of the Illinois State Museum shall serve on the Council in advisory capacity as non-voting members.

Terms of membership shall be 3 years and shall be staggered by the Director to assure continuity of representation.

The Council shall meet at least 3 times each year. Additional meetings may be held at the call of the chairperson or at the call of the Director.

Members shall serve without compensation, but shall be reimbursed for actual expenses incurred in the performance of their duties.

(Source: P.A. 100-120, eff. 8-18-17.)

(20 ILCS 3410/4) (from Ch. 127, par. 133d4)

Sec. 4. In addition to those powers specifically granted or necessary to perform the duties prescribed by this Act, the Council shall have the following powers:

(a) to recommend nominations to the National Register

of Historic Places;

(b) (blank);

(c) to recommend removal of places from the National Register of Historic Places;

(d) (blank);

(e) (blank); and

(f) to advise the Department ~~Agency~~ on matters pertaining to historic preservation.

(Source: P.A. 97-785, eff. 7-13-12.)

(20 ILCS 3410/5) (from Ch. 127, par. 133d5)

Sec. 5. In addition to the powers otherwise specifically granted to the Department ~~Agency~~ by law, the Department ~~Agency~~ shall have the following powers and responsibilities:

(a) to perform the administrative functions for the Council;

(b) to hold public hearings and meetings concerning the National Register of Historic Places;

(c) to prepare and periodically revise a statewide preservation plan;

(d) to attempt to maximize the extent to which the preservation of historic resources is accomplished through active use, including self-sustaining or revenue-producing use and through the involvement of persons other than the Department ~~Agency~~; and

(e) to disseminate information of historic resources,

to provide technical and other assistance to persons involved in preservation activities, to develop interpretive programs and otherwise stimulate public interest in preservation.

(Source: P.A. 97-785, eff. 7-13-12.)

(20 ILCS 3410/15) (from Ch. 127, par. 133d15)

Sec. 15. All monies received for historic preservation programs administered by the Department ~~Agency~~, including grants, direct and indirect cost reimbursements, income from marketing activities, gifts, donations and bequests, from private organizations, individuals, other State agencies or federal agencies, monies received from publications, and copying and certification fees related to such programs, and all income from fees generated from admissions, special events, parking, camping, concession and property rental, shall be deposited into a special fund in the State treasury, to be known as the Illinois Historic Sites Fund, which is hereby created. Subject to appropriation, the monies in such fund shall be used by the Department ~~Agency~~ for historic preservation purposes only.

The Illinois Historic Sites 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.

(Source: P.A. 96-1312, eff. 7-27-10.)

Section 40. The Historical Sites Listing Act is amended by changing Sections 1, 2, and 3 as follows:

(20 ILCS 3415/1) (from Ch. 128, par. 31)

Sec. 1. Any person or State or local governmental agency owning a site of general historical interest or having the written consent of the owner of such a site may apply to the Department of Natural Resources ~~Historic Preservation Agency~~ to have that site listed and marked as a State historic site.

(Source: P.A. 92-600, eff. 7-1-02.)

(20 ILCS 3415/2) (from Ch. 128, par. 32)

Sec. 2. If the Department of Natural Resources ~~Historic Preservation Agency~~ finds that a site described in an application under Section 1 is of sufficient general historical interest to warrant listing and marking, it shall list the site in a register kept for that purpose and shall display at the site a suitable marker indicating that the site is a registered State historic site.

(Source: P.A. 92-600, eff. 7-1-02.)

(20 ILCS 3415/3) (from Ch. 128, par. 33)

Sec. 3. The Department of Natural Resources ~~Historic Preservation Agency~~, in cooperation with the Division of Highways of the Department of Transportation and any other

interested public or private agency, shall place and maintain all markers at State historic sites registered under this Act.

(Source: P.A. 92-600, eff. 7-1-02.)

Section 45. The Illinois State Agency Historic Resources Preservation Act is amended by changing Sections 1, 3, 4, and 5 as follows:

(20 ILCS 3420/1) (from Ch. 127, par. 133c21)

Sec. 1. Purposes. The purpose of this Act is to provide Illinois State government leadership in preserving, restoring, and maintaining the historic resources of the State. It is the purpose of this Act to establish a program whereby State agencies (1) administer the historic resources under their control to foster and enhance their availability to future generations, (2) prepare policies and plans to contribute to the preservation, restoration, and maintenance of State-owned historic resources for the inspiration and benefit of the people, and (3) in consultation with the Director of Natural Resources ~~Historic Preservation~~, institute procedures to ensure that State projects consider the preservation and enhancement of both State owned and non-State owned historic resources.

(Source: P.A. 86-707.)

(20 ILCS 3420/3) (from Ch. 127, par. 133c23)

Sec. 3. Definitions.

(a) "Director" means the Director of Natural Resources, or his or her designee ~~Historic Preservation who shall serve as the State Historic Preservation Officer.~~

(b) "Agency" shall have the same meaning as in Section 1-20 of the Illinois Administrative Procedure Act, and shall specifically include all agencies and entities made subject to such Act by any State statute.

(c) "Historic resource" means any property which is either publicly or privately held and which:

(1) is listed in the National Register of Historic Places (hereafter "National Register");

(2) has been formally determined by the Director to be eligible for listing in the National Register as defined in Section 106 of Title 16 of the United States Code;

(3) has been nominated by the Director and the Illinois Historic Sites Advisory Council for listing in the National Register;

(4) meets one or more criteria for listing in the National Register, as determined by the Director; or

(5) (blank).

(d) "Adverse effect" means:

(1) destruction or alteration of all or part of an historic resource;

(2) isolation or alteration of the surrounding environment of an historic resource;

(3) introduction of visual, audible, or atmospheric elements which are out of character with an historic resource or which alter its setting;

(4) neglect or improper utilization of an historic resource which results in its deterioration or destruction; or

(5) transfer or sale of an historic resource to any public or private entity without the inclusion of adequate conditions or restrictions regarding preservation, maintenance, or use.

(e) "Comment" means the written finding by the Director of the effect of a State undertaking on an historic resource.

(f) "Undertaking" means any project, activity, or program that can result in changes in the character or use of historic property, if any historic property is located in the area of potential effects. The project, activity or program shall be under the direct or indirect jurisdiction of a State agency or licensed or assisted by a State agency. An undertaking includes, but is not limited to, action which is:

(1) directly undertaken by a State agency;

(2) supported in whole or in part through State contracts, grants, subsidies, loan guarantees, or any other form of direct or indirect funding assistance; or

(3) carried out pursuant to a State lease, permit, license, certificate, approval, or other form of entitlement or permission.

(g) "Committee" means the Historic Preservation Mediation Committee.

(h) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

(i) "Private undertaking" means any undertaking that does not receive public funding or is not on public lands.

(j) "High probability area" means any occurrence of Cahokia Alluvium, Carmi Member of the Equality Formation, Grayslake Peat, Parkland Sand, Peyton Colluvium, the Batavia Member of the Henry Formation, or the Mackinaw Member, as mapped by Lineback et al. (1979) at a scale of 1-500,000 within permanent stream floodplains and including:

(1) 500 yards of the adjoining bluffline crest of the Fox, Illinois, Kankakee, Kaskaskia, Mississippi, Ohio, Rock and Wabash Rivers and 300 yards of the adjoining bluffline crest of all other rivers or

(2) a 500 yard wide area along the shore of Lake Michigan abutting the high water mark.

(Source: P.A. 97-785, eff. 7-13-12; 98-463, eff. 8-16-13.)

(20 ILCS 3420/4) (from Ch. 127, par. 133c24)

Sec. 4. State agency undertakings.

(a) As early in the planning process as may be practicable and prior to the approval of the final design or plan of any

undertaking by a State agency, or prior to the funding of any undertaking by a State agency, or prior to an action of approval or entitlement of any private undertaking by a State agency, written notice of the project shall be given to the Director either by the State agency or the recipients of its funds, permits or licenses. The State agency shall consult with the Director to determine the documentation requirements necessary for identification and treatment of historic resources. For the purposes of identification and evaluation of historic resources, the Director may require archaeological and historic investigations. Responsibility for notice and documentation may be delegated by the State agency to a local or private designee.

(b) Within 30 days after receipt of complete and correct documentation of a proposed undertaking, the Director shall review and comment to the agency on the likelihood that the undertaking will have an adverse effect on a historic resource. In the case of a private undertaking, the Director shall, not later than 30 days following the receipt of an application with complete documentation of the undertaking, either approve that application allowing the undertaking to proceed or tender to the applicant a written statement setting forth the reasons for the requirement of an archaeological investigation. If there is no action within 30 days after the filing of the application with the complete documentation of the undertaking, the applicant may deem the application approved and may proceed

with the undertaking. Thereafter, all requirements for archaeological investigations are waived under this Act.

(c) If the Director finds that an undertaking will adversely affect an historic resource or is inconsistent with agency policies, the State agency shall consult with the Director and shall discuss alternatives to the proposed undertaking which could eliminate, minimize, or mitigate its adverse effect. During the consultation process, the State agency shall explore all feasible and prudent plans which eliminate, minimize, or mitigate adverse effects on historic resources. Grantees, permittees, licensees, or other parties in interest and representatives of national, State, and local units of government and public and private organizations may participate in the consultation process. The process may involve on-site inspections and public informational meetings pursuant to regulations issued by the Department of Natural Resources ~~Historic Preservation Agency~~.

(d) The State agency and the Director may agree that there is a feasible and prudent alternative which eliminates, minimizes, or mitigates the adverse effect of the undertaking. Upon such agreement, or if the State agency and the Director agree that there are no feasible and prudent alternatives which eliminate, minimize, or mitigate the adverse effect, the Director shall prepare a Memorandum of Agreement describing the alternatives or stating the finding. The State agency may proceed with the undertaking once a Memorandum of Agreement has

been signed by both the State agency and the Director.

(e) After the consultation process, the Director and the State agency may fail to agree on the existence of a feasible and prudent alternative which would eliminate, minimize, or mitigate the adverse effect of the undertaking on the historic resource. If no agreement is reached, the agency shall call a public meeting in the county where the undertaking is proposed within 60 days. If, within 14 days following conclusion of the public meeting, the State agency and the Director fail to agree on a feasible and prudent alternative, the proposed undertaking, with supporting documentation, shall be submitted to the Historic Preservation Mediation Committee. The document shall be sufficient to identify each alternative considered by the Agency and the Director during the consultation process and the reason for its rejection.

(f) The Mediation Committee shall consist of the Director and 5 persons appointed by the Director for terms of 3 years each, each of whom shall be no lower in rank than a division chief and each of whom shall represent a different State agency. An agency that is a party to mediation shall be notified of all hearings and deliberations and shall have the right to participate in deliberations as a non-voting member of the Committee. Within 30 days after submission of the proposed undertaking, the Committee shall meet with the Director and the submitting agency to review each alternative considered by the State agency and the Director and to evaluate the existence of

a feasible and prudent alternative. In the event that the Director and the submitting agency continue to disagree, the Committee shall provide a statement of findings or comments setting forth an alternative to the proposed undertaking or stating the finding that there is no feasible or prudent alternative. The State agency shall consider the written comments of the Committee and shall respond in writing to the Committee before proceeding with the undertaking.

(g) When an undertaking is being reviewed pursuant to Section 106 of the National Historic Preservation Act of 1966, the procedures of this law shall not apply and any review or comment by the Director on such undertaking shall be within the framework or procedures of the federal law. This subsection shall not prevent the Department of Natural Resources ~~Illinois Historic Preservation Agency~~ from entering into an agreement with the Advisory Council on Historic Preservation pursuant to Section 106 of the National Historic Preservation Act to substitute this Act and its procedures for procedures set forth in Council regulations found in 36 C.F.R. Part 800.7. A State undertaking that is necessary to prevent an immediate and imminent threat to life or property shall be exempt from the requirements of this Act. Where possible, the Director shall be consulted in the determination of the exemption. In all cases, the agency shall provide the Director with a statement of the reasons for the exemption and shall have an opportunity to comment on the exemption. The statement and the comments of the

Director shall be included in the annual report of the Department of Natural Resources ~~Historic Preservation Agency~~ as a guide to future actions. The provisions of this Act do not apply to undertakings pursuant to the Illinois Oil and Gas Act, the Surface-Mined Land Conservation and Reclamation Act and the Surface Coal Mining Land Conservation and Reclamation Act.

(Source: P.A. 96-1000, eff. 7-2-10; 97-785, eff. 7-13-12.)

(20 ILCS 3420/5) (from Ch. 127, par. 133c25)

Sec. 5. Responsibilities of the Department of Natural Resources ~~Historic Preservation Agency~~, Division of Historic Preservation Services.

(a) The Director shall include in the Department's ~~Agency's~~ annual report an outline of State agency actions on which comment was requested or issued under this Act.

(b) The Director shall maintain a current list of all historic resources owned, operated, or leased by the State and appropriate maps indicating the location of all such resources. These maps shall be in a form available to the public and State agencies, except that the location of archaeological resources shall be excluded.

(c) The Director shall make rules and issue appropriate guidelines to implement this Act. These shall include, but not be limited to, regulations for holding on-site inspections, public information meetings and procedures for consultation, mediation, and resolutions by the Committee pursuant to

subsections (e) and (f) of Section 4.

(d) The Director shall (1) assist, to the fullest extent possible, the State agencies in their identification of properties for inclusion in an inventory of historic resources, including provision of criteria for evaluation; (2) provide information concerning professional methods and techniques for preserving, improving, restoring, and maintaining historic resources when requested by State agencies; and (3) help facilitate State agency compliance with this Act.

(e) The Director shall monitor the implementation of actions of each State agency which have an effect, either adverse or beneficial, on an historic resource.

(f) The Department of Natural Resources Agency shall manage and control the preservation, conservation, inventory, and analysis of fine and decorative arts, furnishings, and artifacts of the Illinois Executive Mansion in Springfield, the Governor's offices in the Capitol in Springfield and the James R. Thompson Center in Chicago, and the Hayes House in DuQuoin. The Department of Natural Resources Agency shall manage the preservation and conservation of the buildings and grounds of the Illinois Executive Mansion in Springfield. The Governor shall appoint a Curator of the Executive Mansion, with the advice and consent of the Senate, to assist the Department of Natural Resources Agency in carrying out the duties under this item (f). The person appointed Curator must have experience in historic preservation or as a curator. The Curator shall serve

at the pleasure of the Governor. The Governor shall determine the compensation of the Curator, which shall not be diminished during the term of appointment.

(Source: P.A. 92-842, eff. 8-22-02.)

Section 50. The Old State Capitol Act is amended by changing Sections 1, 2, and 3 as follows:

(20 ILCS 3430/1) (from Ch. 123, par. 52)

Sec. 1. As used in this Act:7

(a) "Old State Capitol Complex" means the Old State Capitol reconstructed under the "1961 Act" in Springfield ~~and includes space also occupied by the Abraham Lincoln Presidential Library and Museum~~ and an underground parking garage.7

(b) "1961 Act" means "An Act providing for the reconstruction and restoration of the old State Capitol at Springfield and providing for the custody thereof", approved August 24, 1961, as amended.7

(c) (Blank). ~~"Board of Trustees" means the Board of Trustees of the Historic Preservation Agency.~~

(d) "Department" means the Department of Natural Resources.

(Source: P.A. 100-120, eff. 8-18-17; revised 9-28-17.)

(20 ILCS 3430/2) (from Ch. 123, par. 53)

Sec. 2. The Department ~~Board of Trustees~~ shall have

jurisdiction and custody of, and shall maintain and operate, the Old State Capitol Complex and shall succeed to all rights, powers, duties and liabilities of the Department of Conservation under the "1961 Act" or under any lease or contract relating to the Old State Capitol Complex to which the Department of Conservation is a party.

(Source: P.A. 77-135.)

(20 ILCS 3430/3) (from Ch. 123, par. 54)

Sec. 3. The Department ~~Board of Trustees~~ may establish rules and regulations for the use and operation of the Old State Capitol Complex. Such rules and regulations shall provide that such complex will be open at all reasonable hours to the public and may provide for the holding of such lectures, pageants or similar special events and the sale of such merchandise as will help interpret the historical significance of the Old State Capitol to the public.

(Source: P.A. 77-135.)

Section 55. The Archaeological and Paleontological Resources Protection Act is amended by changing Sections 1, 3, 3.1, 3.2, 5, 6, 7, 8, 9, 10, and 11 as follows:

(20 ILCS 3435/1) (from Ch. 127, par. 133c1)

Sec. 1. The State of Illinois reserves to itself the exclusive right and privilege of regulating, exploring,

excavating or surveying, through the Department of Natural Resources ~~Historic Preservation Agency~~, all archaeological and paleontological resources found upon or within any public lands.

(Source: P.A. 86-459; 86-707.)

(20 ILCS 3435/3) (from Ch. 127, par. 133c3)

Sec. 3. (a) It is unlawful for any person, either by himself or through an agent, to explore, excavate or collect any of the archaeological or paleontological resources protected by this Act, unless such person obtains a permit issued by the Department of Natural Resources ~~Historic Preservation Agency~~.

(b) It is unlawful for any person, either by himself or through an agent, to knowingly disturb any archaeological or paleontological resource protected under this Act.

(c) It is unlawful for any person, either by himself or through an agent, to offer any object for sale or exchange with the knowledge that it has been previously collected or excavated in violation of this Act.

(Source: P.A. 86-459; 86-707.)

(20 ILCS 3435/3.1) (from Ch. 127, par. 133c3.1)

Sec. 3.1. The State's Attorney of the county in which a violation of Section 3 is alleged to have occurred, or the Attorney General, may be requested by the Director of Natural

Resources ~~the Historic Preservation Agency~~ to initiate criminal prosecutions or to seek civil damages, injunctive relief and any other appropriate relief. The Department of Natural Resources ~~Historic Preservation Agency~~ shall cooperate with the State's Attorney or the Attorney General. Persons aware of any violation of this Act shall contact the Department of Natural Resources ~~Historic Preservation Agency~~.

(Source: P.A. 86-459; 86-707.)

(20 ILCS 3435/3.2) (from Ch. 127, par. 133c3.2)

Sec. 3.2. The Department of Natural Resources ~~Historic Preservation Agency~~ is authorized to offer a reward of up to \$2,000 for information leading to the arrest and conviction of persons who violate Section 3.

(Source: P.A. 86-459; 86-707.)

(20 ILCS 3435/5) (from Ch. 127, par. 133c5)

Sec. 5. Any violation of Section 3 not involving the disturbance of human skeletal remains is a Class A misdemeanor and the violator shall be subject to imprisonment and a fine not in excess of \$5,000; any subsequent violation is a Class 4 felony. Any violation of Section 3 involving disturbance of human skeletal remains is a Class 4 felony. Each disturbance of an archaeological site or a paleontological site shall constitute a single offense. Persons convicted of a violation of Section 3 shall also be liable for civil damages to be

assessed by the land managing agency and the Department of Natural Resources ~~Historic Preservation Agency~~. Civil damages may include:

(a) forfeiture of any and all equipment used in acquiring the protected material;

(b) any and all costs incurred in cleaning, restoring, analyzing, accessioning and curating the recovered materials;

(c) any and all costs associated with restoring the land to its original contour;

(d) any and all costs associated with recovery of data and analyzing, publishing, accessioning and curating materials when the prohibited activity is so extensive as to preclude the restoration of the archaeological or paleontological site;

(e) any and all costs associated with the determination and collection of the civil damages.

When civil damages are recovered through the Attorney General, the proceeds shall be deposited into the Historic Sites Fund; when civil damages are recovered through the State's Attorney, the proceeds shall be deposited into the county fund designated by the county board.

(Source: P.A. 86-459; 86-707.)

(20 ILCS 3435/6) (from Ch. 127, par. 133c6)

Sec. 6. (a) The Department of Natural Resources ~~Historic Preservation Agency~~, in consultation with the various State agencies owning or managing land for the use of the State of

Illinois, shall develop regulations whereby permits may be issued for exploration or excavation of archaeological and paleontological resources. These permits shall be issued by the Department of Natural Resources ~~Historic Preservation Agency~~ after consultation with the head of the land managing agency.

(b) Permits to any person or entity other than the State of Illinois shall be issued in accordance with regulations which shall be promulgated by the Department of Natural Resources ~~Historic Preservation Agency~~.

(c) Each permit shall specify all terms and conditions under which the investigation shall be carried out, including, but not limited to, location and nature of the investigation and plans for analysis and publication of the results. Upon completion of the project, the permit holder shall report its results to the Department of Natural Resources ~~Historic Preservation Agency~~ for approval.

(Source: P.A. 86-459; 86-707.)

(20 ILCS 3435/7) (from Ch. 127, par. 133c7)

Sec. 7. All materials and associated records remain the property of the State and are managed by the Illinois State Museum. The Illinois State Museum, in consultation with the Department of Natural Resources ~~Historic Preservation Agency~~, is authorized to establish long-term curation agreements with universities, museums and other organizations.

(Source: P.A. 86-459; 86-707.)

(20 ILCS 3435/8) (from Ch. 127, par. 133c8)

Sec. 8. (a) The Illinois State Museum shall be exempt from the permit requirements established by this Act for lands under its direct management but shall register that exploration with the Department of Natural Resources ~~Historic Preservation Agency~~; such registration shall include the information required under subsection (c) of Section 6.

(b) Any agency or department of the State of Illinois which has on its staff a professional archaeologist or paleontologist who meets the minimum qualifications established in Section 9 and which has in effect a memorandum of agreement with the Department of Natural Resources ~~Historic Preservation Agency~~ for the protection, preservation and management of archaeological and paleontological resources shall be exempt from the permit requirements established by this Act.

(c) Activities reviewed by the Department of Natural Resources ~~Historic Preservation Agency~~ pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) shall be exempt from these permitting requirements.

(d) Where a local government's activities are funded in whole or in part by a State agency and the funded activities are supervised or controlled by the State agency, the local government shall be exempt from the permit requirements established by this Act to the same extent that the State agency is exempt. The State agency shall be responsible for

undertaking or causing to be undertaken any steps necessary to comply with this Act for those local government actions so exempted.

(Source: P.A. 86-459; 86-707.)

(20 ILCS 3435/9) (from Ch. 127, par. 133c9)

Sec. 9. The Department of Natural Resources ~~Historic Preservation Agency~~ shall, through rulemaking, establish minimum standards of education and experience for an archaeologist or paleontologist to qualify as a professional for the purpose of conducting activities for which a permit is required.

(Source: P.A. 86-459; 86-707.)

(20 ILCS 3435/10) (from Ch. 127, par. 133c10)

Sec. 10. The Illinois State Museum, in cooperation with the Department of Natural Resources ~~Historic Preservation Agency~~, shall develop and maintain files containing information on known archaeological and paleontological sites in the State, whether on State controlled or privately owned property. The Department of Natural Resources ~~Historic Preservation Agency~~ shall ensure the safety of those sites by promulgating regulations limiting access to those files as necessary.

(Source: P.A. 86-459; 86-707.)

(20 ILCS 3435/11) (from Ch. 127, par. 133c11)

Sec. 11. The Department of Natural Resources ~~Historic Preservation Agency~~, in consultation with other State agencies and Departments that own or control land, shall promulgate such regulations as may be necessary to carry out the purposes of this Act.

(Source: P.A. 86-459; 86-707.)

Section 60. The Human Skeletal Remains Protection Act is amended by changing Sections 3, 4, 5, 8, 9, 13, 14, 15, and 16 as follows:

(20 ILCS 3440/3) (from Ch. 127, par. 2663)

Sec. 3. Any person who discovers human skeletal remains subject to this Act shall promptly notify the coroner. Any person who knowingly fails to report such a discovery within 48 hours is guilty of a Class C misdemeanor, unless such person has reasonable cause to believe that the coroner had already been so notified. If the human skeletal remains appear to be from an unregistered grave, the coroner shall promptly notify the Department of Natural Resources ~~Historic Preservation Agency~~ prior to their removal. Nothing in this Act shall be construed to apply to human skeletal remains subject to "An Act to revise the law in relation to coroners".

(Source: P.A. 86-151.)

(20 ILCS 3440/4) (from Ch. 127, par. 2664)

Sec. 4. It is unlawful for any person, either by himself or through an agent, to knowingly disturb human skeletal remains and grave artifacts in unregistered graves protected by this Act unless such person obtains a permit issued by the Department of Natural Resources ~~Historic Preservation Agency~~.

(Source: P.A. 86-151.)

(20 ILCS 3440/5) (from Ch. 127, par. 2665)

Sec. 5. It is unlawful for any person, either by himself or through an agent, to knowingly disturb a grave marker protected by this Act unless such person obtains a permit issued by the Department of Natural Resources ~~Historic Preservation Agency~~.

(Source: P.A. 86-151.)

(20 ILCS 3440/8) (from Ch. 127, par. 2668)

Sec. 8. The State's Attorney of the county in which a violation of Sections 4, 5, 6, or 7 of this Act is alleged to have occurred, or the Attorney General, may be requested by the Director of Natural Resources ~~the Historic Preservation Agency~~ to initiate criminal prosecutions or to seek civil damages, injunctive relief and any other appropriate relief. The Department of Natural Resources ~~Historic Preservation Agency~~ shall co-operate with the State's Attorney or the Attorney General. Persons aware of any violations of this Act shall contact the Department of Natural Resources ~~Historic Preservation Agency~~.

(Source: P.A. 86-151.)

(20 ILCS 3440/9) (from Ch. 127, par. 2669)

Sec. 9. The Department of Natural Resources ~~Historic Preservation Agency~~ is authorized to offer a reward of up to \$2000 for information leading to the arrest and conviction of persons who violate Sections 4, 5, 6, and 7 of this Act.

(Source: P.A. 86-151.)

(20 ILCS 3440/13) (from Ch. 127, par. 2673)

Sec. 13. (a) The Department of Natural Resources ~~Historic Preservation Agency~~ shall develop regulations, in consultation with the Illinois State Museum, whereby permits may be issued for the removal of human skeletal remains and grave artifacts from unregistered graves or the removal of grave markers.

(b) Each permit shall specify all terms and conditions under which the removal of human skeletal remains, grave artifacts, or grave markers shall be carried out. All costs accrued in the removal of the aforementioned materials shall be borne by the permit applicant. Upon completion of the project, the permit holder shall submit a report of the results to the Department of Natural Resources ~~Historic Preservation Agency~~.

(Source: P.A. 86-151.)

(20 ILCS 3440/14) (from Ch. 127, par. 2674)

Sec. 14. All human skeletal remains and grave artifacts in

unregistered graves are held in trust for the people of Illinois by the State and are under the jurisdiction of the Department of Natural Resources ~~Historic Preservation Agency~~. All materials collected under this Act shall be maintained, with dignity and respect, for the people of the State under the care of the Illinois State Museum.

(Source: P.A. 86-151.)

(20 ILCS 3440/15) (from Ch. 127, par. 2675)

Sec. 15. The Department of Natural Resources ~~Historic Preservation Agency~~ shall promulgate such regulations as may be necessary to carry out the purposes of this Act.

(Source: P.A. 86-151.)

(20 ILCS 3440/16) (from Ch. 127, par. 2676)

Sec. 16. Activities reviewed by the Department of Natural Resources ~~Historic Preservation Agency~~ pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and activities permitted pursuant to the Federal Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87), or the rules and regulations promulgated thereunder or any law, rule or regulation adopted by the State of Illinois thereunder shall be exempt from these permitting requirements.

(Source: P.A. 86-151.)

Section 65. The Abraham Lincoln Presidential Library and

Museum Act is amended by changing Sections 30 and 60 as follows:

(20 ILCS 3475/30)

Sec. 30. Administration of the Agency. The Agency shall be under the supervision and direction of an Executive Director. The person serving on the effective date of this Act as Library Director, as defined in Section 33 of the Historic Preservation Agency Act, shall become the inaugural Executive Director on the effective date of this Act and shall serve as Executive Director until the expiration of his then-current term as Library Director. Thereafter, the Board shall appoint the Executive Director with the advice and consent of the Senate. The Executive Director shall serve at the pleasure of the Board for a term of 4 years. The Executive Director shall, subject to applicable provisions of law, execute and discharge the powers and duties of the Agency. The Executive Director shall have hiring power and shall appoint (a) a Library Facilities Operations Director; and (b) a Director of the Library. The Executive Director shall appoint those other employees of the Agency as he or she deems appropriate and shall fix the compensation of the Library Facilities Operations Director, the Director of the Library and other employees. The Executive Director may make provision to establish and collect admission and registration fees, operate a gift shop, and publish and sell educational and informational materials.

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(Source: P.A. 100-120, eff. 8-18-17.)

(20 ILCS 3475/60)

Sec. 60. Separation from the Historic Preservation Agency. On the effective date of this Act, all of the powers, duties, assets, liabilities, employees, contracts, property (real and personal), including any items formerly contained in the Illinois State Historical Library now presently held in the Abraham Lincoln Presidential Library and Museum, records, pending business, and unexpended appropriations of the Historic Preservation Agency related to the administration and enforcement of Sections 17, 32, and 33 of the Historic Preservation ~~Agency~~ Act are transferred to the Agency created under this Act. The status and rights of the transferred employees, and the rights of the State of Illinois and its agencies, under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement, or annuity plan are not affected (except as provided in Sections 14-110 and 18-127 of the Illinois Pension Code) by that transfer or by any other provision of this Act.

(Source: P.A. 100-120, eff. 8-18-17.)

Section 70. The Mississippi River Coordinating Council Act is amended by changing Sections 10 and 20 as follows:

(20 ILCS 4003/10)

Sec. 10. Mississippi River Coordinating Council.

(a) There is established the Mississippi River Coordinating Council (Council), consisting of 16 voting members to be appointed by the Governor. One member shall be the Lieutenant Governor who shall serve as a voting member and as chairperson of the Council. The agency members of the Council shall include the Directors, or their designees, of the following: the Department of Agriculture, the Department of Commerce and Economic Opportunity, the Illinois Environmental Protection Agency, the Department of Natural Resources, ~~the Historic Preservation Agency,~~ and the Department of Transportation. In addition, the Council shall include one member representing Soil and Water Conservation Districts located in the proximity of the Mississippi River and its tributaries, and 8 members representing local communities, not-for-profit organizations working to protect the Mississippi River and its tributaries, businesses, agriculture, recreation, conservation, and the environment, 2 of which must reside within a county that is adjacent to the Mississippi River.

(b) The Governor may appoint, as ex-officio members, individuals representing the interests of the states who border the Mississippi River and individuals representing federal agencies.

(c) Members of the Council shall serve 2-year terms, except that of the initial appointments, 5 members shall be appointed

to serve 3-year terms and 4 members to serve one-year terms.

(d) The Council shall meet at least quarterly.

(e) The Office of the Lieutenant Governor shall be responsible for the operations of the Council, including, without limitation, funding and oversight of the Council's activities. The Office may reimburse members of the Council for travel expenses.

(f) This Section is subject to the provisions of Section 405-500 of the Department of Central Management Services Law.

(g) The members of the Council shall appoint one member of the Council to serve as the Illinois representative to the National Mississippi River Parkway Commission.

(Source: P.A. 97-178, eff. 7-22-11.)

(20 ILCS 4003/20)

Sec. 20. Agency duties. State agencies represented on the Council shall provide to the Council, on request, information concerning agency programs, data, and activities that impact the restoration and preservation of the Mississippi River and its tributaries. The Secretary of Transportation, the Director of Agriculture, the Director of the Environmental Protection Agency, ~~the Director of Historic Preservation,~~ the Director of Natural Resources, and the Director of Commerce and Economic Opportunity shall each designate at least one employee from his or her respective agency to assist the Council.

(Source: P.A. 97-178, eff. 7-22-11.)

Section 75. The Task Force on Inventorying Employment Restrictions Act is amended by changing Section 10 as follows:

(20 ILCS 5000/10)

Sec. 10. Definitions. As used in this Act:

"State agencies" shall mean the following State agencies, boards, and commissions: Department on Aging, Department of Agriculture, Office of Appellate Defender, Office of the State's Attorneys Appellate Prosecutor, Illinois Arts Council, Office of the Attorney General, Auditor General, Capital Development Board, Department of Central Management Services, Department of Children and Family Services, Civil Service Commission, Illinois Department of Commerce and Economic Opportunity, Illinois Commerce Commission, Illinois Community College Board, State of Illinois Comprehensive Health Insurance Plan, Office of the Comptroller, Department of Corrections, Criminal Justice Information Authority, Illinois Council on Developmental Disabilities, Illinois Deaf and Hard of Hearing Commission, Commission on Discrimination and Hate Crimes, State Board of Education, Illinois Educational Labor Relations Board, State Board of Elections, Illinois Emergency Management Agency, Department of Employment Security, Environmental Protection Agency, Illinois State Fair, Illinois Finance Authority, Department of Financial and Professional Regulation, Office of the First Lady, Illinois Gaming Board,

Office of the Governor, Guardianship and Advocacy Commission, Department of Healthcare and Family Services, Board of Higher Education, ~~Historic Preservation Agency~~, Illinois Housing Development Authority, Illinois Human Rights Commission, Department of Human Rights, Department of Human Services, Illinois State Board of Investment, Department of Juvenile Justice, Office of the Lieutenant Governor, Department of Labor, Illinois Labor Relations Board, Illinois Law Enforcement Training Standards Board, Illinois Liquor Control Commission, Illinois Lottery, Governor's Office of Management and Budget, Illinois Medical District Commission, Department of Military Affairs, Department of Natural Resources, Pollution Control Board, Prairie State 2000 Authority, Property Tax Appeal Board, Department of Public Health, Illinois Prisoner Review Board, Illinois Racing Board, Department of Revenue, Office of the Secretary of State, State Fire Marshal, Illinois State Police, State Police Merit Board, State Retirement Systems, Office of the State Treasurer, State Universities Civil Service System, State Universities Retirement System, Illinois Student Assistance Commission, Illinois Supreme Court, Illinois Teachers' Retirement System, Illinois State Toll Highway Authority, Department of Transportation, Department of Veterans' Affairs, Governor's Office of Women's Affairs, and Illinois Workers' Compensation Commission.

(Source: P.A. 100-143, eff. 1-1-18.)

Section 80. The Heritage Preservation Act is amended by changing Section 3 as follows:

(30 ILCS 145/3) (from Ch. 127, par. 2653)

Sec. 3. (a) There is created the Heritage Preservation Fund, a special fund in the State Treasury.

(b) The Department of Natural Resources ~~Historic Preservation Agency~~ shall deposit any donations received for heritage preservation purposes in the Heritage Preservation Fund.

(c) The General Assembly may appropriate monies from the Heritage Preservation Fund to the Department of Natural Resources ~~Historic Preservation Agency~~ for the purposes of identifying, purchasing, restoring, preserving, protecting, collecting and interpreting the cultural and historical resources and heritage of the State and its people.

(Source: P.A. 86-678.)

Section 85. The Public Use Trust Act is amended by changing Section 2 as follows:

(30 ILCS 160/2) (from Ch. 127, par. 4002)

Sec. 2. (a) The Department of Agriculture and ~~the~~ Department of Natural Resources, ~~and the Historic Preservation Agency~~ have the power to enter into a trust agreement with a

person or group of persons under which the State agency may receive or collect money or other property from the person or group of persons and may expend such money or property solely for a public purpose within the powers and duties of that State agency and stated in the trust agreement. The State agency shall be the trustee under any such trust agreement.

(b) Money or property received under a trust agreement shall not be deposited in the State treasury and is not subject to appropriation by the General Assembly, but shall be held and invested by the trustee separate and apart from the State treasury. The trustee shall invest money or property received under a trust agreement as provided for trustees under the Trusts and Trustees Act or as otherwise provided in the trust agreement.

(c) The trustee shall maintain detailed records of all receipts and disbursements in the same manner as required for trustees under the Trusts and Trustees Act. The trustee shall provide an annual accounting of all receipts, disbursements, and inventory to all donors to the trust and the Auditor General. The annual accounting shall be made available to any member of the public upon request.

(Source: P.A. 89-445, eff. 2-7-96.)

Section 90. The Build Illinois Act is amended by changing Section 1-3 as follows:

(30 ILCS 750/1-3) (from Ch. 127, par. 2701-3)

Sec. 1-3. The following agencies, boards and entities of State government may expend appropriations for the purposes contained in this Act: Department of Natural Resources; Department of Agriculture; Illinois Finance Authority; Capital Development Board; Department of Transportation; Department of Central Management Services; Illinois Arts Council; Environmental Protection Agency; ~~Historic Preservation Agency;~~ State Board of Higher Education; the Metropolitan Pier and Exposition Authority; State Board of Education; Illinois Community College Board; Board of Trustees of the University of Illinois; Board of Trustees of Chicago State University; Board of Trustees of Eastern Illinois University; Board of Trustees of Governors State University; Board of Trustees of Illinois State University; Board of Trustees of Northeastern Illinois University; Board of Trustees of Northern Illinois University; Board of Trustees of Western Illinois University; and Board of Trustees of Southern Illinois University.

(Source: P.A. 93-205, eff. 1-1-04.)

Section 95. The Illinois Income Tax Act is amended by changing Section 221 as follows:

(35 ILCS 5/221)

Sec. 221. Rehabilitation costs; qualified historic properties; River Edge Redevelopment Zone.

(a) For taxable years beginning on or after January 1, 2012 and ending prior to January 1, 2022, 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 Department of Natural Resources ~~Historic Preservation Agency~~, shall determine the amount of eligible rehabilitation costs and expenses. The Department of Natural Resources ~~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 Department of Natural Resources ~~Historic Preservation Agency~~ to reimburse the Department of Commerce and Economic Opportunity and the Department of Natural Resources ~~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 Department of Natural Resources ~~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 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.

(Source: P.A. 99-914, eff. 12-20-16; 100-236, eff. 8-18-17.)

Section 100. The Historic Preservation Tax Credit Pilot Program Act is amended by changing Sections 5, 15, and 30 as

follows:

(35 ILCS 30/5)

Sec. 5. Definitions. As used in this Section, unless the context clearly indicates otherwise:

(a) (Blank). ~~"Agency" means the Historic Preservation Agency.~~

(b) "Department" means the Department of Commerce and Economic Opportunity.

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

(d) "Qualified historic structure" means a hotel that is located in the City of Peoria and that is defined as a certified historic structure under Section 47 (c) (3) of the federal Internal Revenue Code.

(e) "Qualified rehabilitation plan" means a project that is approved by the Department of Natural Resources ~~Agency~~ as being consistent with the standards in effect on the effective date of this Act for rehabilitation as adopted by the federal Secretary of the Interior.

(f) "Qualified taxpayer" means the owner of the qualified historic structure or any other person who may qualify for the federal rehabilitation credit allowed by Section 47 of the

federal Internal Revenue Code. If the taxpayer is (i) a corporation having an election in effect under Subchapter S of the federal Internal Revenue Code, (ii) a partnership, or (iii) a limited liability company, the credit provided under this Act may be claimed by the shareholders of the corporation, the partners of the partnership, or the members of the limited liability company in the same manner as those shareholders, partners, or members account for their proportionate shares of the income or losses of the corporation, partnership, or limited liability company, or as provided in the by-laws or other executed agreement of the corporation, partnership, or limited liability company. Credits granted to a partnership, a 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.

(Source: P.A. 96-933, eff. 6-21-10.)

(35 ILCS 30/15)

Sec. 15. Allowable credit. To the extent authorized by Section 25 of this Act, for taxable years beginning on or after January 1, 2010 and ending on or before December 31, 2015, there shall be allowed a tax credit against the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income

Tax Act 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 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. If the amount of any tax credit awarded under this Act exceeds the qualified taxpayer's income tax liability for the year in which the qualified rehabilitation plan was placed in service, the excess amount may be carried forward for deduction from the taxpayer's income tax liability in the next succeeding year or years until the total amount of the credit has been used, except that a credit may not be carried forward for deduction after the tenth taxable year after the taxable year in which the qualified rehabilitation plan was placed in service. To obtain a tax credit pursuant to this Act, an application must be made to the Department no later than 6 months after the effective date of this Act. The Department, in consultation with the Department of Natural Resources Agency, shall determine the amount of eligible rehabilitation costs and expenses. The Department of Natural Resources 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 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 Act. If collected, this issuance fee shall be evenly divided between the Department and the Department of Natural Resources ~~Agency~~. The taxpayer must attach the certificate to the tax return on which the credits are to be claimed.

(Source: P.A. 96-933, eff. 6-21-10.)

(35 ILCS 30/30)

Sec. 30. Powers. The Department and the Department of Natural Resources ~~Agency~~ shall promulgate rules and regulations for the administration of this Act.

(Source: P.A. 96-933, eff. 6-21-10.)

Section 105. The Counties Code is amended by changing Sections 5-31012 and 5-31017 as follows:

(55 ILCS 5/5-31012) (from Ch. 34, par. 5-31012)

Sec. 5-31012. Powers of district. To the extent necessary to carry out the purpose of this Division and in addition to any other powers, duties and functions vested in museum districts by law, but subject to limitations and restrictions imposed elsewhere by this Division or other law, a museum district is authorized and empowered:

(a) To adopt bylaws, adopt and use a common seal, enter

into contracts, acquire and hold real and personal property and take such other actions as may be necessary for the proper conduct of its affairs.

(b) To make and publish all ordinances, rules and regulations necessary for the management and protection of its property and the conduct of its affairs.

(c) To study and ascertain the museum district artifacts and other materials, the need for preserving such resources and providing such facilities and the extent to which such needs are currently being met, and to prepare and adopt coordinated plans to meet such needs.

(d) To acquire by gift, devise, purchase, lease, agreement or otherwise the fee or any lessor right or interest in real and personal property, and to hold the same with public access for those who wish to examine or study it. The museum district may accept the transfer of any real or personal property owned or controlled by the State of Illinois, the county board, or the governing body of any municipality, district or public corporation and not devoted or dedicated to any other inconsistent public use. In acquiring or accepting land or rights thereto, the museum district shall give due consideration to its historical value or county significance, and no real property shall be acquired or accepted which in the opinion of the museum district and the Illinois State Museum is of low value as to its proposed use.

(e) To acquire any or all interest in real or personal

property by a contract for purchase providing for payment in installments over a period not to exceed 10 years with interest on the unpaid balance owing not to exceed an amount calculated pursuant to the provisions of "An Act to authorize public corporations to issue bonds, other evidences of indebtedness and tax anticipation warrants subject to interest rate limitations set forth therein", approved May 26, 1970, as amended. The indebtedness incurred under this subsection when aggregated with existing indebtedness may not exceed the debt limits provided in Section 5-31016.

(f) To classify, designate, plan, develop, preserve, administer and maintain all areas and facilities in which it has an interest and to construct, reconstruct, alter, renew, equip and maintain buildings and other structures. Any work performed on any building, appurtenance, structure or area listed on the National Register of Historic Places or deemed eligible for such listing shall be performed within such guidelines as are established by the Department of Natural Resources ~~Illinois Historic Preservation Agency~~.

(g) To accept gifts, grants, bequests, contributions and appropriations of money and personal property for museum district purposes.

(h) To employ and fix the compensation of an executive officer who shall be responsible to the board for the implementation of its policies. The executive officer shall have the power, subject to the approval of the board, to employ

and fix the compensation of such assistants and employees as the board may consider necessary for the implementation of this Division.

(i) To charge and collect reasonable fees for the use of such facilities, privileges and conveniences as may be provided.

(j) To police its property and to exercise police powers in respect thereto or in respect to the enforcement of any rule or regulation provided by its ordinances.

(k) To lease land for a period not longer than 50 years to a responsible person, firm, or corporation for construction, reconstruction, alteration, development, operation and maintenance of buildings, roads, and parking areas. Any work performed on any leased building, structure, appurtenances or area which is listed on the National Register of Historic Places or deemed eligible for such listing shall be performed within such guidelines as are established by the Department of Natural Resources ~~Illinois Historic Preservation Agency~~. Upon expiration of any lease of land under this subsection, title to all structures on the leased land shall be vested in the museum district.

(l) To lease any building or facility constructed, reconstructed, altered, renewed, equipped, furnished, extended, developed, and maintained by the museum district to a responsible person, firm or corporation for operation or development or both, and maintenance for a period not longer

than 20 years. Development, maintenance or both of any building, structures, appurtenances or area which is listed on the National Register of Historic Places or deemed eligible for such listing shall be performed within such guidelines as are established by the Department of Natural Resources ~~Illinois Historic Preservation Agency~~.

(m) To make grants to not-for-profit historical clubs, organizations or groups within the county.

(Source: P.A. 86-962.)

(55 ILCS 5/5-31017) (from Ch. 34, par. 5-31017)

Sec. 5-31017. Historical buildings. Nothing in this Division shall prohibit the museum district from appropriating funds as otherwise provided in this Division for the construction, equipment, extension, improvement, operation or maintenance of any historical building, monument or marker. Provided, however, that any work performed on any historical building, monument or marker listed on the National Register of Historic Places or deemed eligible for such listing shall be conducted within such guidelines as are established by the Department of Natural Resources ~~Illinois Historic Preservation Agency~~.

(Source: P.A. 86-962.)

Section 110. The Historical Document Preservation Act is amended by changing Section 2 as follows:

(55 ILCS 120/2) (from Ch. 128, par. 19)

Sec. 2. The officer having the custody of such papers, drawings, maps, writings and records shall permit search to be made at all reasonable hours and under his supervision for such as may be deemed of historic interest. Whenever so directed by the county board in the manner prescribed in the foregoing section such officer shall deliver the same to the trustee, directors or librarian or other officer of the Department of Natural Resources ~~Historic Preservation Agency~~ or society designated by such county board.

(Source: P.A. 92-600, eff. 7-1-02.)

Section 115. The Liquor Control Act of 1934 is amended by changing Section 6-15 as follows:

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

Sec. 6-15. No alcoholic liquors shall be sold or delivered in any building belonging to or under the control of the State or any political subdivision thereof except as provided in this Act. The corporate authorities of any city, village, incorporated town, township, or county may provide by ordinance, however, that alcoholic liquor may be sold or delivered in any specifically designated building belonging to or under the control of the municipality, township, or county, or in any building located on land under the control of the

municipality, township, or county; provided that such township or county complies with all applicable local ordinances in any incorporated area of the township or county. Alcoholic liquor may be delivered to and sold under the authority of a special use permit on any property owned by a conservation district organized under the Conservation District Act, provided that (i) the alcoholic liquor is sold only at an event authorized by the governing board of the conservation district, (ii) the issuance of the special use permit is authorized by the local liquor control commissioner of the territory in which the property is located, and (iii) the special use permit authorizes the sale of alcoholic liquor for one day or less. Alcoholic liquors may be delivered to and sold at any airport belonging to or under the control of a municipality of more than 25,000 inhabitants, or in any building or on any golf course owned by a park district organized under the Park District Code, subject to the approval of the governing board of the district, or in any building or on any golf course owned by a forest preserve district organized under the Downstate Forest Preserve District Act, subject to the approval of the governing board of the district, or on the grounds within 500 feet of any building owned by a forest preserve district organized under the Downstate Forest Preserve District Act during times when food is dispensed for consumption within 500 feet of the building from which the food is dispensed, subject to the approval of the governing board of the district, or in a

building owned by a Local Mass Transit District organized under the Local Mass Transit District Act, subject to the approval of the governing Board of the District, or in Bicentennial Park, or on the premises of the City of Mendota Lake Park located adjacent to Route 51 in Mendota, Illinois, or on the premises of Camden Park in Milan, Illinois, or in the community center owned by the City of Loves Park that is located at 1000 River Park Drive in Loves Park, Illinois, or, in connection with the operation of an established food serving facility during times when food is dispensed for consumption on the premises, and at the following aquarium and museums located in public parks: Art Institute of Chicago, Chicago Academy of Sciences, Chicago Historical Society, Field Museum of Natural History, Museum of Science and Industry, DuSable Museum of African American History, John G. Shedd Aquarium and Adler Planetarium, or at Lakeview Museum of Arts and Sciences in Peoria, or in connection with the operation of the facilities of the Chicago Zoological Society or the Chicago Horticultural Society on land owned by the Forest Preserve District of Cook County, or on any land used for a golf course or for recreational purposes owned by the Forest Preserve District of Cook County, subject to the control of the Forest Preserve District Board of Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage, and harm, or in any building located on land owned by the Chicago

Park District if approved by the Park District Commissioners, or on any land used for a golf course or for recreational purposes and owned by the Illinois International Port District if approved by the District's governing board, or at any airport, golf course, faculty center, or facility in which conference and convention type activities take place belonging to or under control of any State university or public community college district, provided that with respect to a facility for conference and convention type activities alcoholic liquors shall be limited to the use of the convention or conference participants or participants in cultural, political or educational activities held in such facilities, and provided further that the faculty or staff of the State university or a public community college district, or members of an organization of students, alumni, faculty or staff of the State university or a public community college district are active participants in the conference or convention, or in Memorial Stadium on the campus of the University of Illinois at Urbana-Champaign during games in which the Chicago Bears professional football team is playing in that stadium during the renovation of Soldier Field, not more than one and a half hours before the start of the game and not after the end of the third quarter of the game, or in the Pavilion Facility on the campus of the University of Illinois at Chicago during games in which the Chicago Storm professional soccer team is playing in that facility, not more than one and a half hours before the

start of the game and not after the end of the third quarter of the game, or in the Pavilion Facility on the campus of the University of Illinois at Chicago during games in which the WNBA professional women's basketball team is playing in that facility, not more than one and a half hours before the start of the game and not after the 10-minute mark of the second half of the game, or by a catering establishment which has rented facilities from a board of trustees of a public community college district, or in a restaurant that is operated by a commercial tenant in the North Campus Parking Deck building that (1) is located at 1201 West University Avenue, Urbana, Illinois and (2) is owned by the Board of Trustees of the University of Illinois, or, if approved by the District board, on land owned by the Metropolitan Sanitary District of Greater Chicago and leased to others for a term of at least 20 years. Nothing in this Section precludes the sale or delivery of alcoholic liquor in the form of original packaged goods in premises located at 500 S. Racine in Chicago belonging to the University of Illinois and used primarily as a grocery store by a commercial tenant during the term of a lease that predates the University's acquisition of the premises; but the University shall have no power or authority to renew, transfer, or extend the lease with terms allowing the sale of alcoholic liquor; and the sale of alcoholic liquor shall be subject to all local laws and regulations. After the acquisition by Winnebago County of the property located at 404 Elm Street in

Rockford, a commercial tenant who sold alcoholic liquor at retail on a portion of the property under a valid license at the time of the acquisition may continue to do so for so long as the tenant and the County may agree under existing or future leases, subject to all local laws and regulations regarding the sale of alcoholic liquor. Alcoholic liquors may be delivered to and sold at Memorial Hall, located at 211 North Main Street, Rockford, under conditions approved by Winnebago County and subject to all local laws and regulations regarding the sale of alcoholic liquor. Each facility shall provide dram shop liability in maximum insurance coverage limits so as to save harmless the State, municipality, State university, airport, golf course, faculty center, facility in which conference and convention type activities take place, park district, Forest Preserve District, public community college district, aquarium, museum, or sanitary district from all financial loss, damage or harm. Alcoholic liquors may be sold at retail in buildings of golf courses owned by municipalities or Illinois State University in connection with the operation of an established food serving facility during times when food is dispensed for consumption upon the premises. Alcoholic liquors may be delivered to and sold at retail in any building owned by a fire protection district organized under the Fire Protection District Act, provided that such delivery and sale is approved by the board of trustees of the district, and provided further that such delivery and sale is limited to fundraising events

and to a maximum of 6 events per year. However, the limitation to fundraising events and to a maximum of 6 events per year does not apply to the delivery, sale, or manufacture of alcoholic liquors at the building located at 59 Main Street in Oswego, Illinois, owned by the Oswego Fire Protection District if the alcoholic liquor is sold or dispensed as approved by the Oswego Fire Protection District and the property is no longer being utilized for fire protection purposes.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of the University of Illinois for events that the Board may determine are public events and not related student activities. The Board of Trustees shall issue a written policy within 6 months of August 15, 2008 (the effective date of Public Act 95-847) concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, among other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) regarding the anticipated

attendees at the event, the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue. In addition, any policy submitted by the Board of Trustees to the Illinois Liquor Control Commission must require that any event at which alcoholic liquors are served or sold in buildings under the control of the Board of Trustees shall require the prior written approval of the Office of the Chancellor for the University campus where the event is located. The Board of Trustees shall submit its policy, and any subsequently revised, updated, new, or amended policies, to the Illinois Liquor Control Commission, and any University event, or location for an event, exempted under such policies shall apply for a license under the applicable Sections of this Act.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Northern Illinois University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after June 28, 2011 (the effective date of Public Act 97-45) concerning the types of events that would be eligible for an

exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following:

(i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Chicago State University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after August 2, 2013 (the effective date of Public Act 98-132)

concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Illinois State University for events that the Board may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after

March 1, 2013 (the effective date of Public Act 97-1166) concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of Southern Illinois University for events that the Board may determine are public events and not student-related activities. The Board of

Trustees shall issue a written policy within 6 months after August 12, 2016 (the effective date of Public Act 99-795) concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of a public university for events that the Board of Trustees of that public university may

determine are public events and not student-related activities. If the Board of Trustees of a public university has not issued a written policy pursuant to an exemption under this Section on or before July 15, 2016 (the effective date of Public Act 99-550), then that Board of Trustees shall issue a written policy within 6 months after July 15, 2016 (the effective date of Public Act 99-550) concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and University policies; (iv) the anticipated attendees at the event and the relative proportion of individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the

venue. As used in this paragraph, "public university" means the University of Illinois, Illinois State University, Chicago State University, Governors State University, Southern Illinois University, Northern Illinois University, Eastern Illinois University, Western Illinois University, and Northeastern Illinois University.

Alcoholic liquors may be served or sold in buildings under the control of the Board of Trustees of a community college district for events that the Board of Trustees of that community college district may determine are public events and not student-related activities. The Board of Trustees shall issue a written policy within 6 months after July 15, 2016 (the effective date of Public Act 99-550) concerning the types of events that would be eligible for an exemption. Thereafter, the Board of Trustees may issue revised, updated, new, or amended policies as it deems necessary and appropriate. In preparing its written policy, the Board of Trustees shall, in addition to other factors it considers relevant and important, give consideration to the following: (i) whether the event is a student activity or student-related activity; (ii) whether the physical setting of the event is conducive to control of liquor sales and distribution; (iii) the ability of the event operator to ensure that the sale or serving of alcoholic liquors and the demeanor of the participants are in accordance with State law and community college district policies; (iv) the anticipated attendees at the event and the relative proportion of

individuals under the age of 21 to individuals age 21 or older; (v) the ability of the venue operator to prevent the sale or distribution of alcoholic liquors to individuals under the age of 21; (vi) whether the event prohibits participants from removing alcoholic beverages from the venue; and (vii) whether the event prohibits participants from providing their own alcoholic liquors to the venue. This paragraph does not apply to any community college district authorized to sell or serve alcoholic liquor under any other provision of this Section.

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

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

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

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

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

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

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

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

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

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

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

(v) all applicable local ordinances are complied with.

Alcoholic liquors may be delivered or sold in any building belonging to or under the control of any city, village or incorporated town where more than 75% of the physical properties of the building is used for commercial or

recreational purposes, and the building is located upon a pier extending into or over the waters of a navigable lake or stream or on the shore of a navigable lake or stream. In accordance with a license issued under this Act, alcoholic liquor may be sold, served, or delivered in buildings and facilities under the control of the Department of Natural Resources during events or activities lasting no more than 7 continuous days upon the written approval of the Director of Natural Resources acting as the controlling government authority. The Director of Natural Resources may specify conditions on that approval, including but not limited to requirements for insurance and hours of operation. Notwithstanding any other provision of this Act, alcoholic liquor sold by a United States Army Corps of Engineers or Department of Natural Resources concessionaire who was operating on June 1, 1991 for on-premises consumption only is not subject to the provisions of Articles IV and IX. Beer and wine may be sold on the premises of the Joliet Park District Stadium owned by the Joliet Park District when written consent to the issuance of a license to sell beer and wine in such premises is filed with the local liquor commissioner by the Joliet Park District. Beer and wine may be sold in buildings on the grounds of State veterans' homes when written consent to the issuance of a license to sell beer and wine in such buildings is filed with the Commission by the Department of Veterans' Affairs, and the facility shall provide dram shop liability in maximum insurance coverage limits so as to save

the facility harmless from all financial loss, damage or harm. Such liquors may be delivered to and sold at any property owned or held under lease by a Metropolitan Pier and Exposition Authority or Metropolitan Exposition and Auditorium Authority.

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

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

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

- a. the State park has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,
- b. (blank), and
- c. the alcoholic liquors are sold by the State park lodge or restaurant concessionaire only during the hours

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

Alcoholic liquors may be sold at retail in buildings on properties under the control of the Division of Historic Sites and Preservation ~~Division~~ of the Department of Natural Resources ~~Historic Preservation Agency~~ or the Abraham Lincoln Presidential Library and Museum provided:

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

b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Division of Historic Sites and Preservation ~~Division~~ of the Department of Natural Resources ~~Historic Preservation Agency~~ or the Abraham Lincoln Presidential Library and Museum, and

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

The sale of alcoholic liquors pursuant to this Section does not authorize the establishment and operation of facilities commonly called taverns, saloons, bars, cocktail lounges, and the like except as a part of lodge and restaurant facilities in

State parks or golf courses owned by Forest Preserve Districts with a population of less than 3,000,000 or municipalities or park districts.

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

- a. the request is from a not-for-profit organization;
- b. such sales would not impede normal operations of the departments involved;
- c. the not-for-profit organization provides dram shop liability in maximum insurance coverage limits and agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm;
- d. no such sale shall be made during normal working hours of the State of Illinois; and
- e. the consent is in writing.

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

Alcoholic liquors may be provided in long term care

facilities owned or operated by a county under Division 5-21 or 5-22 of the Counties Code, when approved by the facility operator and not in conflict with the regulations of the Illinois Department of Public Health, to residents of the facility who have had their consumption of the alcoholic liquors provided approved in writing by a physician licensed to practice medicine in all its branches.

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

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

a. Obtains written consent from the controlling government authority;

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

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

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

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

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

Alcoholic liquors may be delivered to and sold at retail or dispensed at any facility, property or building under the jurisdiction of the Division of Historic Sites and Preservation ~~Division~~ of the Department of Natural Resources ~~Historic Preservation Agency~~ or the Abraham Lincoln Presidential Library and Museum where the delivery, sale or dispensing is by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written

permission to sell or dispense alcoholic liquors from a controlling government authority, or by (2) an individual or organization provided that such individual or organization:

a. Obtains written consent from the controlling government authority;

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

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

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

The controlling government authority for the Division of Historic Sites and Preservation ~~Division~~ of the Department of Natural Resources ~~Historic Preservation Agency~~ shall be the Director of Natural Resources ~~the Historic Sites and Preservation~~, and the controlling government authority for the Abraham Lincoln Presidential Library and Museum shall be the Executive Director of the Abraham Lincoln Presidential Library and Museum.

Alcoholic liquors may be delivered to and sold at retail or

dispensed for consumption at the Michael Bilandic Building at 160 North LaSalle Street, Chicago IL 60601, after the normal business hours of any day care or child care facility located in the building, by (1) a commercial tenant or subtenant conducting business on the premises under a lease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who accepts delivery of, sells, or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify, and save harmless the State of Illinois from all financial loss, damage, or harm arising out of the delivery, sale, or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial, or executive, provided that such agency first obtains written permission to accept delivery of and sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

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

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

c. accepts delivery of and sells or dispenses alcoholic liquors only in connection with an official activity in the

building; and

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

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

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

executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

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

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

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

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

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

Alcoholic liquors may be sold or delivered at any facility owned by the Illinois Sports Facilities Authority provided that dram shop liability insurance has been made available in a form, with such coverage and in such amounts as the Authority

reasonably determines is necessary.

Alcoholic liquors may be sold at retail or dispensed at the Rockford State Office Building by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Department of Central Management Services, or by (2) a not-for-profit organization, provided that such organization:

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

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

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

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

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

Alcoholic liquors may be sold or delivered in a building that is owned by McLean County, situated on land owned by the county in the City of Bloomington, and used by the McLean County Historical Society if the sale or delivery is approved by an ordinance adopted by the county board, and the municipality in which the building is located may not prohibit that sale or delivery, notwithstanding any other provision of this Section. The regulation of the sale and delivery of alcoholic liquor in a building that is owned by McLean County, situated on land owned by the county, and used by the McLean County Historical Society as provided in this paragraph is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution of the power of a home rule municipality to regulate that sale and delivery.

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

Alcoholic liquors may be delivered to and sold at retail in any building owned by a public library district, provided that the delivery and sale is approved by the board of trustees of that public library district and is limited to library fundraising events or programs of a cultural or educational nature. Before the board of trustees of a public library

district may approve the delivery and sale of alcoholic liquors, the board of trustees of the public library district must have a written policy that has been approved by the board of trustees of the public library district governing when and under what circumstances alcoholic liquors may be delivered to and sold at retail on property owned by that public library district. The written policy must (i) provide that no alcoholic liquor may be sold, distributed, or consumed in any area of the library accessible to the general public during the event or program, (ii) prohibit the removal of alcoholic liquor from the venue during the event, and (iii) require that steps be taken to prevent the sale or distribution of alcoholic liquor to persons under the age of 21. Any public library district that has alcoholic liquor delivered to or sold at retail on property owned by the public library district shall provide dram shop liability insurance in maximum insurance coverage limits so as to save harmless the public library districts from all financial loss, damage, or harm.

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

Alcoholic liquors may be sold or delivered in the building located at 1200 Centerville Avenue in Belleville, Illinois and

occupied by either the Belleville Area Special Education District or the Belleville Area Special Services Cooperative.

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

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

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

Alcoholic liquors may be delivered to and sold on any property owned, operated, or controlled by Lewis and Clark Community College, Illinois Community College District No. 536.

Alcoholic liquors may be delivered to and sold at the building located at 446 East Hickory Avenue in Apple River, Illinois, owned by the Apple River Fire Protection District, and occupied by the Apple River Community Association if the alcoholic liquor is sold or dispensed only in connection with organized functions approved by the Apple River Community Association for which the planned attendance is 20 or more persons and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Apple River Fire

Protection District, the Village of Apple River, and the Apple River Community Association from all financial loss, damage, and harm.

Alcoholic liquors may be delivered to and sold at the Sikia Restaurant, Kennedy King College Campus, located at 740 West 63rd Street, Chicago, and at the Food Services in the Great Hall/Washburne Culinary Institute Department facility, Kennedy King College Campus, located at 740 West 63rd Street, Chicago, owned by or under the control of City Colleges of Chicago, Illinois Community College District No. 508.

(Source: P.A. 99-78, eff. 7-20-15; 99-484, eff. 10-30-15; 99-550, eff. 7-15-16; 99-559, eff. 7-15-16; 99-795, eff. 8-12-16; 100-120, eff. 8-18-17; 100-201, eff. 8-18-17.)

Section 120. The Illinois Highway Code is amended by changing Section 4-201.5 as follows:

(605 ILCS 5/4-201.5) (from Ch. 121, par. 4-201.5)

Sec. 4-201.5. To lay out, construct and maintain, as a part of the State highway system, highways and entrances which will connect any State highway, now existing or hereafter constructed, with any State park, State forest, State wildlife or fish refuge, the grounds of any State institution or any recreational, scenic or historic place owned or operated by the State; any national cemetery; and to any tax supported airport constructed in part by State and federal funds; and, with the

consent of the Department of Natural Resources, to construct, maintain and repair that part of any road or bridge, not otherwise under the jurisdiction of the Department, which lies within any State park, State conservation area, State forest, State wildlife and fish refuge, or any other recreational scenic area owned and operated by the Department of Natural Resources. With the consent of the Department of Natural Resources ~~Historic Preservation Agency~~, to construct, maintain and repair that part of any road or bridge, not otherwise under the jurisdiction of the Department, which lies within any State Historic Site owned and operated by the Department of Natural Resources ~~Historic Preservation Agency~~.

(Source: P.A. 89-445, eff. 2-7-96.)

Section 999. Effective date. This Act takes effect upon becoming law.

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