

Enabling Legislation for Illinois Public Broadcasting Stations

Public Act 84-1040. Effective November 26, 1985. Amended at 30 ILCS 745/1; effective September 10, 1993.

An Act to provide for State grants to certain public radio and television stations in the State of Illinois and for related purposes.

Be it enacted by the People of the State of Illinois represented in the General Assembly.

Section 1 Definitions — As used in this Act, unless the context otherwise requires:

“Illinois public radio station” or “radio station” means a non-commercial public radio broadcasting station licensed as such by the Federal Communications Commission, or authorized under a program test authority by the Federal Communications Commission, which operates from a community located in the State, and meets the minimum criteria for receipt of Community Service Grants set by the Corporation for Public Broadcasting; and

“Illinois public television station” or “television station” means a non-commercial public television broadcasting station licensed as such by the Federal Communications Commission or authorized under a program test authority by the Federal Communications Commission, which operates from a community located in the State, and meets the minimum criteria for receipt of Community Service Grants set by the Corporation for Public Broadcasting.

“Eligible station” means a public radio or television station as defined hereinabove which had been in full-time operation and has met the minimum grant criteria of the corporation for Public Broadcasting before applying for a grant under this Act.

In the event the Corporation for Public Broadcasting should cease to exist, or its Community Service Grant program should terminate, or the eligibility criteria for grants under the Community Service Grant program shall be lowered then the criteria for eligibility for such grants which were extent on the effective date of this Act shall prevail for purposes of this Act.

“Station” unless otherwise qualified, means any eligible radio television station.

“Actual operating cost” means the total sum expended for the operations and maintenance of an Illinois public radio or television station.

Section 2 Certification Process

Each eligible station shall certify to the State Comptroller, in such form and at such time as the State Comptroller shall require, its actual operating cost for the prior fiscal year. Upon acceptance by the State Comptroller, such certification shall constitute the basis for grants provided under this Act.

Section 3 Allocation of Funds

Funds approved for the purpose of making grants to stations under this Act shall be divided into 2 grant pools, with 75% of such appropriated funds constituting a grant pool for public television stations and 25% of such appropriated funds constituting a grant pool for public radio stations.

Section 4 Basic Grants

Each eligible station shall receive an annual basic service grant in an amount equal to 30% of the grant pool for which it is eligible divided by the number of eligible stations.

Section 5 Operating Grants

Each eligible station shall receive an annual operating support grant amounting to a pro-rata share of 70% of the grant pool for which it is eligible. This share shall bear the same ratio to 70% of the grant pool from which it came as the station's actual operating cost bore in the previous fiscal year to the aggregate of such actual operating cost for all eligible stations for that year.

Section 6 Grant Limitations

Notwithstanding any other provision of this Act, no station shall in any year be allocated funds under this Act in excess of one-half of its actual operating cost for the prior fiscal year. Those funds not obligated by virtue of this limitation shall be distributed to the remaining stations in accordance with the provisions of Section 5 of this Act.

Notwithstanding any other provision of this Act, no station shall be allocated more than 60% of all funds in its grant pool. Those funds not obligated by virtue of this limitation shall be distributed to the remaining eligible stations in accordance with the provisions of Section 5 of this Act.

Section 7 Required Assurances

Each eligible station and its station licensee shall certify to the State Comptroller when applying for grant funds under this Act that any funds received pursuant to the provisions of this Act shall not supplant or cause to be reduced any other sources of funding for such stations and will be used solely for the benefit of a public broadcasting station and not for general institutional overhead or parent organization expenses.

Section 8 Illinois Public Broadcasting Council

There is hereby created a public corporation to be called the Illinois Public Broadcasting Council whose directors shall consist of one representative of each station eligible to receive grants under this Act. This Corporation shall function under such bylaws as shall be written by its initial directors and amended from time to time, provided, however, that such bylaws shall be in conformity with the application laws of the State of Illinois.

Section 9 Powers and Duties

The Illinois Public Broadcasting Council shall have power to accept grants or appropriations from the Federal government or the State, or any agency or instrumentality thereof to be used for the purchase of equipment for the exclusive use by the members of the Illinois Public Broadcasting Council as its Directors shall determine, and for the production and distribution of programming to the people of the State of Illinois as its Directors shall determine. Nothing in this Act shall preclude the Illinois Public Broadcasting Council from utilizing such equipment for the generation of revenue for the support of Illinois public broadcasting activities, nor shall the Illinois Public Broadcasting Council be precluded from raising funds from other sources for the support of its activities. (Ch. 127, rep, pars 1501 to 1505)

Section 10 “An Act to provide for State grants to certain public television stations” approved August 24, 1979, is repealed.

Section 11 This Act takes effect upon becoming a law.