



# FIRST READING

COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY

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## Major Bills Passed by the 103rd General Assembly

This issue of *First Reading* summarizes bills as they passed both houses in the spring session of the 103rd General Assembly's second year, and reports on the Governor's actions on them. A total of 469 bills passed both houses during that time. This issue summarizes 115 bills of general interest in 13 categories.

New acts prohibit imposition of credit card interchange fees on taxes and tips; limit the retailer's discount for collecting sales and use tax to \$1,000 per company per month; and create new tax credits for taxpayers having children under age 12, local news organizations that hire journalists, and qualified music companies. Lawmakers also voted to eliminate the 1% state sales and use tax on food for off-premises consumption, but allow municipalities and counties to tax such food at 1%.

A new law puts on the November ballot three advisory referenda on penalties for candidates who interfere with election workers' official duties; a 3% tax on annual income beyond \$1 million, to fund property tax relief; and insurance coverage for all assisted reproduction treatments.

The Chicago school board will be partly elected in 2025 and fully elected starting in 2027. A new state agency will oversee early childhood programs.

New laws ban most step therapy requirements for medical coverage, and prior authorization requirements for inpatient mental health treatment

coverage; raise Medicaid reimbursement rates for a number of services; and increase pay of direct service workers.

Lawmakers voted to establish new permitting and safety requirements for transporting and storing carbon dioxide, and for battery storage sites.

A new Office of Statewide Pretrial Services will provide pretrial services in counties that lack agencies for them. Lawmakers also voted to expand the Crime Victims Compensation Act to cover more people.

Information on all bills of the 103rd General Assembly is available at the General Assembly's website:

[www.ilga.gov](http://www.ilga.gov)

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# Appropriations & State Budget

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*The state's budget for fiscal year 2025 is \$204.2 billion—\$17.8 billion above the \$186.4 billion appropriated for FY 2024. General Funds appropriations rose 2.2%, from \$50.7 billion to \$51.8 billion.*

All FY 2025 appropriations for capital and operations spending were approved in one act. The budget plan is based on assumed General Funds revenues of \$53.3 billion—1.3% above the \$52.6 billion actual total in FY 2024. The modest assumed growth rate is mostly because one-time revenues that helped boost the FY 2024 total are not expected in FY 2025.

General Funds appropriations for K-12 education, including pension contributions, total \$17.6 billion (34.0% of General Funds appropriations); the share for higher education, including pension contributions, is \$4.6 billion (8.9% of the total). Appropriations for the five state pension funds and the Chicago teachers' pension fund total \$11.1 billion, including \$10.6 billion from the General Funds.

The FY 2025 Budget Implementation Act made changes related to finance, grants, fund transfers, state government, and education.

More details on the FY 2025 budget—including revenue changes, budget implementation provisions, and appropriations—are in the FY 2025 Budget Summary from the Commission on Government Forecasting and Accountability. That report, available on the Commission's website, also has information on FY 2024 revenues, state employee numbers, group insurance, Medicaid, education funding, state pension systems, and state borrowing.

FY 2025 Appropriations and FY 2024 Supplemental Appropriations:

**P.A. 103-589**, enacted by S.B. 251 (Sims et al./Gordon-Booth)

FY 2025 Budget Implementation:

**P.A. 103-588**, enacted by H.B. 4959 (Gabel – Gordon-Booth et al./Sims et al.)

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# Business & Economic Development

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*Bills that passed both houses raise charges on businesses to fund workers' compensation, and restrict the display in stores of alcohol-infused products and alcoholic beverages intended to resemble nonalcoholic ones. Legislators also voted to limit the liability of companies that unlawfully obtain or disclose biometric information on the same person multiple times; prohibit mandatory "captive audience" employee meetings; and raise mobile home parks' annual license fee.*

**Alcohol-Containing Products.** "Alcohol-infused products" are non-liquid foods having at least 0.5% alcohol by volume. Their makers, distributors, and sellers must be licensed under the Liquor Control Act. A store with over 2,500 square feet of sales space may not display such products, or co-branded alcoholic beverages (having branding, logos, or packaging similar to non-alcohol beverages) next to similar non-alcohol products. A smaller store may do so only if a sign states the alcoholic nature of the product. (Alcoholic beverage sections of stores are exempt.) No alcohol-infused product or co-branded alcoholic beverage may be kept or displayed next to products marketed to children (**P.A. 103-904**, enacted by S.B. 2625, Lightford et al./Tarver – Delgado – Didech – Mason – Chung et al.).

**Automatic Contract Renewal Reminders.** Sellers using automatically renewing contracts with free trial or promotional periods of at least 15 days must remind buyers of renewal at least 3 days before the cancellation deadline (**P.A. 103-919**, enacted by S.B. 2764, D.Turner – Hastings – Edly-Allen – Simmons et al./Gill – Smith – DeLuca – Avelar – Morris et al.).

**Biometric Information Privacy Act Changes.** Effective on enactment, a private entity that collects or discloses the same biometric information on the same person by the same method more than once will be liable for only one violation of the Biometric Information Privacy Act, bringing only one recovery. An electronic signature can constitute a written release to collect biometric information (**P.A. 103-769**, enacted by S.B. 2979, Cunningham et al./A.Williams – Gong-Gershowitz – Morgan – Rashid et al.).

**Captive Audience Meetings Ban.** Employers may not hold mandatory meetings to present positions on religious or political (including labor) matters to employees. Employees choosing not to attend them are protected from adverse action. Employees may bring civil actions alleging violations. Any organization that monitors laws on worker protection may notify the Department of Labor of suspected violations (**P.A. 103-722**, enacted by S.B. 3649, Peters – Cervantes – Hastings – Simmons – Collins et al./Evans – Walsh – Hanson – Guzzardi – Welch et al.).

**Creative Economy Task Force.** Subject to appropriation, a 16-member task force will develop a strategic plan to improve the state's "creative economy" and make it competitive with other states, reporting to the General Assembly by July 1, 2026 (**P.A. 103-811**, enacted by H.B. 4261, Stuart – Ammons – Avelar – Morris et al./Hunter).

**Day-Care Center Hours.** Day-care centers may operate for 24 or more hours at a time, and may keep a child up to 12 hours if the child's parent must work regularly scheduled shifts and at least 10 hours elapse between the child's visits to the center (**P.A. 103-952**, enacted by S.B. 3207, Tracy – E.Harriss et al./Frese – W.Davis – Swanson et al.).

**Digging Notice Requirements.** A new law adds many definitions and requirements for excavating in Illinois (including Chicago). The new provisions include times by which excavators and utility companies must fulfill duties to notify and mark underground utilities. Membership in the nonprofit Joint Utility Locating Information for Excavators (JULIE) is required of all utility

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## Business & Economic Development

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providers, including those in Chicago. Utility lines can be marked electronically. Starting in January 2026, excavators must use a “positive response system” to confirm that all underground utilities in an excavation area are marked. Utilities and excavators are to use “planning design requests” to meet and plan excavations to reduce problems on future projects. Requirements are added for underwater utilities to be identified before the bottom of a waterway is disturbed (**P.A. 103-614**, enacted by H.B. 5546, Walsh – Evans – Davidsmeyer – Yednock – A. Williams et al./Hastings – Belt – Rezin – Stadelman et al.).

### **Employment E-Verification.**

Public and private employers may not require verification or re-verification of work authorization beyond federal requirements. An employer that is told of a planned inspection of I-9 employment eligibility verification forms must post notice of it within 3 days and notify a union representing its workers. An employer that believes, or is told by a federal agency, that there is a problem with an employee’s documents for work in the U.S. must notify the employee, explain the issue, provide the “original document” to the employee, and allow the employee and a representative to contest the issue—except to the extent a federal agency

expressly requests or directs that notice not be given. Willful and knowing violation of these provisions can bring civil penalties of \$2,000 to \$5,000 per employee for first and \$5,000 to \$10,000 per employee for repeat violations, plus attorneys’ fees and actual damages (**P.A. 103-879**, enacted by S.B. 508, Cervantes – Villivalam – Porfirio – Aquino – Villanueva et al./ Delgado – Andrade – Jiménez – N.Hernandez – E.Hernandez et al.).

### **Food Infrastructure Grants.**

Subject to appropriation, the Department of Agriculture can fund grants to small farmers and food businesses for infrastructure to process, store, or distribute farm products grown, packaged, or increased in value in Illinois. Grants may be up to \$250,000 per collaborative project or \$75,000 per individual project. Except for “high need” projects, grantees must invest amounts comparable to grant funds (**P.A. 103-772**, enacted by S.B. 3077, Koehler – Hunter – D. Turner – Fowler – Belt et al./Harper – Chung – Nichols – Smith – Benton et al.).

**Local News Closures.** A local news organization (as defined) is not to be sold to a “company” without 120 days’ prior written notice to (1) affected employees and their representatives, (2) the Department of Commerce and Economic Opportunity and the county, and (3) any in-state, nonprofit organization in the business of buying local

news organizations (**P.A. 103-1021**, enacted by S.B. 3592, Stadelman – Ventura – Koehler – Lightford et al./D.Vella – Benton – Harper – Rashid et al.).

(Another part of this bill is summarized under Education.)

**Mobile Home Parks.** The Illinois Department of Public Health (IDPH) is to inspect each mobile home park annually and report to its management at least 60 days before its license expires. IDPH may charge an extra \$300 if reinspection is needed. Starting in 2026 it is to publish annual reports on numbers of parks, how many closed, how many did not comply with license requirements, and the status of administrative cases. The annual license fee per mobile home park (now \$250 plus \$7 per mobile home) will rise in 2025 to \$300 plus \$15 per home; the amount per home will rise in stages to \$25 in 2030 (**P.A. 103-819**, enacted by H.B. 4467, Moeller – Mussman – Rashid et al./Castro – Murphy et al.).

### **Unfair Service Agreements.**

An agreement to provide services related to maintenance, purchase, or sale of residential real estate of up to 4 units cannot be enforced if any provision is not to be performed within 1 year and any of the following are true: It purports to run with the land or bind future owners; it allows assignment without the owner’s

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# Civil Law

*Lawmakers voted to extend the Crime Victims Compensation Act to cover more people; prohibit distribution of a sound or audiovisual recording containing a digital replica of a person by artificial intelligence without the person's consent; and add electronic tracking as a basis for a court order against stalking. Other bills that passed both houses require a mobile home park owner who is selling the park to give the park homeowners' association the first chance to buy it; and prohibit state and local government entities from using their resources to assist other entities in imposing civil or criminal liability for seeking lawful healthcare activity.*



## **Artificial Intelligence in Employee Screening.**

Employers may not use artificial intelligence in relation to applicants or employees if it discriminates against persons in classes protected by the Illinois Human Rights Act; or use ZIP Codes as proxies for persons in such classes (P.A. 103-804, enacted by H.B. 3773, Andrade – Rashid et al./Cervantes).

## **Birth Certificates—Changing.**

An Illinois resident can petition the court in their county of residence to make findings deemed necessary for changing a birth certificate issued outside Illinois (P.A. 103-610, enacted by H.B. 5507, Olickal – Canty – Cassidy – Avelar et al./Villivalam – K.Villa – Simmons et al.).

## **Child Support and**

**Maintenance.** Added factors are stated for a court to estimate how much child support a voluntarily unemployed or underemployed person could pay; the estimate may be made only after an evidentiary hearing or by agreement of the parties. Being in jail or prison will not constitute voluntary unemployment for child support

purposes. But being in jail for nonpayment of maintenance will not stop maintenance obligations from accruing (P.A. 103-967, enacted by S.B. 3284, Halpin et al./Costa Howard et al.).

## **Crime Victims Compensation Act.**

Changes effective January 1, 2025: Aggravated battery is reinstated as a compensable offense (a renumbering in 2011 deleted it). Coverage is extended to (1) a relative who shared a dwelling with a victim, to pay for counseling and lost earnings due to caring for the victim, and relocation costs, (2) a person who was in a dating relationship with a victim killed in a crime of violence, to pay counseling costs, and (3) a person injured by a police officer's use of force (except to the extent the claimant's actions posed an imminent threat of death or serious injury to someone, causing the use of force), and persons who depended on a person killed by a police officer. Expenses for which compensation can be claimed are expanded to include earnings (limited in amount and duration) lost as a direct result of a covered crime; costs of a headstone or cremation; and legal fees necessitated by the

crime. A felon and the felon's family are not barred from applying for compensation; but a person may not begin receiving compensation while in a correctional institution. The eligibility requirement that a victim notify law enforcement soon after the crime can be satisfied by seeking care from a medical facility or mental health provider under criteria added to the Act. Money obtained by crowdfunding will not reduce a victim's compensation.

Provisions effective upon signing: If a vendor of goods or services related to a victim's claim attempts to collect while the claim is pending with the Attorney General, it may be held civilly liable. The Attorney General's office can issue subpoenas requiring law enforcement agencies to provide reports needed under the Act, and may not disclose such reports to anyone else (P.A. 103-1037, enacted by S.B. 3713, Peters et al./West – LaPointe – Harper – E.Hernandez et al.).

**Digital Likeness Use.** No agreement made after this bill

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## Civil Law

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becomes law may allow use, in a sound or audiovisual work, of a likeness of a person created by artificial intelligence or similar means rather than the person's actual performance, unless the agreement specifically describes the intended uses of the likeness and either was negotiated by the person's legal counsel or is explicitly allowed by a union contract (**P.A. 103-830**, enacted by H.B. 4762, Gong-Gershowitz – Welch – Huynh et al./Edly-Allen – A.Johnson – Hastings et al.).

### Digital Replica Use.

Distributing a sound or audiovisual recording containing a digital replica of a person, created by artificial intelligence or a similar means without the consent of the person or the person's authorized representative, may be redressed in a civil action by the person or the person's exclusive employer or distributor. This act adopts, to the extent applicable, exemptions in the federal copyright act for entities such as data storage providers that lack actual knowledge that material stored infringes on a person's rights under these provisions. Digital replicas may be used to report news, create documentaries, or comment on public affairs, if listeners and viewers are not given a false impression that the person depicted participated

in the depiction (**P.A. 103-836**, enacted by H.B. 4875, Gong-Gershowitz – Didech – J.Williams – Chung – Gordon-Booth et al./Edly-Allen – A.Johnson et al.).

### Durable Powers of Attorney—Determining Validity.

Criteria are stated for deciding whether to honor an Illinois statutory short-form power of attorney for property. Among other provisions, a third party may not require that such a power of attorney be on a form prescribed by it; but a third party may refuse to honor a power of attorney for any of a long list of reasons that include having cause to believe that the principal is dead; lacked capacity or was a victim of fraud, duress, or undue influence when granting the power; or is being abused or defrauded (**P.A. 103-994**, enacted by S.B. 3421, Harmon/Hoffman).

**Electronic Stalking.** Using an electronic tracking system, or otherwise acquiring tracking information, to track a person's locations or movements in a way that would cause a reasonable person to suffer fear or emotional distress can be the basis for a court order against stalking. The order may specifically prohibit such electronic tracking (**P.A. 103-760**, enacted by S.B. 2683, Stadelman – Hastings et al./D. Vella – Delgado – Croke – Tarver – Keicher et al.).

**Human Rights Act. Deadline.** The deadline for filing with the

Department of Human Rights a written charge alleging a violation of an article of the Act except Article 3 (Real Estate Transactions) is extended from 300 calendar days after the alleged violation to 2 years (**P.A. 103-973**, enacted by S.B. 3310, Simmons – A.Johnson – Edly-Allen/Tarver – Harper – Lilly et al.).

*Other provisions.* Changes include these: (1) The Act's definition of "Real estate transaction" is broadened to include any act that makes a transaction involving real property available or "alters a person's right to real property." (2) Prohibitions on acts involving real estate are expanded to include use of criteria or methods that have the effect of unlawful discrimination (as already defined) or discrimination based on family status, immigration status, source of income, or arrest record, if any "substantial, legitimate, non-discriminatory interest" achieved by the method or criteria could be achieved with less discriminatory effect. (3) Procedures and penalties for enforcing orders under the Act are expanded. (4) The Department of Human Rights is authorized to establish telephone lines for confidential reports of discrimination and harassment. (5) A section authorizing the Human Rights Commission and Department to cooperate with Congress's Government Accountability Office for reporting employment discrimination related to the

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federal Immigration Reform and Control Act of 1986 is repealed (**P.A. 103-859**, enacted by H.B. 5371, A. Williams – Delgado – Ford – Andrade et al./ Fine – Feigenholtz – Koehler – Lightford – Toro et al.).

**Landlord Retaliation.** A tenant can sue a landlord for taking negative action against the tenant for complaining, seeking assistance from a community group or the news media, or otherwise legally acting against the landlord for violations of codes applying to housing. Civil remedies including compensatory and punitive damages are available. Violation will be an affirmative defense to an eviction suit. This act replaces the Retaliatory Eviction Act (**P.A. 103-831**, enacted by H.B. 4768, Guzzardi – Hirschauer – Slaughter – Jiménez – Stava-Murray/K.Villa et al.).

**Menstrual Product Donation Immunity.** Nonprofit organizations that receive, inspect, and distribute menstrual products without charge are protected from civil liability except for willful or wanton conduct (**P.A. 103-668**, enacted by H.B. 4264, B.Hernandez et al./Loughran Cappel et al.).

**Mobile Homeowners' Association.** At least two-thirds of owners of mobile homes in a mobile home park may create a homeowners' association. The park owner, before offering the whole park for sale, must notify the association in writing of the price and terms offered.

The association has 60 days to buy the park. (If the owner later offers it for at least 20% less than the price first stated, the association has 10 days to match the offer.) Third parties can rely on an affidavit by the owner of compliance with these requirements if it is recorded. If the association buys the park, it can assess owners for common areas, and can convert the park to condominium, cooperative, or other form of organization (**P.A. 103-766**, enacted by S.B. 2935, Stadelman/D.Vella – Rashid – Huynh et al.).

**Mortgage Foreclosure Sales Online.** After the reinstatement period and redemption period, a foreclosed property may be sold by online sale if the court allows. A third-party online sales platform may be used, under standards stated in this act (**P.A. 103-930**, enacted by S.B. 2919, Martwick/Delgado).

**Prenatally Exposed Infants.** A Family Recovery Plan Implementation Task Force within the Department of Human Services will develop and implement family recovery plans for families in which an infant was prenatally exposed to a substance. It is to report to the General Assembly and Governor within 1 year after its first meeting. A section of the Abused and Neglected Child Reporting Act requiring the Department of Children and Family Services to report to the state's attorney of the county where a child is born with evidence of controlled substance use, not due to

medical treatment, is repealed (**P.A. 103-941**, enacted by S.B. 3136, Castro – Halpin – Sims – Simmons et al./Canty – Ammons – Costa Howard – Hoffman – Cassidy et al.).

**Reproductive Health Care.** State and local government entities may not use their resources to assist other entities in imposing civil or criminal liability for seeking lawful healthcare activity as defined in the Lawful Health Care Activity Act. Location information and records related to lawful health care are exempt from disclosure under the Freedom of Information Act. A private right of action is created for violating these prohibitions; a successful plaintiff is to receive attorney's fees and other expenses of litigation. Minors may apply for family planning services under Medicaid (**P.A. 103-786**, enacted by H.B. 5239, Cassidy – Jiménez – Canty – Olickal – Costa Howard et al./Villanueva – Castro – K.Villa – A.Johnson – Edly-Allen et al.).

**Tenant Screening Reports.** An applicant to rent real property may obtain and offer to property managers a "reusable tenant screening report" prepared in the last 30 days by a consumer credit reporting agency. If it contains all elements listed in this act, the owner may not charge the applicant an application screening fee (**P.A. 103-840**, enacted by H.B. 4926, Moeller et al./Feigenholtz).

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# Criminal Law

*Legislators voted to establish an Office of Statewide Pretrial Services, which will provide pretrial services in counties that lack agencies for them, and to make grants to local government agencies and community organizations to support programs providing services to arrested persons before trial. A new crime of obscene depiction of a purported child is created; a person charged with committing hazing in an academic institution cannot use a victim's acquiescence as a defense; and new task forces will study ways to develop community-based corrections and rehabilitation, and help develop and implement an integrated software system to gather and publish crime data from all law enforcement agencies in Illinois.*

**Airbag Fraud.** A Criminal Code section that prohibits installation in a motor vehicle of a device in lieu of a functional airbag is expanded to apply to making, importing, selling, or installing a supplemental restraint system, or component of one, that does not meet federal standards for the vehicle; has already inflated; has a detected electrical fault; is installed to mislead the user to believe that a functional airbag is installed; or has been recalled (**P.A. 103-900**, enacted by S.B. 2285, Villivalam/Olickal).

**Births to Committed Persons.** Pregnant persons committed to jails (no longer limited to Cook County) or prisons may not be restrained around the time of birth except for medical or extraordinary security reasons. Information on these prohibitions must be provided to them. Sheriffs must report data annually to the Department of Corrections on pregnant persons in custody and numbers of deliveries and miscarriages. The Department

must also compile such data on its own facilities, and include an account of any use of restraints at such times. The information must be reported to the Governor and General Assembly, and available to the public (**P.A. 103-745**, enacted by H.B. 5431, Cassidy – Gabel – Morris – Jiménez – McCombie et al./Edly-Allen – A.Johnson et al.).

**Community Corrections.** A task force consisting of legislators and others appointed by legislative leaders; gubernatorial appointees; and appointees by agencies or organizations related to criminal justice will study ways to develop community-based corrections and rehabilitation. It is to issue a final report by the end of 2025 (**P.A. 103-982**, enacted by S.B. 3353, Halpin et al./G.Johnson et al.).

**Criminal Justice Statistics Task Force.** The Illinois Criminal Justice Information Authority is to create a Uniform Statewide Crime Statistics



Task Force to help develop and implement an integrated software system to gather and publish crime data from all law enforcement agencies in Illinois. The Task Force is to report to the Governor and General Assembly, and then be dissolved 2 years after this act takes effect (**P.A. 103-798**, enacted by H.B. 2323, Didech – Cabello/Edly-Allen – A.Johnson et al.).

**Hazing.** A person charged with committing hazing in an academic institution cannot use a victim's acquiescence as a defense (**P.A. 103-765**, enacted by S.B. 2934, Stadelman et al./D.Vella).

**Law Enforcement (Misc.).** The Illinois State Police Division of Criminal Investigation is to work with federal law enforcement and other agencies on national security planning, intelligence gathering, and criminal investigations. The



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duties of its Division of Forensic Services are expanded to include examining digital evidence.

School superintendents are to report incidents of firearms or illegal drugs in schools, or on school property or buses, annually to the State Board of Education (replacing a requirement to report to the State Police). But local law enforcement agencies must be informed of such incidents, and report on them annually to the State Police for inclusion in its Uniform Crime Reports.

By July 1, 2025, the State Police must create a database identifying persons convicted of arson or attempted arson under Illinois law (replacing requirements that arsonists register with the State Police and local law enforcement) (P.A. 103-609, enacted by H.B. 5495, Crespo – Frese – Kelly – Cabello – Guerrero-Cuellar et al./Feigenholtz – DeWitte – Belt et al.).

**Post-Trial Relief.** Existing provisions authorizing a petition for relief from a judgment to be filed if the petitioner was convicted of a forcible felony and evidence, not presented at the sentencing hearing, shows that the petitioner’s participation in it resulted from being a victim of domestic or gender-based violence, or suffering postpartum depression, are extended to apply even if the sentence was negotiated as part of a plea agreement (P.A. 103-968, enacted by S.B. 3285,

Peters/Cassidy – Mayfield – Costa Howard – Buckner – B.Hernandez et al.).

**Pretrial Services.** *Grants.* Subject to appropriation, the Department of Human Services (DHS) is to make grants to local government agencies and community organizations to support programs providing services to arrested persons before trial. Grants will be allocated to “service areas” around the state. DHS is to report on this program to the General Assembly annually starting 12 months after the first grants are issued (P.A. 103-588, enacted by H.B. 4959, Gabel – Gordon-Booth et al./Sims et al.).

(Other parts of this act are summarized under other topics in this issue.)

*Statewide office.* Starting July 1, 2025, the state’s judicial branch is to have an Office of Statewide Pretrial Services, with a Director chosen by the Illinois Supreme Court. In counties and circuits that lack pretrial services agencies, the Office is to provide pretrial services (interviewing arrestees near their first court appearances, to help judges set terms for pretrial release). It is also to set standards for all pretrial services in Illinois, and establish a training and orientation program for local pretrial services agencies (P.A. 103-602, enacted by H.B. 4621, Slaughter et al./Sims – Hunter – Belt).

### **Sexually Explicit Depictions.**

A new crime of obscene depiction of a purported child is created, with elements similar to those of the crime of obscenity but with (1) an added element that a person depicted appears or is purported to be under 18 and (2) a condition that the depiction may be either authentic or simulated. Knowingly receiving such a depiction will be a Class 3 felony (Class 2 if a repeat offense); distributing or offering to distribute it will be a Class 1 felony (Class X if a repeat offense). Penalties will be even higher if a purported child depicted is under age 13 or 9. The crime of non-consensual dissemination of private sexual images is expanded to apply to depicting persons of any age (formerly at least age 10), and to apply if the distributor knows the identity of a person depicted even though the image and accompanying information do not disclose it.

Nonconsensual distribution of an AI-generated image, purportedly showing a person who is recognizable or known to the distributor engaged in sexually explicit conduct, will be a Class 4 felony. Violation of a prohibition described above can result in forfeiture of profits and other fruits of the crimes, and of any computer containing such depictions. A person convicted of distributing an obscene depiction of a purported child, or previously convicted of a sex crime against a person under 18 and

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## Criminal Law

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then convicted of knowingly receiving such a depiction of a child under 13, may not receive probation and must be sentenced to at least the statutory minimum term. Sentences for the most serious of these new crimes must be consecutive to any other sentence imposed, and mandatory supervised release terms can last up to the violator's natural life. A

person convicted of obscene depiction of a purported child may not get a school bus driver permit or a commercial driver's license with a school bus driver endorsement (**P.A. 103-825**, enacted by H.B. 4623, Gong-Gershowitz – Manley – Croke – Stava-Murray et al./Edly-Allen – Belt – Castro – Simmons – Lightford et al.).

### Weapons Use Terminology.

Provisions in the Criminal Code and other laws on

unlawful "use" of weapons or ammunition are changed to speak of unlawful "possession" of them if there is no actual offensive use (such as discharge of a firearm). The phrase "armed habitual criminal" is changed to "repeat felony offender" (**P.A. 103-822**, enacted by H.B. 4500, Buckner – Cassidy et al./Cervantes – Porfirio et al.).

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## Business & Economic Development

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consent; or it purports to place a lien or other security interest on the property. Making such an agreement with a consumer will violate the Consumer Fraud and Deceptive Business Practices Act. A number of kinds of contracts are exempt, including home warranties for maintenance of major home systems for fixed terms (**P.A. 103-993**, enacted by S.B. 3420, Harmon et al./Costa Howard).

### Utility Disconnection

**Protection.** By June 1, 2025, each electric or gas utility serving over 500,000 Illinois customers must have a program under which applicants for state utility assistance may not be disconnected for 30 days after utility receipt of notice of their application. An applicant approved for assistance may not be disconnected for 45 more

days. The 30-day protection period may be used only once a year (**P.A. 103-661**, enacted by H.B. 4118, West – Delgado et al./Stadelman et al.).

### Workers' Compensation

**Rate Changes, Etc.** In July the Illinois Workers' Compensation Commission Operations Fund Surcharge rose from 1.01% to 1.092% of each insurer's annual workers' comp premium, and the IWCC Operations Fund Fee rose from 0.0075% to 0.0081% of each self-insured employer's annual wages paid in Illinois. Required payments to the Rate Adjustment Fund rose from 1.25% to 1.375% of all compensation payments in the latest half-year.

A final decision by the Workers' Compensation Commission imposing penalties may be enforced as a court judgment if the time for seeking judicial review has passed. An employer failing to pay

benefits due to an injured employee must pay the Injured Workers' Benefit Fund for any compensation awarded by the Commission to the employee, in addition to any other penalties.

Intentional acts to prepare or provide an invalid or false certificate of workers' compensation insurance becomes punishable by a civil penalty up to \$10,000 (added to existing criminal penalties).

Up to \$2 million per fiscal year may be transferred from the Self-Insurers Security Fund to the IWCC Operations Fund if that Fund is insufficient to pay operating costs or compensation of Commission employees. The transfer must be repaid with interest the next fiscal year (**P.A. 103-590**, enacted by S.B. 1996, Cunningham – Loughran Cappel – A.Johnson – K.Villa – Preston et al./Hoffman et al.).

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# Education

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## Elementary and Secondary

*A new law requires the Chicago school board to be partly elected in 2025 and fully elected starting in 2027. A new state agency will oversee early childhood programs. Schools are to teach about climate change; develop cardiac emergency response plans; and have automated external defibrillators present during school activities. Startup grants for “breakfast after the bell” programs are authorized.*

**Automated External Defibrillators.** Each school must have at least one AED present during school days and school-sponsored activities on school grounds (**P.A. 103-1019**, enacted by S.B. 3571, E.Harriss et al./Elik – Sanalidro – Schmidt – Kelly – McLaughlin et al.).

**Chicago Board of Education—Elections.** Chicago is divided into 10 districts, each with 2 subdistricts, to elect its school board. In November 2024, 10 members will be elected (1 per district). The Mayor will appoint a member from each district (who must not live in the same subdistrict as the one elected), and the Board President. Those 21 members will serve the first 2 years. Starting in 2027, all 21 members will be elected for 2- or 4-year terms. A Chicago Board of Education Black Student Achievement Committee will advise the board on educational policies (**P.A. 103-584**, enacted by S.B. 15, Harmon/A.Williams – Evans – Stephens – Delgado – Buckner et al.).

**Corporal Punishment Ban.** Corporal punishment is prohibited in all public, private, and charter schools (**P.A. 103-806**, enacted by H.B. 4175,

Croke – Stuart et al./A.Johnson – Collins et al.).

## Early Childhood Department.

A new Department of Early Childhood is created on July 1, 2024. It will oversee home-visiting services; early intervention services; preschool services; child care services; licensing of day-care centers, day-care homes, and group day-care homes; and other programs formerly under the State Board of Education, Department of Human Services, or Department of Children and Family Services (**P.A. 103-594**, enacted by S.B. 1, Lightford – Morrison – A.Johnson – Halpin – Loughran Cappel et al./Canty – Mason – Lilly – E.Hernandez – W.Davis et al.).

## Environmental Education.

Starting in 2026-27, all public schools must provide instruction on climate change. The State Board of Education will make available instructional resources and professional learning opportunities to educators for that purpose (**P.A. 103-837**, enacted by H.B. 4895, Yang Rohr – du Buclet – Ford – Faver Dias et al./A.Johnson – Collins et al.).

## Medical Emergency Training.

Within 30 days after the start of each school year, public school boards must give teachers, administrators, and other school personnel information on emergency procedures, including the Heimlich maneuver, hands-only cardiopulmonary resuscitation, and use of the school’s automated external defibrillator. Each school district and private school must develop a cardiac emergency response plan and give it to all teachers, administrators, school support personnel, coaches, and other school staff as necessary (**P.A. 103-608**, enacted by H.B. 5394, Faver Dias et al./E.Harriss et al.).

**School Breakfasts.** The State Board of Education is to make grants up to \$7,000 per school for initial expenses of a “breakfast after the bell” program. Preference will go to applicants that submit plans to start or expand school breakfast programs; agree to operate “breakfast after the bell programs” for at least 3 years; and have high percentages of their students eligible for free or reduced-price meals (**P.A. 103-588**, enacted by H.B. 4959, Gabel – Gordon-Booth et al./Sims et al.).

(Another part of this act is summarized below under Higher Education. Other parts are summarized in other articles in this issue.)

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## Higher Education

*(continued from p. 11)*

*Lawmakers voted to remove some limits on student-athlete compensation; authorize a student loan repayment assistance program; and bar admissions to public universities based on family relationships. New scholarship programs are created for journalism and early childhood education students.*

**Admissions Based on Family Relationships.** An applicant's family relationship to an alumnus or donor cannot be a factor in admission to any public institution of higher education (**P.A. 103-877**, enacted by S.B. 462, Villanueva – K.Villa et al./Buckner – Schweizer – Ammons – McLaughlin).

**Early Education Scholarships; Innovation Center.** Subject to appropriation, the Illinois Student Assistance Commission will offer scholarships to early childhood education students enrolled at colleges participating in the Early Childhood Access Consortium for Equity. Preference will go to applicants already working in the early childhood field. Scholarship recipients must promise to teach in Illinois after graduating.

The University of Illinois may establish a UIS Innovation Center to foster and support innovation in academics, entrepreneurship, workforce and policy development, and nonprofit or philanthropic activities. An appropriation

from the Build Illinois Bond Fund is to help fund it (**P.A. 103-588**, enacted by H.B. 4959, Gabel – Gordon-Booth et al./Sims et al.).

(Another part of this act is summarized above under Elementary & Secondary Education. Other parts are summarized in other articles in this issue.)

**Journalism Scholarships.** Subject to appropriation, the Illinois Student Assistance Commission is to offer a scholarship program to journalism students who commit to work at an Illinois local news organization for 2 years after graduating (**P.A. 103-1021**, enacted by S.B. 3592, Stadelman – Ventura – Koehler – Lightford et al./D.Vella – Benton – Harper – Rashid et al.).

(Another part of this act is summarized under Business & Economic Development.)

**Student-Athlete Compensation.** Some restrictions on student-athlete compensation are removed. The definition of “student-athlete” for this purpose no longer requires current enrollment at a postsecondary institution. The prohibition on paying compensation for agreeing to attend a school is removed. Postsecondary schools or intercollegiate athletics programs may make publicity rights agreements with a student-athlete or pay to use a student-athlete's name, image, likeness, or voice. Postsecondary schools may provide intangible benefits

(such as priority status) to people, companies, or other parties for donations to support publicity rights agreements for student-athletes. Information held by a postsecondary school relating to a student-athlete publicity rights agreement is exempt from disclosure under the Freedom of Information Act (**P.A. 103-724**, enacted by H.B. 307, Buckner – Welch – Meyers-Martin – Lilly – Tarver/N.Harris et al.).

**Student Loan Repayment.** Under a new program, some workers can apply to community foundations approved by the Illinois Student Assistance Commission for student loan repayment help. To be eligible, a worker must be employed full-time by a qualified new business venture; a business in a targeted growth industry; a business owned by a minority person, woman, or person with a disability; or a nonprofit organization; and the job site must be in an underserved area as defined in the EDGE Tax Credit Act or meet other criteria in this act. Amounts included in a worker's federal adjusted gross income due to such assistance are deductible for state income tax purposes (**P.A. 103-592**, enacted by H.B. 4951, Burke – Welch/Villanueva – Sims et al.).

(Other parts of this act are summarized in the Local Government and Revenue articles.)

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# Environment & Conservation

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*Lawmakers voted to establish new permitting and safety requirements for transporting and storing carbon dioxide, and for battery storage sites. Recycling plans are required for sellers of many kinds of batteries. Other bills that passed both houses will ban selling of most kinds of fluorescent lamps; establish requirements for handling paint waste; require large public meeting places to have recycling bins; and ban single-use plastic bottles (such as shampoo bottles) in hotels.*

**Batteries. Recycling.** Starting in 2026, sellers and distributors of “portable” or “medium-format” batteries as defined (together called “covered batteries”) and products containing them must participate in a battery stewardship plan approved by the Illinois EPA, by either starting such plans or working with a nonprofit “battery stewardship” organization doing so.

A plan must include a list of sites that will collect batteries; a list of proposed service providers for final disposal; and performance goals, including targets to recycle at least 60% of rechargeable and 70% of non-rechargeable batteries collected. Each organization with a battery stewardship plan must meet goals for the numbers of permanent collection sites before 2029. Collection locations can also participate in EPA-sponsored household battery recycling programs. Each stewardship organization must pay a \$100,000 yearly fee and report to the EPA.

Starting in 2027, each battery must identify its maker if there

is space on it to do so. Starting in 2028, covered batteries must be discarded at collection events or handled as hazardous waste. They may not be disposed of as household waste or burned. Starting in 2029, each battery must identify its chemistry and state that it should not be disposed of as household waste. A \$7,000 civil penalty per violation of this act is authorized (P.A. 103-1033, enacted by S.B. 3686, Koehler et al./Chung et al.).

**Storage sites.** No site may store 5,000 or more kilograms (about 11,000 pounds) of used electric vehicle batteries unless it is a licensed automotive parts recycler. Each such site must be registered with the Illinois EPA by February 1, 2026 (or register when established if later). It must keep weekly records of the weight or volume of batteries stored, remaining, and leaving. The EPA is to propose, and the Pollution Control Board to adopt, rules for site operation addressing battery receipt, handling, storage, and transfer; fire prevention; contingency planning and emergency response; recordkeeping; reporting; and

“financial assurance” (P.A. 103-1006, enacted by S.B. 3481, Feigenholtz et al./Moeller et al.).

## **Carbon Dioxide**

**Sequestration.** An applicant for a certificate of authority from the Illinois Commerce Commission for a new carbon dioxide (CO<sub>2</sub>) pipeline must contact, or make good-faith efforts to contact, each owner of land within 2 miles of its planned route and notify them of at least two public meetings in each county where it will run, to hear public comments on the plan. The applicant must maintain a website with details on the plan, and create and discuss emergency-response plans with area emergency management agencies. The ICC may approve an application only if all federal requirements are also met. An approved applicant may seek eminent domain authority from the ICC for the project. Each entity authorized to build a CO<sub>2</sub> pipeline must pay annual fees to the ICC for administering these provisions, and to state emergency management and homeland security agencies for their related activities.

Rules are stated for combining the interests of all owners of land over a formation that could hold CO<sub>2</sub> to gain consent and pay compensation. If a “sequestration operator” has consent for CO<sub>2</sub> storage from owners of at least 75% of the land over such a formation,

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## Environment & Conservation

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the operator can petition the Department of Natural Resources (DNR), after notice and a hearing, to issue an order joining the nonconsenting owners' interests with those of the consenting owners and pay them compensation at least equaling that paid to consenting owners. Provisions are made to protect groundwater and air over the formation, and to respond to any CO<sub>2</sub> leaks. Captured CO<sub>2</sub> may not be used in "fracking" or to force more oil or gas from the ground.

A new Environmental Protection Act title sets standards for the Illinois EPA to consider applications for permits for geologic CO<sub>2</sub> storage. The EPA and other agencies are to report to the Governor and General Assembly by December 2028 on progress and prospects for such storage. Operators of CO<sub>2</sub> storage projects must set aside funding, payable to the EPA, for estimated project costs; maintain at least \$25 million of liability insurance; and monitor the storage area for at least 30 years after CO<sub>2</sub> injection ceases. Several new funds are created in the state treasury for activities related to CO<sub>2</sub> storage (**P.A. 103-651**, enacted by S.B. 1289, Fine – Morrison – Holmes – Cunningham - Koehler et al./A. Williams – Hoffman – Moeller – Ammons et al.).

### Fleet Electrification

**Incentive Program.** Subject to appropriation, the Illinois EPA will make grants to fleet owners to buy eligible electric trucks or school buses for use mostly in Illinois. Grants can range from \$7,500 to \$120,000 per vehicle based on its type, plus up to 65% of those amounts for buses to serve public schools, limited to 80% of the price (**P.A. 103-588**, enacted by H.B. 4959, Gabel – Gordon-Booth et al./Sims et al.).

(Other parts of this act are summarized under other topics in this issue.)

### Fluorescent Light Ban.

Distribution and sale of screw- or bayonet-base compact fluorescent lamps are prohibited after 2025, and of pin-base compact or linear fluorescent lamps after 2026. Exemptions will apply to special-purpose types, including lamps for medical or scientific use, testing, imaging, or photocopying, and lamps sold before 2028 if no LED alternative is available (**P.A. 103-799**, enacted by H.B. 2363, Smith et al./A. Johnson – Edly-Allen et al.).

### Forest, Wetland, and Prairie

**Restoration.** Subject to appropriation, the Department of Natural Resources is to offer grants for state and local entities, nonprofit groups, land trusts, and other entities to fund expansion or restoration of forests, prairies, and wetlands, or provide education on related topics (**P.A. 103-923**, enacted by S.B. 2781,

Ventura – Morrison – Simmons et al./Huynh – Olickal – du Buclet).

**Paint Waste.** Paint and paint-related waste, if hazardous, become a category of "universal waste" and subject to Illinois EPA regulations for such waste. The EPA and Pollution Control Board are to adopt rules on managing such waste. Pending that action, requirements are stated for small-quantity handlers of universal paint waste, including preventing or handling releases; labeling containers; training employees; time limits on accumulating paint waste; and limits on shipping it off-site (**P.A. 103-887**, enacted by S.B. 839, Holmes/Manley – Ugaste).

### Recycling at Meeting

**Facilities.** Starting in 2025, each permanent meeting facility with capacity of at least 3,500 must (1) offer recycling of items discarded at events, including food and beverage containers; (2) transfer them for processing; and (3) in counties with composting facilities, offer composting of organic waste. School stadiums, county fairs, and hotels are exempt. Violation can bring a fine up to \$1,500 for a first or \$2,500 for a repeat offense (**P.A. 103-927**, enacted by S.B. 2876, K. Villa – Fine – Villanueva – Simmons et al./Tarver – A. Williams – Morris et al.).

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# Health & Safety

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*Legislators voted to ban most step therapy requirements for medical coverage, and prior authorization requirements for inpatient mental health treatment coverage; prohibit the sale of short-term health insurance policies; and authorize a pilot program to pay some Illinois residents' medical debt. Other bills that passed both houses will require insurance coverage for up to 12 months of postpartum care and services by doulas and midwives; create an electronic Advance Directive Registry; and require insurance coverage of vaccinations for COVID-19, influenza, and respiratory syncytial virus.*

## **Advance Directive Registry.**

By 2027, the Secretary of State must establish an electronic Advance Directive Registry for residents to deposit completed Department of Public Health Uniform Practitioner Order for Life-Sustaining Treatment (POLST) forms. The Secretary of State is to publicize and promote the Registry in 2026. Registry information must be electronically accessible to EMS personnel and hospital administrators. Medical personnel may, but are not required to, obtain and rely on information from the Registry (P.A. 103-908, enacted by S.B. 2644, Morrison et al./Delgado et al.).

## **Adverse Determinations; Prior-Authorization Penalties.**

A health care plan or other utilization review program that uses an algorithmic automated process in reviewing medical necessity must ensure that only a clinical peer makes any adverse determination. Such automated processes must meet requirements of professional accreditation organizations and send proof of compliance to the Department of Insurance.

A patient who does not obtain prior authorization for a medical service cannot be penalized more than the lesser of its cost or \$1,000. A payment provider may not require prior-authorization requests from more than one source for a single service (P.A. 103-656, enacted by H.B. 2472, Morgan et al./Fine).

## **Assisted Living Plan Approval.**

Before a new assisted living or shared housing facility is begun, or major alterations are made to an existing one, its architectural drawings and specifications must be sent to the Illinois Department of Public Health (IDPH) for approval and a fee paid based on estimated costs. IDPH has 45 calendar days to approve or disapprove the plans. It must inspect a project within 30 days after completion and, if it meets requirements, issue approval for occupancy within 10 business days after inspection (P.A. 103-714, enacted by H.B. 5429, Lilly/Fine).

**Fentanyl Test Strips.** The Department of Human Services may create or authorize programs to distribute test strips

for fentanyl, and promote training on their use. Hospitals enrolled in the Department's drug overdose prevention program will receive such test strips. Local governments and community groups with needle and hypodermic-syringe access programs are to provide access to the test strips if feasible (P.A. 103-980, enacted by S.B. 3350, Ellman – S. Turner et al./McCombie – Costa Howard – Hammond et al.).

## **Health Coverage Mandates.**

Starting in 2026, group and individual health plans, managed care plans, HMOs, state employees' group insurance, self-insured counties and municipalities, school employees' health plans, limited health service organizations, voluntary health services plans, and Medicaid must pay for mobile integrated health care services (medically necessary health services provided on-site by emergency medical services personnel) for anyone who received emergency department services at least three times in 4 consecutive months of the last 12 months, or is identified by a health care provider as needing such services to prevent readmission or to allow discharge (P.A. 103-1024, enacted by S.B. 3599, Edly-Allen – McConchie et al./Haas – DeLuca – Severin et al.).

All such providers, except limited health service organizations, must pay for clinical genetic testing for an inherited gene mutation for

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## Health & Safety

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persons with personal or family histories of cancer, with cost sharing limited to \$50. For those testing positive, evidence-based screenings must also be covered (P.A. 103-914, enacted by S.B. 2697, Morrison – Cervantes – Belt – Hunter – Fine et al./Lilly – Faver Dias – T.Jones – Evans et al.).

All such providers, except managed care plans and Medicaid, that provide pregnancy-related benefits must cover infertility diagnosis and treatment. (The requirement previously applied only to plans covering more than 25 employees.) Plans covering more than 25 employees must pay for annual menopause health visits starting at age 45 (P.A. 103-751, enacted by S.B. 773, Castro – Hastings – Villanueva et al./Croke – Costa Howard – Benton – Stephens – Gordon-Booth et al.).

All such providers, except limited health services organizations and Medicaid, must pay for COVID-19, influenza, and respiratory syncytial virus vaccinations without cost sharing, using vaccines authorized by the FDA and administered under the CDC's standard immunization schedule (P.A. 103-918, enacted by S.B. 2744, Fine/Morgan).

If a generic drug or therapeutic equivalent is unavailable due to a supply shortage, and a patient's dosage cannot be adjusted, all such providers

except state employees' group insurance, self-insured counties and municipalities, and school employees' health plans must pay for a brand-name prescription drug that is not under patent until the generic drug is available (P.A. 103-758, enacted by S.B. 2672, Murphy – Morrison et al./Costa Howard et al.).

All such providers except state employees' group insurance, self-insured counties and municipalities, school employees' health plans, limited health service organizations, and Medicaid must cover, at least every 12 months, one wig or other scalp prosthesis for hair loss caused by alopecia, chemotherapy, or radiation treatment for cancer or other conditions (P.A. 103-753, enacted by S.B. 2573, N.Harris et al./Morris – Benton – Lilly – Ammons – N.Hernandez et al.).

*Pregnancy coverage.* Starting in 2026, individual and group policies must cover postpartum care for up to 12 months after pregnancy if the patient remains under a policy. Coverage is to include home visits by lactation consultants and buying breast pumps, breast pump supplies, breastfeeding supplies, and feeding aids recommended by a lactation consultant. Services provided by perinatal doulas or licensed certified professional midwives are to be covered, including for home births. A policy may limit coverage of home visits by a doula to 16 before and 16 after a birth, up to \$8,000 per pregnancy. Starting in 2025, Medicaid will pay for

certified professional midwife services.

All coverage of pregnancy-related benefits, including abortion, is to be provided without cost sharing, except services for home births and some mental health and substance use disorder services, and unless it would disqualify a high-deductible health plan for use with a health savings account. (Formerly, cost sharing for abortion could not be greater than for other pregnancy-related benefits.) (P.A. 103-720, enacted by H.B. 5142, Gabel – Moeller – Stuart et al./Collins – Preston – Hunter – A.Johnson – Castro et al.).

### Health Insurance Changes.

Notable health insurance changes include: (1) Insurers must audit each network plan's provider directories every 90 days and make prompt corrections; violations can bring a civil penalty of \$5,000 per month. (2) After 2025, rates for large group policies (unless negotiated between the insurer and the plan sponsor) must be filed with the Department of Insurance, which can disapprove any not based on sound actuarial principles. Disapprovals can be judicially reviewed. (3) By October 2025, an insurance company that uses a drug formulary must make it available on its website without creating an account. (4) After 2025, prior authorization requirements for admission to inpatient mental health treatment at hospitals in the patient's network are



prohibited. (5) After 2025, new standards will govern insurers' criteria for determining medical necessity of treatments. (6) After 2025, most kinds of "step therapy" requirements, in which a health care plan requires some therapies to be tried before resorting to others, are banned. (7) Health insurers must post on their websites lists of services for which prior authorization is required (**P.A. 103-650**, enacted by H.B. 5395, Moeller – Gabel – Delgado – Morgan – Lilly et al./ Peters – Fine – Ventura – Preston – Joyce et al.).

**Health Outcomes Review Board.** This new board will annually review and report data on health outcomes in Illinois and recommend ways to improve them, using data compiled by IDPH. It is to have 22 to 25 members appointed by the IDPH Director, and meet at least four times each year (**P.A. 103-1041**, enacted by S.B. 3751, Simmons et al./Evans – Avelar – Ammons).

**Medical Debt Exclusion from Credit Reports.** Medical debt (except on a credit card or other general-purpose loan) may not be listed in credit reports by consumer reporting agencies, or kept by them in consumers' credit files (**P.A. 103-648**, enacted by S.B. 2933, Stadelman – Halpin – Simmons et al./West – Canty – Avelar – Harper et al.).

**Medical Debt Pilot Program.** Subject to appropriation, the Department of Healthcare and Family Services is to offer a Medical Debt Relief

Pilot Program through July 1, 2029. Grants may be made to a nonprofit organization to negotiate with medical providers or debt collectors and pay medical debt of residents having (1) household incomes not over 400% of the federal poverty guidelines or (2) medical debt equaling at least 5% of household income. Starting with tax year 2025, amounts included in a taxpayer's federal adjusted gross income due to medical debt relief under the pilot program will be excluded from state taxable income (**P.A. 103-647**, enacted by H.B. 5290, Cassidy – Welch – Ladisch Douglass et al./ Simmons – Sims).

**Patient Protections.** Prohibitions on, and requirements to report, patient abuse in hospitals are extended to health-care organizations that control or are controlled by hospitals (**P.A. 103-803**, enacted by H.B. 3521, Cassidy – Lilly – McCombie – DeLuca – Morgan et al./K.Villa).

**Short-Term Policies Ban.** Starting in 2025, general-purpose medical insurance policies lasting less than 1 year may not be sold in Illinois, with exceptions for student health insurance and several kinds of coverage that are not general-purpose health insurance (**P.A. 103-649**, enacted by H.B. 2499, Morgan – Moeller/Fine – Peters et al.).

**Telementoring of Medical Providers.** Subject to appropriation, IDPH is to designate one or more health

care telementoring entities that have had success in telementoring to connect health care providers in underserved areas with specialists offering needed expertise (**P.A. 103-588**, enacted by H.B. 4959, Gabel – Gordon-Booth et al./Sims et al.).

(Other parts of this act are summarized under other topics in this issue.)

**Trauma Centers.** A new Level III Trauma Center designation is added for hospitals with lesser trauma-care services than Level I or II. A new Acute Injury Stabilization Center designation is added for a hospital having an emergency department capable of initial management and transfer of acutely injured patients. IDPH is to set standards for both designations. The IDPH Director is to appoint an advisory council to make recommendations on pediatric care needs (**P.A. 103-1013**, enacted by S.B. 3548, Ellman et al./B.Hernandez).

**Weather Radios in Mobile Homes.** Each manufactured home installed in a mobile home community after 2023 must have a weather radio installed in it. During National Fire Prevention Week, mobile home community operators are encouraged to remind owners to replace batteries in weather radios and smoke detectors (**P.A. 103-697**, enacted by H.B. 5238, Cassidy/Simmons).

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# Local Government

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*Bills that passed both houses allow creation of business improvement districts in Chicago; require a new task force to review county officials' compensation; and require counties, municipalities, and fire protection districts to cover mental health counseling for their first responders.*

**Business Improvement Districts (BIDs)** may be created in Chicago upon petition of property owners who collectively would pay at least 50% of a proposed district's charges, followed by a public hearing and adoption of an ordinance. A plan giving details on the district plan must also be submitted. Residential property will not normally be subject to BID charges. Each BID will have a board of directors and a life of 5 years, renewable for 10-year periods. It can use charges collected to fund marketing, events, and property improvements. The board of directors, or a district management association contracting with it, must annually report on its actions and budget to the city and, on

request, to each property owner paying its charges (**P.A. 103-646**, enacted by S.B. 3679, Feigenholtz – Hunter – DeWitte et al./Buckner – Ammons).

**County Official Compensation Task Force.** This new body, with members from local governments and organizations representing their officers; legislators; and the Director of the Department of Revenue or a designee, will review the statutory compensation of county officials and make recommendations for changes. A final report is due by May 1, 2025—or, if not all appointments to the Task Force are made by September 1, 2024, then before 2026 (**P.A. 103-592**, enacted by H.B. 4951, Burke – Welch/Villanueva – Sims et al.).

(Other parts of this bill are summarized under in this issue Education and Revenue.)

**Mental Health Coverage for First Responders.** Starting June 1, 2025, self-insured counties, municipalities, and fire protection districts must cover, without cost sharing, mental health counseling for their first responders—unless such coverage would make a high-deductible plan ineligible for health savings accounts (**P.A. 103-1011**, enacted by S.B. 3538, Hastings – Martwick et al./Guerrero-Cuellar – Kelly – Ford – Manley – Benton et al.).

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## Environment & Conservation

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**Single-Use Bottles in Hotels.** Starting July 1, 2025, a hotel with over 49 rooms may not provide small, single-use plastic bottles of personal care products in guest rooms. After 2025 the prohibition will apply to all hotels. A hotel may provide

such products on request outside of guest rooms (**P.A. 103-934**, enacted by S.B. 2960, Fine – Ellman – Morrison – Simmons et al./Buckner et al.).

**Water Plan Task Force.** A State Water Plan Task Force, with representatives from nine state bodies and the University of Illinois, is to meet quarterly to study critical water issues affecting the state, and report annually. It

must publish a State Water Plan at least every 10 years, identifying those issues; making recommendations to address them; and including funding requests for any recommendations (**P.A. 103-917**, enacted by S.B. 2743, Ellman et al./A. Williams – Ammons – du Buclet – Avelar – Moeller et al.).

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# Professions & Occupations

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*Legislators voted to create a new occupation of Certified Medication Aide to assist nurses in nursing homes; allow social workers to carry opioid antagonists while working; and authorize pharmacists to treat SARS-CoV-2, Group A Streptococcus, RSV, and head lice. Other bills that passed both houses limit the number of Illinois pawnbroker licenses to 250; bar dentists from arranging third-party financing for patients; and create a task force on reducing administrative burdens in behavioral health.*

## **Behavioral Health**

**Administrative Burden Task Force.** This body, with members from state agencies, associations for behavioral health providers, and advocacy groups, is created to propose ways to simplify administrative processes in behavioral health. It is to prepare an administrative burden reduction plan within 1 year after its first meeting, post it online, and send it to all state agencies that would be affected. The plan is to include short- and long-term policy recommendations to reduce and standardize requirements and remove duplication. Within 90 days after receiving the plan, state agencies included in it are to make detailed responses to the General Assembly on the feasibility of applying the recommendations, and post the responses online (**P.A. 103-690**, enacted by H.B. 5094, LaPointe – Haas – West/ Fine et al.).

## **Certified Medication Aide.**

This new certification will be issued by the Illinois Department of Public Health (IDPH). An applicant must be at least 18 and a high school graduate; be proficient in English and math; get 100 hours of classroom study and supervised practice; pass an exam; pay a fee; and have a criminal history records check. An applicant must also, at the time of application, be a certified

nursing assistant with 2,000 hours of practice in the last 3 years.

Certified medication aides may administer medications under supervision of registered nurses at licensed assisted living and skilled nursing facilities. Such facilities must demonstrate that hiring certified medication aides will not reduce the employment of registered or licensed practical nurses. Medication aides may not administer Schedule II controlled substances or give medications by injection (**P.A. 103-898**, enacted by S.B. 1779, D.Turner – Lightford et al./ Morris – Gong-Gershowitz – Hammond – Collins – Costa Howard et al. and **P.A. 103-886**, enacted by S.B. 774, Feigenholtz – D.Turner/Gabel – Jacobs – Hammond et al.).

## **Dental Services Financing.**

Dentists and their employees and agents may not arrange for third-party financing; complete financing applications for patients; or provide electronic means to apply for such financing. They are not to promote such financing to patients who are under anesthesia or sedation, being treated, or in a treatment area. Specified disclosures must be made when discussing third-party financing with patients. The Department of Financial and Professional

Regulation (DFPR) will enforce these prohibitions; violators are subject to fines and discipline (**P.A. 103-733**, enacted by H.B. 4891, Croke et al./Feigenholtz et al.).

## **Licensing for non-English-Speakers.**

DFPR is to make reasonable accommodations for candidates for licenses as social workers, marriage and family therapists, and clinical professional counselors whose primary language is not English. Exams are to comply with communication access and reasonable modification requirements of federal laws on persons with disabilities.

Applicants may use individual taxpayer identification numbers in lieu of Social Security Numbers on license applications and other DFPR records. They may not be denied licenses or renewal, or be otherwise disciplined solely due to immigration violations (**P.A. 103-715**, enacted by H.B. 5457, B.Hernandez – LaPointe et al./ K.Villa – Cervantes – Villanueva et al.).

**Opioid Antagonists for Social Workers.** Licensed social workers and clinical social workers may carry and administer opioid antagonists (such as Narcan)

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# Revenue

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*New acts prohibit imposition of credit card interchange fees on taxes and tips; limit the retailer's discount for collecting sales and use tax to \$1,000 per company per month; create new tax credits for taxpayers having children under age 12, local news organizations that hire journalists, and qualified music companies; raise the state tax on sports wagering; and offer financial incentives for quantum computing campuses. Other bills that passed both houses eliminate the 1% state sales and use tax on food for off-premises consumption, but allow municipalities and counties to tax such food at 1%; require the Department of Revenue to study the state's property tax system; and allow it to make agreements with financial institutions to find bank accounts of delinquent taxpayers.*

## **Credit Card Fees, Retailer's Discount Limit, New Tax Credits, Etc.**

*Sales tax.* Starting July 1, 2025, credit and debit card companies may not impose interchange fees on customers' payments of taxes or tips if a merchant separately reports those amounts to the payment processor. Processors may not raise fees on other parts of transactions to get around this ban.

Starting January 1, 2025, retailer's discounts for collecting state and local sales and use taxes, including the prepaid wireless 911 surcharge, will be limited to \$1,000 per company per month.

Starting January 1, 2025, state and local sales and use taxes on tangible personal property not registered with the state, if leased, will apply to lessees, instead of to lessors when they buy it. Leased property subject to Chicago's personal property lease tax is exempt, along with software leased under stated criteria.

*Individual income tax.* A taxpayer with at least one federally qualifying child under age 12 can get an income tax credit of 20% of the taxpayer's state earned income tax credit in 2024, and 40% starting in 2025. This credit is refundable.

From 2025 through 2029, taxpayers making gifts to a permanent endowment fund held by a qualified community foundation to benefit Illinois residents are eligible for a state income tax credit of 25% of such gifts. No taxpayer may have over \$100,000 in such credits per year. Statewide credits may not exceed \$5 million per year, with 25% reserved for gifts up to \$25,000. No foundation may get more than \$3 million in eligible gifts per year. Business taxpayers must add to their state adjusted gross incomes any federal deductions they get due to these gifts.

*Business income tax.* The net loss carryover deduction for corporations is extended 3 years through 2027; its annual limit

per taxpayer is raised from \$100,000 to \$500,000.

In 2025 through 2029, local news organizations can get a credit against state income and withholding taxes of \$15,000 per "qualified journalist" (as defined) working for them in the last 12 months and \$10,000 per journalist who filled a new position, up to an annual limit of \$150,000 per organization. No more than \$250,000 per year will go to news organizations not independently owned (as defined), or that have a private fund among their owners, which share a single ownership interest. Statewide credits cannot exceed \$5 million per year.

Starting in 2025, operators of a "qualified music company" certified by the Department of Commerce and Economic Opportunity (DCEO) may apply for a state income tax credit equal to a base amount of up to 15% of its Illinois labor spending on a sound production for the year (more for employing in areas of high poverty or unemployment; paying high wages; and spending money on recordings for television or film work completed in Illinois). The credit per company is limited to \$200,000 per year, and statewide credits to \$2 million per year.

Nonprofit theater productions will be eligible for Live Theater Production Tax Credits if they exceed thresholds for their longevity and for Illinois production spending and operating budgets. The annual

statewide limit on live theater credits is raised to \$6 million.

Under the state income tax credit for ex-offenders, the term “ex-offenders” is changed to “returning citizens.” Starting in 2025, the credit is raised to 15% of qualified wages paid to them, limited to \$7,500 per person and \$1 million statewide.

The income tax credit for employers’ matching contributions to state-administered college savings funds is extended 5 years through 2029. The state adoption credit will end after 2029.

Starting this year (2024), nonresident financial organizations (banks and similar entities) are to apportion their investment and trading activities between Illinois and elsewhere under a new method based more on receipts derived from specified activities “attributable to” Illinois (as described) than on whether receipts are connected with places of business in Illinois.

*Gambling taxes.* Starting July 1, 2024, the tax on sports wagering rises from a flat 15% to graduated amounts of 20% to 40% of adjusted gross receipts, varying with each licensee’s annual wagering receipts. Licensees must send annual audits of their operations to the Illinois Gaming Board. (Proceeds go 58% to the General Revenue Fund and 42% to the Capital Projects Fund—formerly all to the Capital Projects Fund.)

On July 1, 2024 a tax of 1% of net terminal income is added

to the taxes on video gaming licensees.

*Hotel tax.* Starting July 1, 2024, hotel room “re-renters” (third parties that accept reservations and collect payments for rooms they control under contracts with hotels) must collect the state’s hotel occupation tax. This applies to re-renters having no physical presence in Illinois only if they meet stated thresholds for cumulative receipts or rental transactions in Illinois.

*Miscellaneous.* Starting in 2025, the first \$10,000 (currently \$5,000) per corporation in corporation franchise tax liability is exempt.

The levies of 0.3¢ and 0.8¢ per gallon on motor fuel for the Underground Storage Tank Fund are extended 5 years to 2030 (P.A. 103-592, enacted by H.B. 4951, Burke – Welch/Villanueva – Sims et al.).

(Other parts of this act are summarized in Education and Local Government.)

**Data-Matching to Collect Delinquent Taxes.** The Illinois Department of Revenue (IDOR) may make agreements with financial institutions to find bank accounts of delinquent taxpayers. Such an agreement would call for the institution to compare data of taxpayers whom the Department identifies as delinquent with account holders’ data. If a match is found, the institution would report the person’s name and Social Security or tax ID number to IDOR for each quarter the Department lists the person as delinquent, for use

only in enforcing payment of delinquent taxes. Financial institutions are not required to make such agreements, but may be reimbursed for their actual costs of data matching if they do.

Financial institutions will not be liable to customers for disclosing such information to IDOR, or for holding or surrendering any of a person’s accounts due to a lien or order issued by the it (P.A. 103-1027, enacted by S.B. 3617, Feigenholtz – Aquino/Croke et al.).

**Grocery Tax Eliminated, Etc.** In January 2026 the 1% state sales and use tax on food for off-premises consumption, to aid local governments, will end, along with similar taxes on food served in institutions. But municipalities, and counties in unincorporated areas, may tax such food at 1% without referendum, to be collected by the state. Municipalities without home rule no longer need referendum approval to impose municipal sales and use taxes.

Sangamon County may tax hotels that collect municipal hotel tax at up to 3% of gross receipts to support sports, arts, entertainment, or tourism activities for its economy.

Starting in 2025, prepaid telephone calling service will be subject to retailers’ occupation tax only if paid for by buying a preloaded phone, a card, or other tangible property.

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# Social Services

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*New laws raise Medicaid reimbursement rates for a number of services; increase pay of direct service workers; and require creation of an online portal for information for caregivers. Lawmakers also voted to allow Medicaid applicants to receive Community Care Program services while awaiting eligibility determination, and allow some people living in subsidized rental housing to apply for state energy assistance.*

**Child Support; Parental Liability.** The Department of Children and Family Services is not to refer cases for child support enforcement, or seek an assignment of rights to child support, unless the juvenile court has ruled out “return home” as the child’s permanency goal. Accordingly, a provision making parents of children who are wards of the court liable for their care costs is removed (**P.A. 103-984**, enacted by S.B. 3367, Collins et al./Costa Howard – Meyers-Martin).

**Community Care Program.** A provision that required the Department on Aging (DoA) to collect copayments under the Community Care Program unless some conditions were met is removed. DoA may authorize Community Care Program services while an applicant awaits a Medicaid eligibility determination. DoA is to increase the rate paid under the Community Care Program by at least \$1.77 per unit to in-home service providers that offer health insurance to their direct service workers. All final DoA administrative decisions become subject to judicial review under the Administrative

Review Law (**P.A. 103-670**, enacted by H.B. 4346, Morgan – Morris – Ness et al./Hunter).

**Energy Assistance for Renters.** Persons living in subsidized rental housing, whose rental expenses are up to 30% of household income, may apply for state energy assistance (reinstating a provision that expired in 2012) (**P.A. 103-663**, enacted by H.B. 4141, Syed – Ammons – Morris – Canty – Avelar/Villivalam – Hunter).

**Medicaid Rate and Coverage Increases, Managed Care Transparency Requirements, Etc.** *Rate increases and new coverages.* Subject to federal approval, Medicaid reimbursement rates will rise in 2025 for some dental sedation services; psychiatric evaluations; birth centers; optometric services; Children’s Community-Based Health Care Centers; nursing services for medically fragile and technology-dependent children; and custom prosthetic and orthotic devices. Safety-net hospitals, nursing facilities, specialized mental health rehabilitation facilities, and certified home dialysis providers are to get add-on payments.

Medicaid will cover remote ultrasounds and remote fetal non-stress tests starting in 2025; self-measure blood pressure monitoring services starting in 2025; and licensed music therapy services starting July 1, 2025.

*Supportive living facilities.* After 2024, Medicaid rates for supportive living services must be at least 54.75% of the average total nursing services *per diem* rate for geographic areas defined by the Department of Healthcare and Family Services (DHFS), and must include the same add-ons as for nursing facilities. The assessment on supportive living facilities to help fund the Medicaid program is repealed. The monthly personal needs allowance for a resident of a supportive living facility becomes \$120. A provision requiring any new supportive living program to be more than 25 miles from any existing one in downstate counties is reduced to 12 miles as to 34 named counties.

*Family caregiver funds.* By January 2025, DHFS must apply for a federal waiver to reimburse family caregivers of medically fragile and

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technology dependent children. To be eligible for reimbursement, a family caregiver must be a certified nursing assistant or nurse aide, and must serve a relative who receives in-home shift nursing services coordinated by the University of Illinois at Chicago's Division of Specialized Care for Children.

*Managed care organizations (MCOs).* By July 1, 2025, DHFS, in consultation with Medicaid MCOs and other stakeholders, is to develop and adopt regulations to increase standardization and transparency for Medicaid fee-for-service and MCO providers. The regulations are to include guidelines on publication of MCO authorization policies, standardization of appeal forms, and limitations on repeat medical necessity reviews. DHFS is to expand the scope of its audits of MCOs to include a detailed study of their service authorization programs (which address medical providers' inquiries on whether a service is covered) and report annually to the General Assembly.

DHFS is to require Medicaid MCOs to identify providers that made at least 50 service authorization requests in the last year (excluding pharmacy or durable medical equipment) and got at least 90% approved. Such providers are to have their service authorization requests for inpatient or outpatient hospital services automatically

approved if they continue meeting the MCO's standards.

Requirements are added for Medicaid MCOs in determining payments for emergency services. Within 48 hours after an inpatient admission order due to a medical emergency, the hospital is to notify the patient's Medicaid MCO. If it does, the MCO may not begin concurrent review before the end of the inpatient stabilization period (the first 72 hours of services after the inpatient admission order). It may not retrospectively deny coverage for services provided in the 48-hour notification period.

Health-care assessments on MCOs are increased somewhat and made permanent, instead of expiring next June 30.

Each pharmacy benefit manager (PBM) contracting with a Medicaid MCO must report to DHFS on request, in addition to other data already required, the total number of prescriptions dispensed under each contract with the MCO; the total wholesale cost of drugs dispensed to MCO enrollees by pharmacies with ownership connections to the PBM; fees the PBM received from drugmakers for drugs dispensed to enrollees; payments the PBM received from the MCO; reimbursements the PBM paid to contracting pharmacies; and any other information requested by DHFS.

Prior authorization mandates and utilization management controls are prohibited under Medicaid on any FDA-approved prescription drugs for serious mental illness if (1) the patient changed insurance coverage or providers and is stable on a drug that was previously prescribed and authorized, or (2) the patient had prior authorization and a new prescription modifies only the dosage and/or frequency (**P.A. 103-593**, enacted by S.B. 3268, Aquino – Sims/Gabel – LaPointe – Lilly – Spain – E.Hernandez et al.).

(Another part of this act is described in Professions & Occupations.)

**Rate and Wage Increases; Caregiver Portal.** For community-based providers and licensed facilities serving persons with intellectual or developmental disabilities, reimbursement rates for services after 2024 are raised to provide a \$1 hourly wage increase to all direct support professionals and other frontline personnel who work in residential and community day service settings and are not subject to Illinois requirements to be paid at the Bureau of Labor Statistics' (BLS) average wage. Wages of all other non-executive direct care staff are to rise to the BLS average wage as defined by regulation. Both changes are subject to federal approval.

Starting in fiscal year 2025, subject to federal approval,

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# State Government & Pensions

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*A new law puts on the November ballot three advisory referenda on penalties for candidates who interfere with election workers' official duties; a 3% tax on annual income beyond \$1 million, to fund property tax relief; and insurance coverage for all assisted reproduction treatments. Legislators also voted to remove limits on political party contributions to candidates for primary elections; streamline procurement and joint purchasing rules; and create a new State Historic Preservation Board in the Department of Natural Resources to list, delist, and make designations of state historic sites.*

## **Business Assistance Office.**

The Department of Commerce and Economic Opportunity will have a new Office of Economic Equity and Empowerment to aid businesses owned by minorities, women, veterans, or persons with disabilities; nonprofit corporations that help them; and other underserved groups. Its functions may include outreach on state and federal funding opportunities; grant administration; and workshops on starting a business and marketing (P.A. 103-889, enacted by S.B. 859, Villanueva et al./Buckner – Avelar – E.Hernandez et al.).

## **Campaign Contribution, Voter Records, Etc.**

*Presidential electors.* In Presidential elections, each party or unaffiliated candidate must designate an elector and an alternate for each Presidential elector position. Each elector and alternate must pledge to mark the Presidential and Vice-Presidential ballots for the nominees of the party that chose them as electors. The Secretary of State is to examine completed ballots, and may not accept a ballot violating this pledge. An elector presenting a ballot in violation of the

pledge will be replaced with the alternate. These provisions are intended to be applied uniformly with other states that enact them.

## *Voter registration records.*

The State Board of Elections must make the statewide voter registration list available until the last 27 days before an election, with sensitive personal information redacted. The information released is to be used only to ensure registration records' accuracy. The Human Services, Healthcare and Family Services, Aging, and Employment Security Departments are no longer required to share identification records with the State Board for use by the Electronic Registration Information Center.

*Campaign contributions.* Limits on contributions to candidates from political parties for a primary election are removed. A political committee that receives contributions from automated traffic system vendors, and does not return the contributions or donate them to charity within 30 days after being notified by the Board, must give the contributions to the state and may be fined up to 150% of the amount contributed.

*Miscellaneous.* The week for filing petitions for minor-party and independent candidates for most statewide, legislative, and judicial offices, and offices elected from districts not limited to one county, becomes 4 weeks earlier than it was. (P.A. 103-586, described below, has a corresponding provision for established parties.) Persons objecting to a decision of an electoral board regarding those candidates must seek judicial review within 5 days after being served notice of the decision.

The badge worn by each election judge must clearly state that it is authorized by the county clerk or elections board; identify the wearer as an election judge; and include a unique identifier containing the precinct number and a single letter assigned to the judge.

Residents of federally operated veterans' facilities in Illinois, nursing homes, and homes for the developmentally disabled may vote by mail.

The ban on campaign contributions by medical cannabis organizations is repealed.

A Cook County township central committee fitting criteria in the Election Code that decides to nominate candidates for township office by primary election must notify the county clerk by August 15 (was November 15) before the township election. Compensation of township supervisors in Cook County cannot be increased during their terms, nor may a township



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pay a newly elected supervisor a salary less than the previous salary while maintaining the salary of an incumbent. An ordinance increasing or reducing salaries is to apply uniformly to supervisors whose terms start after its enactment (**P.A. 103-600**, enacted by H.B. 4488, West – Stuart – Blair-Sherlock/Morrison).

**Election Vacancies; Advisory Referenda.** Local party committees no longer can appoint candidates for a general election ballot if they had no candidate in the primary—unless an Illinois Senate seat becomes vacant after the time for filing primary petitions but more than 28 months before the end of the term. (**The Illinois Supreme Court let stand a trial court’s decision striking down those provisions. The Supreme Court lacked enough voting members to decide the case.**)

The petition filing period for established party candidates becomes 4 weeks earlier than it was. (P.A. 103-600 has a similar provision for minor parties and independent candidates.)

Three advisory referenda in November will ask voters to consider creating civil penalties for candidates who interfere with election workers’ duties; a 3% tax on income greater than \$1 million to fund property tax relief; and coverage for all assisted reproductive treatments by health insurance plans that cover pregnancy benefits, with no limits on numbers of treatments (**P.A. 103-586**, enacted by S.B. 2412, Harmon/Hoffman).

**Historic Sites.** A State Historic Preservation Board is created in the Department of Natural Resources (DNR), charged with listing, delisting, and designating state historic sites with DNR approval. It will also advise DNR on site preservation methods. Annually starting in 2025, DNR must send the General Assembly a complete list of state historic sites and site designations.

Effective January 2025, the Illinois Historic Sites Advisory Council is renamed the Illinois National Register Advisory Council, and its membership reduced from 15 to 9. Meetings are to be public. The DNR Director may remove a member for cause. The Historical Sites Listing Act, allowing any person or government entity to apply to the Department of Natural Resources to have a historical site listed, is repealed (**P.A. 103-768**, enacted by S.B. 2976, D.Turner et al./West – Meyers-Martin).

**Labor Charge Timelines.** The Illinois Labor Relations Board and the Illinois Educational Labor Relations Board are to adopt timeliness goals, including completing investigations within 100 days after charges are filed; scheduling hearings to start within 60 days after complaints are issued; and issuing recommended decisions within 120 days after records are closed. Their annual reports are to outline progress on timeliness goals, and report data on cases filed, resolved, and pending, and how long they are pending (**P.A. 103-856**, enacted by H.B. 5324, Hoffman – Hanson – Yednock – Walsh – D.Vella et al./Aquino).

**Language Equity and Access.** The Governor’s Office of New Americans, with the Department of Human Services and other relevant state agencies, is to take several actions to ensure meaningful access to state programs and resources for limited (English) proficient (LEP) persons. These include: (1) preparing a language needs assessment report based on U.S. Census data every 10 years to identify the languages spoken most in the state; (2) helping state agencies create required language access plans, describing LEP persons served by each agency and the measures it will implement to ensure them meaningful access; (3) assessing and reporting on progress by state agencies; (4) making requirements for interpretation and translation services; (5) setting standards for adequate numbers of bilingual employees at agencies; (6) incorporating language equity compliance provisions in state vendor contracts; and (7) ensuring LEP persons’ access to emergency notifications and resources. By July 1, 2025, the Office is to submit a status report to the General Assembly on each agency’s progress toward the requirements. A compliance report is due before 2027 and annually thereafter (**P.A. 103-723**, enacted by S.B. 3762, K.Villa – Villivalam et al./Avelar – Mah – Slaughter – E.Hernandez – Syed et al.).

**Opioid Antagonists.** Executive-branch agencies can make opioid antagonists available where their employees work if employees are trained in

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## State Government

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their use. Such employees who administer opioid antagonists are exempt from civil liability (**P.A. 103-845**, enacted by H.B. 5028, Yang Rohr – Hammond – Mason et al./Fine – Bryant et al.).

**Procurement, Clean Energy, Etc. Pilot program.** Under a pilot program, the Capital Development Board may use the “progressive design-build” method on up to three public projects begun before 2027. Under it, the design and construction of a project are procured from one entity selected based on qualifications at the earliest feasible stage of the project. Applicants must undergo a two-phase evaluation process, overseen by a selection committee, and must agree to enter a project labor agreement.

*Clean energy.* The Department of Natural Resources can lease property under its jurisdiction, by competitive bidding and for up to 40 years, for a commercial solar energy system or clean energy project.

The Department may provide at least one electric vehicle charging system at any state park or other property under its jurisdiction, and charge for its use.

*Bid preferences.* To receive a preference as an Illinois business, a bidder may be required to submit an affidavit and other supporting documents proving its status as an Illinois business. A business must be operating and headquartered

in Illinois at least 1 year to get the preference. The definition of such a business is also expanded to include any foreign corporation that (1) is authorized to do business in Illinois and (2) has a bona fide establishment for doing business in Illinois where it is operating, headquartered, and doing construction-related work at least 1 year before bidding on a contract.

The procurement officer for the Toll Highway Authority is to set aside a “fair proportion” of construction contracts for mid-size Illinois businesses. Rules are to define such businesses, including that they be independently owned and operated, not dominant in their field, and have annual receipts no more than \$45 million.

*Diversity.* The Business Enterprise Program may set uniform standards for calculating contract-specific goals for participation in state contracts by businesses owned by minorities, women, or persons with disabilities. State agencies and public higher education institutions may set their own goals.

Until June 30, 2029, the Illinois Procurement Code does not apply to procurements deemed necessary to increase recruitment and retention of state employees, particularly minorities.

*Contracting.* Cumulative small purchases under \$1,000 made by individuals or departments in an agency or university that exceed the small purchase threshold are allowable under the Illinois Procurement Code.

State agencies may not refuse to accept bids submitted electronically if they meet all submission requirements.

Agencies can buy an item of furniture up to \$1,500 (formerly \$500) without checking whether surplus furniture is available.

State construction agencies may use competitive job order contracting, in which they contract for an indefinite quantity of services at different locations.

*Public-private partnerships.* The definition of a “responsible public entity” that may make a public-private agreement to develop a transportation project is expanded to include the five most populous Illinois counties. The responsible public entity must hold one or more public hearings before negotiating with a project proposer.

A transportation agency must annually submit a description of potential public-private partnership projects to each county, municipality, and metropolitan planning organization where they would be located. Any potential new transportation facility must be consistent with a regional plan for the area if any. Transportation agencies may receive unsolicited project proposals for no longer than 90 days every 2 years, with a review fee of \$25,000. After accepting an unsolicited proposal, an agency must provide meaningful public notice to affected communities and hold a public meeting.

*Joint purchasing.* State chief procurement officers can allow local governments to buy supplies under an existing state contract. A government unit can buy supplies or services available on contracts from multiple contractors if the contract selected meets its needs.

*Miscellaneous.* If a procurement violation is discovered during an active procurement, the state purchasing officer and agency head may ask the chief procurement officer to allow the vendor to cure it. All determinations must be posted on the chief procurement officer's website and summarized annually for the General Assembly.

Procurement restrictions in the Counties Code apply to elected officials, including elected officials having control of the internal operations of an office, in counties other than Cook.

Proposals or bids submitted by engineering consultants to the Department of Transportation or Toll Highway Authority need not be disclosed under the Freedom of Information Act.

State agencies procuring services from architectural, engineering, and land surveying firms can communicate with firms not selected to describe deficiencies of their proposals (P.A. 103-865, enacted by H.B. 5511, Hoffman – Stuart/Castro et al.).

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## Professions & Occupations

(continued from p. 19)

in their professional capacity. Employers of those who do must give training and create policies for opioid antagonist acquisition, transportation, and administration (P.A. 103-1048, enacted by S.B. 3779, K.Villa et al./West – Mason – Harper et al.).

**Pawnbrokers.** A Pawnbroker Regulation Act of 2023 replaces the old act, making several changes. Notably, the number of licensees in Illinois is limited to 250, of which only 150 may be in Cook County or the collar counties. Pawnbroker managers and employees must get 4 hours of training annually.

Persons seeking licenses must pay a fee and submit an application to DFPR with fingerprints; a credit report; information on any administrative, civil, or criminal findings; and previous pawnbroking experience. Licenses will last 1 year unless renewed.

A Pawn Customer Bill of Rights is created. Monthly finance charges are the same as in the old act for pawns under \$500, but reduced for higher pawn amounts. Brokers must frame and post the section on fees

in their shops in English and Spanish. Maturity dates of at least 30 days are still required.

DFPR is to monitor and investigate pawnbrokers, and report annually on several items including the number of licensed pawnbrokers; defaulted pawn transactions; extensions; finance charges; and transactions reported to police (P.A. 103-585, enacted by H.B. 779, Smith – Didech – J.Williams et al./Sims et al.).

### Pharmacist Functions.

Pharmacists may test and treat patients for SARS-CoV-2, Group A Streptococcus, RSV, and adult-stage head lice. Pharmacy technicians and students may administer SARS-CoV-2 and RSV vaccines under pharmacist supervision. Such services are to be covered under health benefit plans (P.A. 103-593, enacted by S.B. 3268, Aquino – Sims/Gabel – LaPointe – Lilly – Spain – E.Hernandez et al.).

(Other parts of this act are described in Social Services.)

*Alexis Dawson*  
*Assistant Research*  
*Administrator*

## Veto Session

November

12, 13, 14

19, 20, 21

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# Transportation

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*Lawmakers voted to allow qualified applicants to get 8-year drivers' licenses; offer mobile drivers' licenses and ID cards; and restrict sales of used catalytic converters. Other bills passing both houses prohibit shoulder stopping near O'Hare; stop automatic license suspension for failure to appear in court after a first continuance for a violation; and allow emergency vehicles to use flashing green lights.*

**Catalytic Converters.** A licensed recyclable metal dealer may buy a used, detached catalytic converter or a nonferrous part of it only if the sale occurs at the dealer's fixed business address and the dealer collects the information required under the Recyclable Metal Purchase Registration Law. In addition to information required by that Law, a dealer buying a catalytic converter must get the vehicle identification number of the vehicle it came from; a copy of the certificate of title or invoice showing the seller's ownership of it; and any numbers, bar codes, stickers, or other unique markings on the converter (**P.A. 103-677**, enacted by H.B. 4589, Hoffman – Stephens – J. Williams et al./Hastings – Preston et al.).

**Driver's License Term.** By July 1, 2027, the Secretary of State is to offer qualified applicants under age 69 the option to get an 8-year driver's license for \$60 (**P.A. 103-872**, enacted by S.B. 275, McConchie – DeWitte et al./Spain – Andrade – Rosenthal – Kifowit – Swanson et al.).

**Green Emergency Lights.** Green oscillating, flashing, or rotating lights may be used on tow trucks, state equipment, local highway maintenance vehicles, fire trucks, security company vehicles, and ambulance or

rescue vehicles (the latter except in Cook County). Green lights may be used only with red, white, or amber lights, and only when responding to an incident. Fire trucks and police cars, if parked at emergency scenes, may use a steady-on light, or flashing green beacon, to mark an emergency operations command post or incident command location (**P.A. 103-667**, enacted by H.B. 4255, Elik et al./E.Harriss et al.).

**Mobile Licenses and ID Cards.** The Secretary of State may issue, to anyone eligible for a physical driver's license or ID card, a mobile driver's license or ID. Persons having them must also carry physical ones for any purposes involving identification. Data security and privacy protections will apply. Holders may not be required to surrender possession of a device in which a mobile license or ID is stored to have it accepted (**P.A. 103-824**, enacted by H.B. 4592, Buckner – Andrade – Benton et al./Hastings – Belt – Hunter et al.).

**O'Hare-Area Stopping.** Drivers may not stop on the shoulder of a highway within ½ mile of (1) the eastern entrance to O'Hare Airport or (2) the intersection of I-90 and I-294. Exceptions apply to drivers having vehicle malfunctions, yielding to emergency vehicles, or directed

by law enforcement. The tollway authority is to use automated traffic safety systems at those places; signs will inform drivers of the systems and the ban on stopping. Violation will bring a \$100 fine (**P.A. 103-861**, enacted by H.B. 5408, Stephens – Andrade – Welch et al./Harmon et al.).

**Stolen Plates or Sticker.** No fee will be charged to replace a stolen license plate or sticker if the applicant files a police report and affidavit with the Secretary of State (**P.A. 103-1005**, enacted by S.B. 3471, Sims et al./Gordon-Booth – B.Hernandez – Schmidt – Kelly et al.).

**Traffic Violations.** Failure to appear in court after a first continuance for a traffic violation will no longer bring automatic license suspension. Instead, the violator will be fined as authorized by an existing act. The change is retroactive to January 1, 2020; the Secretary must lift any such license suspensions that occurred since then.

When contacting a traffic offender who first fails to appear in court, the clerk may text, email, or call along with mailing a notice of continuance. Notices must state that another failure to appear may cause arrest and other effects on driving privileges (**P.A. 103-789**, enacted by H.B. 277, Smith – Slaughter et al./Villanueva et al.).

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## Revenue

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Starting July 1, 2024, the 3% prepaid wireless 911 surcharge does not apply in Chicago; but from then through July 1, 2029, Chicago may impose a 9% prepaid wireless surcharge (**P.A. 103-781**, enacted by H.B. 3144, Burke – Ammons – Avelar – Lilly et al./Castro – Sims – Holmes – Belt).

**Municipally-Built Homes Tax Reduction.** In Cook County and other counties adopting these provisions, single-family homes, and residential areas of mixed-use property, built by a municipality after 2020 on land that was tax-exempt or environmentally remediated, and sold to private homeowners before 2035, can receive 10-year reductions in assessed value. The reductions will be 50% of first-year equalized assessed value in the first 8 years and 33% in years 9 and 10, and cannot be combined with other exemptions (**P.A. 103-793**, enacted by H.B. 1377, N.Hernandez – Welch – Gonzalez – Olickal – Jiménez et al./Lightford et al.).

**Property Tax Study.** IDOR is to conduct a study of the state’s property tax system, including analyzing data for at least the last 10 tax years. The study is to include a review of Cook County’s assessment classification system and the impact of transitioning all Illinois counties to a uniform assessment level; state laws on assessment appeals and property tax collection; assessment processes in Illinois and other states; current homestead

exemptions and “preferential” assessments; and the state’s reliance on property taxes and historical growth in those levies. IDOR may make recommendations to improve any element of the property tax system. A final report is due by July 1, 2026 (**P.A. 103-1002**, enacted by S.B. 3455, Martwick – S.Turner et al./Canty – Syed – Kifowit – Ness).

**Quantum Computing Campus Incentives, Etc.** Areas meeting stated criteria and designated by DCEO as quantum computing campuses may be exempted from sales tax on building materials for those campuses, and from utility taxes. They may also get a state income tax credit of 20% of wages for construction workers employed on a campus facility. Quantum computer manufacturers, and businesses doing research and development for quantum computer, semiconductor, or microchip manufacturing, are eligible for incentives under the Manufacturing Illinois Chips for Real Opportunity (MICRO) program.

A High Impact Business; a business in an enterprise zone or River Edge Redevelopment Zone; a business in the Reimagining Energy and Vehicles in Illinois (REV) Program; a business in the Economic Development for a Growing Economy (EDGE) program; or a business in the MICRO program seeking a construction jobs income tax credit must show that a certified third party has verified construction expenses submitted for the credit, or accept DCEO’s

standard construction wage expense estimate.

The following entities become eligible for credits under the REV program: green steel manufacturers (defined as those making steel with no fossil fuels and zero net carbon emissions), and any entity engaged in research, development, or manufacturing of electric vertical takeoff and landing aircraft or electric propulsion systems for airliners.

The research and development income tax credit is extended through 2031. Seven new River Edge Redevelopment Zones can be created in specified cities.

A business that makes a capital investment of \$50 million and creates at least 100 jobs is eligible for an EDGE tax credit (**P.A. 103-595**, enacted by H.B. 5005, D.Vella – Welch – G.Johnson – Huynh – Scherer et al./Stadelman – Villanueva – Walker – Hunter – Sims et al.).

**Sales Taxes for Out-of-State Retailers.** Starting in January 2025, sales to Illinois customers from out of state, by a retailer with a physical presence in Illinois, will be taxed at the rate where the items are delivered. Such retailers must collect state and local sales taxes, instead of paying only the use tax (**P.A. 103-983**, enacted by S.B. 3362, Castro/Burke).

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## Bills With Governor's Action

All bills summarized in this issue of *First Reading* are listed below. Beside the number of each bill is its Public Act number. The following abbreviations are used for the Governor's actions on bills:

AV Amendatorily vetoed  
 AVD Amendatorily vetoed; bill dead  
 IV Item and/or reduction vetoed  
 V Totally vetoed

Information on all 2024 bills and Public Acts, including their texts, is available at: <http://www.ilga.gov>  
 Click on the "Bills & Resolutions" or "Public Acts" link near the top of the page for information on a given bill or Public Act. Information on the General Assembly's workload over the years can be found at the CGFA's webpage.

H.B.	Public Act 103-	H.B.	Public Act 103-	H.B.	Public Act 103-	S.B.	Public Act 103-
277	789	4500	822	5290	647	1	594
307	724	4582	591	5324	856	15	584
779	585	4589	677	5371	859	251	589
1377	793	4592	824	5394	608	275	872
2323	798	4621	602	5395	650	462	877
2363	799	4623	825	5408	861	508	879
2472	656	4762	830	5429	714	773	751
2499	649	4768	831	5431	745	774	886
3144	781	4875	836	5457	715	839	887
3521	803	4891	733	5495	609	859	889
3773	804	4895	837	5507	610	1289	651
4118	661	4926	840	5511	865	1779	898
4141	663	4951	592	5546	614	1996	590
4175	806	4959	588			2285	900
4255	667	5005	595			2412	586
4261	811	5028	845			2573	753
4264	668	5094	690			2625	904
4346	670	5142	720			2644	908
4467	819	5238	697			2672	758
4488	600	5239	786			2683	760

S.B.	Public Act	S.B.	Public Act	S.B.	Public Act	S.B.	Public Act
	<b>103-</b>		<b>103-</b>		<b>103-</b>		<b>103-</b>
2697	914	2976	768	3362	983	3599	1024
2743	917	2979	769	3367	984	3617	1027
2744	918	3077	772	3420	993	3649	722
2764	919	3136	941	3421	994	3679	646
2781	923	3207	952	3455	1002	3686	1033
2876	927	3268	593	3471	1005	3713	1037
2919	930	3284	967	3481	1006	3751	1041
2933	648	3285	968	3538	1011	3762	723
2934	765	3310	973	3548	1013	3779	1048
2935	766	3350	980	3571	1019		
2960	934	3353	982	3592	1021		

### Types of Actions the Governor Can Take on Bills

The Illinois Constitution allows the Governor to make any of four kinds of vetoes: total, amendatory, item, or reduction. The following describes each kind of veto and legislative responses to it.

#### Total Veto

The Governor may reject an entire bill and return it to its house of origin. Overriding such a total veto requires the affirmative votes of at least three-fifths of the members elected to each house (71 in the House, 36 in the Senate). Unless a total veto is overridden, the bill dies.

#### Amendatory Veto

A Governor can return a bill “with specific recommendations for change” to its house of origin. Such an amendatorily vetoed bill is considered like a vetoed bill, except that each house can accept the Governor’s recommendations by vote of a mere constitutional majority (60 in the House and 30 in the Senate). Thus if a bill is amendatorily vetoed, the General Assembly can do any of three things to it: (1) override the veto by three-fifths vote in each house, enacting the bill as it originally passed the General Assembly; (2) accept the Governor’s recommendations and return the bill to the Governor for his certification that the acceptance conforms to his recommendations; or (3) do neither, in which case the bill dies.

#### Item and Reduction Vetoes

The Governor can remove line items, and/or reduce the amount of any line item, in an appropriation bill without vetoing the entire bill. The amounts not eliminated or reduced become law immediately when the Governor transmits his veto message. But the majorities needed to restore those amounts differ. If a line item is vetoed, a three-fifths majority in each house is needed to restore it. But if the item is merely reduced, it can be restored to its original amount by a mere constitutional majority in each house.



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RETURN SERVICE REQUESTED

## Social Services *(continued from p. 23)*

reimbursement rates for substance use disorder providers of residential and inpatient services are to rise by the same percentage as the CPI-U, subject to a limit of 2% per fiscal year.

Subject to federal approval, rates for direct homemaker service workers are to rise to at least \$18 per hour.

DoA is to create and maintain an Illinois Caregiver Assistance and Resource Portal to offer caregivers online information on state and federal programs, tools for developing caregiving

plans, and contacts to relevant agencies and organizations. DoA is to promote an awareness campaign and report annually on the Portal. It is to be fully available by July 2027 (P.A. 103-588, enacted by H.B. 4959, Gabel – Gordon-Booth et al./ Sims et al.).

(Other parts of this act are summarized under other topics in this issue.)

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## First Reading

A publication of CGFA

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