SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDRED THIRD GENERAL ASSEMBLY

33RD LEGISLATIVE DAY

THURSDAY, MARCH 30, 2023

12:48 O'CLOCK P.M.

NO. 33
[March 30, 2023]

SENATE
Daily Journal Index
33rd Legislative Day

The Senate met pursuant to adjournment.
Senator David Koehler, Peoria, Illinois, presiding.
Prayer by Pastor Jacob Wetterlin, First United Methodist Church, Assumption, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, March 29, 2023, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Reporting Requirement of 50 ILCS 707/20 (Law Enforcement Camera Grant Act), submitted by the Sycamore Police Department.

Reporting Requirement of 50 ILCS 707/15 (Law Enforcement Camera Grant Act), submitted by the Sycamore Police Department.

IGB Casino Promotions Report - March 2023, submitted by the Illinois Gaming Board.

IDCFS Loss of Protected Information Report - March 2023, submitted by the Department of Children and Family Services.

IDCFS State Services Assurance Report - 2023, submitted by the Department of Children and Family Services.

IDJJ ERJA Report - March 2023, submitted by the Department of Juvenile Justice.

CMS ERJA Report - March 2023, submitted by the Department of Central Management Services.

Reporting Requirement of 50 ILCS 707/20 (Law Enforcement Camera Grant Act), submitted by the Spring Grove Police Department.

Reporting Requirement of 50 ILCS 707/15 (Law Enforcement Camera Grant Act), submitted by the Spring Grove Police Department.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

LEGISLATIVE MEASURES FILED

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 2 to Senate Bill 64
Amendment No. 1 to Senate Bill 376
Amendment No. 1 to Senate Bill 422
Amendment No. 1 to Senate Bill 506
Amendment No. 2 to Senate Bill 1211
Amendment No. 1 to Senate Bill 1213
Amendment No. 2 to Senate Bill 1213
Amendment No. 2 to Senate Bill 1344
Amendment No. 4 to Senate Bill 1769
Amendment No. 5 to Senate Bill 1769
Amendment No. 2 to Senate Bill 2100

Amendment No. 2 to Senate Bill 2121
Amendment No. 3 to Senate Bill 2121
Amendment No. 1 to Senate Bill 2228
Amendment No. 2 to Senate Bill 2278

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 2269, sponsored by Senator Ellman, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2350, sponsored by Senator Pacione-Zayas, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2442, sponsored by Senator Villanueva, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3253, sponsored by Senator Ventura, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3708, sponsored by Senator Ventura, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3722, sponsored by Senator Ventura, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3779, sponsored by Senator Ventura, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3849, sponsored by Senator Ventura, was taken up, read by title a first time and referred to the Committee on Assignments.

PRESENTATION OF RESOLUTIONS

Senator McConchie offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Assignments:

SENATE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT NO. 10

SC0010

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article IV of the Illinois Constitution by changing Sections 2 and 3 as follows:

ARTICLE IV
THE LEGISLATURE

(ILCON Art. IV, Sec. 2)
SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Legislative District. Immediately following each decennial redistricting, the General Assembly by law shall divide the Legislative Districts as equally as possible into three groups. Senators from one group shall be elected for terms of four years, four years and two years; Senators from the second group, for terms of four years, two years and four years; and Senators from the

third group, for terms of two years, four years and four years. The Legislative Districts in each group shall be distributed substantially equally over the State.

(b) ~~Each Legislative District shall be divided into two Representative Districts.~~ In 1982 and every two years thereafter one Representative shall be elected from each Representative District for a term of two years.

(c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial office with more than twenty-eight months remaining in the term, the appointed Senator shall serve until the next general election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.

(e) No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly.

No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term.

(Source: Amendment adopted at general election November 4, 1980.)

(ILCON Art. IV, Sec. 3)

SECTION 3. LEGISLATIVE REDISTRICTING

(a) As used in this Section:

"Coalition districts" means districts in which more than one group of racial minorities or language minorities may form a coalition to elect the candidate of the coalition's choice.

"Crossover districts" means districts in which a racial minority or language minority constitutes less than a majority of the voting-age population, but where this minority, at least potentially, is large enough to elect the candidate of its choice with help from voters who are members of the majority who cross over to support the minority's preferred candidate.

"Influence districts" means districts in which a racial minority or language minority can influence the outcome of an election even if its preferred candidate cannot be elected.

"Racial minorities or language minorities", in either the singular or the plural, means the same class of voters who are members of a race, color, or language minority group receiving protection under the federal Voting Rights Act.

(b) Each Legislative District, Representative District, and Congressional District shall, in the following order of priority:

(1) fully comply with the United States Constitution and federal laws, such as the federal Voting Rights Act;

(2) be substantially equal in population;

(3) provide racial minorities and language minorities with the equal opportunity to participate in the political process and elect candidates of their choice;

(4) provide racial minorities and language minorities who constitute less than a voting-age majority of a Legislative District, Representative District, or Congressional District with an opportunity to substantially influence the outcome of an election through the creation of crossover districts, coalition districts, or influence districts;

(5) be contiguous;

(6) be compact;

(7) respect, to the extent practical, geographic integrity of units of local government;

(8) respect, to the extent practical, communities sharing common social or economic interests; and

(9) not discriminate against or in favor of any political party or individual.

(c) No later than March 1 of 2031, the Chief Justice and the most senior Supreme Court Justice who is not elected from the same political party as the Chief Justice shall select 17 commissioners to form an Independent Redistricting Commission. The Commission formed in 2031 shall redraw each Legislative District, Representative District, and Congressional District for 2032. Thereafter, redistricting shall occur every year following the federal decennial census.

The commissioners shall reflect the ethnic, gender, and racial demographics of Illinois to reflect the demographic data provided by the decennial census, each commissioner shall be a voter who has been continuously affiliated in Illinois with the same political party or unaffiliated with a political party and who has not changed political party affiliation for 5 or more years immediately preceding the date of his or her appointment. Fourteen of the commissioners shall represent, in equal number, the two political parties whose gubernatorial candidates received the greatest number of votes in the last gubernatorial election and 3 of the commissioners must represent neither of those parties. No more than one commissioner shall be from the same Congressional District. If the total number of Congressional Districts equal less than 17, then at-large commissioners will be appointed to fill vacancies, and no more than 2 commissioners shall be from the same Congressional District. The 2 Justices responsible for selecting the 17 commissioners shall consider party identification and all campaign contributions in determining a potential commissioner's eligibility.

(d) A person is ineligible to serve on the Commission if within the previous 5 calendar years the person or his or her spouse or immediate family member, including his or her parents, children, step-children, or siblings, is or has been:

(1) appointed or elected to a position with the State, federal, or local government;

(2) a candidate for State, federal or local office;

(3) a paid consultant or employee of a State, federal, or local elected official or political candidate, of a federal, State, or local political candidate's campaign, or of a political action committee or any other electioneering entity;

(4) a State, federal, or local lobbyist as defined by law;

(5) an individual with an ownership interest in an entity with a State, federal, or local government contract; or

(6) appointed or elected to serve a State, federal, or local political party.

(e) A commissioner is ineligible for a period of 10 years to serve in the General Assembly or to be appointed to a position subject to Senate confirmation.

(f) Commissioners must file financial disclosure statements and abide by any ethics requirements established by law.

(g) Each prospective applicant for commissioner shall attest under oath that they meet the qualifications set forth in this Section, and attest either that they affiliate with one of the 2 political parties whose gubernatorial candidates received the 2 greatest number of votes in the last gubernatorial election, and if so, identify the party with which they affiliate, or that they do not affiliate with either of the major parties.

(h) Any vacancy, whether created by removal, resignation, death, or absence, in the 17 commission positions shall be filled within the 30 days after the vacancy occurs, from the pool of applicants of the same political party as the vacating nominee that was remaining as of the end of the commissioner selection process. If none of those remaining applicants are available for service, the Chief Justice of the Supreme Court and the most senior Supreme Court Judge of a different political party shall fill the vacancy from a new application pool created to maintain the partisan balance of the commission and to the extent possible, to keep the geographic and racial demographics of the commission the same as it was prior to the vacancy.

(i) The Commission shall act in public meetings by the affirmative vote of 11 commissioners. The Commission shall elect its chairperson and vice chairperson, who shall not be affiliated with the same political party. Each meeting of the Commission shall be open to the public and there must be public notice at least 7 days before a meeting. All records of the Commission, including all communications to or from the Commission regarding the work of the Commission, shall be available for public inspection. The Commission shall adopt rules governing its procedures. The Commission shall be considered a public body subject to the Freedom of Information Act or a successor Act and the Open Meetings Act or a successor Act.

(j) In each year in which the federal decennial census is taken but in which the United States Bureau of the Census allocates incarcerated persons as residents of correctional facilities, the Secretary of State shall request that each agency that operates a federal correctional facility in this State that incarcerates

persons convicted of a criminal offense to provide the Secretary of State with a report that includes the last known place of residence prior to incarceration of each inmate, except an inmate whose last known place of residence is outside of Illinois. The Secretary of State shall deliver such report to the Commission by December 30 of that same year. For purposes of reapportionment and redistricting, the Commission shall count each incarcerated person as residing at his or her last known place of residence, rather than at the institution of his or her incarceration.

(k) The Commission shall hold at least 20 public hearings throughout the State before adopting a redistricting plan, with a majority occurring before the Commission releases any proposed redistricting plan and at least 10 public hearings must occur throughout the State after the release of any proposed redistricting plan.

The Commission must provide a meaningful opportunity for racial minorities and language minorities to participate in the public hearings, including, but not limited to, issuing notices in multiple languages and ensuring that translation services are available at all hearings at the Commission's expense or through partnership with outside organizations. These public hearings must be open to all members of the public and must be planned to encourage attendance and participation across the State, including the use of technology that allows for real-time, virtual participation and feedback during the hearings. When releasing a proposed redistricting plan, the Commission must also release population data, geographic data, election data, and any other data used to create the plan, when the Commission receives this information. The Commission must also provide terminals for members of the public to access the data and associated software. During the map drawing process, any member of the public may submit maps for consideration to the Commission. The Commission must consider public input and respond to it. Those submissions are public records that are open to comment.

The Commission may not adopt a redistricting plan until the Commission adopts and publishes a report explaining the plan's compliance with the United States Constitution and Illinois Constitution. Before the adoption of a redistricting plan, the Commission shall release to the public the final plan and its associated compliance report. The meeting to vote on adoption of a redistricting plan shall occur no sooner than 30 days after the release of the final plan and its associated compliance report. All proposed and adopted maps and any data used to develop these maps are public records. The Commission shall maintain a website or other similar electronic platform to disseminate information about the Commission, including records of its meetings and hearings, proposed redistricting plans, assessments and reports on plans, and to allow the public to view its meetings and hearings in both live and archived form. The website or electronic platform must allow the public to submit redistricting plans and comments on redistricting plans to the Commission for its consideration.

(l) The Commission shall adopt and file with the Secretary of State a redistricting plan for the Legislative Districts, Representative Districts, and Congressional Districts by September 1 of 2031 and in every year following the federal decennial census thereafter. The Commission may adopt separate redistricting plans for the Legislative Districts, the Representative Districts, and the Congressional Districts.

(m) Members of the Commission shall be compensated as provided by law.

(n) Within the first 30 days after the selection of the Independent Redistricting Commission, the Governor shall include in the budget submitted under Section 2 of Article VIII to the General Assembly amounts of funding that are sufficient to meet the estimated expenses for the operation of the Commission. The Governor shall also make adequate office space available for the operation of the Commission. The General Assembly shall make the necessary appropriation in the State budget. The General Assembly may make additional appropriations in any year that it determines that the Commission requires additional funding in order to fulfill its duties. The Commission, with fiscal oversight from the Comptroller or its successor, shall have procurement and contracting authority and may hire staff and consultants, for the purposes of this Section, including legal representation.

(o) A redistricting plan filed with the Secretary of State shall be presumed valid and shall be published promptly by the Secretary of State.

(p) The Supreme Court shall have original and exclusive jurisdiction over actions concerning the redistricting of the Congressional, Legislative, and Representative Districts, which shall be initiated in the name of the People of the State by the Attorney General. Each person who resides or is domiciled in the State, or whose executive office or principal place of business is located in the State, may bring an action in a court of competent jurisdiction to obtain any of the relief available.

~~(a) Legislative Districts shall be compact, contiguous and substantially equal in population. Representative Districts shall be compact, contiguous, and substantially equal in population.~~

~~(b) In the year following each Federal decennial census year, the General Assembly by law shall redistrict the Legislative Districts and the Representative Districts.~~

~~If no redistricting plan becomes effective by June 30 of that year, a Legislative Redistricting Commission shall be constituted not later than July 10. The Commission shall consist of eight members, no more than four of whom shall be members of the same political party.~~

~~The Speaker and Minority Leader of the House of Representatives shall each appoint to the Commission one Representative and one person who is not a member of the General Assembly. The President and Minority Leader of the Senate shall each appoint to the Commission one Senator and one person who is not a member of the General Assembly.~~

~~The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that made the original appointment. A Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission.~~

~~Not later than August 10, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.~~

~~If the Commission fails to file an approved redistricting plan, the Supreme Court shall submit the names of two persons, not of the same political party, to the Secretary of State not later than September 1.~~

~~Not later than September 5, the Secretary of State publicly shall draw by random selection the name of one of the two persons to serve as the ninth member of the Commission.~~

~~Not later than October 5, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.~~

~~An approved redistricting plan filed with the Secretary of State shall be presumed valid, shall have the force and effect of law and shall be published promptly by the Secretary of State.~~

~~The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State by the Attorney General.~~

(Source: Amendment adopted at general election November 4, 1980.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to redistricting beginning in 2031 and to the election of General Assembly members beginning in 2032.

Senator McConchie offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Assignments:

SENATE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT NO. 11

SC0011

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article XIV of the Illinois Constitution by changing Section 3 as follows:

ARTICLE XIV
CONSTITUTIONAL REVISION

(ILCON Art. XIV, Sec. 3)

SECTION 3. CITIZEN INITIATIVE FOR CONSTITUTIONAL AMENDMENTS ~~CONSTITUTIONAL INITIATIVE FOR LEGISLATIVE ARTICLE~~

Amendments to ~~Article IV of~~ this Constitution may be proposed by a petition signed by a number of electors equal in number to at least eight percent of the total votes cast for candidates for Governor in the preceding gubernatorial election. The initiative process shall not be used for the proposal, modification, or repeal of any portion of the Bill of Rights of this Constitution or to modify the initiative process for proposing amendments to this Constitution. ~~Amendments shall be limited to structural and procedural~~

~~subjects contained in Article IV.~~ A petition shall contain the text of the proposed amendment and the date of the general election at which the proposed amendment is to be submitted, shall have been signed by the petitioning electors not more than twenty-four months preceding that general election and shall be filed with the Secretary of State at least six months before that general election. The procedure for determining the validity and sufficiency of a petition shall be provided by law. If the petition is valid and sufficient, the proposed amendment shall be submitted to the electors at that general election and shall become effective if approved by either three-fifths of those voting on the amendment or a majority of those voting in the election.
(Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senator McConchie offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Assignments:

SENATE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT NO. 12

SC0012

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article IV of the Illinois Constitution by adding Section 16 as follows:

ARTICLE IV
THE LEGISLATURE

(ILCON Art. IV, Sec. 16 new)

SECTION 16. INITIATIVE TO HOLD A REFERENDUM ON LEGISLATION

(a) A referendum to reject any Public Act, excepting appropriation measures, passed by the General Assembly and enacted into law may be proposed by a petition signed by a number of electors equal in number to at least 5% of the total votes cast for Governor in the preceding gubernatorial election. The petition shall be signed by the petitioning electors and filed with the State Board of Elections not more than 90 days after the enactment of the Public Act. A petition shall contain the Public Act number, the date of the general election at which the proposed amendment is to be submitted, and the date, if the Public Act is rejected, that it will cease to be in effect.

(b) The procedure for determining the validity and sufficiency of a petition shall be provided by law. If the petition is valid and sufficient, the proposed referendum shall be submitted to the electors at the general election specified in the petition. If the voters in the specified election reject the Public Act, it shall cease to be in effect on the date specified in the referendum.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senator McConchie offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Assignments:

SENATE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT NO. 13

SC0013

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 7 of Article III of the Illinois Constitution and to add Sections 9, 10, and 11 of Article III as follows:

ARTICLE III
SUFFRAGE AND ELECTIONS

(ILCON Art. III, Sec. 7)

SECTION 7. INITIATIVE TO RECALL EXECUTIVE OFFICERS ~~GOVERNOR~~

(a) To initiate the recall of any Executive Branch officer named in Section 1 of Article V, a petitioning elector shall file an affidavit with the State Board of Elections providing notice of intent to circulate a petition to recall an Executive Branch officer. The affidavit shall include: (1) a general statement of not more than 200 words naming the individual whose recall is sought and providing the grounds for which recall is sought; (2) a petition signed by a number of electors equal in number to at least 0.1% of the total votes cast for Governor in the preceding gubernatorial election; and (3) the signature of the petitioning elector.

Upon acceptance of the petitioning elector's affidavit by the State Board of Elections, an additional ~~The recall of the Governor may be proposed by a~~ petition signed by a number of electors equal in number to at least 12% ~~15%~~ of the total votes cast for Governor in the preceding gubernatorial election shall be completed. The~~, with at least 100 signatures from each of at least 25 separate counties. A~~ petition shall have been signed by the petitioning electors not more than 90 ~~150~~ days after the ~~an~~ affidavit has been filed with the State Board of Elections providing notice of intent to circulate a petition to recall the Executive Branch officer ~~the Governor~~. The affidavit may be filed no sooner than 6 months after the beginning of the Executive Branch officer's ~~Governor's~~ term of office. If the State Board of Elections determines the petition is valid, the Executive Branch officer whose recall is sought may file a response of not more than 200 words with the State Board of Elections. The petitioning elector's general statement and the Executive Branch officer's response shall appear on the recall ballot. ~~The affidavit shall have been signed by the proponent of the recall petition, at least 20 members of the House of Representatives, and at least 10 members of the Senate, with no more than half of the signatures of members of each chamber from the same established political party.~~

(b) The form of the affidavit, petitions, ~~petition,~~ circulation, and procedure for determining the validity and sufficiency of a petition shall be as provided by law. If the petition is valid and sufficient, the State Board of Elections shall certify the petition not more than 100 days after the date the petition was filed, and the question "Shall (name) be recalled from the office of (office name) ~~Governor~~?" must be submitted to the electors at a special election called by the State Board of Elections, to occur not more than 90 ~~100~~ days after certification of the petition. ~~A recall petition certified by the State Board of Elections may not be withdrawn and another recall petition may not be initiated against the Governor during the remainder of the current term of office.~~ Any recall petition or recall election pending on the date of the next general election at which a candidate for the Executive Branch office for which recall is sought ~~Governor~~ is elected is moot.

~~(c) If a petition to recall the Governor has been filed with the State Board of Elections, a person eligible to serve as Governor may propose his or her candidacy by a petition signed by a number of electors equal in number to the requirement for petitions for an established party candidate for the office of Governor, signed by petitioning electors not more than 50 days after a recall petition has been filed with the State Board of Elections. The form of a successor election petition, circulation, and procedure for determining the validity and sufficiency of a petition shall be as provided by law. If the successor election petition is valid and sufficient, the State Board of Elections shall certify the petition not more than 100 days after the date the petition to recall the Governor was filed. Names of candidates for nomination to serve as the candidate of an established political party must be submitted to the electors at a special primary election, if necessary, called by the State Board of Elections to be held at the same time as the special election on the question of recall established under subsection (b). Names of candidates for the successor election must be submitted to the electors at a special successor election called by the State Board of Elections, to occur not more than 60 days after the date of the special primary election or on a date established by law.~~

(c) ~~(d)~~ The Executive Branch officer ~~Governor~~ is immediately removed upon certification of the recall election results if a three-fifths majority of the electors voting on the question vote to recall the Executive

Branch officer ~~Governor~~. If the Executive Branch officer ~~Governor~~ is removed, the vacancy shall be filled as provided in Article V ~~then (i) an Acting Governor determined under subsection (a) of Section 6 of Article V shall serve until the Governor elected at the special successor election is qualified and (ii) the candidate who receives the highest number of votes in the special successor election is elected Governor for the balance of the term~~.

(d) An Executive Branch officer recalled under this Section is ineligible to serve in public office for 10 years following certification of the recall election.

(Source: Amendment adopted at general election November 2, 2010.)

(ILCON Art. III, Sec. 9 new)

SECTION 9. INITIATIVE TO RECALL MEMBERS OF THE GENERAL ASSEMBLY

(a) To initiate the recall of a member of the General Assembly, a petitioning elector shall file an affidavit with the State Board of Elections providing notice of intent to circulate a petition to recall the member. The affidavit shall include: (1) a general statement of not more than 200 words naming the individual whose recall is sought and providing the grounds for which recall is sought; (2) a petition signed by a number of electors equal in number to at least 0.1% of the total votes cast for Governor in the preceding gubernatorial election within the Legislative District or Representative District in which the member of the General Assembly represents; and (3) the signature of the petitioning elector. The affidavit may be filed no sooner than 6 months after the beginning of the member's term of office.

Upon acceptance of the petitioning elector's affidavit by the State Board of Elections, an additional petition signed by a number of electors equal in number to at least 12% of the total votes cast for Governor in the preceding gubernatorial election in the Legislative District or Representative District in which the member of the General Assembly represents shall be completed. The petition shall have been signed by the petitioning electors not more than 90 days after the affidavit has been filed with the State Board of Elections providing notice of intent to circulate a petition to recall the member. If the State Board of Elections determines the petition is valid, the member whose recall is sought may file a response of not more than 200 words with the State Board of Elections. The petitioning elector's general statement and the member's response shall appear on the recall ballot.

(b) The form of the affidavit, petitions, circulation, and procedure for determining the validity and sufficiency of a petition shall be as provided by law. If the petition is valid and sufficient, the State Board of Elections shall certify the petition not more than 100 days after the date the petition was filed, and the question "Shall (name) be recalled from the office of (office name)?" must be submitted, to the electors of the Legislative District or Representative District represented by the member of the General Assembly, at a special election called by the State Board of Elections to occur not more than 90 days after certification of the petition. Any recall petition or recall election pending on the date of the next general election at which a member of the General Assembly for which recall is sought is elected is moot.

(c) The member of the General Assembly is immediately removed upon certification of the recall election results if a three-fifths majority of the electors voting on the question vote to recall the member. If the member is removed, the vacancy shall be filled as provided by Section 2 of Article IV.

(d) A member of the General Assembly recalled under this Section is ineligible to serve in public office for 10 years following certification of the recall election.

(ILCON Art. III, Sec. 10 new)

SECTION 10. INITIATIVE TO RECALL LOCAL GOVERNMENT OFFICIALS

(a) As used in this Section, "local government official" means an elected or appointed public official of a unit of local government, school district, or community college district.

(b) To initiate the recall of a local government official, a petitioning elector shall file an affidavit with the State Board of Elections providing notice of intent to circulate a petition to recall the official. The affidavit shall include: (1) a general statement of not more than 200 words naming the individual whose recall is sought and providing the grounds for which recall is sought; (2) a petition signed by a number of electors equal in number to at least 0.1% of the total votes cast for Governor in the preceding gubernatorial election within the unit of local government, school district, or community college district in which the official represents; and (3) the signature of the petitioning elector. The affidavit may be filed no sooner than 6 months after the beginning of the local government official's term of office.

Upon acceptance of the petitioning elector's affidavit by the State Board of Elections, an additional petition signed by a number of electors equal to a percentage of the total votes cast for Governor in the

preceding gubernatorial election as determined by the population of the unit of local government, school district, or community college district in which the local government official represents as follows: for a jurisdiction of not more than 1,000 qualified electors, 30%; for a jurisdiction of more than 1,000 qualified electors but not more than 10,000 qualified electors, 25%; for a jurisdiction of more than 10,000 qualified electors but not more than 50,000 qualified electors, 20%; for a jurisdiction of more than 50,000 qualified electors but not more than 100,000 qualified electors, 15%; for a jurisdiction of more than 100,000 qualified voters, 10%. The petition shall have been signed by the petitioning electors not more than 90 days after the affidavit has been filed with the State Board of Elections providing notice of intent to circulate a petition to recall the local government official. If the State Board of Elections determines the petition is valid, the local government official whose recall is sought may file a response of not more than 200 words with the State Board of Elections. The petitioning elector's general statement and the local government official's response shall appear on the recall ballot.

(c) The form of the affidavit, petitions, circulation, and procedure for determining the validity and sufficiency of a petition shall be as provided by law. If the petition is valid and sufficient, the State Board of Elections shall certify the petition not more than 100 days after the date the petition was filed, and the question must be submitted to the electors of the unit of local government, school district, or community college district at a special election called by the State Board of Elections, to occur not more than 90 days after certification of the petition in substantially the following form:

"Should (official's name) be recalled from the position of (title of position)?
If (official's name) is recalled, which of the following candidates should replace (official's name)?
(candidate or candidates to succeed the recalled official)."

Any recall petition or recall election pending on the date of the next general election at which a local government official for which recall is sought is elected is moot. The form of the affidavit, petition, circulation, and procedure for candidates to replace the recalled official shall be provided by law.

(d) The local government official is immediately removed upon certification of the recall election results if a three-fifths majority of the electors voting on the question vote to recall the local government official. If the local government official is removed, the vacancy shall be filled as provided by law.

(e) A local government official recalled under this Section is ineligible to serve in public office for 10 years following certification of the recall election.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

REPORTS FROM STANDING COMMITTEES

Senator Castro, Chair of the Committee on Executive, to which was referred **Senate Bill No. 1909**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Castro, Chair of the Committee on Executive, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 63
Senate Amendment No. 3 to Senate Bill 214
Senate Amendment No. 1 to Senate Bill 688
Senate Amendment No. 1 to Senate Bill 754
Senate Amendment No. 1 to Senate Bill 761
Senate Amendment No. 2 to Senate Bill 761
Senate Amendment No. 2 to Senate Bill 850
Senate Amendment No. 2 to Senate Bill 1886
Senate Amendment No. 3 to Senate Bill 2152
Senate Amendment No. 2 to Senate Bill 2213

Senate Amendment No. 1 to Senate Bill 2322
Senate Amendment No. 4 to Senate Bill 2368

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bill No. 559**, reported the same back with the recommendation that the bill do pass.
Under the rules, the bill was ordered to a second reading.

Senator Joyce, Chair of the Committee on State Government, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 686
Senate Amendment No. 2 to Senate Bill 686
Senate Amendment No. 1 to Senate Bill 836
Senate Amendment No. 2 to Senate Bill 836
Senate Amendment No. 2 to Senate Bill 2146
Senate Amendment No. 2 to Senate Bill 2292

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Joyce, Chair of the Committee on State Government, to which was referred **Senate Joint Resolution No. 7**, reported the same back with the recommendation that the resolution be adopted.
Under the rules, **Senate Joint Resolution No. 7** was placed on the Secretary's Desk.

Senator Glowiak Hilton, Chair of the Committee on Licensed Activities, to which was referred **Senate Bill No. 218**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.
Under the rules, the bill was ordered to a second reading.

Senator Glowiak Hilton, Chair of the Committee on Licensed Activities, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 199
Senate Amendment No. 1 to Senate Bill 303
Senate Amendment No. 1 to Senate Bill 1250
Senate Amendment No. 2 to Senate Bill 1713
Senate Amendment No. 1 to Senate Bill 1716
Senate Amendment No. 2 to Senate Bill 1717
Senate Amendment No. 2 to Senate Bill 1866
Senate Amendment No. 3 to Senate Bill 1866
Senate Amendment No. 1 to Senate Bill 1889
Senate Amendment No. 3 to Senate Bill 2057

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Villanueva, Chair of the Committee on Revenue, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 805
Senate Amendment No. 1 to Senate Bill 1147
Senate Amendment No. 2 to Senate Bill 1147

Senate Amendment No. 3 to Senate Bill 2277
Senate Amendment No. 1 to Senate Bill 2395

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Holmes, Chair of the Committee on Local Government, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 685
Senate Amendment No. 1 to Senate Bill 895
Senate Amendment No. 1 to Senate Bill 1098

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator D. Turner, Chair of the Committee on Agriculture, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 203
Senate Amendment No. 4 to Senate Bill 1701
Senate Amendment No. 2 to Senate Bill 1745

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Stadelman, Chair of the Committee on Energy and Public Utilities, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 1127
Senate Amendment No. 1 to Senate Bill 1438
Senate Amendment No. 2 to Senate Bill 1474

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Ellman, Chair of the Committee on Environment and Conservation, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 1804
Senate Amendment No. 1 to Senate Bill 2212
Senate Amendment No. 2 to Senate Bill 2226

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Ellman, Chair of the Committee on Environment and Conservation, to which was referred **Senate Resolution No. 95**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 95** was placed on the Secretary's Desk.

Senator Simmons, Chair of the Committee on Human Rights, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to Senate Bill 1446

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Martwick, Chair of the Senate Special Committee on Pensions, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 734
Senate Amendment No. 1 to Senate Bill 1115
Senate Amendment No. 1 to Senate Bill 1235
Senate Amendment No. 2 to Senate Bill 1235
Senate Amendment No. 2 to Senate Bill 1646
Senate Amendment No. 3 to Senate Bill 1646

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Sims, Chair of the Special Committee on Criminal Law and Public Safety, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to Senate Bill 125
Senate Amendment No. 2 to Senate Bill 1499
Senate Amendment No. 1 to Senate Bill 2285

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Sims, **Senate Bill No. 1850** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 53; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Loughran Cappel	Stoller
Aquino	Gillespie	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Tracy
Bennett	Halpin	McConchie	Turner, D.
Bryant	Harris, N.	Morrison	Turner, S.
Castro	Harriss, E.	Murphy	Ventura
Cervantes	Hastings	Pacione-Zayas	Villa
Cunningham	Holmes	Peters	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Fine asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 1850**.

SENATE BILL RECALLED

On motion of Senator Peters, **Senate Bill No. 1886** was recalled from the order of third reading to the order of second reading.

Senator Peters offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1886

AMENDMENT NO. 2 . Amend Senate Bill 1886, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 23, line 24, by replacing "For each condition imposed" with "In any instance in which the court orders testing for cannabis or alcohol".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Peters, **Senate Bill No. 1886** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 34; NAYS 21.

The following voted in the affirmative:

Aquino	Fine	Lightford	Stadelman
Belt	Gillespie	Martwick	Turner, D.
Castro	Halpin	Murphy	Ventura
Cervantes	Harris, N.	Pacione-Zayas	Villa
Cunningham	Hastings	Peters	Villanueva
Edly-Allen	Holmes	Porfirio	Villivalam
Ellman	Hunter	Preston	Mr. President
Faraci	Johnson	Simmons	
Feigenholtz	Koehler	Sims	

The following voted in the negative:

Anderson	Fowler	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, S.
Bryant	Harriss, E.	Rezin	Wilcox
Chesney	Joyce	Rose	
Curran	Lewis	Stoller	
DeWitte	Loughran Cappel	Syverson	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Rose, **Senate Bill No. 1889** was recalled from the order of third reading to the order of second reading.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1889

AMENDMENT NO. 1 . Amend Senate Bill 1889 by replacing everything after the enacting clause with the following:

"Section 5. The Pharmacy Practice Act is amended by changing Sections 9 and 15.1 and by adding Section 9.7 as follows:

(225 ILCS 85/9)

(Section scheduled to be repealed on January 1, 2028)

Sec. 9. Licensure as registered pharmacy technician.

(a) Any person shall be entitled to licensure as a registered pharmacy technician who is of the age of 16 or over, has not engaged in conduct or behavior determined to be grounds for discipline under this Act, is attending or has graduated from an accredited high school or comparable school or educational institution or received a State of Illinois High School Diploma, and has filed a written or electronic application for licensure on a form to be prescribed and furnished by the Department for that purpose. The Department shall issue a license as a registered pharmacy technician to any applicant who has qualified as aforesaid, and such license shall be the sole authority required to assist licensed pharmacists in the practice of pharmacy, under the supervision of a licensed pharmacist. A registered pharmacy technician may be delegated to perform any task within the practice of pharmacy if specifically trained for that task, except for patient counseling, drug regimen review, clinical conflict resolution, ~~or~~ final prescription verification except where a registered certified pharmacy technician verifies a prescription dispensed by another pharmacy technician using technology-assisted medication verification, or providing patients prophylaxis drugs for human immunodeficiency virus pre-exposure prophylaxis or post-exposure prophylaxis.

(b) Beginning on January 1, 2017, within 2 years after initial licensure as a registered pharmacy technician, the licensee must meet the requirements described in Section 9.5 of this Act and become licensed as a registered certified pharmacy technician. If the licensee has not yet attained the age of 18, then upon the next renewal as a registered pharmacy technician, the licensee must meet the requirements described in Section 9.5 of this Act and become licensed as a registered certified pharmacy technician. This requirement does not apply to pharmacy technicians registered prior to January 1, 2008.

(c) (Blank). ~~Any person registered as a pharmacy technician who is also enrolled in a first professional degree program in pharmacy in a school or college of pharmacy or a department of pharmacy of a university approved by the Department or has graduated from such a program within the last 18 months, shall be considered a "student pharmacist" and entitled to use the title "student pharmacist". A student pharmacist must meet all of the requirements for licensure as a registered pharmacy technician set forth in this Section excluding the requirement of certification prior to the second license renewal and pay the required registered pharmacy technician license fees. A student pharmacist may, under the supervision of a pharmacist, assist in the practice of pharmacy and perform any and all functions delegated to him or her by the pharmacist.~~

(d) Any person seeking licensure as a pharmacist who has graduated from a pharmacy program outside the United States must register as a pharmacy technician and shall be considered a "student pharmacist" and be entitled to use the title "student pharmacist" while completing the 1,200 clinical hours of training approved by the Board of Pharmacy described and for no more than 18 months after completion of these hours. These individuals are not required to become registered certified pharmacy technicians while completing their Board approved clinical training, but must become licensed as a pharmacist or become licensed as a registered certified pharmacy technician before the second pharmacy technician license renewal following completion of the Board approved clinical training.

(e) The Department shall not renew the registered pharmacy technician license of any person who has been licensed as a registered pharmacy technician with the designation "student pharmacist" who: (1) has dropped out of or been expelled from an ACPE accredited college of pharmacy; (2) has failed to complete his or her 1,200 hours of Board approved clinical training within 24 months; or (3) has failed the pharmacist licensure examination 3 times. The Department shall require these individuals to meet the requirements of and become licensed as a registered certified pharmacy technician.

(f) The Department may take any action set forth in Section 30 of this Act with regard to a license pursuant to this Section.

(g) Any person who is enrolled in a non-traditional Pharm.D. program at an ACPE accredited college of pharmacy and is licensed as a registered pharmacist under the laws of another United States jurisdiction shall be permitted to engage in the program of practice experience required in the academic program by virtue of such license. Such person shall be exempt from the requirement of licensure as a registered pharmacy technician or registered certified pharmacy technician while engaged in the program of practice experience required in the academic program.

An applicant for licensure as a registered pharmacy technician may assist a pharmacist in the practice of pharmacy for a period of up to 60 days prior to the issuance of a license if the applicant has submitted the required fee and an application for licensure to the Department. The applicant shall keep a copy of the submitted application on the premises where the applicant is assisting in the practice of pharmacy. The Department shall forward confirmation of receipt of the application with start and expiration dates of practice pending licensure.

(h) Supportive staff who solely perform clerical work are not required to be licensed as a registered pharmacy technician. It shall be the responsibility of the pharmacy, the pharmacist-in-charge, and the pharmacy technician to ensure supportive staff are properly trained. The pharmacy or pharmacist-in-charge shall alert the Department's chief pharmacy coordinator when supportive staff have been terminated for threatening patient safety or diversion, in accordance with the requirements of subsection (b) of Section 30.1. As used in this subsection, "clerical work" includes, without limitation, operating registers at the point of sale, sorting pre-packaged drugs in pharmacies specializing in centralized prescription filling, and selling prescriptions that have received final verification by a pharmacist in accordance with subsection (c-5) of Section 15.1. "Clerical work" does not include data entry, packaging, labeling, or storage.

(Source: P.A. 101-621, eff. 1-1-20; 102-882, eff. 1-1-23; 102-1051, eff. 1-1-23; 102-1100, eff. 1-1-23; revised 12-14-22.)

(225 ILCS 85/9.7 new)

Sec. 9.7. Student pharmacist. Any person who is also enrolled in a first professional degree program in pharmacy in a school or college of pharmacy or a department of pharmacy of a university approved by the Department, or has graduated from such a program within the last 18 months, shall be considered a "student pharmacist" and entitled to use the title "student pharmacist". A student pharmacist must meet all of the requirements for licensure as a registered pharmacy technician set forth in Section 9, except for the requirement of certification prior to the second license renewal, and pay the required license fees. A student pharmacist may, under the supervision of a pharmacist, assist in the practice of pharmacy and perform any and all functions delegated to him or her by the pharmacist.

(225 ILCS 85/15.1)

(Section scheduled to be repealed on January 1, 2028)

Sec. 15.1. Pharmacy working conditions.

(a) A pharmacy licensed under this Act shall not require a pharmacist, student pharmacist, or pharmacy technician to work longer than 12 continuous hours per day, inclusive of the breaks required under subsection (b).

(b) A pharmacist who works 6 continuous hours or longer per day shall be allowed to take, at a minimum, one 30-minute uninterrupted meal break and one 15-minute break during that 6-hour period. If such pharmacist is required to work 12 continuous hours per day, at a minimum, he or she qualifies for an additional 15-minute break. A pharmacist who is entitled to take such breaks shall not be required to work more than 5 continuous hours, excluding a 15-minute break, before being given the opportunity to take a 30-minute uninterrupted meal break. If the pharmacy has a private break room available, or if there is a private break room in the establishment or business in which the pharmacy is located, a pharmacist who is entitled to breaks must be given access to that private break room and allowed to spend his or her break time in that room.

(c) A pharmacy may, but is not required to, close when a pharmacist is allowed to take a break under subsection (b). If the pharmacy does not close, the pharmacist shall either remain within the licensed pharmacy or within the establishment in which the licensed pharmacy is located in order to be available for emergencies. In addition, the following applies:

(1) pharmacy technicians, student pharmacists, and other supportive staff authorized by the pharmacist on duty may continue to perform duties as allowed under this Act;

(2) no duties reserved to pharmacists and student pharmacists under this Act, or that require the professional judgment of a pharmacist, may be performed by pharmacy technicians or other supportive staff; and

(3) only prescriptions that have received final verification by a pharmacist may be sold ~~dispensed~~ while the pharmacist is on break, except those prescriptions that require counseling by a pharmacist, including all new prescriptions and those refill prescriptions for which a pharmacist has determined that counseling is necessary, may be sold ~~dispensed~~ only if the following conditions are met:

(i) the patient or other individual who is picking up the prescription on behalf of the patient is told that the pharmacist is on a break and is offered the chance to wait until the pharmacist returns from break in order to receive counseling;

(ii) if the patient or other individual who is picking up the prescription on behalf of the patient declines to wait, a telephone number at which the patient or other individual who is picking up the prescription on behalf of the patient can be reached is obtained;

(iii) after returning from the break, the pharmacist makes a reasonable effort to contact the patient or other individual who is picking up the prescription on behalf of the patient and provide counseling; and

(iv) the pharmacist documents the counseling that was provided or documents why counseling was not provided after a minimum of 2 attempts, including a description of the efforts made to contact the patient or other individual who is picking up the prescription on behalf of the patient; the documentation shall be retained by the pharmacy and made available for inspection by the Board or its authorized representatives for at least 2 years.

(c-5) When a pharmacist is not present in the pharmacy, a registered pharmacy technician, registered certified pharmacy technician, student pharmacist, or other supportive staff shall sell prescriptions that have received final verification by a pharmacist. A registered pharmacy technician, registered certified pharmacy technician, student pharmacist, or other supportive staff shall connect a patient to a pharmacist to provide counseling by audio or video technology for any prescription that requires counseling by a pharmacist. If the pharmacy does not have audio and video technology to connect the patient or other individual who is picking up the prescription on behalf of the patient to a pharmacist to provide counseling, then a telephone number at which the patient or other individual who is picking up the prescription on behalf of the patient can be reached shall be obtained . The pharmacist, upon returning to duty, shall attempt to contact the patient or other individual in accordance with items (iii) and (iv) of subsection (c). It shall be the responsibility of the pharmacy and pharmacist-in-charge to ensure that all staff, including supportive staff, are trained in selling pre-verified prescriptions. Training shall include, at a minimum, recordkeeping requirements, patient counseling protocols as described in this subsection (c-5), pharmacy safety protocols, and patient privacy standards. The prescription record shall contain the names, initials, or other unique identifier of both the pharmacist who verified the prescription and the staff member who sold the prescription.

(d) In a pharmacy staffed by 2 or more pharmacists, the pharmacists shall stagger breaks so that at least one pharmacist remains on duty during all times that the pharmacy remains open for the transaction of business.

(e) (Blank). ~~A pharmacy shall keep and maintain a complete and accurate record showing its pharmacists' daily break periods.~~

(f) Subsections (a) and (b) shall not apply when an emergency, as deemed by the professional judgment of the pharmacist, necessitates that a pharmacist, student pharmacist, or pharmacy technician work longer than 12 continuous hours, work without taking required meal breaks, or have a break interrupted in order to minimize immediate health risks for patients.

(Source: P.A. 101-621, eff. 1-1-20.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Rose, **Senate Bill No. 1889** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Lewis	Sims
Aquino	Fine	Lightford	Stadelman
Belt	Fowler	Loughran Cappel	Stoller
Bennett	Gillespie	Martwick	Syverson
Bryant	Glowiak Hilton	McClure	Tracy
Castro	Halpin	McConchie	Turner, D.
Cervantes	Harris, N.	Morrison	Turner, S.
Chesney	Harriss, E.	Pacione-Zayas	Ventura
Cunningham	Hastings	Peters	Villa
Curran	Holmes	Porfirio	Villanueva
DeWitte	Hunter	Preston	Villivalam
Edly-Allen	Johnson	Rezin	Wilcox
Ellman	Joyce	Rose	Mr. President
Faraci	Koehler	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Simmons, **Senate Bill No. 1892** was recalled from the order of third reading to the order of second reading.

Senator Simmons offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1892

AMENDMENT NO. 1 . Amend Senate Bill 1892 by replacing everything after the enacting clause with the following:

"Section 5. The Metropolitan Transit Authority Act is amended by changing Sections 51 and 52 as follows:

(70 ILCS 3605/51)

Sec. 51. Free services; eligibility.

(a) Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly and until subsection (b) is implemented, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Board shall be provided without charge to all senior citizens of the Metropolitan Region (as such term is defined in 70 ILCS 3615/1.03) aged 65 and older, under such conditions as shall be prescribed by the Board.

(b) Notwithstanding any law to the contrary, no later than 180 days following the effective date of this amendatory Act of the 96th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Board shall be provided without charge to senior citizens aged 65 and older who meet the income eligibility limitation set forth in subsection (a-5) of Section 4 of the Senior Citizens and Persons with Disabilities Property Tax Relief Act, under such conditions as shall be prescribed by the Board. The Department on Aging shall furnish all information reasonably necessary to determine eligibility, including updated lists of individuals who are eligible for services without charge under this Section. After an initial eligibility determination is made, an individual's eligibility for free services shall automatically renew every 5 years after receipt by the Authority of a copy of the individual's

government-issued identification card validating Illinois residency. Nothing in this Section shall relieve the Board from providing reduced fares as may be required by federal law.
(Source: P.A. 99-143, eff. 7-27-15.)

(70 ILCS 3605/52)

Sec. 52. Transit services for individuals with disabilities. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, all fixed route public transportation services provided by, or under grant or purchase of service contract of, the Board shall be provided without charge to all persons with disabilities who meet the income eligibility limitation set forth in subsection (a-5) of Section 4 of the Senior Citizens and Persons with Disabilities Property Tax Relief Act, under such procedures as shall be prescribed by the Board. The Department on Aging shall furnish all information reasonably necessary to determine eligibility, including updated lists of individuals who are eligible for services without charge under this Section. After an initial eligibility determination is made, an individual's eligibility for free services shall automatically renew every 5 years after receipt by the Authority of a copy of the individual's government-issued identification card validating Illinois residency. Individuals who have not submitted an Illinois Persons with a Disability Identification Card to the Authority shall also submit a document verifying the individual's disability.
(Source: P.A. 99-143, eff. 7-27-15.)

Section 10. The Regional Transportation Authority Act is amended by changing Sections 3A.15, 3A.16, 3B.14, and 3B.15 as follows:

(70 ILCS 3615/3A.15)

Sec. 3A.15. Free services; eligibility.

(a) Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly and until subsection (b) is implemented, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Suburban Bus Board shall be provided without charge to all senior citizens of the Metropolitan Region aged 65 and older, under such conditions as shall be prescribed by the Suburban Bus Board.

(b) Notwithstanding any law to the contrary, no later than 180 days following the effective date of this amendatory Act of the 96th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Suburban Bus Board shall be provided without charge to senior citizens aged 65 and older who meet the income eligibility limitation set forth in subsection (a-5) of Section 4 of the Senior Citizens and Persons with Disabilities Property Tax Relief Act, under such conditions as shall be prescribed by the Suburban Bus Board. The Department on Aging shall furnish all information reasonably necessary to determine eligibility, including updated lists of individuals who are eligible for services without charge under this Section. After an initial eligibility determination is made, an individual's eligibility for free services shall automatically renew every 5 years after receipt by the Authority of a copy of the individual's government-issued identification card validating Illinois residency. Nothing in this Section shall relieve the Suburban Bus Board from providing reduced fares as may be required by federal law.
(Source: P.A. 99-143, eff. 7-27-15.)

(70 ILCS 3615/3A.16)

Sec. 3A.16. Transit services for individuals with disabilities. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, all fixed route public transportation services provided by, or under grant or purchase of service contract of, the Suburban Bus Board shall be provided without charge to all persons with disabilities who meet the income eligibility limitation set forth in subsection (a-5) of Section 4 of the Senior Citizens and Persons with Disabilities Property Tax Relief Act, under such procedures as shall be prescribed by the Board. The Department on Aging shall furnish all information reasonably necessary to determine eligibility, including updated lists of individuals who are eligible for services without charge under this Section. After an initial eligibility determination is made, an individual's eligibility for free services shall automatically renew every 5 years after receipt by the Authority of a copy of the individual's government-issued identification card validating Illinois residency. Individuals who have not submitted an Illinois Persons with a Disability Identification Card to the Authority shall also submit a document verifying the individual's disability.
(Source: P.A. 99-143, eff. 7-27-15.)

(70 ILCS 3615/3B.14)

Sec. 3B.14. Free services; eligibility.

(a) Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly and until subsection (b) is implemented, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Commuter Rail Board shall be provided without charge to all senior citizens of the Metropolitan Region aged 65 and older, under such conditions as shall be prescribed by the Commuter Rail Board.

(b) Notwithstanding any law to the contrary, no later than 180 days following the effective date of this amendatory Act of the 96th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Commuter Rail Board shall be provided without charge to senior citizens aged 65 and older who meet the income eligibility limitation set forth in subsection (a-5) of Section 4 of the Senior Citizens and Persons with Disabilities Property Tax Relief Act, under such conditions as shall be prescribed by the Commuter Rail Board. The Department on Aging shall furnish all information reasonably necessary to determine eligibility, including updated lists of individuals who are eligible for services without charge under this Section. After an initial eligibility determination is made, an individual's eligibility for free services shall automatically renew every 5 years after receipt by the Authority of a copy of the individual's government-issued identification card validating Illinois residency. Nothing in this Section shall relieve the Commuter Rail Board from providing reduced fares as may be required by federal law.

(Source: P.A. 99-143, eff. 7-27-15.)

(70 ILCS 3615/3B.15)

Sec. 3B.15. Transit services for individuals with disabilities. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, all fixed route public transportation services provided by, or under grant or purchase of service contract of, the Commuter Rail Board shall be provided without charge to all persons with disabilities who meet the income eligibility limitation set forth in subsection (a-5) of Section 4 of the Senior Citizens and Persons with Disabilities Property Tax Relief Act, under such procedures as shall be prescribed by the Board. The Department on Aging shall furnish all information reasonably necessary to determine eligibility, including updated lists of individuals who are eligible for services without charge under this Section. After an initial eligibility determination is made, an individual's eligibility for free services shall automatically renew every 5 years after receipt by the Authority of a copy of the individual's government-issued identification card validating Illinois residency. Individuals who have not submitted an Illinois Persons with a Disability Identification Card to the Authority shall also submit a document verifying the individual's disability.

(Source: P.A. 99-143, eff. 7-27-15.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Simmons, **Senate Bill No. 1892** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Morrison	Turner, S.
Castro	Harris, N.	Murphy	Ventura
Cervantes	Harriss, E.	Pacione-Zayas	Villa

Chesney	Hastings	Peters	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Curran	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Joyce	Rose	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Ellman, **Senate Bill No. 1935** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bryant	Glowiak Hilton	McClure	Syverson
Castro	Halpin	McConchie	Tracy
Cervantes	Harris, N.	Morrison	Turner, D.
Chesney	Harriss, E.	Murphy	Turner, S.
Cunningham	Hastings	Pacione-Zayas	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Joyce	Rezin	Wilcox
Faraci	Koehler	Rose	Mr. President
Feigenholtz	Lewis	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Loughran Cappel, **Senate Bill No. 1993** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Morrison	Turner, S.
Castro	Harris, N.	Murphy	Ventura

Cervantes	Harriss, E.	Pacione-Zayas	Villa
Chesney	Hastings	Peters	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Curran	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Joyce	Rose	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Loughran Cappel, **Senate Bill No. 1994** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was postponed in the Committee on Education.

Senator Loughran Cappel offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1994

AMENDMENT NO. 2 . Amend Senate Bill 1994 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 17-1.10 as follows:

(105 ILCS 5/17-1.10 new)

Sec. 17-1.10. Operational funds expenditure report and reserve reduction plan.

(a) In the 2024-2025 school year and in each subsequent school year, each school board shall calculate the combined, annual average expenditures of its operational funds for the previous 3 fiscal years, as reported in the school district's most recently audited annual financial reports. Operational funds shall include the district's educational, transportation, and operations and maintenance funds. The school board shall annually present a written report covering the annual average expenditures of its operational funds for the previous 3 fiscal years at a board meeting.

(b) If a school district's combined cash reserve balance of its operational funds, as most recently reported by the district pursuant to Section 17-1.3 of this Code, exceeds 2.5 times the annual average expenditures of its operational funds for the previous 3 fiscal years, the school board shall adopt and file with the State Board of Education a written operational funds reserve reduction plan to reduce, within 3 years, the district's combined cash reserve balance of its operational funds to an amount at or below 2.5 times the annual average expenditures of its operational funds for the previous 3 fiscal years.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Loughran Cappel, **Senate Bill No. 1994** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Lightford	Simmons
Aquino	Fine	Loughran Cappel	Sims
Belt	Fowler	Martwick	Stadelman
Bennett	Gillespie	McClure	Stoller
Bryant	Glowiak Hilton	McConchie	Syverson
Castro	Halpin	Morrison	Turner, D.
Cervantes	Harris, N.	Murphy	Turner, S.
Chesney	Harriss, E.	Pacione-Zayas	Ventura
Cunningham	Hastings	Peters	Villa
Curran	Hunter	Plummer	Villanueva
DeWitte	Johnson	Porfirio	Villivalam
Edly-Allen	Joyce	Preston	Wilcox
Ellman	Koehler	Rezin	Mr. President
Faraci	Lewis	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Edly-Allen, **Senate Bill No. 1996** was recalled from the order of third reading to the order of second reading.

Senator Edly-Allen offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1996

AMENDMENT NO. 1 . Amend Senate Bill 1996 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be referred to as the Manufacturing Mentorship Program Act.

Section 5. Definitions. As used in this Act:

"Employer" means a person who employs an individual in a manufacturing occupation.

"Manufacturing occupation" means employment that consists of the mechanical, physical, or chemical transformation of materials, substances, or components into new products for sale, including the assembling of component parts into a finished product.

"Program" means the Manufacturing Mentorship Program.

Section 10. Manufacturing Mentorship Program.

(a) There is hereby created the Manufacturing Mentorship Program for the purpose of exposing minors who are 16 or 17 years of age to manufacturing occupations in this State through temporary employment with an employer. An employer employing a minor under the program shall do all of the following:

(1) determine the duration of the minor's employment;

(2) assign the minor a mentor to provide direct and close supervision while the minor is engaged in any workplace activity;

(3) provide the minor with the training described in subsection (b);

(4) encourage the minor to participate in a career and technical education program approved by the State Board of Education if the minor is not participating in a career and technical education program when the minor begins employment; and

(5) comply with all applicable State and federal laws and regulations relating to the employment of minors.

(b) An employer employing a minor who is 16 or 17 years of age in a manufacturing occupation under the program shall provide the minor with training that includes all of the following:

(1) a 10-hour course in general industry safety and health hazard recognition and prevention approved by the Occupational Safety and Health Administration of the United States Department of Labor;

(2) instructions on how to operate the specific tools the minor will use during the minor's employment;

(3) the general safety and health hazards to which the minor may be exposed at the minor's workplace;

(4) the value of commitment to safety and safety management; and

(5) information on the employer's drug testing policy.

(c) For purposes of this Section, a minor may participate in a 30-hour course in general industry safety and health hazard recognition and prevention approved by the Occupational Safety and Health Administration of the United States Department of Labor if the minor has already successfully completed a 10-hour course.

(d) The employer shall pay any costs associated with providing the training required by paragraph (1) of subsection (b) or permitted under paragraph (2) of subsection (b).

(e) An employer is not required to provide the training described in paragraph (1) or (2) of subsection (b) if the minor presents proof of completing the training during the 6-month period immediately before beginning employment with the employer.

(f) Employers of a minor who is 16 or 17 years of age and who is employed under the program shall not allow such minor to operate tools that are not exempt from federal child labor laws during the minor's employment in a manufacturing occupation. No employer shall allow minors to use any tools that are prohibited by the manual issued by the Wage and Hour Division of the United States Department of Labor titled "Field Operations Handbook" or its successor. Nothing in this Act shall prevent the use of a tool if orders issued pursuant to the Fair Labor Standards Act of 1938 specifically permit minors of that age to operate the tool.

Section 99. Effective date. This Act takes effect July 1, 2024.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Edly-Allen, **Senate Bill No. 1996** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.

Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Lightford, **Senate Bill No. 2031** was recalled from the order of third reading to the order of second reading.

Senator Lightford offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2031

AMENDMENT NO. 2 . Amend Senate Bill 2031, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 10-17a as follows:

(105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

Sec. 10-17a. State, school district, and school report cards; Expanded High School Snapshot Report.

(1) By October 31, 2013 and October 31 of each subsequent school year, the State Board of Education, through the State Superintendent of Education, shall prepare a State report card, school district report cards, and school report cards, and shall by the most economical means provide to each school district in this State, including special charter districts and districts subject to the provisions of Article 34, the report cards for the school district and each of its schools. Because of the impacts of the COVID-19 public health emergency during school year 2020-2021, the State Board of Education shall have until December 31, 2021 to prepare and provide the report cards that would otherwise be due by October 31, 2021. During a school year in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, the report cards for the school districts and each of its schools shall be prepared by December 31.

(2) In addition to any information required by federal law, the State Superintendent shall determine the indicators and presentation of the school report card, which must include, at a minimum, the most current data collected and maintained by the State Board of Education related to the following:

(A) school characteristics and student demographics, including average class size, average teaching experience, student racial/ethnic breakdown, and the percentage of students classified as low-income; the percentage of students classified as English learners, the number of students who graduate from a bilingual or English learner program, and the number of students who graduate from, transfer from, or otherwise leave bilingual programs; the percentage of students who have individualized education plans or 504 plans that provide for special education services; the number and percentage of all students who have been assessed for placement in a gifted education or advanced academic program and, of those students: (i) the racial and ethnic breakdown, (ii) the percentage who are classified as low-income, and (iii) the number and percentage of students who received direct instruction from a teacher who holds a gifted education endorsement and, of those students, the percentage who are classified as low-income; the percentage of students scoring at the "exceeds expectations" level on the assessments required under Section 2-3.64a-5 of this Code; the percentage of students who annually transferred in or out of the school district; average daily

attendance; the per-pupil operating expenditure of the school district; and the per-pupil State average operating expenditure for the district type (elementary, high school, or unit);

(B) curriculum information, including, where applicable, Advanced Placement, International Baccalaureate or equivalent courses, dual enrollment courses, foreign language classes, computer science courses, school personnel resources (including Career Technical Education teachers), before and after school programs, extracurricular activities, subjects in which elective classes are offered, health and wellness initiatives (including the average number of days of Physical Education per week per student), approved programs of study, awards received, community partnerships, and special programs such as programming for the gifted and talented, students with disabilities, and work-study students;

(C) student outcomes, including, where applicable, the percentage of students deemed proficient on assessments of State standards, the percentage of students in the eighth grade who pass Algebra, the percentage of students who participated in workplace learning experiences, the percentage of students enrolled in post-secondary institutions (including colleges, universities, community colleges, trade/vocational schools, and training programs leading to career certification within 2 semesters of high school graduation), the percentage of students graduating from high school who are college and career ready, and the percentage of graduates enrolled in community colleges, colleges, and universities who are in one or more courses that the community college, college, or university identifies as a developmental course;

(D) student progress, including, where applicable, the percentage of students in the ninth grade who have earned 5 credits or more without failing more than one core class, a measure of students entering kindergarten ready to learn, a measure of growth, and the percentage of students who enter high school on track for college and career readiness;

(E) the school environment, including, where applicable, high school dropout rate by grade level, the percentage of students with less than 10 absences in a school year, the percentage of teachers with less than 10 absences in a school year for reasons other than professional development, leaves taken pursuant to the federal Family Medical Leave Act of 1993, long-term disability, or parental leaves, the 3-year average of the percentage of teachers returning to the school from the previous year, the number of different principals at the school in the last 6 years, the number of teachers who hold a gifted education endorsement, the process and criteria used by the district to determine whether a student is eligible for participation in a gifted education program or advanced academic program and the manner in which parents and guardians are made aware of the process and criteria, the number of teachers who are National Board Certified Teachers, disaggregated by race and ethnicity, 2 or more indicators from any school climate survey selected or approved by the State and administered pursuant to Section 2-3.153 of this Code, with the same or similar indicators included on school report cards for all surveys selected or approved by the State pursuant to Section 2-3.153 of this Code, the combined percentage of teachers rated as proficient or excellent in their most recent evaluation, and, beginning with the 2022-2023 school year, data on the number of incidents of violence that occurred on school grounds or during school-related activities and that resulted in an out-of-school suspension, expulsion, or removal to an alternative setting, as reported pursuant to Section 2-3.162;

(F) a school district's and its individual schools' balanced accountability measure, in accordance with Section 2-3.25a of this Code;

(G) the total and per pupil normal cost amount the State contributed to the Teachers' Retirement System of the State of Illinois in the prior fiscal year for the school's employees, which shall be reported to the State Board of Education by the Teachers' Retirement System of the State of Illinois;

(H) for a school district organized under Article 34 of this Code only, State contributions to the Public School Teachers' Pension and Retirement Fund of Chicago and State contributions for health care for employees of that school district;

(I) a school district's Final Percent of Adequacy, as defined in paragraph (4) of subsection (f) of Section 18-8.15 of this Code;

(J) a school district's Local Capacity Target, as defined in paragraph (2) of subsection (c) of Section 18-8.15 of this Code, displayed as a percentage amount;

(K) a school district's Real Receipts, as defined in paragraph (1) of subsection (d) of Section 18-8.15 of this Code, divided by a school district's Adequacy Target, as defined in paragraph (1) of subsection (b) of Section 18-8.15 of this Code, displayed as a percentage amount;

(L) a school district's administrative costs;

(M) whether or not the school has participated in the Illinois Youth Survey. In this paragraph (M), "Illinois Youth Survey" means a self-report survey, administered in school settings every 2 years, designed to gather information about health and social indicators, including substance abuse patterns and the attitudes of students in grades 8, 10, and 12; and

(N) whether the school offered its students career and technical education opportunities.

The school report card shall also provide information that allows for comparing the current outcome, progress, and environment data to the State average, to the school data from the past 5 years, and to the outcomes, progress, and environment of similar schools based on the type of school and enrollment of low-income students, special education students, and English learners.

As used in this subsection (2):

"Administrative costs" means costs associated with executive, administrative, or managerial functions within the school district that involve planning, organizing, managing, or directing the school district.

"Advanced academic program" means a course of study to which students are assigned based on advanced cognitive ability or advanced academic achievement compared to local age peers and in which the curriculum is substantially differentiated from the general curriculum to provide appropriate challenge and pace.

"Computer science" means the study of computers and algorithms, including their principles, their hardware and software designs, their implementation, and their impact on society. "Computer science" does not include the study of everyday uses of computers and computer applications, such as keyboarding or accessing the Internet.

"Gifted education" means educational services, including differentiated curricula and instructional methods, designed to meet the needs of gifted children as defined in Article 14A of this Code.

For the purposes of paragraph (A) of this subsection (2), "average daily attendance" means the average of the actual number of attendance days during the previous school year for any enrolled student who is subject to compulsory attendance by Section 26-1 of this Code at each school and charter school.

(3) At the discretion of the State Superintendent, the school district report card shall include a subset of the information identified in paragraphs (A) through (E) of subsection (2) of this Section, as well as information relating to the operating expense per pupil and other finances of the school district, and the State report card shall include a subset of the information identified in paragraphs (A) through (E) and paragraph (N) of subsection (2) of this Section. The school district report card shall include the average daily attendance, as that term is defined in subsection (2) of this Section, of students who have individualized education programs and students who have 504 plans that provide for special education services within the school district.

(4) Notwithstanding anything to the contrary in this Section, in consultation with key education stakeholders, the State Superintendent shall at any time have the discretion to amend or update any and all metrics on the school, district, or State report card.

(5) Annually, no more than 30 calendar days after receipt of the school district and school report cards from the State Superintendent of Education, each school district, including special charter districts and districts subject to the provisions of Article 34, shall present such report cards at a regular school board meeting subject to applicable notice requirements, post the report cards on the school district's Internet web site, if the district maintains an Internet web site, make the report cards available to a newspaper of general circulation serving the district, and, upon request, send the report cards home to a parent (unless the district does not maintain an Internet web site, in which case the report card shall be sent home to parents without request). If the district posts the report card on its Internet web site, the district shall send a written notice home to parents stating (i) that the report card is available on the web site, (ii) the address of the web site, (iii) that a printed copy of the report card will be sent to parents upon request, and (iv) the telephone number that parents may call to request a printed copy of the report card.

(6) Nothing contained in Public Act 98-648 repeals, supersedes, invalidates, or nullifies final decisions in lawsuits pending on July 1, 2014 (the effective date of Public Act 98-648) in Illinois courts involving the interpretation of Public Act 97-8.

(7) As used in this subsection (7):

"Advanced-track coursework or programs" means any high school courses, sequence of courses, or class or grouping of students organized to provide more rigorous, enriched, advanced, accelerated, gifted, or above grade-level instruction. This may include, but is not limited to, Advanced Placement courses,

International Baccalaureate courses, honors, weighted, advanced, or enriched courses, or gifted or accelerated programs, classrooms, or courses.

"Course" means any high school class or course offered by a school that is assigned a school course code by the State Board of Education.

"English learner coursework or English learner program" means a high school English learner course or program designated to serve English learners, who may be designated as English language learners or limited English proficiency learners.

"Standard coursework or programs" means any high school courses or classes other than advanced-track coursework or programs, English learner coursework or programs, or special education coursework or programs.

By October 31, 2025 and by October 31 of each subsequent year, the State Board of Education, through the State Superintendent of Education, shall prepare a stand-alone report covering high schools, to be referred to as the Expanded High School Snapshot Report. The State Board shall post the Report on the State Board's Internet website. Each school district with a high school shall include on the school district's Internet website, if the district maintains an Internet website, a hyperlink to the Report on the State Board's Internet website titled "Expanded High School Snapshot Report". Hyperlinks under this subsection (7) shall be displayed in a manner that is easily accessible to the public.

The Expanded High School Snapshot Report shall include:

(A) a listing of all standard coursework or programs offered by a high school;

(B) a listing of all advanced-track coursework or programs offered by a high school;

(C) a listing of all English learner coursework or programs offered by a high school;

(D) a listing of all special education coursework or programs offered by a high school;

(E) data tables and graphs comparing advanced-track coursework or programs with standard coursework or programs according to the following parameters:

(i) the average years of experience of all teachers in a high school who are assigned to teach advanced-track coursework or programs compared with the average years of experience of all teachers in the high school who are assigned to teach standard coursework or programs;

(ii) the average years of experience of all teachers in a high school who are assigned to teach special education coursework or programs compared with the average years of experience of all teachers in the high school who are assigned to teach standard coursework or programs;

(iii) the average years of experience of all teachers in a high school who are assigned to teach English learner coursework or programs compared with the average years of experience of all teachers in the high school who are assigned to teach standard coursework or programs;

(iv) the number of high school teachers who possess bachelor's, master's, or doctorate degrees who are assigned to teach advanced-track courses or programs compared with the number of teachers who possess bachelor's, master's, or doctorate degrees who are assigned to teach standard coursework or programs;

(v) the number of high school teachers who possess bachelor's, master's, or doctorate degrees who are assigned to teach special education coursework or programs compared with the number of teachers who possess bachelor's, master's, or doctorate degrees who are assigned to teach standard coursework or programs;

(vi) the number of high school teachers who possess bachelor's, master's, or doctorate degrees who are assigned to teach English learner coursework or programs compared with the number of teachers who possess bachelor's, master's, or doctorate degrees who are assigned to teach standard coursework or programs;

(vii) the average student enrollment and class size of advanced-track coursework or programs offered in a high school compared with the average student enrollment and class size of standard coursework or programs;

(viii) the percentages of students delineated by gender who are enrolled in advanced-track coursework or programs in a high school compared with the gender of students enrolled in standard coursework or programs;

(ix) the percentages of students delineated by gender who are enrolled in special education coursework or programs in a high school compared with the percentages of students enrolled in standard coursework or programs;

(x) the percentages of students delineated by gender who are enrolled in English learner coursework or programs in a high school compared with the gender of students enrolled in standard coursework or programs;

(xi) the percentages of high school students in each individual race and ethnicity category, as defined in the most recent federal decennial census, who are enrolled in advanced-track coursework or programs compared with the percentages of students in each individual race and ethnicity category enrolled in standard coursework or programs;

(xii) the percentages of high school students in each of the race and ethnicity categories, as defined in the most recent federal decennial census, who are enrolled in special education coursework or programs compared with the percentages of students in each of the race and ethnicity categories who are enrolled in standard coursework or programs;

(xiii) the percentages of high school students in each of the race and ethnicity categories, as defined in the most recent federal decennial census, who are enrolled in English learner coursework or programs in a high school compared with the percentages of high school students in each of the race and ethnicity categories who are enrolled in standard coursework or programs;

(xiv) the percentage of high school students who reach proficiency (the equivalent of a C grade or higher on a grade A through F scale) in advanced-track coursework or programs compared with the percentage of students who earn proficiency (the equivalent of a C grade or higher on a grade A through F scale) in standard coursework or programs;

(xv) the percentage of high school students who reach proficiency (the equivalent of a C grade or higher on a grade A through F scale) in special education coursework or programs compared with the percentage of high school students who earn proficiency (the equivalent of a C grade or higher on a grade A through F scale) in standard coursework or programs; and

(xvi) the percentage of high school students who reach proficiency (the equivalent of a C grade or higher on a grade A through F scale) in English learner coursework or programs compared with the percentage of high school students who earn proficiency (the equivalent of a C grade or higher on a grade A through F scale) in standard coursework or programs; and

(F) data tables and graphs for each race and ethnicity category, as defined in the most recent federal decennial census, and gender category, as defined in the most recent federal decennial census, describing:

(i) the total number of Advanced Placement courses taken by race and ethnicity category and gender category, as defined in the most recent federal decennial census;

(ii) the total number of International Baccalaureate courses taken by race and ethnicity category and gender category, as defined in the most recent federal decennial census;

(iii) for each race and ethnicity category and gender category, as defined in the most recent federal decennial census, the percentage of high school students enrolled in Advanced Placement courses;

(iv) for each race and ethnicity category and gender category, as defined in the most recent federal decennial census, the percentage of high school students enrolled in International Baccalaureate courses; and

(v) for each race and ethnicity category, as defined in the most recent federal decennial census, the total number and percentage of high school students who earn a score of 3 or higher on the Advanced Placement exam associated with an Advanced Placement course.

For data on teacher experience and education under this subsection (7), a teacher who teaches a combination of courses designated as advanced-track coursework or programs, English learner coursework or programs, or standard coursework or programs shall be included in all relevant categories and the teacher's level of experience shall be added to the categories.

(Source: P.A. 101-68, eff. 1-1-20; 101-81, eff. 7-12-19; 101-654, eff. 3-8-21; 102-16, eff. 6-17-21; 102-294, eff. 1-1-22; 102-539, eff. 8-20-21; 102-558, eff. 8-20-21; 102-594, eff. 7-1-22; 102-813, eff. 5-13-22.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Lightford, **Senate Bill No. 2031** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Mr. President
Edly-Allen	Joyce	Rezin	
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Pacione-Zayas, **Senate Bill No. 2039** was recalled from the order of third reading to the order of second reading.

Senator Pacione-Zayas offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2039

AMENDMENT NO. 3 . Amend Senate Bill 2039, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 2-3.163 as follows:

(105 ILCS 5/2-3.163)

Sec. 2-3.163. PUNS ~~Prioritization of Urgency of Need for Services~~ database information for students and parents or guardians.

(a) The General Assembly makes all of the following findings:

(1) Pursuant to Section 10-26 of the Department of Human Services Act, the ~~The~~ Department of Human Services maintains a statewide database known as the PUNS database ~~Prioritization of Urgency of Need for Services~~ that records information about individuals with intellectual disabilities or developmental disabilities who are potentially in need of services.

(2) The Department of Human Services uses the data on PUNS ~~Prioritization of Urgency of Need for Services~~ to select individuals for services as funding becomes available, to develop proposals and materials for budgeting, and to plan for future needs.

(3) The PUNS database ~~Prioritization of Urgency of Need for Services~~ is available for ~~children and~~ adults with intellectual disabilities or ~~a~~ developmental disabilities ~~disability~~ who have ~~an~~ unmet

service needs ~~need~~ anticipated in the next 5 years. The PUNS database is also available for children with intellectual disabilities or developmental disabilities with unmet service needs.

(4) Registration to be included on the PUNS database ~~Prioritization of Urgency of Need for Services~~ is the first step toward receiving ~~getting~~ developmental disabilities services in this State. A child or an adult who is ~~If individuals are~~ not on the PUNS database will not be ~~Prioritization of Urgency of Need for Services waiting list, they are not~~ in queue for State developmental disabilities services.

(5) Lack of awareness and information about the PUNS database results in underutilization or delays in registration for the PUNS database by students with intellectual disabilities or developmental disabilities and their parents or guardians ~~Prioritization of Urgency of Need for Services may be underutilized by children and their parents or guardians due to lack of awareness or lack of information~~.

(a-5) The purpose of this Section is to ensure that each student with an intellectual disability or a developmental disability who has an individualized education program ("IEP") and the student's parents or guardian are informed about the PUNS database, where to register for the PUNS database, and whom they can contact for information about the PUNS database and the PUNS database registration process. This Section is not intended to change the PUNS database registration process established by the Department of Human Services or to impose any responsibility on the State Board of Education or a school district to register students for the PUNS database.

(a-10) As used in this Section, "PUNS" means the Prioritization of Urgency of Need for Services database or PUNS database developed and maintained by the Department of Human Services pursuant to Section 10-26 of the Department of Human Services Act.

(b) The State Board of Education shall ~~may~~ work in consultation with the Department of Human Services and with school districts to ensure that ~~inform~~ all students with intellectual disabilities or developmental disabilities and their parents or guardians are informed about the PUNS ~~Prioritization of Urgency of Need for Services~~ database, as described in subsections (c), (c-5), and (d) of this Section.

(c) The ~~Subject to appropriation, the~~ Department of Human Services and State Board of Education shall develop and implement an online, computer-based training program for at least one designated employee in every public school in this State to educate the designated employee or employees ~~him or her~~ about the PUNS ~~Prioritization of Urgency of Need for Services~~ database and steps required to register students for the PUNS database, including the documentation and information parents or guardians will need for the registration process ~~to be taken to ensure children and adolescents are enrolled~~. The training shall include instruction on identifying and contacting ~~for at least one designated employee in every public school in contacting~~ the appropriate developmental disabilities Independent Service Coordination agency ("ISC") to register students for the PUNS database ~~enroll children and adolescents in the database~~. The training of the designated employee or employees shall also include information about organizations and programs available in this State that offer assistance to families in understanding the PUNS database and navigating the PUNS database registration process. Each school district shall post on its public website and include in its student handbook the names of the designated trained employee or employees in each school within the school district. ~~At least one designated employee in every public school shall ensure the opportunity to enroll in the Prioritization of Urgency of Need for Services database is discussed during annual individualized education program (IEP) meetings for all children and adolescents believed to have a developmental disability.~~

(c-5) During the student's annual IEP review meeting, if the student has an intellectual disability or a developmental disability, the student's IEP team shall determine the student's PUNS database registration status based upon information provided by the student's parents or guardian or by the student. If it is determined that the student is not registered for the PUNS database or if it is unclear whether the student is registered for the PUNS database, the parents or guardian and the student shall be referred to a designated employee of the public school who has completed the training described in subsection (c). The designated trained employee shall provide the student's parents or guardian and the student with the name, location, and contact information of the appropriate ISC to contact in order to register the student for the PUNS database. The designated trained employee shall also identify for the parents or guardian and the student the information and documentation they will need to complete the PUNS database registration process with the ISC, and shall also provide information to the parents or guardian and the student about organizations and programs available in this State that offer information to families about the PUNS database and the PUNS database registration process.

(d) The State Board of Education, in consultation with the Department of Human Services, through school districts, shall provide to the parents and guardians of each student with an IEP ~~students~~ a copy of the latest version of the Department of Human Services's guide titled "Understanding PUNS: A Guide to Prioritization for Urgency of Need for Services" each year at the annual review meeting for the student's individualized education program~~, including the consideration required in subsection (e) of this Section~~.

(e) (Blank). ~~The Department of Human Services shall consider the length of time spent on the Prioritization of Urgency of Need for Services waiting list, in addition to other factors considered, when selecting individuals on the list for services.~~

(Source: P.A. 102-57, eff. 7-9-21.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Pacione-Zayas, **Senate Bill No. 2039** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Belt, **Senate Bill No. 2057** was recalled from the order of third reading to the order of second reading.

Senator Belt offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2057

AMENDMENT NO. 3 . Amend Senate Bill 2057, AS AMENDED, in Section 10, Sec. 2, paragraph (7), subparagraph (l), by deleting "remediation of and compensation for visual deficits,

including".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Belt, **Senate Bill No. 2057** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Loughran Cappel, **Senate Bill No. 2146** was recalled from the order of third reading to the order of second reading.

Senator Loughran Cappel offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2146

AMENDMENT NO. 2 . Amend Senate Bill 2146, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Sections 4.34 and 4.39 as follows:

(5 ILCS 80/4.34)

Sec. 4.34. Acts and Section repealed on January 1, 2024. The following Acts and Section of an Act are repealed on January 1, 2024:

~~The Crematory Regulation Act.~~

The Electrologist Licensing Act.

The Illinois Certified Shorthand Reporters Act of 1984.

The Illinois Occupational Therapy Practice Act.

The Illinois Public Accounting Act.

The Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004.

The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act.

Section 2.5 of the Illinois Plumbing License Law.

The Veterinary Medicine and Surgery Practice Act of 2004.

(Source: P.A. 102-291, eff. 8-6-21.)

(5 ILCS 80/4.39)

Sec. 4.39. Acts repealed on January 1, 2029 and December 31, 2029.

(a) The following Acts are ~~Act is~~ repealed on January 1, 2029:

The Environmental Health Practitioner Licensing Act.

The Crematory Regulation Act.

(b) The following Act is repealed on December 31, 2029:

The Structural Pest Control Act.

(Source: P.A. 100-716, eff. 8-3-18; 100-796, eff. 8-10-18; 101-81, eff. 7-12-19.)

Section 10. The Crematory Regulation Act is amended by changing Sections 10, 22, and 35 as follows:

(410 ILCS 18/10)

(Section scheduled to be repealed on January 1, 2024)

Sec. 10. Establishment of crematory and licensing of crematory authority.

(a) Any person doing business in this State, or any cemetery, funeral establishment, corporation, partnership, joint venture, voluntary organization or any other entity, may erect, maintain, and operate a crematory in this State and provide the necessary appliances and facilities for the cremation of human remains in accordance with this Act.

(b) A crematory shall be subject to all local, State, and federal health and environmental protection requirements and shall obtain all necessary licenses and permits from the Department of Financial and Professional Regulation, the Department of Public Health, the federal Department of Health and Human Services, and the Illinois and federal Environmental Protection Agencies, or such other appropriate local, State, or federal agencies.

(c) A crematory may be constructed on or adjacent to any cemetery, on or adjacent to any funeral establishment, or at any other location consistent with local zoning regulations.

(d) An application for licensure as a crematory authority shall be in writing on forms furnished by the Comptroller. Applications shall be accompanied by a fee of $100 ~~$50~~ and shall contain all of the following:

(1) The full name and address, both residence and business, of the applicant if the applicant is an individual; the full name and address of every member if the applicant is a partnership; the full name and address of every member of the board of directors if the applicant is an association; and the name and address of every officer, director, and shareholder holding more than 25% of the corporate stock if the applicant is a corporation.

(2) The address and location of the crematory.

(3) A description of the type of structure and equipment to be used in the operation of the crematory, including the operating permit number issued to the cremation device by the Illinois Environmental Protection Agency.

(4) Any further information that the Comptroller reasonably may require.

(e) Each crematory authority shall file an annual report with the Comptroller, accompanied with a $25 fee, providing (i) an affidavit signed by the owner of the crematory authority that at the time of the report the cremation device was in proper operating condition, (ii) the total number of all cremations performed at the crematory during the past year, (iii) attestation by the licensee that all applicable permits and certifications are valid, (iv) either (A) any changes required in the information provided under subsection (d) or (B) an indication that no changes have occurred, and (v) any other information that the Comptroller may require. The annual report shall be filed by a crematory authority on or before March 15 of each calendar year. If the fiscal year of a crematory authority is other than on a calendar year basis, then the crematory authority shall file the report required by this Section within 75 days after the end of its fiscal year. If a crematory authority fails to submit an annual report to the Comptroller within the time specified in this Section, the Comptroller shall impose upon the crematory authority a penalty of $5 for each and every day

the crematory authority remains delinquent in submitting the annual report. The Comptroller may abate all or part of the $5 daily penalty for good cause shown. The $25 annual report fee shall be deposited in the Comptroller's Administrative Fund.

(f) All records required to be maintained under this Act, including but not limited to those relating to the license and annual report of the crematory authority required to be filed under this Section, shall be subject to inspection by the Comptroller upon reasonable notice.

(g) The Comptroller may inspect crematory records at the crematory authority's place of business to review the licensee's compliance with this Act. The Comptroller may charge a $100 fee for the inspection of the licensee. The inspection must include verification that:

(1) the crematory authority has complied with record-keeping requirements of this Act;

(2) a crematory device operator's certification of training and the required continuing education certification are ~~is~~ conspicuously displayed at the crematory;

(3) the cremation device has a current operating permit issued by the Illinois Environmental Protection Agency and the permit is conspicuously displayed in the crematory;

(4) the crematory authority is in compliance with local zoning requirements;

(5) the crematory authority license issued by the Comptroller is conspicuously displayed at the crematory; and

(6) other details as determined by rule.

(h) The Comptroller shall issue licenses under this Act to the crematories that are registered with the Comptroller as of on March 1, 2012 without requiring the previously registered crematories to complete license applications.

(i) Every license issued under this Act shall be renewed every 5 years for a renewal fee of $100 to be sent to the Comptroller. The renewal fee shall be deposited into the Comptroller's Administrative Fund. The Comptroller, upon the request of an interested person, or on his or her own motion, may issue new licenses to a licensee whose license or licenses have been revoked, if no factor or condition exists that would have warranted the Comptroller to refuse the issuance of the license.

(Source: P.A. 97-679, eff. 2-6-12; 97-813, eff. 7-13-12; 98-463, eff. 8-16-13.)

(410 ILCS 18/22)

(Section scheduled to be repealed on January 1, 2024)

Sec. 22. Performance of cremation service; training. A person may not perform a cremation service in this State unless he or she has completed training in performing cremation services and received certification by a program recognized by the Comptroller. The crematory authority must conspicuously display the certification at the crematory authority's place of business. Any new employee shall have a reasonable time period, not to exceed one year, to attend a recognized training program. In the interim, the new employee may perform a cremation service if he or she has received training from another person who has received certification by a program recognized by the Comptroller and is under the supervision of the trained person. Each person performing a cremation service shall complete a continuing education cremation course at least 2 hours in length from a provider recognized by the Comptroller every 5 years. For purposes of this Act, the Comptroller may recognize any training program that provides training in the operation of a cremation device, in the maintenance of a clean facility, and in the proper handling of human remains. The Comptroller may recognize any course that is conducted by a death care trade association in Illinois or the United States or by a manufacturer of a cremation unit that is consistent with the standards provided in this Act or as otherwise determined by rule.

(Source: P.A. 96-863, eff. 3-1-12; 97-679, eff. 2-6-12.)

(410 ILCS 18/35)

(Section scheduled to be repealed on January 1, 2024)

Sec. 35. Cremation procedures.

(a) Human remains shall not be cremated within 24 hours after the time of death, as indicated on the Medical Examiner's/Coroner's Certificate of Death. In any death, the human remains shall not be cremated by the crematory authority until a cremation permit has been received from the coroner or medical examiner of the county in which the death occurred and the crematory authority has received a cremation authorization form, executed by an authorizing agent, in accordance with the provisions of Section 15 of this Act. In no instance, however, shall the lapse of time between the death and the cremation be less than 24 hours, unless (i) it is known the deceased has an infectious or dangerous disease and that the time requirement is waived in writing by the medical examiner or coroner where the death occurred or (ii) because of a religious requirement.

(b) Except as set forth in subsection (a) of this Section, a crematory authority shall have the right to schedule the actual cremation to be performed at its own convenience, at any time after the human remains have been delivered to the crematory authority, unless the crematory authority has received specific instructions to the contrary on the cremation authorization form.

(c) No crematory authority shall cremate human remains when it has actual knowledge that human remains contain a pacemaker or any other material or implant that may be potentially hazardous to the person performing the cremation.

(d) No crematory authority shall refuse to accept human remains for cremation because such human remains are not embalmed.

(e) Whenever a crematory authority is unable or unauthorized to cremate human remains immediately upon taking custody of the remains, the crematory authority shall place the human remains in a holding facility in accordance with the crematory authority's rules and regulations. The crematory authority must notify the authorizing agent of the reasons for delay in cremation if a properly authorized cremation is not performed within any time period expressly contemplated in the authorization.

(f) A crematory authority shall not accept a casket or alternative container from which there is any evidence of the leakage of body fluids.

(g) The casket or the alternative container shall be cremated with the human remains or destroyed, unless the crematory authority has notified the authorizing agent to the contrary on the cremation authorization form and obtained the written consent of the authorizing agent.

(h) The simultaneous cremation of the human remains of more than one person within the same cremation chamber, without the prior written consent of the authorizing agent, is prohibited except for common cremation pursuant to Section 11.4 of the Hospital Licensing Act. Nothing in this subsection, however, shall prevent the simultaneous cremation within the same cremation chamber of body parts delivered to the crematory authority from multiple sources, or the use of cremation equipment that contains more than one cremation chamber.

(i) No unauthorized person shall be permitted in the holding facility or cremation room while any human remains are being held there awaiting cremation, being cremated, or being removed from the cremation chamber.

(j) A crematory authority shall not remove any dental gold, body parts, organs, or any item of value prior to or subsequent to a cremation without previously having received specific written authorization from the authorizing agent and written instructions for the delivery of these items to the authorizing agent. Under no circumstances shall a crematory authority profit from making or assisting in any removal of valuables.

(k) Upon the completion of each cremation, and insofar as is practicable, all of the recoverable residue of the cremation process shall be removed from the cremation chamber.

(l) If all of the recovered cremated remains will not fit within the receptacle that has been selected, the remainder of the cremated remains shall be returned to the authorizing agent or the agent's designee in a separate container. The crematory authority shall not return to an authorizing agent or the agent's designee more or less cremated remains than were removed from the cremation chamber.

(m) A crematory authority shall not knowingly represent to an authorizing agent or the agent's designee that a temporary container or urn contains the cremated remains of a specific decedent when it does not.

(n) Cremated remains shall be shipped only by a method that has an internal tracing system available and that provides a receipt signed, in either paper or electronic format, by the person accepting delivery.

(o) A crematory authority shall maintain an identification system that shall ensure that it shall be able to identify the human remains in its possession throughout all phases of the cremation process.

(p) A crematory authority shall not take possession of unembalmed human remains that cannot be cremated within 24 hours unless it provides or maintains either of the following capable of maintaining a temperature of less than 40 degrees Fahrenheit: an operable refrigeration unit, with cleanable, noncorrosive interior and exterior finishes, or a suitable cooling room.

(Source: P.A. 102-824, eff. 1-1-23.)

Section 15. The Illinois Pre-Need Cemetery Sales Act is amended by changing Section 22 as follows:

(815 ILCS 390/22) (from Ch. 21, par. 222)

Sec. 22. Cemetery Consumer Protection Fund.

(a) Every seller engaging in pre-need sales shall pay to the Comptroller $5 for each said contract entered into, to be paid into a special income earning fund hereby created in the State Treasury, known as

the Cemetery Consumer Protection Fund. The above said fees shall be remitted to the Comptroller semi-annually within 30 days after the end of June and December for all contracts that have been entered in such 6 month period.

(b) All monies paid into the fund together with all accumulated undistributed income thereon shall be held as a special fund in the State Treasury. The fund shall be used solely for the purpose of providing restitution to consumers who have suffered pecuniary loss arising out of pre-need sales, to help pay expenses of cemeteries or mausoleums in court-ordered receivership, ~~or~~ to satisfy Receiver's fees, or to administer the Comptroller's program for the purpose of cleaning up abandoned or neglected cemeteries located in Illinois.

(c) Restitution or reimbursement for pre-need merchandise or services shall not exceed the reasonable average regional cost of the contracted merchandise at current prices.

(d) Whenever restitution is paid by the fund, the fund shall be subrogated to the amount of such restitution, and the Comptroller shall request the Attorney General to engage in all reasonable post judgment collection steps to collect said restitution from the judgment debtor and reimburse the fund.

(e) (Blank).

(f) The fund may not be allocated for any purpose other than that specified in this Act.

(g) Notwithstanding any other provision of this Section, the payment of restitution from the fund shall be a matter of grace and not of right and no purchaser shall have any vested rights in the fund as a beneficiary or otherwise. Prior to seeking restitution from the fund, a purchaser or beneficiary seeking payment of restitution shall apply for restitution on a form provided by the Comptroller. The form shall include any information the Comptroller may reasonably require in order for the Comptroller to determine that restitution or reimbursement for cemetery merchandise or services is appropriate.

(h) Annually, the status of the fund shall be reviewed by the Comptroller, and if she or he determines that the fund together with all accumulated income earned thereon, equals or exceeds $10,000,000 and that the total number of outstanding claims filed against the fund is less than 10% of the fund's current balance, then payments to the fund pursuant to subsection (a) of this Section shall be suspended until such time as the fund's balance drops below $10,000,000 or the total number of outstanding claims filed against the fund is more than 10% of the fund's current balance, but on such suspension, the fund shall not be considered inactive.

(Source: P.A. 101-34, eff. 6-28-19.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Loughran Cappel, **Senate Bill No. 2146** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 54; NAY 1; Present 1.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Syverson
Bryant	Halpin	McConchie	Turner, D.
Castro	Harris, N.	Morrison	Turner, S.
Cervantes	Harriss, E.	Murphy	Ventura

Cunningham	Hastings	Pacione-Zayas	Villa
Curran	Holmes	Peters	Villanueva
DeWitte	Hunter	Plummer	Villivalam
Edly-Allen	Johnson	Porfirio	Wilcox
Ellman	Joyce	Preston	Mr. President
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	

The following voted in the negative:

Chesney

The following voted present:

Tracy

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Castro, **Senate Bill No. 2213** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was postponed in the Committee on Executive earlier today.

Senator Castro offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2213

AMENDMENT NO. 2 . Amend Senate Bill 2213, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Parking Excise Tax Act is amended by changing Sections 10-5, 10-10, 10-15, 10-25, 10-30, and 10-45 as follows:

(35 ILCS 525/10-5)

(Text of Section before amendment by P.A. 102-700)

Sec. 10-5. Definitions.

"Booking intermediary" means any person or entity that facilitates the processing and fulfillment of reservation transactions between an operator and a person or entity desiring parking in a parking lot or garage of that operator.

~~"Charge or fee paid for parking" means the gross amount of consideration for the use or privilege of parking a motor vehicle in or upon any parking lot or garage in the State, collected by an operator and valued in money, whether received in money or otherwise, including cash, credits, property, and services, determined without any deduction for costs or expenses, but not including charges that are added to the charge or fee on account of the tax imposed by this Act or on account of any other tax imposed on the charge or fee. "Charge or fee paid for parking" excludes separately stated charges not for the use or privilege or parking and excludes amounts retained by or paid to a booking intermediary for services provided by the booking intermediary. If any separately stated charge is not optional, it shall be presumed that it is part of the charge for the use or privilege or parking.~~

"Department" means the Department of Revenue.

"Online booking platform" means a web-based or mobile platform that enables a person to book a parking reservation electronically.

"Operator" means any person who engages in the business of operating a parking area or garage, or who, directly or through an agreement or arrangement with another party, collects the consideration for

parking or storage of motor vehicles, recreational vehicles, or other self-propelled vehicles, at that parking place. ~~This includes, but is not limited to, any facilitator or aggregator that collects from the purchaser the charge or fee paid for parking.~~ "Operator" does not include a bank, credit card company, payment processor, booking intermediary, or person whose involvement is limited to performing functions that are similar to those performed by a bank, credit card company, payment processor, or booking intermediary.

"Parking area or garage" means any real estate, building, structure, premises, enclosure or other place, whether enclosed or not, except a public way, within the State, where motor vehicles, recreational vehicles, or other self-propelled vehicles, are stored, housed or parked for hire, charge, fee or other valuable consideration in a condition ready for use, or where rent or compensation is paid to the owner, manager, operator or lessee of the premises for the housing, storing, sheltering, keeping or maintaining motor vehicles, recreational vehicles, or other self-propelled vehicles. "Parking area or garage" includes any parking area or garage, whether the vehicle is parked by the owner of the vehicle or by the operator or an attendant.

"Person" means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint venture, corporation, limited liability company, or a receiver, trustee, guardian, or other representative appointed by order of any court.

"Purchase price" means the consideration paid for the purchase of a parking space in a parking area or garage, valued in money, whether received in money or otherwise, including cash, gift cards, credits, and property, and shall be determined without any deduction on account of the cost of materials used, labor or service costs, or any other expense whatsoever.

"Purchase price" includes any and all charges that the recipient pays related to or incidental to obtaining the use or privilege of using a parking space in a parking area or garage, including but not limited to any and all related markups, service fees, convenience fees, facilitation fees, cancellation fees, overtime fees, or other such charges, regardless of terminology. However, "purchase price" shall not include consideration paid for:

(1) optional, separately stated charges not for the use or privilege of using a parking space in the parking area or garage;

(2) any charge for a dishonored check;

(3) any finance or credit charge, penalty or charge for delayed payment, or discount for prompt payment;

(4) any purchase by a purchaser if the operator is prohibited by federal or State Constitution, treaty, convention, statute or court decision from collecting the tax from such purchaser;

(5) the isolated or occasional sale of parking spaces subject to tax under this Act by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling of parking spaces; ~~and~~

(6) any amounts added to a purchaser's bills because of charges made pursuant to the tax imposed by this Act. If credit is extended, then the amount thereof shall be included only as and when payments are made; ~~.~~

(7) any charges retained or added to the purchase price by a booking intermediary to compensate the booking intermediary for services provided by the booking intermediary; and

(8) in a transaction between a customer and an operator completed through an online booking platform owned and operated by such operator, any charges added to the purchase price by such operator to compensate the operator for facilitating the processing and fulfillment of the reservation.

"Purchaser" means any person who acquires a parking space in a parking area or garage for use for valuable consideration.

"Use" means the exercise by any person of any right or power over, or the enjoyment of, a parking space in a parking area or garage subject to tax under this Act.

(Source: P.A. 101-31, eff. 6-28-19.)

(Text of Section after amendment by P.A. 102-700)

Sec. 10-5. Definitions. As used in this Act:

"Booking intermediary" means any person or entity that facilitates the processing and fulfillment of reservation transactions between an operator and a person or entity desiring parking in a parking lot or garage of that operator.

"Department" means the Department of Revenue.

"Online booking platform" means a web-based or mobile platform that enables a person to book a parking reservation electronically.

"Operator" means any person who engages in the business of operating a parking area or garage, or who, directly or through an agreement or arrangement with another party, collects the consideration for parking or storage of motor vehicles, recreational vehicles, or other self-propelled vehicles, at that parking place. ~~This includes, but is not limited to, any facilitator or aggregator that collects the purchase price from the purchaser.~~ "Operator" does not include a bank, credit card company, payment processor, booking intermediary, or person whose involvement is limited to performing functions that are similar to those performed by a bank, credit card company, or payment processor, or booking intermediary.

"Parking area or garage" means any real estate, building, structure, premises, enclosure or other place, whether enclosed or not, except a public way, within the State, where motor vehicles, recreational vehicles, or other self-propelled vehicles, are stored, housed or parked for hire, charge, fee or other valuable consideration in a condition ready for use, or where rent or compensation is paid to the owner, manager, operator or lessee of the premises for the housing, storing, sheltering, keeping or maintaining motor vehicles, recreational vehicles, or other self-propelled vehicles. "Parking area or garage" includes any parking area or garage, whether the vehicle is parked by the owner of the vehicle or by the operator or an attendant.

"Person" means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint venture, corporation, limited liability company, or a receiver, trustee, guardian, or other representative appointed by order of any court.

"Purchase price" means the consideration paid for the purchase of a parking space in a parking area or garage, valued in money, whether received in money or otherwise, including cash, gift cards, credits, and property, and shall be determined without any deduction on account of the cost of materials used, labor or service costs, or any other expense whatsoever.

"Purchase price" includes any and all charges that the recipient pays related to or incidental to obtaining the use or privilege of using a parking space in a parking area or garage, including but not limited to any and all related markups, service fees, convenience fees, facilitation fees, cancellation fees, overtime fees, or other such charges, regardless of terminology. However, "purchase price" shall not include consideration paid for:

(1) optional, separately stated charges not for the use or privilege of using a parking space in the parking area or garage;

(2) any charge for a dishonored check;

(3) any finance or credit charge, penalty or charge for delayed payment, or discount for prompt payment;

(4) any purchase by a purchaser if the operator is prohibited by federal or State Constitution, treaty, convention, statute or court decision from collecting the tax from such purchaser;

(5) the isolated or occasional sale of parking spaces subject to tax under this Act by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling of parking spaces; ~~and~~

(6) any amounts added to a purchaser's bills because of charges made pursuant to the tax imposed by this Act. If credit is extended, then the amount thereof shall be included only as and when payments are made; ~~.~~

(7) any charges retained or added to the purchase price by a booking intermediary to compensate the booking intermediary for services provided by the booking intermediary; and

(8) in a transaction between a customer and an operator completed through an online booking platform owned and operated by such operator, any charges added to the purchase price by such operator to compensate the operator for facilitating the processing and fulfillment of the reservation.

"Purchaser" means any person who acquires a parking space in a parking area or garage for use for valuable consideration.

"Use" means the exercise by any person of any right or power over, or the enjoyment of, a parking space in a parking area or garage subject to tax under this Act.

(Source: P.A. 101-31, eff. 6-28-19; 102-700, eff. 7-1-23.)

(35 ILCS 525/10-10)

Sec. 10-10. Imposition of tax; calculation of tax.

(a) Beginning on January 1, 2020, a tax is imposed on the privilege of using in this State a parking space in a parking area or garage for the use of parking one or more motor vehicles, recreational vehicles, or other self-propelled vehicles, at the rate of:

(1) 6% of the purchase price for a parking space paid for on an hourly, daily, or weekly basis; and

(2) 9% of the purchase price for a parking space paid for on a monthly or annual basis.

(b) The tax shall be collected from the purchaser by the operator. Notwithstanding the provisions of this subsection, beginning on January 1, 2024, if a booking intermediary facilitates the processing and fulfillment of the reservation for an operator that is not registered under Section 10-30, then the tax shall be collected from the purchaser by the booking intermediary on behalf of the operator.

(c) An operator that has paid or remitted the tax imposed by this Act to another operator in connection with the same parking transaction, or the use of the same parking space, that is subject to tax under this Act, shall be entitled to a credit for such tax paid or remitted against the amount of tax owed under this Act, provided that the other operator is registered under this Act. The operator claiming the credit shall have the burden of proving it is entitled to claim a credit.

(d) If any operator or booking intermediary erroneously collects tax or collects more from the purchaser than the purchaser's liability for the transaction, the purchaser shall have a legal right to claim a refund of such amount from the operator or booking intermediary. However, if such amount is not refunded to the purchaser for any reason, the operator or booking intermediary is liable to pay such amount to the Department.

(e) The tax imposed by this Section is not imposed with respect to any transaction in interstate commerce, to the extent that the transaction may not, under the Constitution and statutes of the United States, be made the subject of taxation by this State.

(Source: P.A. 101-31, eff. 6-28-19.)

(35 ILCS 525/10-15)

Sec. 10-15. Filing of returns and deposit of proceeds. On or before the last day of each calendar month, every operator engaged in the business of providing to purchasers parking areas and garages in this State during the preceding calendar month and every booking intermediary required to collect tax on behalf of an operator under Section 10-10 shall file a return with the Department, stating:

(1) the name of the operator or booking intermediary;

(2) the address of its principal place of business and, if applicable, the address of the principal place of business from which it provides parking areas and garages in this State;

(3) the total amount of receipts received by the operator during the preceding calendar month or quarter, as the case may be, from sales of parking spaces to purchasers in parking areas or garages during the preceding calendar month or quarter; if the return is filed by a booking intermediary that collects the tax under this Act on behalf of an unregistered operator, as provided in Section 10-10, then the total amount of receipts received by that unregistered operator during the preceding calendar month or quarter, as the case may be, from sales of parking spaces to purchasers in parking areas or garages during the preceding calendar month or quarter;

(4) deductions allowed by law;

(5) the total amount of receipts received by the operator during the preceding calendar month or quarter upon which the tax was computed; if the return is filed by a booking intermediary that collects the tax under this Act on behalf of an unregistered operator, as provided in Section 10-10, then the total amount of receipts received by that unregistered operator during the preceding calendar month or quarter upon which the tax was computed;

(6) the amount of tax due; and

(7) such other reasonable information as the Department may require.

If an operator or booking intermediary ceases to engage in the kind of business that makes it responsible for filing returns under this Act, then that operator or booking intermediary shall file a final return under this Act with the Department on or before the last day of the month after discontinuing such business.

All returns required to be filed and payments required to be made under this Act shall be by electronic means. Taxpayers who demonstrate hardship in filing or paying electronically may petition the Department to waive the electronic filing or payment requirement, or both. The Department may require a separate return for the tax under this Act or combine the return for the tax under this Act with the return for other taxes.

If the same person has more than one business registered with the Department under separate registrations under this Act, that person shall not file each return that is due as a single return covering all such registered businesses but shall file separate returns for each such registered business.

If the operator or booking intermediary is a corporation, the return filed on behalf of that corporation shall be signed by the president, vice-president, secretary, or treasurer, or by a properly accredited agent of such corporation.

The operator or booking intermediary filing the return under this Act shall, at the time of filing the return, pay to the Department the amount of tax imposed by this Act less a discount of 1.75%, not to exceed $1,000 per month, which is allowed to reimburse the operator or booking intermediary for the expenses incurred in keeping records, preparing and filing returns, remitting the tax, and supplying data to the Department on request.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Act, as shown on an original return, the Department may authorize the taxpayer to credit such excess payment against liability subsequently to be remitted to the Department under this Act, in accordance with reasonable rules adopted by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's discount shall be reduced by an amount equal to the difference between the discount as applied to the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on such difference.

(Source: P.A. 101-31, eff. 6-28-19.)

(35 ILCS 525/10-25)

Sec. 10-25. Collection of tax.

(a) Beginning with bills issued or charges collected for a purchase of a parking space in a parking area or garage on and after January 1, 2020, the tax imposed by this Act shall be collected from the purchaser by the operator (or by a booking intermediary, as provided in Section 10-10) at the rate stated and under the circumstances set forth in Section 10-10 and shall be remitted to the Department as provided in this Act. All charges for parking spaces in a parking area or garage are presumed subject to tax collection. Operators and booking intermediaries, as applicable, shall collect the tax from purchasers by adding the tax to the amount of the purchase price received from the purchaser. The tax imposed by the Act shall when collected be stated as a distinct item separate and apart from the purchase price of the service subject to tax under this Act. However, where it is not possible to state the tax separately the Department may by rule exempt such purchases from this requirement so long as purchasers are notified by language on the invoice or notified by a sign that the tax is included in the purchase price.

(b) Any person purchasing a parking space in a parking area or garage subject to tax under this Act as to which there has been no charge made to him of the tax imposed by Section 10-10, shall make payment of the tax imposed by Section 10-10 of this Act in the form and manner provided by the Department, such payment to be made to the Department in the manner and form required by the Department not later than the 20th day of the month following the month of purchase of the parking space.

(Source: P.A. 101-31, eff. 6-28-19.)

(35 ILCS 525/10-30)

Sec. 10-30. Registration of operators.

(a) A person who engages in business as an operator of a parking area or garage in this State, or as a booking intermediary that facilitates the processing and fulfillment of the reservation for an operator that is not registered under Section 10-30, shall register with the Department. Application for a certificate of registration shall be made to the Department, by electronic means, in the form and manner prescribed by the Department and shall contain any reasonable information the Department may require. Upon receipt of the application for a certificate of registration in proper form and manner, the Department shall issue to the applicant a certificate of registration. Operators who demonstrate that they do not have access to the Internet or demonstrate hardship in applying electronically may petition the Department to waive the electronic application requirements.

(b) The Department may refuse to issue or reissue a certificate of registration to any applicant for the reasons set forth in Section 2505-380 of the Department of Revenue Law of the Civil Administrative Code of Illinois.

(c) Any person aggrieved by any decision of the Department under this Section may, within 20 days after notice of such decision, protest and request a hearing, whereupon the Department shall give notice to such person of the time and place fixed for such hearing and shall hold a hearing in conformity with the provisions of this Act and then issue its final administrative decision in the matter to such person. In the

absence of such a protest within 20 days, the Department's decision shall become final without any further determination being made or notice given.
(Source: P.A. 101-31, eff. 6-28-19.)

(35 ILCS 525/10-45)

Sec. 10-45. Tax collected as debt owed to State. The tax herein required to be collected by any operator, booking intermediary, or valet business and any such tax collected by that person, shall constitute a debt owed by that person to this State.
(Source: P.A. 101-31, eff. 6-28-19.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Castro, **Senate Bill No. 2213** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Morrison	Turner, S.
Castro	Harris, N.	Murphy	Ventura
Cervantes	Harriss, E.	Pacione-Zayas	Villa
Chesney	Hastings	Peters	Villanueva
Cunningham	Holmes	Plummer	Villivalam
Curran	Hunter	Porfirio	Wilcox
DeWitte	Johnson	Preston	Mr. President
Edly-Allen	Joyce	Rezin	
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Fine, **Senate Bill No. 2223** was recalled from the order of third reading to the order of second reading.

Senator Fine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2223

AMENDMENT NO. 1 . Amend Senate Bill 2223 by replacing everything after the enacting clause with the following:

"Section 1. Short title; reference to Act. This Act may be referred to as Louie's Law.

Section 5. The School Code is amended by changing Section 22-81 as follows:

(105 ILCS 5/22-81)

Sec. 22-81. Drug education and youth overdose prevention ~~Heroin and opioid prevention program~~. By July 1, 2024, the ~~The~~ State Board of Education and the Department of Human Services shall work in consultation with relevant stakeholders, including the Illinois Opioid Crisis Response Advisory Council, to develop and update substance use prevention and recovery resource materials for public elementary and secondary schools. A Substance Use Prevention and Recovery Instruction Resource Guide shall be made available on the State Board of Education's Internet website and shall be sent via electronic mail to all regional offices of education and school districts in this State. The Resource Guide shall provide guidance for school districts and educators regarding student instruction in the topics of substance use prevention and recovery at an age and developmentally appropriate level and shall be reviewed and updated appropriately based on new findings and trends as determined by the State Board of Education or the Department of Human Services ~~develop and establish a heroin and opioid drug prevention program that offers educational materials and instruction on heroin and opioid abuse to all school districts in the State for use at their respective public elementary and secondary schools~~. A school district's use of the Resource Guide ~~participation in the program~~ shall be voluntary. All resources and recommendations within the Resource Guide shall align with the substance use prevention and recovery related topics within the Illinois Learning Standards for Physical Development and Health and the State of Illinois Opioid Action Plan. The Resource Guide shall, at a minimum, include all the following:

(1) Age-appropriate, comprehensive, reality-based, safety-focused, medically accurate and evidence-informed information that reduces substance-use risk factors and promotes protective factors.

(2) Information about where to locate stories and perspectives of people with lived experiences for incorporation into classroom instruction.

(3) Resources regarding how to make substance use prevention and recovery instruction interactive at each grade level.

(4) Information on how school districts may involve parents, caregivers, teachers, healthcare providers, and community members in the instructional process.

(5) Ways to create instructional programs that are representative of diverse demographic groups and appropriate for each age, grade, and culture represented in classrooms in this State.

(6) Resources that reflect the prevention continuum from universal to selected tactics that address young people's substance use, and current and projected substance use and overdose trends.

(7) Citations and references the most up-to-date version of the State of Illinois Overdose Action Plan.

(8) Resources that reflect the importance of education for youth, their families, and their community about:

(A) substance types, the substance use continuum, the impact of substances on the brain and body, and contributing factors that lead to substance use, such as underlying co-occurring health issues and trauma;

(B) the history of drugs and health policy in this State and the country, the impact of zero tolerance, and restorative justice practices;

(C) risk mitigation and harm reduction, including abstinence and responding to an overdose with the use of naloxone and fentanyl test strips;

(D) addressing adverse childhood experiences, such as witnessing and experiencing violence, abuse, caregiver loss, and other trauma, especially among young people of color;

(E) the social and health inequities among racial and ethnic minorities; and

(F) strategies and resources for coping with stress, trauma, substance use, and other risky behavior in non-punitive ways to help oneself or others.

Subject to appropriation, the Department of Human Services shall reimburse a grantee for any costs associated with facilitating a heroin and opioid overdose prevention instructional program for school districts seeking to provide instruction under this type of program ~~a school district that decides to participate in the program for any costs it incurs in connection with its participation in the program~~. Each school district that seeks to participate ~~participates~~ in the program shall have the discretion to determine which grade levels the school district will instruct under the program.

The program must use effective, research-proven, interactive teaching methods and technologies, and must provide students, parents, and school staff with scientific, social, and emotional learning content to help them understand the risk of drug use. Such learning content must specifically target the dangers of prescription pain medication and heroin abuse. The Department may contract with a health education organization to fulfill the requirements of the program.

(Source: P.A. 102-894, eff. 5-20-22.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Fine, **Senate Bill No. 2223** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Morrison	Turner, S.
Castro	Harris, N.	Murphy	Ventura
Cervantes	Harriss, E.	Pacione-Zayas	Villa
Chesney	Hastings	Peters	Villanueva
Cunningham	Holmes	Plummer	Villivalam
Curran	Hunter	Porfirio	Wilcox
DeWitte	Johnson	Preston	Mr. President
Edly-Allen	Joyce	Rezin	
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Joyce, **Senate Bill No. 2226** was recalled from the order of third reading to the order of second reading.

Senator Joyce offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2226

AMENDMENT NO. 2 . Amend Senate Bill 2226, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois is amended by adding Section 805-570 as follows:

(20 ILCS 805/805-570 new)

Sec. 805-570. Conservation Opportunity Areas.

(a) In this Section, "Conservation Opportunity Area" means a portion of this State within the Illinois Wildlife Action Plan to assist with the conservation of native species and the habitats that support them.

(b) Notwithstanding any other law to the contrary, a Conservation Opportunity Area designation by the Department shall not be used by the Illinois Power Agency beginning with the Long-Term Renewable Resources Procurement Plan outlined in paragraph (5) of subsection (b) of Section 16-111.5 of the Public Utilities Act developed in calendar year 2023 as a basis to deny or withhold any:

(1) regulatory action;

(2) permitting;

(3) licensure; and

(4) funding.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Joyce, **Senate Bill No. 2226** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Aquino, **Senate Bill No. 2271** was recalled from the order of third reading to the order of second reading.

Senator Aquino offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2271

AMENDMENT NO. 1 . Amend Senate Bill 2271 on page 2, line 22, by replacing "An annual" with "A 2-year ~~an annual~~"; and

on page 3, line 2, by replacing "$1,000" with "$1,500".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Aquino, **Senate Bill No. 2271** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 40; NAYS 16.

The following voted in the affirmative:

Aquino	Gillespie	Martwick	Tracy
Belt	Glowiak Hilton	Morrison	Turner, D.
Castro	Halpin	Murphy	Ventura
Cervantes	Harris, N.	Pacione-Zayas	Villa
Cunningham	Hastings	Peters	Villanueva
DeWitte	Holmes	Porfirio	Villivalam
Edly-Allen	Hunter	Preston	Mr. President
Ellman	Johnson	Simmons	
Faraci	Koehler	Sims	
Feigenholtz	Lightford	Stadelman	
Fine	Loughran Cappel	Syverson	

The following voted in the negative:

Anderson	Fowler	Plummer	Wilcox
Bennett	Harriss, E.	Rezin	
Bryant	Lewis	Rose	
Chesney	McClure	Stoller	
Curran	McConchie	Turner, S.	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator DeWitte asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **Senate Bill No. 2271**.

SENATE BILL RECALLED

On motion of Senator Faraci, **Senate Bill No. 2277** was recalled from the order of third reading to the order of second reading.

Senator Faraci offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2277

AMENDMENT NO. 3 . Amend Senate Bill 2277, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 21-27 as follows:

(35 ILCS 200/21-27)

Sec. 21-27. Waiver of interest penalty.

(a) On the recommendation of the county treasurer, the county board may adopt a resolution under which an interest penalty for the delinquent payment of taxes for any year that otherwise would be imposed under Section 21-15, 21-20, or 21-25 shall be waived in the case of any person who meets all of the following criteria:

(1) The person is determined eligible for a grant under the Senior Citizens and Persons with Disabilities Property Tax Relief Act with respect to the taxes for that year.

(2) The person requests, in writing, on a form approved by the county treasurer, a waiver of the interest penalty, and the request is filed with the county treasurer on or before the first day of the month that an installment of taxes is due.

(3) The person pays the installment of taxes due, in full, on or before the third day of the month that the installment is due.

(4) The county treasurer approves the request for a waiver.

(b) With respect to property that qualifies as a brownfield site under Section 58.2 of the Environmental Protection Act, the county board, upon the recommendation of the county treasurer, may adopt a resolution to waive an interest penalty for the delinquent payment of taxes for any year that otherwise would be imposed under Section 21-15, 21-20, or 21-25 if all of the following criteria are met:

(1) the property has delinquent taxes and an outstanding interest penalty and the amount of that interest penalty is so large as to, possibly, result in all of the taxes becoming uncollectible;

(2) the property is part of a redevelopment plan of a unit of local government and that unit of local government does not oppose the waiver of the interest penalty;

(3) the redevelopment of the property will benefit the public interest by remediating the brownfield contamination;

(4) the taxpayer delivers to the county treasurer (i) a written request for a waiver of the interest penalty, on a form approved by the county treasurer, and (ii) a copy of the redevelopment plan for the property;

(5) the taxpayer pays, in full, the amount of up to the amount of the first 2 installments of taxes due, to be held in escrow pending the approval of the waiver, and enters into an agreement with the county treasurer setting forth a schedule for the payment of any remaining taxes due; and

(6) the county treasurer approves the request for a waiver.

(c) For the 2019 taxable year (payable in 2020) only, the county board of a county with fewer than 3,000,000 inhabitants may adopt an ordinance or resolution under which some or all of the interest penalty for the delinquent payment of any installment other than the final installment of taxes for the 2019 taxable year that otherwise would be imposed under Section 21-15, 21-20, or 21-25 shall be waived for all taxpayers in the county, for a period of (i) 120 days after the effective date of this amendatory Act of the 101st General

Assembly or (ii) until the first day of the first month during which there is no longer a statewide COVID-19 public health emergency, as evidenced by an effective disaster declaration of the Governor covering all counties in the State.

(d) The interest penalty that would otherwise be imposed under Section 21-15, 21-20, or 21-25 for the delinquent payment of taxes for tax year 2023 or any tax year thereafter shall be waived by the county treasurer if the county treasurer determines that: (i) the delinquency occurred because the subject tax bill was mailed to an incorrect address or e-mailed to an e-mail address other than the e-mail address provided to the county treasurer by the taxpayer or property owner under Section 20-5 by January 1 of the applicable tax year; (ii) the mistake was not the fault of the property owner or any other entity liable for the payment of the tax; and (iii) the amount of delinquent taxes is paid in full before the annual tax sale at which the delinquent taxes would be sold.

(Source: P.A. 101-635, eff. 6-5-20.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Faraci, **Senate Bill No. 2277** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Morrison	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Harriss, E.	Peters	Villa
Chesney	Hastings	Plummer	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Curran	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Joyce	Rose	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Villivalam, **Senate Bill No. 2285** was recalled from the order of third reading to the order of second reading.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2285

AMENDMENT NO. 1 . Amend Senate Bill 2285 on page 4, by replacing lines 2 and 3 with the following:

"Section 99. Effective date. This Act takes effect January 1, 2024.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Villivalam, **Senate Bill No. 2285** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Aquino	Fine	Lightford	Sims
Belt	Fowler	Loughran Cappel	Stadelman
Bennett	Gillespie	Martwick	Stoller
Bryant	Glowiak Hilton	McClure	Syverson
Castro	Halpin	McConchie	Tracy
Cervantes	Harris, N.	Morrison	Turner, D.
Chesney	Harriss, E.	Pacione-Zayas	Turner, S.
Cunningham	Hastings	Peters	Ventura
Curran	Holmes	Plummer	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Joyce	Rezin	Wilcox
Faraci	Koehler	Rose	Mr. President
Feigenholtz	Lewis	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Murphy asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 2285**.

SENATE BILL RECALLED

On motion of Senator Tracy, **Senate Bill No. 2322** was recalled from the order of third reading to the order of second reading.

Senator Tracy offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2322

AMENDMENT NO. 1 . Amend Senate Bill 2322 on page 2, lines 6 through 9, by deleting "a community-integrated living arrangement as defined in Section 3 of the Community-Integrated Living Arrangements Licensure and Certification Act;"; and

on page 2, line 16, after the period, by inserting ""Facility" does not include a hospital as defined in the Hospital Licensing Act or any hospital authorized under the University of Illinois Hospital Act. "Facility" does not include any facility that the Department of Public Health or the Department of Veterans' Affairs does not regulate.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Tracy, **Senate Bill No. 2322** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Ventura, **Senate Bill No. 2354** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stoller
Aquino	Gillespie	McClure	Syverson
Belt	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura

Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Peters, **Senate Bill No. 2371** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 37; NAYS 14.

The following voted in the affirmative:

Aquino	Fine	Martwick	Sims
Belt	Gillespie	McClure	Stadelman
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Villa
Cervantes	Holmes	Pacione-Zayas	Villanueva
Cunningham	Hunter	Peters	Villivalam
Edly-Allen	Johnson	Porfirio	Mr. President
Ellman	Koehler	Preston	
Faraci	Lightford	Rezin	
Feigenholtz	Loughran Cappel	Simmons	

The following voted in the negative:

Bennett	Harriss, E.	Rose	Turner, S.
Chesney	Lewis	Stoller	Wilcox
Curran	McConchie	Syverson	
Fowler	Plummer	Tracy	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator DeWitte asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **Senate Bill No. 2371**.

SENATE BILL RECALLED

On motion of Senator Halpin, **Senate Bill No. 2417** was recalled from the order of third reading to the order of second reading.

Senator Halpin offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2417

AMENDMENT NO. 1 . Amend Senate Bill 2417 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois is amended by adding Section 805-570 as follows:

(20 ILCS 805/805-570 new)

Sec. 805-570. Flood insurance training course. The Department shall create a biennial training course for Illinois insurance producers regarding the eligibility for and availability of the National Flood Insurance Program that shall count towards an insurance producer's flood insurance continuing education requirements under Section 500-35 of the Illinois Insurance Code. The Department of Insurance shall review and approve the training course under its normal course approval process.

Section 10. The Illinois Insurance Code is amended by changing Section 500-35 as follows:

(215 ILCS 5/500-35)

(Section scheduled to be repealed on January 1, 2027)

Sec. 500-35. License.

(a) Unless denied a license pursuant to Section 500-70, persons who have met the requirements of Sections 500-25 and 500-30 shall be issued a 2-year insurance producer license. An insurance producer may receive qualification for a license in one or more of the following lines of authority:

(1) Life: insurance coverage on human lives including benefits of endowment and annuities, and may include benefits in the event of death or dismemberment by accident and benefits for disability income.

(2) Variable life and variable annuity products: insurance coverage provided under variable life insurance contracts and variable annuities.

(3) Accident and health or sickness: insurance coverage for sickness, bodily injury, or accidental death and may include benefits for disability income.

(4) Property: insurance coverage for the direct or consequential loss or damage to property of every kind.

(5) Casualty: insurance coverage against legal liability, including that for death, injury, or disability or damage to real or personal property.

(6) Personal lines: property and casualty insurance coverage sold to individuals and families for primarily noncommercial purposes.

(7) Any other line of insurance permitted under State laws or rules.

(b) An insurance producer license shall remain in effect unless revoked or suspended as long as the fee set forth in Section 500-135 is paid and education requirements for resident individual producers are met by the due date.

(1) Before each license renewal, an insurance producer must satisfactorily complete at least 24 hours of course study or participation in a professional insurance association under paragraph (3) of this subsection in accordance with rules prescribed by the Director. Three of the 24 hours of course study must consist of classroom or webinar ethics instruction. Beginning January 1, 2025, for any insurance producer who is licensed in the property insurance line of authority, one of the 24 hours of course study must be related to flood insurance, which may be satisfied by the training course developed by the Department of Natural Resources pursuant to Section 805-570 of the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois. The Director may not approve a course of study unless the course provides for classroom, seminar, webinar, or self-study instruction methods. A course given in a combination instruction method of classroom, seminar, webinar, or self-study shall be deemed to be a self-study course unless the classroom, seminar, or webinar certified hours meets or exceeds two-thirds of total hours certified for the course. The self-study material used in the combination course must be directly related to and complement the classroom portion of the course in order to be considered for credit. An instruction method other than classroom or seminar shall be considered as self-study methodology. Self-study credit hours require the successful completion of an examination covering the self-study material. The examination may not be self-evaluated. However, if the self-study material is completed through the use of an approved computerized interactive format whereby the computer validates the successful completion of the self-study material, no additional examination is required. The self-study credit hours contained in a

certified course shall be considered classroom hours when at least two-thirds of the hours are given as classroom or seminar instruction.

(2) An insurance producer license automatically terminates when an insurance producer fails to successfully meet the requirements of item (1) of subsection (b) of this Section. The producer must complete the course in advance of the renewal date to allow the education provider time to report the credit to the Department.

(3) An insurance producer's active participation in a State or national professional insurance association may be approved by the Director for up to 4 hours of continuing education credit per biennial reporting period. Credit shall be provided on an hour-for-hour basis. These hours shall be verified and submitted by the association on behalf of the insurance producer and credited upon timely filing with the Director or his or her designee on a biennial basis. Any association submitting continuing education credit hours on behalf of insurance producers must be registered as an education provider under Section 500-135. Credit granted under these provisions shall not be used to satisfy ethics education requirements. Active participation in a State or national professional insurance association is defined by one of the following methods:

(A) service on a board of directors of a State or national chapter of the association;

(B) service on a formal committee of a State or national chapter of the association; or

(C) service on a formal subcommittee or task force of a State or national chapter of the association.

(c) A provider of a pre-licensing or continuing education course required by Section 500-30 and this Section must pay a registration fee and a course certification fee for each course being certified as provided by Section 500-135.

(d) An individual insurance producer who allows his or her license to lapse may, within 12 months after the due date of the renewal fee, be issued a license without the necessity of passing a written examination. However, a penalty in the amount of double the unpaid renewal fee shall be required after the due date.

(e) A licensed insurance producer who is unable to comply with license renewal procedures due to military service may request a waiver of those procedures.

(f) The license must contain the licensee's name, address, and personal identification number, the date of issuance, the lines of authority, the expiration date, and any other information the Director deems necessary.

(g) Licensees must inform the Director by any means acceptable to the Director of a change of address within 30 days after the change.

(h) In order to assist in the performance of the Director's duties, the Director may contract with a non-governmental entity including the National Association of Insurance Commissioners (NAIC), or any affiliates or subsidiaries that the NAIC oversees, to perform any ministerial functions, including collection of fees, related to producer licensing that the Director and the non-governmental entity may deem appropriate.

(Source: P.A. 102-766, eff. 1-1-23.)

Section 99. Effective date. This Act takes effect January 1, 2024.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Halpin, **Senate Bill No. 2417** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 38; NAYS 17.

The following voted in the affirmative:

Aquino	Gillespie	Loughran Cappel	Sims
Belt	Glowiak Hilton	Martwick	Stadelman
Castro	Halpin	Morrison	Turner, D.
Cervantes	Harris, N.	Murphy	Ventura
Cunningham	Holmes	Pacione-Zayas	Villa
Edly-Allen	Hunter	Peters	Villanueva
Ellman	Johnson	Porfirio	Villivalam
Faraci	Joyce	Preston	Mr. President
Feigenholtz	Koehler	Rezin	
Fine	Lightford	Simmons	

The following voted in the negative:

Anderson	DeWitte	Plummer	Turner, S.
Bennett	Fowler	Rose	Wilcox
Bryant	Lewis	Stoller	
Chesney	McClure	Syverson	
Curran	McConchie	Tracy	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Hastings asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 2417**.

SENATE BILL RECALLED

On motion of Senator Lightford, **Senate Bill No. 16** was recalled from the order of third reading to the order of second reading.

Senator Lightford offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 16

AMENDMENT NO. 1 . Amend Senate Bill 16 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 3-11, 10-16a, 10-17a, and 10-22.39 and by adding Sections 2-3.196, 21B-12 and 22-95 as follows:

(105 ILCS 5/2-3.196 new)

Sec. 2-3.196. Children's Adversity Index. The Illinois State Board of Education shall develop a community or district-level Children's Adversity Index ("index") to measure community childhood trauma exposure across the population of children 3 through 18 years of age by May 31, 2025. This cross-agency effort shall be led by the State Board of Education and must include agencies that both collect the data and will have an ultimate use for the index information, including, but not limited to, the Governor's Office of Early Childhood Development, the Department of Human Services, the Department of Public Health, the Department of Innovation and Technology, the Illinois Criminal Justice Information Authority, the Department of Children and Family Services, and the Department of Juvenile Justice. The State Board of Education may also involve non-agency personnel with relevant expertise. The index shall be informed by research and include both adverse incident data, such as the number or rates of students and families experiencing homelessness and the number or percentages of children who have had contact with the child welfare system, and indicators of aspects of a child's environment that can undermine the child's sense of safety, stability, and bonding, including growing up in a household with caregivers struggling with substance

disorders or instability due to parent or guardian separation or incarceration of a parent or guardian, sibling, or other member of the household, or exposure to community violence. The index shall provide information that allows for measuring progress, comparing school districts to the State average, and that enables the index to be updated at least every 2 years. The data shall be made publicly available. The initial development of the index should leverage available data. Personally identifiable information of any individual shall not be revealed within this index.

(105 ILCS 5/3-11) (from Ch. 122, par. 3-11)

Sec. 3-11. Institutes or inservice training workshops.

(a) In counties of less than 2,000,000 inhabitants, the regional superintendent may arrange for or conduct district, regional, or county institutes, or equivalent professional educational experiences, not more than 4 days annually. Of those 4 days, 2 days may be used as a teacher's and educational support personnel workshop, when approved by the regional superintendent, up to 2 days may be used for conducting parent-teacher conferences, or up to 2 days may be utilized as parental institute days as provided in Section 10-22.18d. Educational support personnel may be exempt from a workshop if the workshop is not relevant to the work they do. A school district may use one of its 4 institute days on the last day of the school term. "Institute" or "Professional educational experiences" means any educational gathering, demonstration of methods of instruction, visitation of schools or other institutions or facilities, sexual abuse and sexual assault awareness seminar, or training in First Aid (which may include cardiopulmonary resuscitation or defibrillator training) held or approved by the regional superintendent and declared by him to be an institute day, or parent-teacher conferences. With the concurrence of the State Superintendent of Education, he or she may employ such assistance as is necessary to conduct the institute. Two or more adjoining counties may jointly hold an institute. Institute instruction shall be free to holders of licenses good in the county or counties holding the institute and to those who have paid an examination fee and failed to receive a license.

In counties of 2,000,000 or more inhabitants, the regional superintendent may arrange for or conduct district, regional, or county inservice training workshops, or equivalent professional educational experiences, not more than 4 days annually. Of those 4 days, 2 days may be used as a teacher's and educational support personnel workshop, when approved by the regional superintendent, up to 2 days may be used for conducting parent-teacher conferences, or up to 2 days may be utilized as parental institute days as provided in Section 10-22.18d. Educational support personnel may be exempt from a workshop if the workshop is not relevant to the work they do. A school district may use one of those 4 days on the last day of the school term. "Inservice Training Workshops" or "Professional educational experiences" means any educational gathering, demonstration of methods of instruction, visitation of schools or other institutions or facilities, sexual abuse and sexual assault awareness seminar, or training in First Aid (which may include cardiopulmonary resuscitation or defibrillator training) held or approved by the regional superintendent and declared by him to be an inservice training workshop, or parent-teacher conferences. With the concurrence of the State Superintendent of Education, he may employ such assistance as is necessary to conduct the inservice training workshop. With the approval of the regional superintendent, 2 or more adjoining districts may jointly hold an inservice training workshop. In addition, with the approval of the regional superintendent, one district may conduct its own inservice training workshop with subject matter consultants requested from the county, State or any State institution of higher learning.

Such teachers institutes as referred to in this Section may be held on consecutive or separate days at the option of the regional superintendent having jurisdiction thereof.

Whenever reference is made in this Act to "teachers institute", it shall be construed to include the inservice training workshops or equivalent professional educational experiences provided for in this Section.

Any institute advisory committee existing on April 1, 1995, is dissolved and the duties and responsibilities of the institute advisory committee are assumed by the regional office of education advisory board.

Districts providing inservice training programs shall constitute inservice committees, 1/2 of which shall be teachers, 1/4 school service personnel and 1/4 administrators to establish program content and schedules.

The teachers institutes shall include teacher training committed to (i) peer counseling programs and other anti-violence and conflict resolution programs, including without limitation programs for preventing at risk students from committing violent acts, and (ii) educator ethics and teacher-student conduct. Beginning with the 2009-2010 school year, the teachers institutes shall include instruction on prevalent student chronic health conditions. Beginning with the 2016-2017 school year, the teachers institutes shall include, at least

once every 2 years, instruction on the federal Americans with Disabilities Act as it pertains to the school environment.

(b) In this subsection (b):

"Trauma" is defined according to an event, an experience, and effects. Individual trauma results from an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening and that has lasting adverse effects on the individual's functioning and mental, physical, social, or emotional well-being. Collective trauma is a psychological reaction to a traumatic event shared by any group of people. This may include, but is not limited to, community violence, experiencing racism and discrimination, and the lack of the essential supports for well-being, such as educational or economic opportunities, food, health care, housing, and community cohesion. Trauma can be experienced by anyone, though it is disproportionately experienced by members of marginalized groups. Systemic and historical oppression, such as racism, is often at the root of this inequity. Symptoms may vary at different developmental stages and across different cultural groups and different communities.

"Trauma-responsive learning environments" means learning environments developed during an ongoing, multiyear-long process that typically progresses across the following 3 stages:

(1) A school or district is "trauma aware" when it:

(A) has personnel that demonstrate a foundational understanding of a broad definition of trauma that is developmentally and culturally based; includes students, personnel, and communities; and recognizes the potential effect on biological, cognitive, academic, and social-emotional functioning; and

(B) recognizes that traumatic exposure can impact behavior and learning and should be acknowledged in policies, strategies, and systems of support for students, families, and personnel.

(2) A school or district is "trauma responsive" when it progresses from awareness to action in the areas of policy, practice, and structural changes within a multi-tiered system of support to promote safety, positive relationships, and self-regulation while underscoring the importance of personal well-being and cultural responsiveness. Such progress may:

(A) be aligned with the Illinois Quality Framework and integrated into a school or district's continuous improvement process as evidence to support allocation of financial resources;

(B) be assessed and monitored by a multidisciplinary leadership team on an ongoing basis; and

(C) involve the engagement and capacity building of personnel at all levels to ensure that adults in the learning environment are prepared to recognize and respond to those impacted by trauma.

(3) A school or district is healing centered when it acknowledges its role and responsibility to the community, fully responds to trauma, and promotes resilience and healing through genuine, trusting, and creative relationships. Such schools or districts may:

(A) promote holistic and collaborative approaches that are grounded in culture, spirituality, civic engagement, and equity; and

(B) support agency within individuals, families, and communities while engaging people in collective action that moves from transactional to transformational.

"Whole child" means using a child-centered, holistic, equitable lens across all systems that prioritizes physical, mental, and social-emotional health to ensure that every child is healthy, safe, supported, challenged, engaged, and protected.

Starting with the 2024-2025 school year, the teachers institutes shall provide instruction on trauma-informed practices and include the definitions of trauma, trauma-responsive learning environments, and whole child set forth in this subsection (b) before the first student attendance day of each school year.

(Source: P.A. 99-30, eff. 7-10-15; 99-616, eff. 7-22-16.)

(105 ILCS 5/10-16a)

Sec. 10-16a. School board member's leadership training.

(a) This Section applies to all school board members serving pursuant to Section 10-10 of this Code who have been elected after the effective date of this amendatory Act of the 97th General Assembly or appointed to fill a vacancy of at least one year's duration after the effective date of this amendatory Act of the 97th General Assembly.

(a-5) In this Section, "trauma" has the meaning ascribed to that term in subsection (b) of Section 3-11 of this Code.

(b) Every voting member of a school board of a school district elected or appointed for a term beginning after the effective date of this amendatory Act of the 97th General Assembly, within a year after the effective date of this amendatory Act of the 97th General Assembly or the first year of his or her first term, shall complete a minimum of 4 hours of professional development leadership training covering topics in education and labor law, financial oversight and accountability, fiduciary responsibilities of a school board member, and, beginning with the 2023-2024 school year, trauma-informed practices for students and staff. The school district shall maintain on its Internet website, if any, the names of all voting members of the school board who have successfully completed the training.

(b-5) The training regarding trauma-informed practices for students and staff required by this Section must include information that is relevant to and within the scope of the duties of a school board member. Such information may include, but is not limited to:

(1) the recognition of and care for trauma in students and staff;

(2) the relationship between staff wellness and student learning;

(3) the effect of trauma on student behavior and learning;

(4) the prevalence of trauma among students, including the prevalence of trauma among student populations at higher risk of experiencing trauma;

(5) the effects of implicit or explicit bias on recognizing trauma among various student groups in connection with race, ethnicity, gender identity, sexual orientation, socio-economic status, and other relevant factors; and

(6) effective district and school practices that are shown to:

(A) prevent and mitigate the negative effect of trauma on student behavior and learning; and

(B) support the emotional wellness of staff.

(c) The training on financial oversight, accountability, fiduciary responsibilities, and, beginning with the 2023-24 school year, trauma-informed practices for students and staff may be provided by an association established under this Code for the purpose of training school board members or by other qualified providers approved by the State Board of Education, in consultation with an association so established.

(d) The State Board of Education may adopt rules that are necessary for the administration of the provisions of this Section.

(Source: P.A. 102-638, eff. 1-1-23.)

(105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

Sec. 10-17a. State, school district, and school report cards.

(1) By October 31, 2013 and October 31 of each subsequent school year, the State Board of Education, through the State Superintendent of Education, shall prepare a State report card, school district report cards, and school report cards, and shall by the most economical means provide to each school district in this State, including special charter districts and districts subject to the provisions of Article 34, the report cards for the school district and each of its schools. Because of the impacts of the COVID-19 public health emergency during school year 2020-2021, the State Board of Education shall have until December 31, 2021 to prepare and provide the report cards that would otherwise be due by October 31, 2021. During a school year in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, the report cards for the school districts and each of its schools shall be prepared by December 31.

(2) In addition to any information required by federal law, the State Superintendent shall determine the indicators and presentation of the school report card, which must include, at a minimum, the most current data collected and maintained by the State Board of Education related to the following:

(A) school characteristics and student demographics, including average class size, average teaching experience, student racial/ethnic breakdown, and the percentage of students classified as low-income; the percentage of students classified as English learners, the number of students who graduate from a bilingual or English learner program, and the number of students who graduate from, transfer from, or otherwise leave bilingual programs; the percentage of students who have individualized education plans or 504 plans that provide for special education services; the number and percentage of all students who have been assessed for placement in a gifted education or advanced academic program and, of those students: (i) the racial and ethnic breakdown, (ii) the percentage who are classified as low-income, and (iii) the number and percentage of students who

received direct instruction from a teacher who holds a gifted education endorsement and, of those students, the percentage who are classified as low-income; the percentage of students scoring at the "exceeds expectations" level on the assessments required under Section 2-3.64a-5 of this Code; the percentage of students who annually transferred in or out of the school district; average daily attendance; the per-pupil operating expenditure of the school district; and the per-pupil State average operating expenditure for the district type (elementary, high school, or unit);

(B) curriculum information, including, where applicable, Advanced Placement, International Baccalaureate or equivalent courses, dual enrollment courses, foreign language classes, computer science courses, school personnel resources (including Career Technical Education teachers), before and after school programs, extracurricular activities, subjects in which elective classes are offered, health and wellness initiatives (including the average number of days of Physical Education per week per student), approved programs of study, awards received, community partnerships, and special programs such as programming for the gifted and talented, students with disabilities, and work-study students;

(C) student outcomes, including, where applicable, the percentage of students deemed proficient on assessments of State standards, the percentage of students in the eighth grade who pass Algebra, the percentage of students who participated in workplace learning experiences, the percentage of students enrolled in post-secondary institutions (including colleges, universities, community colleges, trade/vocational schools, and training programs leading to career certification within 2 semesters of high school graduation), the percentage of students graduating from high school who are college and career ready, and the percentage of graduates enrolled in community colleges, colleges, and universities who are in one or more courses that the community college, college, or university identifies as a developmental course;

(D) student progress, including, where applicable, the percentage of students in the ninth grade who have earned 5 credits or more without failing more than one core class, a measure of students entering kindergarten ready to learn, a measure of growth, and the percentage of students who enter high school on track for college and career readiness;

(E) the school environment, including, where applicable, high school dropout rate by grade level, the percentage of students with less than 10 absences in a school year, the percentage of teachers with less than 10 absences in a school year for reasons other than professional development, leaves taken pursuant to the federal Family Medical Leave Act of 1993, long-term disability, or parental leaves, the 3-year average of the percentage of teachers returning to the school from the previous year, the number of different principals at the school in the last 6 years, the number of teachers who hold a gifted education endorsement, the process and criteria used by the district to determine whether a student is eligible for participation in a gifted education program or advanced academic program and the manner in which parents and guardians are made aware of the process and criteria, the number of teachers who are National Board Certified Teachers, disaggregated by race and ethnicity, 2 or more indicators from any school climate survey selected or approved by the State and administered pursuant to Section 2-3.153 of this Code, with the same or similar indicators included on school report cards for all surveys selected or approved by the State pursuant to Section 2-3.153 of this Code, the combined percentage of teachers rated as proficient or excellent in their most recent evaluation, and, beginning with the 2022-2023 school year, data on the number of incidents of violence that occurred on school grounds or during school-related activities and that resulted in an out-of-school suspension, expulsion, or removal to an alternative setting, as reported pursuant to Section 2-3.162;

(F) a school district's and its individual schools' balanced accountability measure, in accordance with Section 2-3.25a of this Code;

(G) the total and per pupil normal cost amount the State contributed to the Teachers' Retirement System of the State of Illinois in the prior fiscal year for the school's employees, which shall be reported to the State Board of Education by the Teachers' Retirement System of the State of Illinois;

(H) for a school district organized under Article 34 of this Code only, State contributions to the Public School Teachers' Pension and Retirement Fund of Chicago and State contributions for health care for employees of that school district;

(I) a school district's Final Percent of Adequacy, as defined in paragraph (4) of subsection (f) of Section 18-8.15 of this Code;

(J) a school district's Local Capacity Target, as defined in paragraph (2) of subsection (c) of Section 18-8.15 of this Code, displayed as a percentage amount;

(K) a school district's Real Receipts, as defined in paragraph (1) of subsection (d) of Section 18-8.15 of this Code, divided by a school district's Adequacy Target, as defined in paragraph (1) of subsection (b) of Section 18-8.15 of this Code, displayed as a percentage amount;

(L) a school district's administrative costs;

(M) whether or not the school has participated in the Illinois Youth Survey. In this paragraph (M), "Illinois Youth Survey" means a self-report survey, administered in school settings every 2 years, designed to gather information about health and social indicators, including substance abuse patterns and the attitudes of students in grades 8, 10, and 12; ~~and~~

(N) whether the school offered its students career and technical education opportunities; and~~.~~

(O) Beginning with the October 2024 report card, the total number of school counselors, school social workers, school nurses, and school psychologists by school, district, and State, the average number of students per school counselor in the school, district, and State, the average number of students per school social worker in the school, district, and State, the average number of students per school nurse in the school, district, and State, and the average number of students per school psychologist in the school, district, and State.

The school report card shall also provide information that allows for comparing the current outcome, progress, and environment data to the State average, to the school data from the past 5 years, and to the outcomes, progress, and environment of similar schools based on the type of school and enrollment of low-income students, special education students, and English learners.

As used in this subsection (2):

"Administrative costs" means costs associated with executive, administrative, or managerial functions within the school district that involve planning, organizing, managing, or directing the school district.

"Advanced academic program" means a course of study to which students are assigned based on advanced cognitive ability or advanced academic achievement compared to local age peers and in which the curriculum is substantially differentiated from the general curriculum to provide appropriate challenge and pace.

"Computer science" means the study of computers and algorithms, including their principles, their hardware and software designs, their implementation, and their impact on society. "Computer science" does not include the study of everyday uses of computers and computer applications, such as keyboarding or accessing the Internet.

"Gifted education" means educational services, including differentiated curricula and instructional methods, designed to meet the needs of gifted children as defined in Article 14A of this Code.

For the purposes of paragraph (A) of this subsection (2), "average daily attendance" means the average of the actual number of attendance days during the previous school year for any enrolled student who is subject to compulsory attendance by Section 26-1 of this Code at each school and charter school.

(3) At the discretion of the State Superintendent, the school district report card shall include a subset of the information identified in paragraphs (A) through (E) of subsection (2) of this Section, as well as information relating to the operating expense per pupil and other finances of the school district, and the State report card shall include a subset of the information identified in paragraphs (A) through (E) and paragraph (N) of subsection (2) of this Section. The school district report card shall include the average daily attendance, as that term is defined in subsection (2) of this Section, of students who have individualized education programs and students who have 504 plans that provide for special education services within the school district.

(4) Notwithstanding anything to the contrary in this Section, in consultation with key education stakeholders, the State Superintendent shall at any time have the discretion to amend or update any and all metrics on the school, district, or State report card.

(5) Annually, no more than 30 calendar days after receipt of the school district and school report cards from the State Superintendent of Education, each school district, including special charter districts and districts subject to the provisions of Article 34, shall present such report cards at a regular school board meeting subject to applicable notice requirements, post the report cards on the school district's Internet web site, if the district maintains an Internet web site, make the report cards available to a newspaper of general circulation serving the district, and, upon request, send the report cards home to a parent (unless the district does not maintain an Internet web site, in which case the report card shall be sent home to parents without request). If the district posts the report card on its Internet web site, the district shall send a written notice

home to parents stating (i) that the report card is available on the web site, (ii) the address of the web site, (iii) that a printed copy of the report card will be sent to parents upon request, and (iv) the telephone number that parents may call to request a printed copy of the report card.

(6) Nothing contained in Public Act 98-648 repeals, supersedes, invalidates, or nullifies final decisions in lawsuits pending on July 1, 2014 (the effective date of Public Act 98-648) in Illinois courts involving the interpretation of Public Act 97-8.

(Source: P.A. 101-68, eff. 1-1-20; 101-81, eff. 7-12-19; 101-654, eff. 3-8-21; 102-16, eff. 6-17-21; 102-294, eff. 1-1-22; 102-539, eff. 8-20-21; 102-558, eff. 8-20-21; 102-594, eff. 7-1-22; 102-813, eff. 5-13-22.)

(105 ILCS 5/10-22.39)

Sec. 10-22.39. In-service training programs.

(a) To conduct in-service training programs for teachers.

(b) In addition to other topics at in-service training programs, at least once every 2 years, licensed school personnel and administrators who work with pupils in kindergarten through grade 12 shall be trained to identify the warning signs of mental illness, trauma, and suicidal behavior in youth and shall be taught appropriate intervention and referral techniques. A school district may utilize the Illinois Mental Health First Aid training program, established under the Illinois Mental Health First Aid Training Act and administered by certified instructors trained by a national association recognized as an authority in behavioral health, to provide the training and meet the requirements under this subsection. If licensed school personnel or an administrator obtains mental health first aid training outside of an in-service training program, he or she may present a certificate of successful completion of the training to the school district to satisfy the requirements of this subsection.

Training regarding the implementation of trauma-informed practices satisfies the requirements of this subsection (b).

A course of instruction as described in this subsection (b) must include the definitions of trauma, trauma-responsive learning environments, and whole child set forth in subsection (b) of Section 3-11 of this Code and may provide information that is relevant to and within the scope of the duties of licensed school personnel or school administrators. Such information may include, but is not limited to:

(1) the recognition of and care for trauma in students and staff;

(2) the relationship between educator wellness and student learning;

(3) the effect of trauma on student behavior and learning;

(4) the prevalence of trauma among students, including the prevalence of trauma among student populations at higher risk of experiencing trauma;

(5) the effects of implicit or explicit bias on recognizing trauma among various student groups in connection with race, ethnicity, gender identity, sexual orientation, socio-economic status, and other relevant factors; and

(6) effective district practices that are shown to:

(A) prevent and mitigate the negative effect of trauma on student behavior and learning; and

(B) support the emotional wellness of staff.

(c) School counselors, nurses, teachers and other school personnel who work with pupils may be trained to have a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS), including the nature of the disease, its causes and effects, the means of detecting it and preventing its transmission, and the availability of appropriate sources of counseling and referral, and any other information that may be appropriate considering the age and grade level of such pupils. The School Board shall supervise such training. The State Board of Education and the Department of Public Health shall jointly develop standards for such training.

(d) In this subsection (d):

"Domestic violence" means abuse by a family or household member, as "abuse" and "family or household members" are defined in Section 103 of the Illinois Domestic Violence Act of 1986.

"Sexual violence" means sexual assault, abuse, or stalking of an adult or minor child proscribed in the Criminal Code of 1961 or the Criminal Code of 2012 in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14, 12-14.1, 12-15, and 12-16, including sexual violence committed by perpetrators who are strangers to the victim and sexual violence committed by perpetrators who are known or related by blood or marriage to the victim.

At least once every 2 years, an in-service training program for school personnel who work with pupils, including, but not limited to, school and school district administrators, teachers, school social

workers, school counselors, school psychologists, and school nurses, must be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth and shall include training concerning (i) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (ii) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed, and (iii) implementing the school district's policies, procedures, and protocols with regard to such youth, including confidentiality. At a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence.

(e) At least every 2 years, an in-service training program for school personnel who work with pupils must be conducted by persons with expertise in anaphylactic reactions and management.

(f) At least once every 2 years, a school board shall conduct in-service training on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel.

(Source: P.A. 101-350, eff. 1-1-20; 102-197, eff. 7-30-21; 102-638, eff. 1-1-23; 102-813, eff. 5-13-22.)

(105 ILCS 5/21B-12 new)

Sec. 21B-12. Professional educator licensure review committee.

(a) The State Superintendent of Education shall establish a committee of no more than 21 members to make recommendations to the State Board of Education to change the professional educator licensure requirements and Professional Educator License renewal requirements for kindergarten through grade 12 teachers to include demonstrated proficiency in adverse childhood experiences, trauma, secondary traumatic stress, creating trauma-responsive learning environments or communities, as defined in subsection (b) of Section 3-11 of this Code, restorative justice, and restorative practices on or before October 1, 2024. The members of the committee shall be appointed by the State Superintendent of Education, unless stated otherwise, and shall include the following members:

(1) the State Superintendent of Education or a designee;

(2) one member of a statewide professional teachers' organization;

(3) one member of another statewide professional teachers' organization;

(4) one member who represents a school district serving a community with a population of 500,000 or more;

(5) one member of a statewide organization representing school social workers;

(6) one member of a statewide organization representing school counselors;

(7) one member of an organization that has specific expertise in trauma-responsive school practices and experience in supporting schools in developing trauma-responsive and restorative practices;

(8) one member of another organization that has specific expertise in trauma-responsive school practices and experience in supporting schools in developing trauma-responsive and restorative practices;

(9) one member of a statewide organization that represents school principals and assistant principals;

(10) 3 members representing a State-approved educator preparation program at an Illinois institution of higher education recommended by the institution of higher education;

(11) one member representing regional superintendents of schools recommended by a statewide association that represents regional superintendents of schools;

(12) one educator from a school district that has actively worked to develop a system of student support that uses a trauma-informed lens;

(13) one member representing district superintendents recommended by a statewide organization that represents district superintendents;

(14) the Secretary of Human Services, the Director of Children and Family Services, the Director of Public Health, and the Director of Juvenile Justice, or their designees; and

(15) a child advocate.

(b) This Section is repealed on October 1, 2025.

(105 ILCS 5/22-95 new)

Sec. 22-95. Whole Child Task Force.

(a) The General Assembly makes all of the following findings:

(1) The COVID-19 pandemic has exposed systemic inequities in American society. Students, educators, and families throughout this State have been deeply affected by the pandemic, and the

impact of the pandemic will be felt for years to come. The negative consequences of the pandemic have impacted students and communities differently along the lines of race, income, language, and special needs. However, students in this State faced significant unmet physical health, mental health, and social and emotional needs even prior to the pandemic.

(2) The path to recovery requires a commitment from adults in this State to address our students cultural, physical, emotional, and mental health needs and to provide them with stronger and increased systemic support and intervention.

(3) It is well documented that trauma and toxic stress diminish a child's ability to thrive. Forms of childhood trauma and toxic stress include adverse childhood experiences, systemic racism, poverty, food and housing insecurity, and gender-based violence. The COVID-19 pandemic has exacerbated these issues and brought them into focus.

(4) It is estimated that, overall, approximately 40% of children in this State have experienced at least one adverse childhood experience and approximately 10% have experienced 3 or more adverse childhood experiences. However, the number of adverse childhood experiences is higher for Black and Hispanic children who are growing up in poverty. The COVID-19 pandemic has amplified the number of students who have experienced childhood trauma. Also, the COVID-19 pandemic has highlighted preexisting inequities in school disciplinary practices that disproportionately impact Black and Brown students. Research shows, for example, that girls of color are disproportionately impacted by trauma, adversity, and abuse, and instead of receiving the care and trauma-informed support they may need, many Black girls in particular face disproportionately harsh disciplinary measures.

(5) The cumulative effects of trauma and toxic stress adversely impact the physical health of students, as well as the students' ability to learn, form relationships, and self-regulate. If left unaddressed, these effects increase a student's risk for depression, alcoholism, anxiety, asthma, smoking, and suicide, all of which are risks that disproportionately affect Black youth and may lead to a host of medical diseases as an adult. Access to infant and early childhood mental health services is critical to ensure the social and emotional well-being of this State's youngest children, particularly those children who have experienced trauma.

(6) Although this State enacted measures through Public Act 100-105 to address the high rate of early care and preschool expulsions of infants, toddlers, and preschoolers and the disproportionately higher rate of expulsion for Black and Hispanic children, a recent study found a wide variation in the awareness, understanding, and compliance with the law by providers of early childhood care. Further work is needed to implement the law, which includes providing training to early childhood care providers to increase the providers' understanding of the law, increasing the availability and access to infant and early childhood mental health services, and building aligned data collection systems to better understand expulsion rates and to allow for accurate reporting as required by the law.

(7) Many educators and schools in this State have embraced and implemented evidence-based restorative justice and trauma-responsive and culturally relevant practices and interventions. However, the use of these interventions on students is often isolated or is implemented occasionally and only if the school has the appropriate leadership, resources, and partners available to engage seriously in this work. It would be malpractice to deny our students access to these practices and interventions, especially in the aftermath of a once-in-a-century pandemic.

(b) The Whole Child Task Force created by Public Act 101-654 is reestablished for the purpose of establishing an equitable, inclusive, safe, and supportive environment in all schools for every student in this State. The task force shall have all of the following goals, which means key steps have to be taken to ensure that every child in every school in this State has access to teachers, social workers, school leaders, support personnel, and others who have been trained in evidence-based interventions and restorative practices:

(1) To create a common definition of a trauma-responsive school, a trauma-responsive district, and a trauma-responsive community.

(2) To outline the training and resources required to create and sustain a system of support for trauma-responsive schools, districts, and communities and to identify this State's role in that work, including recommendations concerning options for redirecting resources from school resource officers to classroom-based support.

(3) To identify or develop a process to conduct an analysis of the organizations that provide training in restorative practices, implicit bias, anti-racism, and trauma-responsive systems, mental health services, and social and emotional services to schools.

(4) To provide recommendations concerning the key data to be collected and reported to ensure that this State has a full and accurate understanding of the progress toward ensuring that all schools, including programs and providers of care to pre-kindergarten children, employ restorative, anti-racist, and trauma-responsive strategies and practices. The data collected must include information relating to the availability of trauma responsive support structures in schools, as well as disciplinary practices employed on students in person or through other means, including during remote or blended learning. It should also include information on the use of and funding for school resource officers and other similar police personnel in school programs.

(5) To recommend an implementation timeline, including the key roles, responsibilities, and resources to advance this State toward a system in which every school, district, and community is progressing toward becoming trauma-responsive.

(6) To seek input and feedback from stakeholders, including parents, students, and educators, who reflect the diversity of this State.

(7) To recommend legislation, policies, and practices to prevent learning loss in students during periods of suspension and expulsion, including, but not limited to, remote instruction.

(c) Members of the Whole Child Task Force shall be appointed by the State Superintendent of Education. Members of this task force must represent the diversity of this State and possess the expertise needed to perform the work required to meet the goals of the task force set forth under subsection (a). Members of the task force shall include all of the following:

(1) One member of a statewide professional teachers' organization.

(2) One member of another statewide professional teachers' organization.

(3) One member who represents a school district serving a community with a population of 500,000 or more.

(4) One member of a statewide organization representing social workers.

(5) One member of an organization that has specific expertise in trauma-responsive school practices and experience in supporting schools in developing trauma-responsive and restorative practices.

(6) One member of another organization that has specific expertise in trauma-responsive school practices and experience in supporting schools in developing trauma-responsive and restorative practices.

(7) One member of a statewide organization that represents school administrators.

(8) One member of a statewide policy organization that works to build a healthy public education system that prepares all students for a successful college, career, and civic life.

(9) One member of a statewide organization that brings teachers together to identify and address issues critical to student success.

(10) One member of the General Assembly recommended by the President of the Senate.

(11) One member of the General Assembly recommended by the Speaker of the House of Representatives.

(12) One member of the General Assembly recommended by the Minority Leader of the Senate.

(13) One member of the General Assembly recommended by the Minority Leader of the House of Representatives.

(14) One member of a civil rights organization that works actively on issues regarding student support.

(15) One administrator from a school district that has actively worked to develop a system of student support that uses a trauma-informed lens.

(16) One educator from a school district that has actively worked to develop a system of student support that uses a trauma-informed lens.

(17) One member of a youth-led organization.

(18) One member of an organization that has demonstrated expertise in restorative practices.

(19) One member of a coalition of mental health and school practitioners who assist schools in developing and implementing trauma-informed and restorative strategies and systems.

(20) One member of an organization whose mission is to promote the safety, health, and economic success of children, youth, and families in this State.

(21) One member who works or has worked as a restorative justice coach or disciplinarian.

(22) One member who works or has worked as a social worker.

(23) One member of the State Board of Education.

(24) One member who represents a statewide principals' organization.

(25) One member who represents a statewide organization of school boards.

(26) One member who has expertise in pre-kindergarten education.

(27) One member who represents a school social worker association.

(28) One member who represents an organization that represents school districts in the south suburbs of the City of Chicago.

(29) One member who is a licensed clinical psychologist who (i) has a doctor of philosophy in the field of clinical psychology and has an appointment at an independent free-standing children's hospital located in the City of Chicago, (ii) serves as an associate professor at a medical school located in the City of Chicago, and (iii) serves as the clinical director of a coalition of voluntary collaboration of organizations that are committed to applying a trauma lens to the member's efforts on behalf of families and children in the State.

(30) One member who represents a school district in the west suburbs of the City of Chicago.

(31) One member from a governmental agency who has expertise in child development and who is responsible for coordinating early childhood mental health programs and services.

(32) One member who has significant expertise in early childhood mental health and childhood trauma.

(33) One member who represents an organization that represents school districts in the collar counties around the City of Chicago.

(34) One member who represents an organization representing regional offices of education.

(d) The Whole Child Task Force shall meet at the call of the State Superintendent of Education or his or her designee, who shall serve as the chairperson. The State Board of Education shall provide administrative and other support to the task force. Members of the task force shall serve without compensation.

(e) The Whole Child Task Force shall reconvene by March 2027 to review progress on the recommendations in the March 2022 report submitted pursuant to Public Act 101-654 and shall submit a new report on its assessment of the State's progress and any additional recommendations to the General Assembly, the Illinois Legislative Black Caucus, the State Board of Education, and the Governor on or before December 31, 2027.

(f) This Section is repealed on February 1, 2029.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Lightford, **Senate Bill No. 16** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 47; NAYS 6.

The following voted in the affirmative:

Aquino	Fowler	Lewis	Simmons
Belt	Gillespie	Lightford	Sims
Bryant	Glowiak Hilton	Loughran Cappel	Stadelman
Castro	Halpin	Martwick	Tracy
Cervantes	Harris, N.	McConchie	Turner, D.
Cunningham	Harriss, E.	Morrison	Turner, S.
DeWitte	Hastings	Murphy	Ventura
Edly-Allen	Holmes	Pacione-Zayas	Villa
Ellman	Hunter	Peters	Villanueva

Faraci	Johnson	Porfirio	Villivalam
Feigenholtz	Joyce	Preston	Mr. President
Fine	Koehler	Rezin	

The following voted in the negative:

Bennett	Plummer	Stoller
Chesney	Rose	Wilcox

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Ventura, **Senate Bill No. 125** was recalled from the order of third reading to the order of second reading.

Senator Ventura offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 125

AMENDMENT NO. 3 . Amend Senate Bill 125 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 11-502.1 and 11-502.15 as follows:

(625 ILCS 5/11-502.1)

Sec. 11-502.1. Possession of medical cannabis in a motor vehicle.

(a) No driver, who is a medical cannabis cardholder, may use medical cannabis within the passenger area of any motor vehicle upon a highway in this State.

(b) No driver, who is a medical cannabis cardholder, a medical cannabis designated caregiver, medical cannabis cultivation center agent, or dispensing organization agent may possess medical cannabis within any area of any motor vehicle upon a highway in this State except in a secured, sealed or resealable, ~~odor-proof,~~ and child-resistant ~~medical cannabis~~ container that is inaccessible.

(c) No passenger, who is a medical cannabis card holder, a medical cannabis designated caregiver, or medical cannabis dispensing organization agent may possess medical cannabis within any passenger area of any motor vehicle upon a highway in this State except in a secured, sealed or resealable, ~~odor-proof,~~ and child-resistant ~~medical cannabis~~ container that is inaccessible.

(d) Any person who violates subsections (a) through (c) of this Section:

(1) commits a Class A misdemeanor;

(2) shall be subject to revocation of his or her medical cannabis card for a period of 2 years from the end of the sentence imposed; and

(3) shall be subject to revocation of his or her status as a medical cannabis caregiver, medical cannabis cultivation center agent, or medical cannabis dispensing organization agent for a period of 2 years from the end of the sentence imposed.

(Source: P.A. 101-27, eff. 6-25-19; 102-98, eff. 7-15-21; 102-558, eff. 8-20-21.)

(625 ILCS 5/11-502.15)

Sec. 11-502.15. Possession of adult use cannabis in a motor vehicle.

(a) No driver may use cannabis within the passenger area of any motor vehicle upon a highway in this State.

(b) No driver may possess cannabis within any area of any motor vehicle upon a highway in this State except in a secured, sealed or resealable, ~~odor-proof,~~ child-resistant ~~cannabis~~ container that is inaccessible.

(c) No passenger may possess cannabis within any passenger area of any motor vehicle upon a highway in this State except in a secured, sealed or resealable, ~~odor-proof,~~ child-resistant ~~cannabis~~ container that is inaccessible.

(d) Any person who knowingly violates subsection (a), (b), or (c) of this Section commits a Class A misdemeanor.

(e) If a motor vehicle is driven or occupied by an individual 21 years of age or over, the odor of burnt or raw cannabis in a motor vehicle by itself shall not constitute probable cause for the search of the motor vehicle, vehicle operator, or passengers in the vehicle.

(Source: P.A. 101-27, eff. 6-25-19; 102-98, eff. 7-15-21.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Ventura, **Senate Bill No. 125** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 33; NAYS 20.

The following voted in the affirmative:

Aquino	Fine	Lightford	Turner, D.
Belt	Gillespie	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Pacione-Zayas	Villanueva
Cunningham	Hastings	Peters	Villivalam
Edly-Allen	Holmes	Porfirio	Mr. President
Ellman	Hunter	Preston	
Faraci	Johnson	Simmons	
Feigenholtz	Koehler	Sims	

The following voted in the negative:

Anderson	Fowler	Plummer	Turner, S.
Bennett	Harriss, E.	Rezin	Wilcox
Bryant	Joyce	Rose	
Chesney	Lewis	Stoller	
Curran	Loughran Cappel	Syverson	
DeWitte	McConchie	Tracy	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Rezin, **Senate Bill No. 76** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 39; NAYS 13.

The following voted in the affirmative:

Anderson	Gillespie	Lightford	Sims

Belt	Glowiak Hilton	Loughran Cappel	Stadelman
Bennett	Halpin	Martwick	Stoller
Bryant	Harris, N.	McClure	Syverson
Chesney	Harriss, E.	McConchie	Tracy
Cunningham	Hastings	Plummer	Turner, D.
Curran	Holmes	Porfirio	Turner, S.
DeWitte	Joyce	Preston	Wilcox
Ellman	Koehler	Rezin	Mr. President
Fowler	Lewis	Rose	

The following voted in the negative:

Aquino	Feigenholtz	Peters	Villivalam
Cervantes	Fine	Simmons	
Edly-Allen	Johnson	Villa	
Faraci	Pacione-Zayas	Villanueva	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Lightford asked and obtained unanimous consent for the Journal to reflect her intention to have voted present on **Senate Bill No. 76**.

Senator Hunter asked and obtained unanimous consent for the Journal to reflect her intention to have voted present on **Senate Bill No. 76**.

SENATE BILL RECALLED

On motion of Senator Feigenholtz, **Senate Bill No. 199** was recalled from the order of third reading to the order of second reading.

Senator Feigenholtz offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 199

AMENDMENT NO. 1 . Amend Senate Bill 199 by replacing everything after the enacting clause with the following:

"Section 5. The Nurse Practice Act is amended by changing Section 65-43 as follows:

(225 ILCS 65/65-43)

(Section scheduled to be repealed on January 1, 2028)

Sec. 65-43. Full practice authority.

(a) An Illinois-licensed advanced practice registered nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist shall be deemed by law to possess the ability to practice without a written collaborative agreement as set forth in this Section.

(b) An advanced practice registered nurse certified as a nurse midwife, clinical nurse specialist, or nurse practitioner who files with the Department a notarized attestation of completion of at least 250 hours of continuing education or training and at least 4,000 hours of clinical experience after first attaining national certification shall not require a written collaborative agreement. Documentation of successful completion shall be provided to the Department upon request.

Continuing education or training hours required by subsection (b) shall be in the advanced practice registered nurse's area of certification as set forth by Department rule.

The clinical experience must be in the advanced practice registered nurse's area of certification. The clinical experience shall be in collaboration with a physician or physicians. Completion of the clinical experience must be attested to by the collaborating physician or physicians or employer and the advanced practice registered nurse. If the collaborating physician or physicians or employer is unable to attest to the

completion of the clinical experience, the Department may accept other evidence of clinical experience as established by rule.

(c) The scope of practice of an advanced practice registered nurse with full practice authority includes:

(1) all matters included in subsection (c) of Section 65-30 of this Act;

(2) practicing without a written collaborative agreement in all practice settings consistent with national certification;

(3) authority to prescribe both legend drugs and Schedule II through V controlled substances; this authority includes prescription of, selection of, orders for, administration of, storage of, acceptance of samples of, and dispensing over the counter medications, legend drugs, and controlled substances categorized as any Schedule II through V controlled substances, as defined in Article II of the Illinois Controlled Substances Act, and other preparations, including, but not limited to, botanical and herbal remedies;

(4) prescribing ~~benzodiazepines or~~ Schedule II narcotic drugs, such as opioids, only in a consultation relationship with a physician; this consultation relationship shall be recorded in the Prescription Monitoring Program website, pursuant to Section 316 of the Illinois Controlled Substances Act, by the physician and advanced practice registered nurse with full practice authority and is not required to be filed with the Department; the specific Schedule II narcotic drug must be identified by either brand name or generic name; the specific Schedule II narcotic drug, such as an opioid, may be administered by oral dosage or topical or transdermal application; delivery by injection or other route of administration is not permitted; at least monthly, the advanced practice registered nurse and the physician must discuss the condition of any patients for whom an ~~a benzodiazepine or~~ opioid is prescribed; nothing in this subsection shall be construed to require a prescription by an advanced practice registered nurse with full practice authority to require a physician name;

(4.5) prescribing up to a 120-day supply of benzodiazepines without a consultation relationship with a physician; thereafter, continued prescription of benzodiazepines shall require a consultation with a physician; nothing in this subsection shall be construed to require a prescription by an advanced practice registered nurse with full practice authority to require a physician name;

(5) authority to obtain an Illinois controlled substance license and a federal Drug Enforcement Administration number; and

(6) use of only local anesthetic.

The scope of practice of an advanced practice registered nurse does not include operative surgery. Nothing in this Section shall be construed to preclude an advanced practice registered nurse from assisting in surgery.

(d) The Department may adopt rules necessary to administer this Section, including, but not limited to, requiring the completion of forms and the payment of fees.

(e) Nothing in this Act shall be construed to authorize an advanced practice registered nurse with full practice authority to provide health care services required by law or rule to be performed by a physician.
(Source: P.A. 101-13, eff. 6-12-19; 102-75, eff. 1-1-22.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Feigenholtz, **Senate Bill No. 199** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Villa, **Senate Bill No. 203** was recalled from the order of third reading to the order of second reading.

Senator Villa offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 203

AMENDMENT NO. 1 . Amend Senate Bill 203 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pesticide Act is amended by changing Section 24.1 as follows:

(415 ILCS 60/24.1) (from Ch. 5, par. 824.1)

Sec. 24.1. Administrative actions and penalties.

(1) The Director is authorized after an opportunity for an administrative hearing to suspend, revoke, or modify any license, permit, special order, registration, or certification issued under this Act. This action may be taken in addition to or in lieu of monetary penalties assessed as set forth in this Section. When it is in the interest of the people of the State of Illinois, the Director may, upon good and sufficient evidence, suspend the registration, license, or permit until a hearing has been held. In such cases, the Director shall issue an order in writing setting forth the reasons for the suspension. Such order shall be served personally on the person or by registered or certified mail sent to the person's business address as shown in the latest notification to the Department. When such an order has been issued by the Director, the person may request an immediate hearing.

(2) Before initiating hearing proceedings, the Director may issue an advisory letter to a violator of this Act or its rules and regulations when the violation points total 6 or less, as determined by the Department by the Use and Violation Criteria established in this Section. When the Department determines that the violation points total more than 6 but not more than 13, the Director shall issue a warning letter to the violator.

(3) The hearing officer upon determination of a violation or violations shall assess one or more of the following penalties:

(A) For any person applying pesticides without a license or misrepresenting certification or failing to comply with conditions of an agrichemical facility permit or failing to comply with the

conditions of a written authorization for land application of agrichemical contaminated soils or groundwater, a penalty of $500 shall be assessed for the first offense and $1,000 for the second and subsequent offenses.

(B) For violations of a stop use order imposed by the Director, the penalty shall be $2500.

(C) For violations of a stop sale order imposed by the Director, the penalty shall be $1500 for each individual item of the product found in violation of the order.

(D) For selling restricted use pesticides to a non-certified applicator the penalty shall be $1000.

(E) For selling restricted use pesticides without a dealer's license the penalty shall be $1,000.

(F) For constructing or operating without an agrichemical facility permit after receiving written notification, the penalty shall be $500 for the first offense and $1,000 for the second and subsequent offenses.

(F-5) For any person found by the Department to have committed a use inconsistent with the label, as defined in subsection 40 of Section 4, that results in human exposure to a pesticide, the penalty shall be assessed in accordance with this paragraph (F-5). The Department shall impose a penalty under this paragraph (F-5) only if it represents an amount greater than the penalty assessed under subparagraph (G). The amount of the penalty under this paragraph (F-5) is calculated as follows:

(a) If fewer than 3 humans are exposed, then the penalty shall be $500 for each human exposed.

(b) If 3 or more humans but fewer than 5 humans are exposed, then the penalty shall be $750 for each human exposed.

(c) If 5 or more humans are exposed, then the penalty shall be $1,250 for each human exposed.

If a penalty is imposed under this paragraph (F-5), the Department shall redetermine the total violation points under subsection (4), less any points under subsection (4) stemming from human exposure, and impose any additional penalty under subparagraph (G) based on the new total. The reassessed total shall not affect any determination under subsection (2); any determination under subsection (2) shall be determined by the full application of points under subsection (4).

(G) For violations of the Act and rules and regulations, administrative penalties will be based upon the total violation points as determined by the Use and Violation Criteria as set forth in paragraph (4) of this Section. The monetary penalties shall be as follows:

Total Violation Points	Monetary Penalties
14-16	$750
17-19	$1000
20-21	$2500
22-25	$5000
26-29	$7500
30 and above	$10,000

(4) Subject to paragraph (F-5), the ~~The~~ following Use and Violation Criteria establishes the point value which shall be compiled to determine the total violation points and administrative actions or monetary penalties to be imposed as set forth in paragraph (3)(G) of this Section:

(A) Point values shall be assessed upon the harm or loss incurred.

(1) A point value of 1 shall be assessed for the following:

(a) Exposure to a pesticide by plants, animals or humans with no symptoms or damage noted.

(b) Fraudulent sales practices or representations with no apparent monetary losses involved.

(2) A point value of 2 shall be assessed for the following:

(a) Exposure to a pesticide which resulted in:

(1) Plants or property showing signs of damage including but not limited to leaf curl, burning, wilting, spotting, discoloration, or dying.

(2) Garden produce or an agricultural crop not being harvested on schedule.

(3) Fraudulent sales practices or representations resulting in losses under $500.

(3) A point value of 4 shall be assessed for the following:

(a) Exposure to a pesticide resulting in a human experiencing headaches, nausea, eye irritation and such other symptoms which persisted less than 3 days.

(b) Plant or property damage resulting in a loss below $1000.

(c) Animals exhibiting symptoms of pesticide poisoning including but not limited to eye or skin irritations or lack of coordination.

(d) Death to less than 5 animals.

(e) Fraudulent sales practices or representations resulting in losses from $500 to $2000.

(4) A point value of 6 shall be assessed for the following:

(a) Exposure to a pesticide resulting in a human experiencing headaches, nausea, eye irritation and such other symptoms which persisted 3 or more days.

(b) Plant or property damage resulting in a loss of $1000 or more.

(c) Death to 5 or more animals.

(d) Fraudulent sales practices or representations resulting in losses over $2000.

(B) Point values shall be assessed based upon the signal word on the label of the chemical involved:

Point Value	Signal Word
1	Caution
2	Warning
4	Danger/Poison

(C) Point values shall be assessed based upon the degree of responsibility.

Point Value	Degree of Responsibility
2	Accidental (such as equipment malfunction)
4	Negligence
10	Knowingly

(D) Point values shall be assessed based upon the violator's history for the previous 3 years:

Point Value	Record
2	Advisory letter
3	Warning letter
5	Previous criminal conviction of this Act or administrative violation resulting in a monetary penalty
7	Certification, license or registration currently suspended or revoked

(E) Point values shall be assessed based upon the violation type:

(1) Application Oriented:

Point Value	Violation
1	Inadequate records
2	Lack of supervision
2	Faulty equipment
	Use contrary to label directions:
2	a. resulting in exposure to applicator or operator
3	b. resulting in exposure to other persons or the environment
3	c. precautionary statements, sites, rates, restricted use requirements
3	Water contamination
3	Storage or disposal contrary to label directions
3	Pesticide drift

4	Direct application to a non-target site
6	Falsification of records
6	Failure to secure a permit or violation of permit or special order

(2) Product Oriented:

Point Value	Violation
6	Pesticide not registered
4	Product label claims differ from approved label
4	Product composition (active ingredients differs from that of approved label)
4	Product not colored as required
4	Misbranding as set forth in Section 5 of the Act (4 points will be assessed for each count)

(5) Any penalty not paid within 60 days of notice from the Department shall be submitted to the Attorney General's Office for collection. Failure to pay a penalty shall also be grounds for suspension or revocation of permits, licenses and registrations.

(6) Private applicators, except those private applicators who have been found by the Department to have committed a "use inconsistent with the label" as defined in subsection 40 of Section 4 of this Act, are exempt from the Use and Violation Criteria point values.

(Source: P.A. 102-558, eff. 8-20-21.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Villa, **Senate Bill No. 203** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 51; NAYS 2.

The following voted in the affirmative:

Aquino	Fine	Lewis	Sims
Belt	Fowler	Lightford	Stadelman
Bennett	Gillespie	Loughran Cappel	Stoller
Bryant	Glowiak Hilton	Martwick	Syverson
Castro	Halpin	McClure	Tracy
Cervantes	Harris, N.	Morrison	Turner, D.
Chesney	Harriss, E.	Murphy	Turner, S.
Cunningham	Hastings	Pacione-Zayas	Ventura
Curran	Holmes	Peters	Villa
Edly-Allen	Hunter	Porfirio	Villanueva
Ellman	Johnson	Preston	Villivalam

Faraci	Joyce	Rezin	Mr. President
Feigenholtz	Koehler	Simmons	

The following voted in the negative:

Anderson
Rose

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Villivalam, **Senate Bill No. 214** was recalled from the order of third reading to the order of second reading.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 214

AMENDMENT NO. 3 . Amend Senate Bill 214, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Public Employee Disability Act is amended by adding Section 2 as follows:

(5 ILCS 345/2 new)

Sec. 2. Illness disability benefit.

(a) As used in this Section:

"Eligible employee" means any full-time law enforcement officer or full-time firefighter, including a full-time paramedic or a firefighter who performs paramedic duties, who is employed by any unit of local government, including any home rule unit.

"Illness" means any illness, disease, or condition the presence of which in a community results in the declaration of a disaster or emergency by a State, county, or municipal official.

(b) Whenever an eligible employee suffers an illness in the line of duty which causes the employee to be unable to perform the employee's duties, the employee shall continue to be paid by the employing public entity on the same basis as the employee was paid before the illness, with no deduction from the employee's sick leave credits, compensatory time for overtime accumulations or vacation, or service credits in a public pension fund during the time the employee is unable to perform the employee's duties due to the result of the illness, but not longer than one year in relation to the same illness.

(c) At any time during the period for which continuing compensation is required by this Act, the employing public entity may order at the expense of that entity physical or medical examinations of the ill person to determine the degree of disability.

(d) During this period of disability, the ill person shall not be employed in any other manner, with or without a monetary compensation. Any person who is employed in violation of this subsection forfeits the continuing compensation provided by this Act from the time such employment begins. Any salary compensation due to the ill person from workers' compensation or any salary due to the employee from any type of insurance which may be carried by the employing public entity shall revert to that entity during the time for which continuing compensation is paid to the employee under this Act. Any person with a disability receiving compensation under the provisions of this Act shall not be entitled to any benefits for which the employee would qualify because of the employee's disability under the provisions of the Illinois Pension Code.

(e) Pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution, this Act specifically denies and limits the exercise by home rule units of any power which is inconsistent herewith, and all existing laws and ordinances which are inconsistent herewith are hereby superseded. This Act does not preempt the concurrent exercise by home rule units of powers consistent herewith.

This Act does not apply to any home rule unit with a population of over 1,000,000.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Villivalam, **Senate Bill No. 214** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 55; NAYS None; Present 1.

The following voted in the affirmative:

Aquino	Fowler	Loughran Cappel	Sims
Belt	Gillespie	Martwick	Stadelman
Bennett	Glowiak Hilton	McClure	Stoller
Bryant	Halpin	McConchie	Syverson
Castro	Harris, N.	Morrison	Tracy
Cervantes	Harriss, E.	Murphy	Turner, D.
Chesney	Hastings	Pacione-Zayas	Turner, S.
Cunningham	Holmes	Peters	Ventura
Curran	Hunter	Plummer	Villa
DeWitte	Johnson	Porfirio	Villanueva
Ellman	Joyce	Preston	Villivalam
Faraci	Koehler	Rezin	Wilcox
Feigenholtz	Lewis	Rose	Mr. President
Fine	Lightford	Simmons	

The following voted present:

Anderson

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Edly-Allen asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 214**.

SENATE BILL RECALLED

On motion of Senator Morrison, **Senate Bill No. 303** was recalled from the order of third reading to the order of second reading.

Senator Morrison offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 303

AMENDMENT NO. 1 . Amend Senate Bill 303 by replacing everything after the enacting clause with the following:

"Section 5. The Pharmacy Practice Act is amended by changing Section 17.1 as follows:

(225 ILCS 85/17.1)

(Section scheduled to be repealed on January 1, 2028)

Sec. 17.1. Registered pharmacy technician training.

(a) It shall be the joint responsibility of a pharmacy and its pharmacist in charge to have trained all of its registered pharmacy technicians or obtain proof of prior training in all of the following practice areas as they apply to Illinois law and relate to the specific practice site and job responsibilities:

(1) The duties and responsibilities of the technicians and pharmacists.

(2) Tasks and technical skills, policies, and procedures.

(3) Compounding, packaging, labeling, and storage.

(4) Pharmaceutical and medical terminology.

(5) Record keeping requirements.

(6) The ability to perform and apply arithmetic calculations.

Beginning January 1, 2024, it shall also be the joint responsibility of a pharmacy and its pharmacist in charge to ensure that all new pharmacy technicians are educated and trained using a standard nationally accredited education and training program, such as those accredited by the Accreditation Council for Pharmacy Education (ACPE)/the American Society of Health-System Pharmacists (ASHP), ~~or~~ equivalent work experience of 500 hours as a pharmacy technician covering the practice areas set forth in items (1) through (6) of this subsection, or equivalent work experience as a pharmacy technician as set forth by the Department by rule ~~other board approved education and training programs~~. The pharmacist in charge is not required to provide the required education to the pharmacy technician, but the pharmacist in charge must ensure that the pharmacy technician has presented proof that he or she completed a standard nationally accredited education and training program or has equivalent work experience as provided in this subsection ~~board approved education and training program~~.

(b) Within 2 years of initial licensure as a pharmacy technician and within 6 months before beginning any new duties and responsibilities of a registered pharmacy technician, it shall be the joint responsibility of the pharmacy and the pharmacist in charge to train the registered pharmacy technician or obtain proof of prior training in the areas listed in subsection (a) of this Section as they relate to the practice site or to document that the pharmacy technician is making appropriate progress.

(c) All pharmacies shall maintain an up-to-date training program policies and procedures manual describing the duties and responsibilities of a registered pharmacy technician and registered certified pharmacy technician.

(d) All pharmacies shall create and maintain retrievable records of training or proof of training as required in this Section.

(Source: P.A. 101-621, eff. 1-1-20; 102-643, eff. 8-27-21.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Morrison, **Senate Bill No. 303** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.

Bryant	Halpin	Murphy	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Harriss, E.	Peters	Villa
Chesney	Hastings	Plummer	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Curran	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Joyce	Rose	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Glowiak Hilton, **Senate Bill No. 328** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Aquino asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 328**.

SENATE BILL RECALLED

On motion of Senator Joyce, **Senate Bill No. 685** was recalled from the order of third reading to the order of second reading.

Senator Joyce offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 685

AMENDMENT NO. 1 . Amend Senate Bill 685 by replacing everything after the enacting clause with the following:

"Section 5. The Township Code is amended by changing Section 85-65 as follows:
(60 ILCS 1/85-65)
Sec. 85-65. Accumulation of funds. Township funds, including, but not limited to, general assistance funds and excluding the township's capital fund, shall not exceed an amount equal to or greater than 2.5 times the annual average expenditure of the previous 3 fiscal years. Townships on a cash basis or modified cash basis of accounting may only count levied tax funds toward the total township funds calculated under this Section if received within the township's fiscal year. The highway commissioner's equipment and building fund is considered a capital fund account and is not subject to this Section.
(Source: P.A. 102-231, eff. 7-30-21.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Joyce, **Senate Bill No. 685** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Pacione-Zayas, **Senate Bill No. 686** was recalled from the order of third reading to the order of second reading.

Senator Pacione-Zayas offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 686

AMENDMENT NO. 1 . Amend Senate Bill 686 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 4-7001 as follows:
(55 ILCS 5/4-7001) (from Ch. 34, par. 4-7001)
Sec. 4-7001. Coroner's fees. The fees of the coroner's office shall be as follows:

1. For a copy of a transcript of sworn testimony: $5.00 per page.
2. For a copy of an autopsy report (if not included in transcript): $50.00.
3. For a copy of the verdict of a coroner's jury: $5.00.
4. For a copy of a toxicology report: $25.00.
5. For a print of or an electronic file containing a picture obtained by the coroner: actual cost or $3.00, whichever is greater.
6. For each copy of miscellaneous reports, including artist's drawings but not including police reports: actual cost or $25.00, whichever is greater.
7. For a coroner's or medical examiner's permit to cremate a dead human body: $50.00. The coroner may waive, at his or her discretion, the permit fee if the coroner determines that the person is indigent and unable to pay the permit fee or under other special circumstances.
8. Except in a county with a population over 3,000,000, for a certified copy of a transcript of sworn testimony of a coroner's inquest made by written request declaring the request is for research or genealogy purposes: $15.00 for the entire transcript. A request shall be deemed a proper request for purpose of research or genealogy if the requested inquest occurred not less than 20 years prior to the date of the written request. The transcript shall be stamped with the words "FOR GENEALOGY OR RESEARCH PURPOSES ONLY".

All of which fees shall be certified by the court; in the case of inmates of any State charitable or penal institution, the fees shall be paid by the operating department or commission, out of the State Treasury. The coroner shall file his or her claim in probate for his or her fees and he or she shall render assistance to the State's attorney in the collection of such fees out of the estate of the deceased. In counties of less than 1,000,000 population, the State's attorney shall collect such fees out of the estate of the deceased.

Except in a county with a population over 3,000,000, the coroner may waive, at his or her discretion, any fees under this Section if the coroner determines that the person is indigent and unable to pay the fee or under other special circumstances as determined by the coroner.

Except as otherwise provided in this Section, whenever the coroner is required by law to perform any of the duties of the office of the sheriff, the coroner is entitled to the like fees and compensation as are allowed by law to the sheriff for the performance of similar services.

Except as otherwise provided in this Section, whenever the coroner of any county is required to travel in the performance of his or her duties, he or she shall receive the same mileage fees as are authorized for the sheriff of such county.

All fees under this Section collected by or on behalf of the coroner's office shall be paid over to the county treasurer and deposited into a special account in the county treasury. Moneys in the special account shall be used solely for the purchase of electronic and forensic identification equipment or other related supplies and the operating expenses of the coroner's office.
(Source: P.A. 96-1161, eff. 7-21-10.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Pacione-Zayas offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 686

AMENDMENT NO. 2 . Amend Senate Bill 686, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 2, line 12, after "3,000,000,", by inserting "on and after January 1, 2024,"; and

on page 3, line 5, after "3,000,000,", by inserting "on and after January 1, 2024,"; and

on page 3, by inserting immediately below line 25 the following:

"The changes made by this amendatory Act of the 103rd General Assembly do not apply retroactively.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Pacione-Zayas, **Senate Bill No. 686** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 52; NAYS 5.

The following voted in the affirmative:

Aquino	Gillespie	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Tracy
Bennett	Halpin	McConchie	Turner, D.
Castro	Harris, N.	Morrison	Turner, S.
Cervantes	Harriss, E.	Murphy	Ventura
Cunningham	Hastings	Pacione-Zayas	Villa
Curran	Holmes	Peters	Villanueva
DeWitte	Hunter	Porfirio	Villivalam
Edly-Allen	Johnson	Preston	Wilcox
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	
Fine	Lightford	Stadelman	
Fowler	Loughran Cappel	Stoller	

The following voted in the negative:

Anderson	Chesney	Rose
Bryant	Plummer	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator D. Turner, **Senate Bill No. 688** was recalled from the order of third reading to the order of second reading.

Senator D. Turner offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 688

AMENDMENT NO. 1 . Amend Senate Bill 688 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Cairo Development Authority Act.

Section 5. Purpose. The purpose of this Act is to facilitate and promote the redevelopment of vacant and underutilized commercial, industrial, and residential real property located throughout the City of Cairo and its surrounding areas, and to enhance the economic benefits generated by the former uses of the property with development that will attract new residences, senior and student housing, and commercial and industrial businesses, as well as to create new opportunities for economic development, sustainable initiatives, and affordable housing and employment for residents in the community.

Section 10. Definitions. As used in this Act:

"Authority" means the Cairo Development Authority created by this Act.

"Board" means the Board of Directors of the Authority.

"Costs" means: the cost of purchase and construction of all lands and related improvements, together with the equipment and other property, rights, easements, and franchises acquired that are deemed necessary for the construction; the costs of environmental and other property and project related suits, studies, and analyses and subsequent clean-up activities necessary to qualify the area as needing no further remediation or pipe replacement or new installation; financing and title insurance and deed recording charges, delinquent property taxes; trust and or interest costs with respect to revenue bonds, notes, and other evidences of indebtedness of the Authority prior to and during construction and for a period of 60 months after construction; engineering and legal expenses; the costs of plans, tax deed acquisition, land bank creation and acquisition, or deacquisition or disposition of all real estate placed therein, credit enhancement vehicles, easements, specifications, surveys, and estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any project, together with such other expenses as may be reasonable or necessary or incident to the financing, insuring, acquisition, disposition, redevelopment, and construction of a specific project and the placing of the project in operation.

"Financial aid" means the expenditure of Authority funds or funds provided by the Authority through the issuance of its revenue bonds, notes, or other evidence of indebtedness, or grants from private or public entities for the development, construction, acquisition, or improvement of a project.

"Governmental agency" means any federal, State, or local governmental body and any agency or instrumentality of the federal, State, or local governmental body, corporate or otherwise.

"Lease agreement" means an agreement under which a project acquired by the Authority by purchase, gift, or lease, or other valuable consideration is leased to any person or governmental agency that will use or cause the project to be used as a project upon terms providing for lease rental payments at least sufficient to pay, when due, the lessee's pro rata share of all principal and interest and premium, if any, on any revenue bonds, notes, or other evidences of indebtedness of the Authority issued with respect to the project, providing for the maintenance, insurance, and operation of the project on terms satisfactory to the Authority, and providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, with such other terms as may be deemed desirable by the Authority.

"Loan agreement" means any agreement by which the Authority agrees to loan the proceeds of its revenue bonds, notes, or other evidences of indebtedness issued with respect to a project to any person or governmental agency that will use or cause the project to be used as a project upon terms providing for loan repayment installments at least sufficient to pay, when due, the borrower's pro rata share of all principal of and interest and premium, if any, on any revenue bonds, notes, or other evidences of indebtedness of the Authority issued with respect to the project, providing for maintenance, insurance, and operation of the project on terms satisfactory to the Authority, and providing for other matters as may be deemed advisable by the Authority.

"Person" includes, without limitation, an individual, corporation, partnership, unincorporated association, and any other legal entity, including a trustee, receiver, assignee, or personal representative of the entity.

"Project" means an industrial, commercial, commercial mixed use, environmental justice, land conservancy, residential, or freight-oriented project or any combination thereof if all uses fall within one of those categories, including, but not limited to, one or more buildings and other structures, improvements, machinery, and equipment, whether on the same site or adjacent to any land or lakes, buildings, machinery, or equipment comprising an addition to or renovation, rehabilitation, or improvement of any existing capital project. "Project" includes all site improvements, signage, access roads, lighting, curb cuts, and new construction involving infrastructure, including, but not limited to, roads, traffic management lights and

directional signage, sidewalks, sewers, landscaping, and all appurtenances and facilities incidental thereto, such as utilities, access roads, railroad sidings, truck docking, and similar facilities, parking facilities, or related equipment and other improvements necessary or convenient thereto, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment, and disposal facilities, open spaces, conservancies, preserves, streets, highways.

"Revenue bond" or "bond" means any bond issued by the Authority under the supervision of the Illinois Finance Authority, the principal and interest of which are payable solely from revenues or income derived from any project or activity of the Authority.

"Terminal" means a public place, station, or depot for receiving and delivering passengers, baggage, mail, freight, or express matter, and any combination thereof, in connection with the transportation of persons and property on land.

"Terminal facilities" means all land, buildings, structures, improvements, equipment, and appliances useful in the operation of public warehouse, storage, and transportation facilities and industrial, manufacturing, or commercial activities for the accommodation of or in connection with commerce by land.

Section 15. Creation of Authority; Board members; officers.

(a) The Cairo Development Authority is created as a political subdivision, body politic, and municipal corporation.

(b) The jurisdiction of the Authority extends over Alexander County.

(c) The governing and administrative powers of the Authority shall be vested in its Board of Directors consisting of 5 members, 2 of whom shall be appointed by the Mayor of the City of Cairo, one of whom shall be appointed by the Board of County Commissioners of Alexander County, and 2 of whom shall be appointed by the Governor. All persons appointed as members of the Board shall have recognized ability and experience in one or more of the following areas: economic development; finance; banking; industrial development; business management; real estate; community development; organized labor; or civic, community, or neighborhood organization.

(d) The terms of the 5 initial appointees to the Authority shall commence 15 days after the effective date of this Act or as soon as they are appointed. Of the 5 appointees initially appointed: (i) one of the Mayor's appointees and one of the Governor's appointees shall be appointed to serve terms expiring on the third Monday in January 2027; (ii) one of the Mayor's appointees shall be appointed to serve a term expiring on the third Monday in January 2028; and (iii) the Board of Commissioner's appointee and one of the Governor's appointees shall be appointed to serve terms expiring on the third Monday in January 2029. All successors shall be appointed by the original appointing authority and hold office for a term of 6 years commencing the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Vacancies shall be filled for the remainder of the term by the Mayor, Board of Commissioners, or Governor depending upon which person or Board made the appointment of the individual that left the Board of Commissioners. Each member appointed to the Board shall serve until his or her successor is appointed and accepted by majority vote of the members left after the vacancy occurs or the term expires and shall meet the professional background requirements under subsection (c).

(e) The Chairperson of the Board shall be elected by the Board annually from among its members.

(f) The appointing authority may remove any member of the Board in case of incompetency, neglect of duty, or malfeasance in office.

(g) Members of the Board shall serve without compensation for their services as members, but the Board may vote to compensate its members, and they also may be reimbursed for all necessary expenses incurred in connection with the performance of their duties as members.

(h) The Board may appoint an Executive Director, Associate Executive Director, General Counsel, Finance Director, and Chief Engineer who shall have a background and, when necessary, licensed credentials or certifications and or academic degrees in administration, planning, real estate, economic development, finance, or law. The Executive Director shall hold office at the discretion of the Board, but a contract may be executed for a period of time of service as negotiated. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, shall perform such other duties as may be prescribed from time to time by the Board, and shall receive compensation fixed by the Board. The Executive Director shall attend all meetings of the Board; however, no action of the Board or the Authority shall be invalid on account of the absence of the Executive Director from a meeting. The Board may engage the services of such other agents

and employees, including planners, attorneys, appraisers, engineers, accountants, credit analysts, and other consultants, and may prescribe their duties and fix their compensation.

(i) The Board shall meet on the call of its Chairperson or upon written, telephonic, or email notice of 3 members of the Board.

(j) All official acts of the Authority shall require a quorum of 3 members and an affirmative vote of at least 3 of the members of the Board present and voting at a meeting of the Board.

Section 20. Responsibilities of the Authority.

(a) It is the duty of the Authority to promote development within its territorial jurisdiction. The Authority shall use the powers conferred on it by this Act to assist in the planning, development, acquisition, construction, and marketing of residential, industrial, commercial, or freight-oriented projects within its territorial jurisdiction.

(b) The Authority has the power to undertake joint planning for property within its territorial jurisdiction that identifies and addresses its development, transportation, transit, zoning, workforce, and environmental priorities and objectives.

(c) The Authority has the power to assemble and prepare parcels for development.

(d) The Authority has the power to oversee environmental studies and remediation necessary to identify and remove any hazards or toxins that impede development.

(e) The Authority has the power to develop, construct, and improve, either under its own direction or through collaboration with any approved applicant, or to acquire through purchase or otherwise any project, using for that purpose the proceeds derived from its sale of revenue bonds, notes, or other evidence of indebtedness or governmental loans or grants, and to hold title in the name of the Authority to those projects.

(f) The Authority has the power to market the Cairo development to prospective developers and businesses.

(g) The Authority shall make its best effort to annex parcels of unincorporated property that are subject to the jurisdiction of the Authority contiguous to the City of Cairo.

(h) The Authority shall maintain relations with local residents, industries, businesses, nonprofit organizations, elected and appointed officials, and other government and private entities as well as any other interested parties in the course of achieving its objectives and exercising its powers.

Section 25. Powers. The Authority possesses all powers of a body corporate necessary and convenient to accomplish the purpose of this Act, including, without limitation, the following:

(1) to enter into loans, contracts, agreements, and mortgages in any matter connected with any of its corporate purposes and to invest its funds;

(2) to sue and be sued;

(3) to employ agents and employees necessary to carry out its purposes;

(4) to have, use, and alter a common seal;

(5) to adopt all needful ordinances, resolutions, bylaws, rules, and regulations for the conduct of its business and affairs and for the management and use of the projects developed, constructed, acquired, and improved in furtherance of its purposes;

(6) to designate the fiscal year for the Authority;

(7) to accept and expend appropriations;

(8) to have and exercise all powers and be subject to all duties usually incident to boards of directors of corporations;

(9) to acquire, own, lease, sell, or otherwise dispose of interests in and to real property and improvements situated thereon and in personal property from any person, the State of Illinois, any municipal corporation, any unit of local government, the government of the United States, any agency or instrumentality of the United States, any body politic, or any county, whether the property is improved for the purposes of any prospective project or unimproved, useful, and necessary to fulfill the purposes of the Authority;

(10) to acquire title to any project with respect to which it exercises its authority;

(11) to engage in any activity or operation, including brownfield remediation, which is incidental to and in furtherance of efficient operation to accomplish the Authority's primary purpose and be reasonable and necessary for the efficient function of the authority;

(12) to acquire, own, construct, lease, operate, and maintain, within its corporate limits, terminals and terminal facilities and to fix and collect just, reasonable, and nondiscriminatory charges for the use of those facilities;

(13) to collect fees and charges in connection with its loans, commitments, and services;

(14) to use the charges and fees collected as authorized under paragraphs (12) and (13) to defray the reasonable expenses of the Authority and to pay the principal and interest of any revenue bonds issued by the Authority;

(15) to borrow money and issue revenue bonds, notes, or other evidences of indebtedness under the supervision of the Illinois Finance Authority, as set forth under Section 825-13.1 of the Illinois Finance Authority Act;

(16) to apply for and accept grants, loans, or appropriations from the federal government, the State of Illinois, including the Illinois Environmental Protection Agency, and the City of Cairo;

(17) to accept donations, contributions, capital grants or gifts from individuals, associations, and private corporations in aid of any purposes of this Act and to enter into agreements in connection therewith;

(18) to enter into intergovernmental agreements with the State of Illinois, any other state or local government of another state, the Illinois Finance Authority, the United States government, any agency or instrumentality of the United States, any unit of local government located within the territory of the Authority, or any other unit of government to the extent allowed by Section 10 of Article VII of the Illinois Constitution and the Intergovernmental Cooperation Act;

(19) to petition any federal, state, municipal, or local authority, and any unit of local government having jurisdiction in the premises for the adoption and execution of any physical improvement, change in method or system of handling freight, warehousing, docking, lightering, and transfer of freight which, in the opinion of the Authority, is designed to improve the handling of commerce in and through its territorial jurisdiction or improve terminal or transportation facilities therein;

(20) to enter into agreements with businesses, form public-private partnership entities and appropriate funds to such entities as needed to achieve the purpose of this Act; and

(21) to share employees with other units of government, including agencies of the United States, agencies of the State of Illinois, and agencies or personnel of any unit of local government.

Section 30. Limitations. If any of the Authority's powers are exercised within the jurisdictional limits of any municipality, then all of the ordinances of that municipality remain in full force and effect and are controlling.

The Authority shall not issue any revenue bonds relating to the financing of a project located within the planning and subdivision control jurisdiction of any municipality or county unless: (1) notice, including a description of the proposed project and the financing therefor, is submitted to the corporate authorities of the municipality or, in the case of a proposed project in an unincorporated area, to the county board; and (2) the corporate authorities do not or, in the case of an unincorporated area, the county board does not, adopt a resolution disapproving the project within 45 days after receipt of the notice.

Section 35. Revenue Bonds.

(a) The Authority shall have the continuing power to issue revenue bonds, notes, or other evidences of indebtedness in an aggregate amount not to exceed $200,000,000 for the purpose of developing, constructing, acquiring, or improving projects, including those established by business entities locating or expanding property within the territorial jurisdiction of the Authority, for entering into venture capital agreements with businesses locating or expanding within the territorial jurisdiction of the Authority, for acquiring and improving any property necessary and useful in connection therewith, and for the purposes of the Employee Ownership Assistance Act. The bonds must be issued under the supervision of the Illinois Finance Authority, as set forth under Section 825-13.1 of the Illinois Finance Authority Act. For the purpose of evidencing the obligations of the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time issue and dispose of its interest bearing revenue bonds, notes, or other evidences of indebtedness and may also from time to time issue and dispose of such bonds, notes, or other evidences of indebtedness to refund, at maturity, at a redemption date or in advance of either, any revenue bonds, notes, or other evidences of indebtedness pursuant to redemption provisions or at any time before maturity. All such revenue bonds, notes, or other evidence of indebtedness shall be payable solely from the

revenues or income to be derived from loans made with respect to projects, from the leasing or sale of the projects, or from any other funds available to the Authority for such purposes, including, when provided by ordinance of the Authority, authorizing the issuance of revenue bonds or notes. The revenue bonds, notes, or other evidences of indebtedness may bear such date or dates, may mature at such time or times not exceeding 40 years from their respective dates, may bear interest at such rate or rates not exceeding the maximum rate permitted by the Bond Authorization Act, may be in such form, may carry such registration privileges, may be executed in such manner, may be payable at such place or places, may be made subject to redemption in such manner and upon such terms, with or without premium as is stated on the face thereof, may be authenticated in such manner, and may contain such terms and covenants as may be provided by an applicable resolution.

(b) The holder or holders of any revenue bonds, notes, or other evidences of indebtedness issued by the Authority may bring suits at law or proceedings in equity to compel the performance and observance by any corporation or person or by the Authority or any of its agents or employees of any contract or covenant made with the holders of such revenue bonds, notes, or other evidences of indebtedness, to compel such corporation, person, the Authority, and any of its agents or employees to perform any duties required to be performed for the benefit of the holders of any such revenue bonds, notes, or other evidences of indebtedness by the provision of the resolution authorizing their issuance and to enjoin such corporation, person, the Authority, and any of its agents or employees from taking any action in conflict with any such contract or covenant.

(c) If the Authority fails to pay the principal of or interest on any of the revenue bonds or premium, if any, as the same become due, a civil action to compel payment may be instituted in the appropriate circuit court by the holder or holders of the revenue bonds on which such default of payment exists or by an indenture trustee acting on behalf of such holders. Delivery of a summons and a copy of the complaint to the Chairperson of the Board shall constitute sufficient service to give the circuit court jurisdiction of the subject matter of such a suit and jurisdiction over the Authority and its officers named as defendants for the purpose of compelling such payment. Any case, controversy, or cause of action concerning the validity of this Act relates to the revenue of the State of Illinois.

(d) Notwithstanding the form and tenor of any such revenue bonds, notes, or other evidences of indebtedness and in the absence of any express recital on the face of any such revenue bond, note, or other evidence of indebtedness that it is nonnegotiable, all such revenue bonds, notes, and other evidences of indebtedness shall be negotiable instruments. Pending the preparation and execution of any such revenue bonds, notes, or other evidences of indebtedness, temporary revenue bonds, notes, or evidences of indebtedness may be issued as provided by ordinance.

(e) To secure the payment of any or all of such revenue bonds, notes, or other evidences of indebtedness, the revenues to be received by the Authority from a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance thereof and the issuance of any additional revenue bonds, notes, or other evidences of indebtedness payable from such revenues, income, or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any such mortgage or trust agreement by the Authority may be by mandamus proceedings in the appropriate circuit court to compel the performance and compliance therewith, but the trust agreement may prescribe by whom or on whose behalf the action may be instituted.

(f) The revenue bonds or notes shall be secured as provided in the authorizing ordinance which may, notwithstanding any other provision of this Act, include in addition to any other security a specific pledge or assignment of and lien on or security interest in any or all revenues or money of the Authority from whatever source which may by law be used for debt service purposes and a specific pledge or assignment of and lien on or security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of such revenue bonds or notes.

(g) The State of Illinois pledges to and agrees with the holders of the revenue bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act to impair the terms of any contract made by the Authority with such holders or in any way impair the rights and remedies of such holders until such revenue bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of such holders, are fully met and discharged. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of revenue bonds or notes issued pursuant to this Section.

(h) Under no circumstances shall any bonds issued by the Authority or any other obligation of the Authority be or become an indebtedness or obligation of the State of Illinois or of any other political subdivision of or municipality within the State, nor shall any such bond or obligation be or become an indebtedness of the Authority within the purview of any constitutional limitation or provision, and it shall be plainly stated on the face of each bond that it does not constitute such an indebtedness or obligation but is payable solely from the revenues or income as aforesaid.

(i) For the purpose of financing a project pursuant to this Act, the Authority shall be authorized to apply for an allocation of tax-exempt bond financing authorization provided by Section 11143 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59, as well as financing available under any other federal law or program.

Section 40. Designation of depository. The Authority shall biennially designate a national or State bank or banks as depositories of its money. Those depositories shall be designated only within the State and upon condition that bonds approved as to form and surety by the Authority and at least equal in amount to the maximum sum expected to be on deposit at any one time shall be first given by the depositories to the Authority, those bonds to be conditioned for the safekeeping and prompt repayment of the deposits. When any of the funds of the Authority shall be deposited by the treasurer in any such depository, the treasurer and the sureties on his official bond shall, to that extent, be exempt from liability for the loss of the deposited funds by reason of the failure, bankruptcy, or any other act or default of the depository. However, the Authority may accept assignments of collateral by any depository of its funds to secure the deposits to the same extent and conditioned in the same manner as assignments of collateral are permitted by law to secure deposits of the funds of any city.

Section 45. Reports; Inspector General. The Authority shall, annually, submit a report of its finances to the Auditor General. The Authority shall annually submit a report of its activities to the Governor and to the General Assembly. The Authority may also create an office of the Inspector General to provide oversight and compliance with any of its regulatory policies.

Section 50. Dissolution of the Authority. The Authority is dissolved upon the last to occur of the following: (1) the expiration of the 15-year period that begins on the effective date of this Act; or (2) one year after the date that all revenue bonds, notes, and other evidence of indebtedness of the Authority have been fully paid and discharged or otherwise provided for. Upon the dissolution of the Authority, all of its rights and property shall pass to and be vested in the State of Illinois.

Section 900. The Illinois Finance Authority Act is amended by adding Section 825-13.1 as follows (20 ILCS 3501/825-13.1 new)

Sec. 825-13.1. Supervision of the Cairo Development Authority bond issuances.

(a) All bond issuances of the Cairo Development Authority are subject to supervision, management, control, and approval of the Illinois Finance Authority.

(b) All bonds issued by the Cairo Development Authority under the supervision of the Illinois Finance Authority are subject to the terms and conditions that are set forth in the Cairo Development Authority Act.

(c) The bonds issued by the Cairo Development Authority under the supervision of the Illinois Finance Authority are not debts of the Illinois Finance Authority or of the State.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator D. Turner, **Senate Bill No. 688** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Morrison, **Senate Bill No. 754** was recalled from the order of third reading to the order of second reading.

Senator Morrison offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 754

AMENDMENT NO. 1 . Amend Senate Bill 754 by replacing everything after the enacting clause with the following:

"Section 5. The Firearm Owners Identification Card Act is amended by changing Sections 1, 1.1, 2, and 3 as follows:

(430 ILCS 65/1) (from Ch. 38, par. 83-1)

Sec. 1. It is hereby declared as a matter of legislative determination that in order to promote and protect the health, safety, and welfare of the public, it is necessary and in the public interest to provide a system of identifying persons who are not qualified to acquire or possess firearms, firearm ammunition, prepackaged explosive components, stun guns, and tasers within the State of Illinois by the establishment of a system of Firearm Owner's Identification Cards, thereby establishing a practical and workable system by which law enforcement authorities will be afforded an opportunity to identify those persons who are prohibited by Section 24-3.1 of the Criminal Code of 2012, from acquiring or possessing firearms and firearm ammunition and who are prohibited by this Act from acquiring stun guns and tasers.

(Source: P.A. 97-1150, eff. 1-25-13.)

(430 ILCS 65/1.1)

Sec. 1.1. For purposes of this Act:

"Addicted to narcotics" means a person who has been:

(1) convicted of an offense involving the use or possession of cannabis, a controlled substance, or methamphetamine within the past year; or

(2) determined by the Illinois State Police to be addicted to narcotics based upon federal law or federal guidelines.

"Addicted to narcotics" does not include possession or use of a prescribed controlled substance under the direction and authority of a physician or other person authorized to prescribe the controlled substance when the controlled substance is used in the prescribed manner.

"Adjudicated as a person with a mental disability" means the person is the subject of a determination by a court, board, commission or other lawful authority that the person, as a result of marked subnormal intelligence, or mental illness, mental impairment, incompetency, condition, or disease:

(1) presents a clear and present danger to himself, herself, or to others;

(2) lacks the mental capacity to manage his or her own affairs or is adjudicated a person with a disability as defined in Section 11a-2 of the Probate Act of 1975;

(3) is not guilty in a criminal case by reason of insanity, mental disease or defect;

(3.5) is guilty but mentally ill, as provided in Section 5-2-6 of the Unified Code of Corrections;

(4) is incompetent to stand trial in a criminal case;

(5) is not guilty by reason of lack of mental responsibility under Articles 50a and 72b of the Uniform Code of Military Justice, 10 U.S.C. 850a, 876b;

(6) is a sexually violent person under subsection (f) of Section 5 of the Sexually Violent Persons Commitment Act;

(7) is a sexually dangerous person under the Sexually Dangerous Persons Act;

(8) is unfit to stand trial under the Juvenile Court Act of 1987;

(9) is not guilty by reason of insanity under the Juvenile Court Act of 1987;

(10) is subject to involuntary admission as an inpatient as defined in Section 1-119 of the Mental Health and Developmental Disabilities Code;

(11) is subject to involuntary admission as an outpatient as defined in Section 1-119.1 of the Mental Health and Developmental Disabilities Code;

(12) is subject to judicial admission as set forth in Section 4-500 of the Mental Health and Developmental Disabilities Code; or

(13) is subject to the provisions of the Interstate Agreements on Sexually Dangerous Persons Act.

"Clear and present danger" means a person who:

(1) communicates a serious threat of physical violence against a reasonably identifiable victim or poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; or

(2) demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official.

"Clinical psychologist" has the meaning provided in Section 1-103 of the Mental Health and Developmental Disabilities Code.

"Controlled substance" means a controlled substance or controlled substance analog as defined in the Illinois Controlled Substances Act.

"Counterfeit" means to copy or imitate, without legal authority, with intent to deceive.

"Developmental disability" means a severe, chronic disability of an individual that:

(1) is attributable to a mental or physical impairment or combination of mental and physical impairments;

(2) is manifested before the individual attains age 22;

(3) is likely to continue indefinitely;

(4) results in substantial functional limitations in 3 or more of the following areas of major life activity:

(A) Self-care.

(B) Receptive and expressive language.

(C) Learning.

(D) Mobility.

(E) Self-direction.

(F) Capacity for independent living.

(G) Economic self-sufficiency; and

(5) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

"Federally licensed firearm dealer" means a person who is licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923).

"Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding, however:

(1) any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter or which has a maximum muzzle velocity of less than 700 feet per second;

(1.1) any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels breakable paint balls containing washable marking colors;

(2) any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission;

(3) any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition; and

(4) an antique firearm (other than a machine-gun) which, although designed as a weapon, the Illinois State Police finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

"Firearm ammunition" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm; excluding, however:

(1) any ammunition exclusively designed for use with a device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; and

(2) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

"Gun show" means an event or function:

(1) at which the sale and transfer of firearms is the regular and normal course of business and where 50 or more firearms are displayed, offered, or exhibited for sale, transfer, or exchange; or

(2) at which not less than 10 gun show vendors display, offer, or exhibit for sale, sell, transfer, or exchange firearms.

"Gun show" includes the entire premises provided for an event or function, including parking areas for the event or function, that is sponsored to facilitate the purchase, sale, transfer, or exchange of firearms as described in this Section. Nothing in this definition shall be construed to exclude a gun show held in conjunction with competitive shooting events at the World Shooting Complex sanctioned by a national governing body in which the sale or transfer of firearms is authorized under subparagraph (5) of paragraph (g) of subsection (A) of Section 24-3 of the Criminal Code of 2012.

Unless otherwise expressly stated, "gun show" does not include training or safety classes, competitive shooting events, such as rifle, shotgun, or handgun matches, trap, skeet, or sporting clays shoots, dinners, banquets, raffles, or any other event where the sale or transfer of firearms is not the primary course of business.

"Gun show promoter" means a person who organizes or operates a gun show.

"Gun show vendor" means a person who exhibits, sells, offers for sale, transfers, or exchanges any firearms at a gun show, regardless of whether the person arranges with a gun show promoter for a fixed location from which to exhibit, sell, offer for sale, transfer, or exchange any firearm.

"Intellectual disability" means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which is defined as before the age of 22, that adversely affects a child's educational performance.

"Involuntarily admitted" has the meaning as prescribed in Sections 1-119 and 1-119.1 of the Mental Health and Developmental Disabilities Code.

"Mental health facility" means any licensed private hospital or hospital affiliate, institution, or facility, or part thereof, and any facility, or part thereof, operated by the State or a political subdivision thereof which provides treatment of persons with mental illness and includes all hospitals, institutions, clinics, evaluation facilities, mental health centers, colleges, universities, long-term care facilities, and nursing homes, or parts thereof, which provide treatment of persons with mental illness whether or not the primary purpose is to provide treatment of persons with mental illness.

"National governing body" means a group of persons who adopt rules and formulate policy on behalf of a national firearm sporting organization.

"Noncitizen" means a person who is not a citizen of the United States, but is a person who is a foreign-born person who lives in the United States, has not been naturalized, and is still a citizen of a foreign country.

"Patient" means:

(1) a person who is admitted as an inpatient or resident of a public or private mental health facility for mental health treatment under Chapter III of the Mental Health and Developmental Disabilities Code as an informal admission, a voluntary admission, a minor admission, an emergency admission, or an involuntary admission, unless the treatment was solely for an alcohol abuse disorder; or

(2) a person who voluntarily or involuntarily receives mental health treatment as an out-patient or is otherwise provided services by a public or private mental health facility and who poses a clear and present danger to himself, herself, or others.

"Physician" has the meaning as defined in Section 1-120 of the Mental Health and Developmental Disabilities Code.

"Prepackaged explosive components" has the same meaning ascribed to the term in Section 24-4.3 of the Criminal Code of 2012.

"Protective order" means any orders of protection issued under the Illinois Domestic Violence Act of 1986, stalking no contact orders issued under the Stalking No Contact Order Act, civil no contact orders issued under the Civil No Contact Order Act, and firearms restraining orders issued under the Firearms Restraining Order Act or a substantially similar order issued by the court of another state, tribe, or United States territory or military tribunal.

"Qualified examiner" has the meaning provided in Section 1-122 of the Mental Health and Developmental Disabilities Code.

"Sanctioned competitive shooting event" means a shooting contest officially recognized by a national or state shooting sport association, and includes any sight-in or practice conducted in conjunction with the event.

"School administrator" means the person required to report under the School Administrator Reporting of Mental Health Clear and Present Danger Determinations Law.

"Stun gun or taser" has the meaning ascribed to it in Section 24-1 of the Criminal Code of 2012.

(Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-890, eff. 5-19-22; 102-972, eff. 1-1-23; 102-1030, eff. 5-27-22; revised 12-14-22.)

(430 ILCS 65/2) (from Ch. 38, par. 83-2)

Sec. 2. Firearm Owner's Identification Card required; exceptions.

(a) (1) No person may acquire or possess any firearm, prepackaged explosive components, stun gun, or taser within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Illinois State Police under the provisions of this Act.

(2) No person may acquire or possess firearm ammunition within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Illinois State Police under the provisions of this Act.

(b) The provisions of this Section regarding the possession of firearms, firearm ammunition, stun guns, and tasers do not apply to:

(1) United States Marshals, while engaged in the operation of their official duties;

(2) Members of the Armed Forces of the United States or the National Guard, while engaged in the operation of their official duties;

(3) Federal officials required to carry firearms, while engaged in the operation of their official duties;

(4) Members of bona fide veterans organizations which receive firearms directly from the armed forces of the United States, while using the firearms for ceremonial purposes with blank ammunition;

(5) Nonresident hunters during hunting season, with valid nonresident hunting licenses and while in an area where hunting is permitted; however, at all other times and in all other places these persons must have their firearms unloaded and enclosed in a case;

(6) Those hunters exempt from obtaining a hunting license who are required to submit their Firearm Owner's Identification Card when hunting on Department of Natural Resources owned or managed sites;

(7) Nonresidents while on a firing or shooting range recognized by the Illinois State Police; however, these persons must at all other times and in all other places have their firearms unloaded and enclosed in a case;

(8) Nonresidents while at a firearm showing or display recognized by the Illinois State Police; however, at all other times and in all other places these persons must have their firearms unloaded and enclosed in a case;

(9) Nonresidents whose firearms are unloaded and enclosed in a case;

(10) Nonresidents who are currently licensed or registered to possess a firearm in their resident state;

(11) Unemancipated minors while in the custody and immediate control of their parent or legal guardian or other person in loco parentis to the minor if the parent or legal guardian or other person in loco parentis to the minor has a currently valid Firearm Owner's Identification Card;

(12) Color guards of bona fide veterans organizations or members of bona fide American Legion bands while using firearms for ceremonial purposes with blank ammunition;

(13) Nonresident hunters whose state of residence does not require them to be licensed or registered to possess a firearm and only during hunting season, with valid hunting licenses, while accompanied by, and using a firearm owned by, a person who possesses a valid Firearm Owner's Identification Card and while in an area within a commercial club licensed under the Wildlife Code where hunting is permitted and controlled, but in no instance upon sites owned or managed by the Department of Natural Resources;

(14) Resident hunters who are properly authorized to hunt and, while accompanied by a person who possesses a valid Firearm Owner's Identification Card, hunt in an area within a commercial club licensed under the Wildlife Code where hunting is permitted and controlled; and

(15) A person who is otherwise eligible to obtain a Firearm Owner's Identification Card under this Act and is under the direct supervision of a holder of a Firearm Owner's Identification Card who is 21 years of age or older while the person is on a firing or shooting range or is a participant in a firearms safety and training course recognized by a law enforcement agency or a national, statewide shooting sports organization.

(c) The provisions of this Section regarding the acquisition and possession of firearms, firearm ammunition, prepackaged explosive components, stun guns, and tasers do not apply to law enforcement officials of this or any other jurisdiction, while engaged in the performance ~~operation~~ of their official duties.

(c-5) The provisions of paragraphs (1) and (2) of subsection (a) of this Section regarding the possession of firearms and firearm ammunition do not apply to the holder of a valid concealed carry license issued under the Firearm Concealed Carry Act who is in physical possession of the concealed carry license.

(c-10) The provisions of paragraph (1) of subsection (a) of this Section regarding the acquisition and possession of prepackaged explosive components do not apply to:

(1) Members of the Armed Services or Reserves Forces of the United States or the Illinois National Guard while in the performance of their official duty.

(2) Persons licensed under State and federal law to manufacture, import, or sell prepackaged explosive components, and actually engaged in that business, but only with respect to activities which are within the lawful scope of the business, including the manufacture, transportation, or testing of prepackaged explosive components.

(3) Contractors or subcontractors engaged in the manufacture, transport, testing, delivery, transfer or sale, and lawful experimental activities under a contract or subcontract for the development and supply of the product to the United States government or any branch of the Armed Forces of the United States, when those activities are necessary and incident to fulfilling the terms of the contract. The exemption granted under this paragraph (3) shall also apply to any authorized agent of any contractor or subcontractor described in this paragraph (3) who is operating within the scope of his or her employment, when the activities involving the prepackaged explosive components are necessary and incident to fulfilling the terms of the contract.

(4) Sales clerks or retail merchants selling or transferring prepackaged explosive components.

(d) Any person who becomes a resident of this State, who is not otherwise prohibited from obtaining, possessing, or using a firearm or firearm ammunition, shall not be required to have a Firearm Owner's Identification Card to possess firearms or firearms ammunition until 60 calendar days after he or she obtains an Illinois driver's license or Illinois Identification Card.

(Source: P.A. 102-538, eff. 8-20-21; 102-1116, eff. 1-10-23.)

(430 ILCS 65/3) (from Ch. 38, par. 83-3)

(Text of Section before amendment by P.A. 102-237)

Sec. 3. (a) Except as provided in Section 3a, no person may knowingly transfer, or cause to be transferred, any firearm, firearm ammunition, prepackaged explosive components, stun gun, or taser to any person within this State unless the transferee with whom he deals displays either: (1) a currently valid Firearm Owner's Identification Card which has previously been issued in his or her name by the Illinois State Police under the provisions of this Act; or (2) a currently valid license to carry a concealed firearm which has previously been issued in his or her name by the Illinois State Police under the Firearm Concealed Carry Act. In addition, all firearm, stun gun, and taser transfers by federally licensed firearm dealers are subject to Section 3.1.

(a-5) Any person who is not a federally licensed firearm dealer and who desires to transfer or sell a firearm while that person is on the grounds of a gun show must, before selling or transferring the firearm, request the Illinois State Police to conduct a background check on the prospective recipient of the firearm in accordance with Section 3.1.

(a-10) Notwithstanding item (2) of subsection (a) of this Section, any person who is not a federally licensed firearm dealer and who desires to transfer or sell a firearm or firearms to any person who is not a federally licensed firearm dealer shall, before selling or transferring the firearms, contact a federal firearm license dealer under paragraph (1) of subsection (a-15) of this Section to conduct the transfer or the Illinois State Police with the transferee's or purchaser's Firearm Owner's Identification Card number to determine the validity of the transferee's or purchaser's Firearm Owner's Identification Card under State and federal law including the National Instant Criminal Background Check System. This subsection shall not be effective until July 1, 2023. Until that date the transferor shall contact the Illinois State Police with the transferee's or purchaser's Firearm Owner's Identification Card number to determine the validity of the card. The Illinois State Police may adopt rules concerning the implementation of this subsection. The Illinois State Police shall provide the seller or transferor an approval number if the purchaser's Firearm Owner's Identification Card is valid. Approvals issued by the Illinois State Police for the purchase of a firearm pursuant to this subsection are valid for 30 days from the date of issue.

(a-15) The provisions of subsection (a-10) of this Section do not apply to:

(1) transfers that occur at the place of business of a federally licensed firearm dealer, if the federally licensed firearm dealer conducts a background check on the prospective recipient of the firearm in accordance with Section 3.1 of this Act and follows all other applicable federal, State, and local laws as if he or she were the seller or transferor of the firearm, although the dealer is not required to accept the firearm into his or her inventory. The purchaser or transferee may be required by the federally licensed firearm dealer to pay a fee not to exceed $25 per firearm, which the dealer may retain as compensation for performing the functions required under this paragraph, plus the applicable fees authorized by Section 3.1;

(2) transfers as a bona fide gift to the transferor's husband, wife, son, daughter, stepson, stepdaughter, father, mother, stepfather, stepmother, brother, sister, nephew, niece, uncle, aunt, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, or daughter-in-law;

(3) transfers by persons acting pursuant to operation of law or a court order;

(4) transfers on the grounds of a gun show under subsection (a-5) of this Section;

(5) the delivery of a firearm by its owner to a gunsmith for service or repair, the return of the firearm to its owner by the gunsmith, or the delivery of a firearm by a gunsmith to a federally licensed firearms dealer for service or repair and the return of the firearm to the gunsmith;

(6) temporary transfers that occur while in the home of the unlicensed transferee, if the unlicensed transferee is not otherwise prohibited from possessing firearms and the unlicensed transferee reasonably believes that possession of the firearm is necessary to prevent imminent death or great bodily harm to the unlicensed transferee;

(7) transfers to a law enforcement or corrections agency or a law enforcement or corrections officer acting within the course and scope of his or her official duties;

(8) transfers of firearms that have been rendered permanently inoperable to a nonprofit historical society, museum, or institutional collection; and

(9) transfers to a person who is exempt from the requirement of possessing a Firearm Owner's Identification Card under Section 2 of this Act.

(a-20) The Illinois State Police shall develop an Internet-based system for individuals to determine the validity of a Firearm Owner's Identification Card prior to the sale or transfer of a firearm. The Illinois State Police shall have the Internet-based system updated and available for use by January 1, 2024. The Illinois State Police shall adopt rules not inconsistent with this Section to implement this system, but no rule shall allow the Illinois State Police to retain records in contravention of State and federal law.

(a-25) On or before January 1, 2022, the Illinois State Police shall develop an Internet-based system upon which the serial numbers of firearms that have been reported stolen are available for public access for individuals to ensure any firearms are not reported stolen prior to the sale or transfer of a firearm under this Section. The Illinois State Police shall have the Internet-based system completed and available for use by July 1, 2022. The Illinois State Police shall adopt rules not inconsistent with this Section to implement this system.

(b) Any person within this State who transfers or causes to be transferred any firearm, prepackaged explosive components, stun gun, or taser shall keep a record of the ~~such~~ transfer for a period of 10 years from the date of transfer. Any person within this State who receives any firearm, prepackaged explosive components, stun gun, or taser pursuant to subsection (a-10) shall provide a record of the transfer within 10 days of the transfer to a federally licensed firearm dealer and shall not be required to maintain a transfer record. The federally licensed firearm dealer shall maintain the transfer record for 20 years from the date of receipt. A federally licensed firearm dealer may charge a fee not to exceed $25 to retain the record. The record shall be provided and maintained in either an electronic or paper format. The federally licensed firearm dealer shall not be liable for the accuracy of any information in the transfer record submitted pursuant to this Section. Such records shall contain the date of the transfer; the description, serial number or other information identifying the firearm, prepackaged explosive components, stun gun, or taser if no serial number is available; and, if the transfer was completed within this State, the transferee's Firearm Owner's Identification Card number and any approval number or documentation provided by the Illinois State Police under ~~pursuant to~~ subsection (a-10) of this Section; if the transfer was not completed within this State, the record shall contain the name and address of the transferee. On or after January 1, 2006, the record shall contain the date of application for transfer of the firearm. On demand of a peace officer the ~~such~~ transferor shall produce for inspection such record of transfer. For any transfer pursuant to subsection (a-10) of this Section, on the demand of a peace officer, the ~~such~~ transferee shall identify the federally licensed firearm dealer maintaining the transfer record. If the transfer or sale took place at a gun show, the record shall include the unique identification number. Failure to record the unique identification number or approval number is a petty offense. For transfers of a firearm, prepackaged explosive components, stun gun, or taser made on or after January 18, 2019 (the effective date of Public Act 100-1178), failure by the private seller to maintain the transfer records in accordance with this Section, or failure by a transferee pursuant to subsection a-10 of this Section to identify the federally licensed firearm dealer maintaining the transfer record, is a Class A misdemeanor for the first offense and a Class 4 felony for a second or subsequent offense occurring within 10 years of the first offense and the second offense was committed after conviction of the first offense. Whenever any person who has not previously been convicted of any violation of subsection (a-5), the court may grant supervision pursuant to and consistent with the limitations of Section 5-6-1 of the Unified Code of Corrections. A transferee or transferor shall not be criminally liable under this Section provided that he or she provides the Illinois State Police with the transfer records in accordance with procedures established by the Illinois State Police. The Illinois State Police shall establish, by rule, a standard form on its website.

(b-5) Any resident may purchase ammunition from a person within or outside of Illinois if shipment is by United States mail or by a private express carrier authorized by federal law to ship ammunition. Any resident purchasing ammunition within or outside the State of Illinois must provide the seller with a copy of his or her valid Firearm Owner's Identification Card or valid concealed carry license and either his or her Illinois driver's license or Illinois State Identification Card prior to the shipment of the ammunition. The ammunition may be shipped only to an address on either of those 2 documents.

(c) The provisions of this Section regarding the transfer of firearm ammunition shall not apply to those persons specified in paragraph (b) of Section 2 of this Act.

(Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1116, eff. 1-10-23.)

(Text of Section after amendment by P.A. 102-237)

Sec. 3. (a) Except as provided in Section 3a, no person may knowingly transfer, or cause to be transferred, any firearm, firearm ammunition, prepackaged explosive components, stun gun, or taser to any person within this State unless the transferee with whom he deals displays either: (1) a currently valid Firearm Owner's Identification Card which has previously been issued in his or her name by the Illinois State Police under the provisions of this Act; or (2) a currently valid license to carry a concealed firearm which has previously been issued in his or her name by the Illinois State Police under the Firearm Concealed Carry Act. In addition, all firearm, stun gun, and taser transfers by federally licensed firearm dealers are subject to Section 3.1.

(a-5) Any person who is not a federally licensed firearm dealer and who desires to transfer or sell a firearm while that person is on the grounds of a gun show must, before selling or transferring the firearm, request the Illinois State Police to conduct a background check on the prospective recipient of the firearm in accordance with Section 3.1.

(a-10) Notwithstanding item (2) of subsection (a) of this Section, any person who is not a federally licensed firearm dealer and who desires to transfer or sell a firearm or firearms to any person who is not a federally licensed firearm dealer shall, before selling or transferring the firearms, contact a federal firearm license dealer under paragraph (1) of subsection (a-15) of this Section to conduct the transfer or the Illinois State Police with the transferee's or purchaser's Firearm Owner's Identification Card number to determine the validity of the transferee's or purchaser's Firearm Owner's Identification Card under State and federal law, including the National Instant Criminal Background Check System. This subsection shall not be effective until July 1, 2023. Until that date the transferor shall contact the Illinois State Police with the transferee's or purchaser's Firearm Owner's Identification Card number to determine the validity of the card. The Illinois State Police may adopt rules concerning the implementation of this subsection. The Illinois State Police shall provide the seller or transferor an approval number if the purchaser's Firearm Owner's Identification Card is valid. Approvals issued by the Illinois State Police for the purchase of a firearm pursuant to this subsection are valid for 30 days from the date of issue.

(a-15) The provisions of subsection (a-10) of this Section do not apply to:

(1) transfers that occur at the place of business of a federally licensed firearm dealer, if the federally licensed firearm dealer conducts a background check on the prospective recipient of the firearm in accordance with Section 3.1 of this Act and follows all other applicable federal, State, and local laws as if he or she were the seller or transferor of the firearm, although the dealer is not required to accept the firearm into his or her inventory. The purchaser or transferee may be required by the federally licensed firearm dealer to pay a fee not to exceed $25 per firearm, which the dealer may retain as compensation for performing the functions required under this paragraph, plus the applicable fees authorized by Section 3.1;

(2) transfers as a bona fide gift to the transferor's husband, wife, son, daughter, stepson, stepdaughter, father, mother, stepfather, stepmother, brother, sister, nephew, niece, uncle, aunt, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, or daughter-in-law;

(3) transfers by persons acting pursuant to operation of law or a court order;

(4) transfers on the grounds of a gun show under subsection (a-5) of this Section;

(5) the delivery of a firearm by its owner to a gunsmith for service or repair, the return of the firearm to its owner by the gunsmith, or the delivery of a firearm by a gunsmith to a federally licensed firearms dealer for service or repair and the return of the firearm to the gunsmith;

(6) temporary transfers that occur while in the home of the unlicensed transferee, if the unlicensed transferee is not otherwise prohibited from possessing firearms and the unlicensed transferee reasonably believes that possession of the firearm is necessary to prevent imminent death or great bodily harm to the unlicensed transferee;

(7) transfers to a law enforcement or corrections agency or a law enforcement or corrections officer acting within the course and scope of his or her official duties;

(8) transfers of firearms that have been rendered permanently inoperable to a nonprofit historical society, museum, or institutional collection; and

(9) transfers to a person who is exempt from the requirement of possessing a Firearm Owner's Identification Card under Section 2 of this Act.

(a-20) The Illinois State Police shall develop an Internet-based system for individuals to determine the validity of a Firearm Owner's Identification Card prior to the sale or transfer of a firearm. The Illinois State Police shall have the Internet-based system updated and available for use by January 1, 2024. The Illinois State Police shall adopt rules not inconsistent with this Section to implement this system; but no rule shall allow the Illinois State Police to retain records in contravention of State and federal law.

(a-25) On or before January 1, 2022, the Illinois State Police shall develop an Internet-based system upon which the serial numbers of firearms that have been reported stolen are available for public access for individuals to ensure any firearms are not reported stolen prior to the sale or transfer of a firearm under this Section. The Illinois State Police shall have the Internet-based system completed and available for use by July 1, 2022. The Illinois State Police shall adopt rules not inconsistent with this Section to implement this system.

(b) Any person within this State who transfers or causes to be transferred any firearm, prepackaged explosive components, stun gun, or taser shall keep a record of such transfer for a period of 10 years from the date of transfer. Any person within this State who receives any firearm, prepackaged explosive components, stun gun, or taser pursuant to subsection (a-10) shall provide a record of the transfer within 10 days of the transfer to a federally licensed firearm dealer and shall not be required to maintain a transfer record. The federally licensed firearm dealer shall maintain the transfer record for 20 years from the date of receipt. A federally licensed firearm dealer may charge a fee not to exceed $25 to retain the record. The record shall be provided and maintained in either an electronic or paper format. The federally licensed firearm dealer shall not be liable for the accuracy of any information in the transfer record submitted pursuant to this Section. Such records shall contain the date of the transfer; the description, serial number or other information identifying the firearm, prepackaged explosive components, stun gun, or taser if no serial number is available; and, if the transfer was completed within this State, the transferee's Firearm Owner's Identification Card number and any approval number or documentation provided by the Illinois State Police pursuant to subsection (a-10) of this Section; if the transfer was not completed within this State, the record shall contain the name and address of the transferee. On or after January 1, 2006, the record shall contain the date of application for transfer of the firearm. On demand of a peace officer the ~~such~~ transferor shall produce for inspection the ~~such~~ record of transfer. For any transfer pursuant to subsection (a-10) of this Section, on the demand of a peace officer, the ~~such~~ transferee shall identify the federally licensed firearm dealer maintaining the transfer record. If the transfer or sale took place at a gun show, the record shall include the unique identification number. Failure to record the unique identification number or approval number is a petty offense. For transfers of a firearm, stun gun, or taser made on or after January 18, 2019 (the effective date of Public Act 100-1178), failure by the private seller to maintain the transfer records in accordance with this Section, or failure by a transferee pursuant to subsection a-10 of this Section to identify the federally licensed firearm dealer maintaining the transfer record, is a Class A misdemeanor for the first offense and a Class 4 felony for a second or subsequent offense occurring within 10 years of the first offense and the second offense was committed after conviction of the first offense. Whenever any person who has not previously been convicted of any violation of subsection (a-5), the court may grant supervision pursuant to and consistent with the limitations of Section 5-6-1 of the Unified Code of Corrections. A transferee or transferor shall not be criminally liable under this Section provided that he or she provides the Illinois State Police with the transfer records in accordance with procedures established by the Illinois State Police. The Illinois State Police shall establish, by rule, a standard form on its website.

(b-5) Any resident may purchase ammunition from a person within or outside of Illinois if shipment is by United States mail or by a private express carrier authorized by federal law to ship ammunition. Any resident purchasing ammunition within or outside the State of Illinois must provide the seller with a copy of his or her valid Firearm Owner's Identification Card or valid concealed carry license and either his or her Illinois driver's license or Illinois State Identification Card prior to the shipment of the ammunition. The ammunition may be shipped only to an address on either of those 2 documents.

(c) The provisions of this Section regarding the transfer of firearm ammunition shall not apply to those persons specified in paragraph (b) of Section 2 of this Act.

(Source: P.A. 102-237, eff. 1-1-24; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1116, eff. 1-10-23.)

Section 10. The Criminal Code of 2012 is amended by adding Section 24-4.3 as follows:

(720 ILCS 5/24-4.3 new)

Sec. 24-4.3. Unlawful sale or delivery of prepackaged explosive components.

(a) A person commits unlawful sale or delivery of prepackaged explosive components when he or she knowingly does any of the following:

(1) Sells or gives prepackaged explosive components to a person who is disqualified under the Firearm Owners Identification Card Act.

(2) Sells or transfers prepackaged explosive components to a person who does not display to the seller or transferor of the prepackaged explosive components a currently valid Firearm Owner's Identification Card that has previously been issued in the transferee's name by the Department of State Police under the Firearm Owners Identification Card Act. This paragraph (2) does not apply to the transfer of prepackaged explosive components to a person who is exempt from the requirement of possessing a Firearm Owner's Identification Card under Section 2 of the Firearm Owners Identification Card Act. For the purposes of this Section, a currently valid Firearm Owner's Identification Card means a Firearm Owner's Identification Card that has not expired.

(3) Sells or gives prepackaged explosive components while engaged in the business of selling prepackaged explosive components at wholesale or retail without being licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923). In this paragraph (3), a person "engaged in the business" means a person who devotes time, attention, and labor to engaging in the activity as a regular course of trade or business with the principal objective of livelihood and profit.

(b) For the purposes of this Section, "prepackaged explosive components" means a prepackaged product containing 2 or more unmixed, commercially manufactured chemical substances that are not independently classified as explosives but which, when mixed or combined, results in an explosive material subject to regulation by the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives under Title 27 CFR Part 555.

(c) All sellers or transferors who have complied with the requirements of this Section shall not be liable for damages in any civil action arising from the use or misuse by the transferee of the prepackaged explosive components transferred, except for willful or wanton misconduct on the part of the seller or transferor.

(d) Sentence. Any person who is convicted of unlawful sale or delivery of prepackaged explosive components commits a Class 4 felony.

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 99. Effective date. This Act takes effect July 1, 2023.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Morrison, **Senate Bill No. 754** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 39; NAYS 16.

The following voted in the affirmative:

Aquino	Fine	Lightford	Simmons
Belt	Gillespie	Loughran Cappel	Sims

Castro	Glowiak Hilton	Martwick	Stadelman
Cervantes	Halpin	Morrison	Turner, D.
Cunningham	Harris, N.	Murphy	Ventura
Curran	Hastings	Pacione-Zayas	Villa
Edly-Allen	Holmes	Peters	Villanueva
Ellman	Hunter	Porfirio	Villivalam
Faraci	Johnson	Preston	Mr. President
Feigenholtz	Koehler	Rezin	

The following voted in the negative:

Anderson	Harriss, E.	Rose	Wilcox
Bennett	Joyce	Stoller	
Bryant	McClure	Syverson	
Chesney	McConchie	Tracy	
Fowler	Plummer	Turner, S.	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Lightford, **Senate Bill No. 761** was recalled from the order of third reading to the order of second reading.

Senator Lightford offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 761

AMENDMENT NO. 1 . Amend Senate Bill 761 by replacing everything after the enacting clause with the following:

"Section 5. The Emergency Medical Services (EMS) Systems Act is amended by changing Sections 3.20, 3.65, and 3.85 and by adding Section 3.22 as follows:

(210 ILCS 50/3.20)

Sec. 3.20. Emergency Medical Services (EMS) Systems.

(a) "Emergency Medical Services (EMS) System" means an organization of hospitals, vehicle service providers and personnel approved by the Department in a specific geographic area, which coordinates and provides pre-hospital and inter-hospital emergency care and non-emergency medical transports at a BLS, ILS and/or ALS level pursuant to a System program plan submitted to and approved by the Department, and pursuant to the EMS Region Plan adopted for the EMS Region in which the System is located.

(b) One hospital in each System program plan must be designated as the Resource Hospital. All other hospitals which are located within the geographic boundaries of a System and which have standby, basic or comprehensive level emergency departments must function in that EMS System as either an Associate Hospital or Participating Hospital and follow all System policies specified in the System Program Plan, including but not limited to the replacement of drugs and equipment used by providers who have delivered patients to their emergency departments. All hospitals and vehicle service providers participating in an EMS System must specify their level of participation in the System Program Plan.

(c) The Department shall have the authority and responsibility to:

(1) Approve BLS, ILS and ALS level EMS Systems which meet minimum standards and criteria established in rules adopted by the Department pursuant to this Act, including the submission of a Program Plan for Department approval. Beginning September 1, 1997, the Department shall approve the development of a new EMS System only when a local or regional need for establishing such System has been verified by the Department. This shall not be construed as a needs assessment

for health planning or other purposes outside of this Act. Following Department approval, EMS Systems must be fully operational within one year from the date of approval.

(2) Monitor EMS Systems, based on minimum standards for continuing operation as prescribed in rules adopted by the Department pursuant to this Act, which shall include requirements for submitting Program Plan amendments to the Department for approval.

(3) Renew EMS System approvals every 4 years, after an inspection, based on compliance with the standards for continuing operation prescribed in rules adopted by the Department pursuant to this Act.

(4) Suspend, revoke, or refuse to renew approval of any EMS System, after providing an opportunity for a hearing, when findings show that it does not meet the minimum standards for continuing operation as prescribed by the Department, or is found to be in violation of its previously approved Program Plan.

(5) Require each EMS System to adopt written protocols for the bypassing of or diversion to any hospital, trauma center or regional trauma center, which provide that a person shall not be transported to a facility other than the nearest hospital, regional trauma center or trauma center unless the medical benefits to the patient reasonably expected from the provision of appropriate medical treatment at a more distant facility outweigh the increased risks to the patient from transport to the more distant facility, or the transport is in accordance with the System's protocols for patient choice or refusal.

(6) Require that the EMS Medical Director of an ILS or ALS level EMS System be a physician licensed to practice medicine in all of its branches in Illinois, and certified by the American Board of Emergency Medicine or the American Osteopathic Board of Emergency Medicine, and that the EMS Medical Director of a BLS level EMS System be a physician licensed to practice medicine in all of its branches in Illinois, with regular and frequent involvement in pre-hospital emergency medical services. In addition, all EMS Medical Directors shall:

(A) Have experience on an EMS vehicle at the highest level available within the System, or make provision to gain such experience within 12 months prior to the date responsibility for the System is assumed or within 90 days after assuming the position;

(B) Be thoroughly knowledgeable of all skills included in the scope of practices of all levels of EMS personnel within the System;

(C) Have or make provision to gain experience instructing students at a level similar to that of the levels of EMS personnel within the System; and

(D) For ILS and ALS EMS Medical Directors, successfully complete a Department-approved EMS Medical Director's Course.

(7) Prescribe statewide EMS data elements to be collected and documented by providers in all EMS Systems for all emergency and non-emergency medical services, with a one-year phase-in for commencing collection of such data elements.

(8) Define, through rules adopted pursuant to this Act, the terms "Resource Hospital", "Associate Hospital", "Participating Hospital", "Basic Emergency Department", "Standby Emergency Department", "Comprehensive Emergency Department", "EMS Medical Director", "EMS Administrative Director", and "EMS System Coordinator".

(A) (Blank).

(B) (Blank).

(9) Investigate the circumstances that caused a hospital in an EMS system to go on bypass status to determine whether that hospital's decision to go on bypass status was reasonable. The Department may impose sanctions, as set forth in Section 3.140 of the Act, upon a Department determination that the hospital unreasonably went on bypass status in violation of the Act.

(10) Evaluate the capacity and performance of any freestanding emergency center established under Section 32.5 of this Act in meeting emergency medical service needs of the public, including compliance with applicable emergency medical standards and assurance of the availability of and immediate access to the highest quality of medical care possible.

(11) Permit limited EMS System participation by facilities operated by the United States Department of Veterans Affairs, Veterans Health Administration. Subject to patient preference, Illinois EMS providers may transport patients to Veterans Health Administration facilities that voluntarily participate in an EMS System. Any Veterans Health Administration facility seeking limited participation in an EMS System shall agree to comply with all Department administrative

rules implementing this Section. The Department may promulgate rules, including, but not limited to, the types of Veterans Health Administration facilities that may participate in an EMS System and the limitations of participation.

(12) Ensure that EMS systems are transporting pregnant women to the appropriate facilities based on the classification of the levels of maternal care described under subsection (a) of Section 2310-223 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois.

(13) Provide administrative support to the EMT Training, Recruitment, and Retention Task Force.

(Source: P.A. 101-447, eff. 8-23-19.)

(210 ILCS 50/3.22 new)

Sec. 3.22. EMT Training, Recruitment, and Retention Task Force.

(a) The EMT Training, Recruitment, and Retention Task Force is created to address the following:

(1) the impact that the EMT and Paramedic shortage is having on this State's EMS System and health care system;

(2) barriers to the training, recruitment, and retention of Emergency Medical Technicians throughout this State;

(3) steps that the State of Illinois can take, including coordination and identification of State and federal funding sources, to assist Illinois high schools, community colleges, and ground ambulance providers to train, recruit, and retain emergency medical technicians;

(4) how emergency medical responder and emergency medical technician licensure and testing and certification requirements affect the recruitment and retention of emergency medical technicians, including, without limitation, how the implementation of the National Registry of Emergency Medical Technician training criteria have impacted the certification and licensure of new EMRs, EMTs, and Paramedics;

(5) how apprenticeship programs, local, regional, and statewide, can be utilized to recruit and retain EMRs, EMTs, and Paramedics;

(6) how ground ambulance reimbursement affects the recruitment and retention of EMTs and Paramedics; and

(7) all other areas that the Task Force deems necessary to examine to assist in the recruitment and retention of EMTs and Paramedics.

(b) The Task Force shall be comprised of the following members:

(1) one member of the Illinois General Assembly, appointed by the Senate President, who shall serve as co-chair;

(2) one member of the Illinois General Assembly, appointed by the Speaker of the House;

(3) one member of the Illinois General Assembly, appointed by the Senate Minority Leader;

(4) one member of the Illinois General Assembly, appointed by the House Minority Leader, who shall serve as co-chair;

(5) 9 members representing private ground ambulance providers throughout this State representing for-profit and non-profit rural and ground ambulance providers, appointed by the Governor;

(6) 3 members representing hospitals, appointed by the Speaker of the House, with one member representing safety net hospitals and one member representing rural hospitals;

(7) 2 members representing a statewide association of nursing homes, appointed by the Minority Leader of the Senate;

(8) one member representing the State Board of Education, appointed by the Minority Leader of the House; and

(9) one member representing the Illinois Community College Systems, appointed by the Minority Leader of the House.

(c) Members of the Task Force shall serve without compensation.

(d) The Task Force shall convene at the call of the co-chairs and shall hold at least 6 meetings.

(e) The Task Force shall submit its final report to the General Assembly and the Governor no later than January 1, 2024, and upon the submission of its final report, the Task Force shall be dissolved.

(210 ILCS 50/3.65)

Sec. 3.65. EMS Lead Instructor.

(a) "EMS Lead Instructor" means a person who has successfully completed a course of education as approved by the Department or has obtained sufficient experience as determined by the EMS Medical Director, and who is currently approved by the Department to coordinate or teach education, training and continuing education courses, in accordance with standards prescribed by this Act and rules adopted by the Department pursuant to this Act.

(b) The Department shall have the authority and responsibility to:

(1) Prescribe education requirements for EMS Lead Instructor candidates through rules adopted pursuant to this Act.

(2) Prescribe testing requirements for EMS Lead Instructor candidates through rules adopted pursuant to this Act.

(3) Charge each candidate for EMS Lead Instructor a fee to be submitted with an application for an examination, an application for licensure, and an application for relicensure.

(4) Approve individuals as EMS Lead Instructors who have met the Department's education and testing requirements.

(5) Require that all education, training and continuing education courses for EMT, EMT-I, A-EMT, Paramedic, PHRN, PHPA, PHAPRN, ECRN, EMR, and Emergency Medical Dispatcher be coordinated by at least one approved EMS Lead Instructor. A program which includes education, training or continuing education for more than one type of personnel may use one EMS Lead Instructor to coordinate the program, and a single EMS Lead Instructor may simultaneously coordinate more than one program or course.

(6) Provide standards and procedures for awarding EMS Lead Instructor approval to persons previously approved by the Department to coordinate such courses, based on qualifications prescribed by the Department through rules adopted pursuant to this Act.

(7) Suspend, revoke, or refuse to issue or renew the approval of an EMS Lead Instructor, after an opportunity for a hearing, when findings show one or more of the following:

(A) The EMS Lead Instructor has failed to conduct a course in accordance with the curriculum prescribed by this Act and rules adopted by the Department pursuant to this Act; or

(B) The EMS Lead Instructor has failed to comply with protocols prescribed by the Department through rules adopted pursuant to this Act.

(Source: P.A. 100-1082, eff. 8-24-19.)

(210 ILCS 50/3.85)

Sec. 3.85. Vehicle Service Providers.

(a) "Vehicle Service Provider" means an entity licensed by the Department to provide emergency or non-emergency medical services in compliance with this Act, the rules promulgated by the Department pursuant to this Act, and an operational plan approved by its EMS System(s), utilizing at least ambulances or specialized emergency medical service vehicles (SEMSV).

(1) "Ambulance" means any publicly or privately owned on-road vehicle that is specifically designed, constructed or modified and equipped, and is intended to be used for, and is maintained or operated for the emergency transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or the non-emergency medical transportation of persons who require the presence of medical personnel to monitor the individual's condition or medical apparatus being used on such individuals.

(2) "Specialized Emergency Medical Services Vehicle" or "SEMSV" means a vehicle or conveyance, other than those owned or operated by the federal government, that is primarily intended for use in transporting the sick or injured by means of air, water, or ground transportation, that is not an ambulance as defined in this Act. The term includes watercraft, aircraft and special purpose ground transport vehicles or conveyances not intended for use on public roads.

(3) An ambulance or SEMSV may also be designated as a Limited Operation Vehicle or Special-Use Vehicle:

(A) "Limited Operation Vehicle" means a vehicle which is licensed by the Department to provide basic, intermediate or advanced life support emergency or non-emergency medical services that are exclusively limited to specific events or locales.

(B) "Special-Use Vehicle" means any publicly or privately owned vehicle that is specifically designed, constructed or modified and equipped, and is intended to be used for, and is maintained or operated solely for the emergency or non-emergency transportation of a

specific medical class or category of persons who are sick, injured, wounded or otherwise incapacitated or helpless (e.g. high-risk obstetrical patients, neonatal patients).

(C) "Reserve Ambulance" means a vehicle that meets all criteria set forth in this Section and all Department rules, except for the required inventory of medical supplies and durable medical equipment, which may be rapidly transferred from a fully functional ambulance to a reserve ambulance without the use of tools or special mechanical expertise.

(b) The Department shall have the authority and responsibility to:

(1) Require all Vehicle Service Providers, both publicly and privately owned, to function within an EMS System.

(2) Require a Vehicle Service Provider utilizing ambulances to have a primary affiliation with an EMS System within the EMS Region in which its Primary Service Area is located, which is the geographic areas in which the provider renders the majority of its emergency responses. This requirement shall not apply to Vehicle Service Providers which exclusively utilize Limited Operation Vehicles.

(3) Establish licensing standards and requirements for Vehicle Service Providers, through rules adopted pursuant to this Act, including but not limited to:

(A) Vehicle design, specification, operation and maintenance standards, including standards for the use of reserve ambulances;

(B) Equipment requirements;

(C) Staffing requirements; and

(D) License renewal at intervals determined by the Department, which shall be not less than every 4 years.

The Department's standards and requirements with respect to vehicle staffing for private, nonpublic local government employers must allow for alternative staffing models that include an EMR ~~who drives an ambulance~~ with a licensed EMT, EMT-I, A-EMT, Paramedic, or PHRN, as appropriate, ~~in the patient compartment providing care to the patient~~ pursuant to the approval of the EMS System Program Plan developed and approved by the EMS Medical Director for an EMS System. The Department shall monitor the implementation and performance of alternative staffing models and may issue a notice of termination of an alternative staffing model only upon evidence that an EMS System Program Plan is not being adhered to. Adoption of an alternative staffing model shall not result in a Vehicle Service Provider being prohibited or limited in the utilization of its staff or equipment from providing any of the services authorized by this Act or as otherwise outlined in the approved EMS System Program Plan, including, without limitation, the deployment of resources to provide out-of-state disaster response.

An EMS System Program Plan for a Basic Life Support, advanced life support, and critical care transport services ~~transport~~ utilizing an EMR and an EMT, Paramedic, or appropriate critical care transport staff shall include the following:

(A) Alternative staffing models for ~~a Basic Life Support~~ transport utilizing an EMR ~~and an EMT~~ shall only be utilized for ~~interfacility Basic Life Support~~ transports specified by the EMS System Program Plan as determined by the EMS System Medical Director ~~and medical appointments, excluding any transport to or from a dialysis center~~.

(B) Protocols that shall include dispatch procedures to properly screen and assess patients for EMR-staffed transports ~~and EMT-staffed Basic Life Support transport~~.

(C) A requirement that a provider shall implement a quality assurance plan with mechanisms outlined to audit dispatch screening and the outcome of transports performed.

(D) The EMT, Paramedic, and critical care transport staff shall have the minimum ~~at least one year of~~ experience in performance of pre-hospital, inter-hospital ~~emergency~~ care and other health care experience as a clinician, as determined by the EMS Medical Director in accordance with the EMS System Program Plan.

(E) The licensed EMR must complete a defensive driving course prior to participation in the Department's alternative staffing model.

(F) The length of the EMS System Program Plan for a ~~Basic Life Support~~ transport utilizing an EMR ~~and an EMT~~ shall be for one year, and must be renewed annually if proof of the criteria being met is submitted, validated, and approved by the EMS Medical Director for the EMS System and the Department.

The Department must allow for an alternative rural staffing model for those vehicle service providers that serve a rural or semi-rural population of 10,000 or fewer inhabitants and exclusively uses volunteers, paid-on-call, or a combination thereof.

(4) License all Vehicle Service Providers that have met the Department's requirements for licensure, unless such Provider is owned or licensed by the federal government. All Provider licenses issued by the Department shall specify the level and type of each vehicle covered by the license (BLS, ILS, ALS, ambulance, SEMSV, limited operation vehicle, special use vehicle, ambulance assist vehicle, reserve ambulance) and shall allow for ambulances to be immediately upgraded to a higher level of service when the Vehicle Service Provider sends an ambulance assist vehicle with appropriate equipment and licensed staff to intercept with the licensed ambulance in the field.

(5) Annually inspect all licensed vehicles operated by Vehicle Service Providers.

(6) Suspend, revoke, refuse to issue or refuse to renew the license of any Vehicle Service Provider, or that portion of a license pertaining to a specific vehicle operated by the Provider, after an opportunity for a hearing, when findings show that the Provider or one or more of its vehicles has failed to comply with the standards and requirements of this Act or rules adopted by the Department pursuant to this Act.

(7) Issue an Emergency Suspension Order for any Provider or vehicle licensed under this Act, when the Director or his designee has determined that an immediate and serious danger to the public health, safety and welfare exists. Suspension or revocation proceedings which offer an opportunity for hearing shall be promptly initiated after the Emergency Suspension Order has been issued.

(8) Exempt any licensed vehicle from subsequent vehicle design standards or specifications required by the Department, as long as said vehicle is continuously in compliance with the vehicle design standards and specifications originally applicable to that vehicle, or until said vehicle's title of ownership is transferred.

(9) Exempt any vehicle (except an SEMSV) which was being used as an ambulance on or before December 15, 1980, from vehicle design standards and specifications required by the Department, until said vehicle's title of ownership is transferred. Such vehicles shall not be exempt from all other licensing standards and requirements prescribed by the Department.

(10) Prohibit any Vehicle Service Provider from advertising, identifying its vehicles, or disseminating information in a false or misleading manner concerning the Provider's type and level of vehicles, location, primary service area, response times, level of personnel, licensure status or System participation.

(10.5) Prohibit any Vehicle Service Provider, whether municipal, private, or hospital-owned, from advertising itself as a critical care transport provider unless it participates in a Department-approved EMS System critical care transport plan.

(11) Charge each Vehicle Service Provider a fee per transport vehicle, due annually at time of inspection. The fee per transport vehicle shall be set by administrative rule by the Department and shall not exceed 100 vehicles per provider.

(Source: P.A. 102-623, eff. 8-27-21.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Lightford offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 761

AMENDMENT NO. 2 . Amend Senate Bill 761, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 8, line 23, by replacing "2" with "3"; and

on page 8, line 24, by replacing "Minority Leader" with "President"; and

on page 9, line 5, by replacing "House" with "Senate".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Lightford, **Senate Bill No. 761** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Morrison, **Senate Bill No. 805** was recalled from the order of third reading to the order of second reading.

Senator Morrison offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 805

AMENDMENT NO. 1 . Amend Senate Bill 805 by replacing everything after the enacting clause with the following:

"Section 5. The Economic Development for a Growing Economy Tax Credit Act is amended by changing Sections 5-5 and 5-15 as follows:

(35 ILCS 10/5-5)

Sec. 5-5. Definitions. As used in this Act:

"Agreement" means the Agreement between a Taxpayer and the Department under the provisions of Section 5-50 of this Act.

"Applicant" means a Taxpayer that is operating a business located or that the Taxpayer plans to locate within the State of Illinois and that is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, assembling, warehousing, or distributing products, conducting research and development, providing tourism services, or providing services in interstate commerce, office industries, or agricultural processing, but excluding retail, retail food, health, or professional services. "Applicant" does not include a Taxpayer who closes or substantially reduces an operation at one location in the State and relocates substantially the same operation to another location in the State. This does not prohibit a Taxpayer from expanding its operations at another location in the State, provided that existing operations of a similar

nature located within the State are not closed or substantially reduced. This also does not prohibit a Taxpayer from moving its operations from one location in the State to another location in the State for the purpose of expanding the operation provided that the Department determines that expansion cannot reasonably be accommodated within the municipality in which the business is located, or in the case of a business located in an incorporated area of the county, within the county in which the business is located, after conferring with the chief elected official of the municipality or county and taking into consideration any evidence offered by the municipality or county regarding the ability to accommodate expansion within the municipality or county.

"Credit" means the amount agreed to between the Department and Applicant under this Act, but not to exceed the lesser of: (1) the sum of (i) 50% of the Incremental Income Tax attributable to New Employees at the Applicant's project and (ii) 10% of the training costs of New Employees; or (2) 100% of the Incremental Income Tax attributable to New Employees at the Applicant's project. However, if the project is located in an underserved area, then the amount of the Credit may not exceed the lesser of: (1) the sum of (i) 75% of the Incremental Income Tax attributable to New Employees at the Applicant's project and (ii) 10% of the training costs of New Employees; or (2) 100% of the Incremental Income Tax attributable to New Employees at the Applicant's project. If the project is not located in an underserved area and the Applicant agrees to hire the required number of New Employees, then the maximum amount of the Credit for that Applicant may be increased by an amount not to exceed 25% of the Incremental Income Tax attributable to retained employees at the Applicant's project. If the project is located in an underserved area and the Applicant agrees to hire the required number of New Employees, then the maximum amount of the credit for that Applicant may be increased by an amount not to exceed 50% of the Incremental Income Tax attributable to retained employees at the Applicant's project.

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of Commerce and Economic Opportunity.

"Full-time Employee" means an individual who is employed for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment. An individual for whom a W-2 is issued by a Professional Employer Organization (PEO) is a full-time employee if employed in the service of the Applicant for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment to Applicant.

"Incremental Income Tax" means the total amount withheld during the taxable year from the compensation of New Employees and, if applicable, retained employees under Article 7 of the Illinois Income Tax Act arising from employment at a project that is the subject of an Agreement.

"New Construction EDGE Agreement" means the Agreement between a Taxpayer and the Department under the provisions of Section 5-51 of this Act.

"New Construction EDGE Credit" means an amount agreed to between the Department and the Applicant under this Act as part of a New Construction EDGE Agreement that does not exceed 50% of the Incremental Income Tax attributable to New Construction EDGE Employees at the Applicant's project; however, if the New Construction EDGE Project is located in an underserved area, then the amount of the New Construction EDGE Credit may not exceed 75% of the Incremental Income Tax attributable to New Construction EDGE Employees at the Applicant's New Construction EDGE Project.

"New Construction EDGE Employee" means a laborer or worker who is employed by an Illinois contractor or subcontractor in the actual construction work on the site of a New Construction EDGE Project, pursuant to a New Construction EDGE Agreement.

"New Construction EDGE Incremental Income Tax" means the total amount withheld during the taxable year from the compensation of New Construction EDGE Employees.

"New Construction EDGE Project" means the building of a Taxpayer's structure or building, or making improvements of any kind to real property. "New Construction EDGE Project" does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.

"New Employee" means:

(a) A Full-time Employee first employed by a Taxpayer in the project that is the subject of an Agreement and who is hired after the Taxpayer enters into the tax credit Agreement.

(b) The term "New Employee" does not include:

(1) an employee of the Taxpayer who performs a job that was previously performed by another employee, if that job existed for at least 6 months before hiring the employee;

(2) an employee of the Taxpayer who was previously employed in Illinois by a Related Member of the Taxpayer and whose employment was shifted to the Taxpayer after the Taxpayer entered into the tax credit Agreement; or

(3) a child, grandchild, parent, or spouse, other than a spouse who is legally separated from the individual, of any individual who has a direct or an indirect ownership interest of at least 5% in the profits, capital, or value of the Taxpayer.

(c) Notwithstanding paragraph (1) of subsection (b), an employee may be considered a New Employee under the Agreement if the employee performs a job that was previously performed by an employee who was:

(1) treated under the Agreement as a New Employee; and

(2) promoted by the Taxpayer to another job.

(d) Notwithstanding subsection (a), the Department may award Credit to an Applicant with respect to an employee hired prior to the date of the Agreement if:

(1) the Applicant is in receipt of a letter from the Department stating an intent to enter into a credit Agreement;

(2) the letter described in paragraph (1) is issued by the Department not later than 15 days after the effective date of this Act; and

(3) the employee was hired after the date the letter described in paragraph (1) was issued.

"Noncompliance Date" means, in the case of a Taxpayer that is not complying with the requirements of the Agreement or the provisions of this Act, the day following the last date upon which the Taxpayer was in compliance with the requirements of the Agreement and the provisions of this Act, as determined by the Director, pursuant to Section 5-65.

"Pass Through Entity" means an entity that is exempt from the tax under subsection (b) or (c) of Section 205 of the Illinois Income Tax Act.

"Professional Employer Organization" (PEO) means an employee leasing company, as defined in Section 206.1(A)(2) of the Illinois Unemployment Insurance Act.

"Related Member" means a person that, with respect to the Taxpayer during any portion of the taxable year, is any one of the following:

(1) An individual stockholder, if the stockholder and the members of the stockholder's family (as defined in Section 318 of the Internal Revenue Code) own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the value of the Taxpayer's outstanding stock.

(2) A partnership, estate, or trust and any partner or beneficiary, if the partnership, estate, or trust, and its partners or beneficiaries own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the profits, capital, stock, or value of the Taxpayer.

(3) A corporation, and any party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the Taxpayer owns directly, indirectly, beneficially, or constructively at least 50% of the value of the corporation's outstanding stock.

(4) A corporation and any party related to that corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the corporation and all such related parties own in the aggregate at least 50% of the profits, capital, stock, or value of the Taxpayer.

(5) A person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code, except, for purposes of determining whether a person is a Related Member under this paragraph, 20% shall be substituted for 5% wherever 5% appears in Section 1563(e) of the Internal Revenue Code.

"Startup taxpayer" means, for Agreements that are executed before the effective date of this amendatory Act of the 103rd General Assembly, a corporation, partnership, or other entity incorporated or organized no more than 5 years before the filing of an application for an Agreement that has never had any Illinois income tax liability, excluding any Illinois income tax liability of a Related Member which shall not be attributed to the startup taxpayer. "Startup taxpayer" means, for Agreements that are executed on or after the effective date of this amendatory Act of the 103rd General Assembly, a corporation, partnership, or other entity incorporated or organized no more than 10 years before the filing of an application for an Agreement that has never had any Illinois income tax liability, excluding any Illinois income tax liability of a Related Member which shall not be attributed to the startup taxpayer.

"Taxpayer" means an individual, corporation, partnership, or other entity that has any Illinois Income Tax liability.

Until July 1, 2022, "underserved area" means a geographic area that meets one or more of the following conditions:

(1) the area has a poverty rate of at least 20% according to the latest federal decennial census;

(2) 75% or more of the children in the area participate in the federal free lunch program according to reported statistics from the State Board of Education;

(3) at least 20% of the households in the area receive assistance under the Supplemental Nutrition Assistance Program (SNAP); or

(4) the area has an average unemployment rate, as determined by the Illinois Department of Employment Security, that is more than 120% of the national unemployment average, as determined by the U.S. Department of Labor, for a period of at least 2 consecutive calendar years preceding the date of the application.

On and after July 1, 2022, "underserved area" means a geographic area that meets one or more of the following conditions:

(1) the area has a poverty rate of at least 20% according to the latest American Community Survey;

(2) 35% or more of the families with children in the area are living below 130% of the poverty line, according to the latest American Community Survey;

(3) at least 20% of the households in the area receive assistance under the Supplemental Nutrition Assistance Program (SNAP); or

(4) the area has an average unemployment rate, as determined by the Illinois Department of Employment Security, that is more than 120% of the national unemployment average, as determined by the U.S. Department of Labor, for a period of at least 2 consecutive calendar years preceding the date of the application.

(Source: P.A. 101-9, eff. 6-5-19; 102-330, eff. 1-1-22; 102-700, eff. 4-19-22; 102-1125, eff. 2-3-23.)

(35 ILCS 10/5-15)

Sec. 5-15. Tax Credit Awards. Subject to the conditions set forth in this Act, a Taxpayer is entitled to a Credit against or, as described in subsection (g) of this Section, a payment towards taxes imposed pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act that may be imposed on the Taxpayer for a taxable year beginning on or after January 1, 1999, if the Taxpayer is awarded a Credit by the Department under this Act for that taxable year.

(a) The Department shall make Credit awards under this Act to foster job creation and retention in Illinois.

(b) A person that proposes a project to create new jobs in Illinois must enter into an Agreement with the Department for the Credit under this Act.

(c) The Credit shall be claimed for the taxable years specified in the Agreement.

(d) The Credit shall not exceed the Incremental Income Tax attributable to the project that is the subject of the Agreement.

(e) Nothing herein shall prohibit a Tax Credit Award to an Applicant that uses a PEO if all other award criteria are satisfied.

(f) In lieu of the Credit allowed under this Act against the taxes imposed pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act for any taxable year ending on or after December 31, 2009, for Taxpayers that entered into Agreements prior to January 1, 2015 and otherwise meet the criteria set forth in this subsection (f), the Taxpayer may elect to claim the Credit against its obligation to pay over withholding under Section 704A of the Illinois Income Tax Act.

(1) The election under this subsection (f) may be made only by a Taxpayer that (i) is primarily engaged in one of the following business activities: water purification and treatment, motor vehicle metal stamping, automobile manufacturing, automobile and light duty motor vehicle manufacturing, motor vehicle manufacturing, light truck and utility vehicle manufacturing, heavy duty truck manufacturing, motor vehicle body manufacturing, cable television infrastructure design or manufacturing, or wireless telecommunication or computing terminal device design or manufacturing for use on public networks and (ii) meets the following criteria:

(A) the Taxpayer (i) had an Illinois net loss or an Illinois net loss deduction under Section 207 of the Illinois Income Tax Act for the taxable year in which the Credit is awarded, (ii) employed a minimum of 1,000 full-time employees in this State during the taxable year in

which the Credit is awarded, (iii) has an Agreement under this Act on December 14, 2009 (the effective date of Public Act 96-834), and (iv) is in compliance with all provisions of that Agreement;

(B) the Taxpayer (i) had an Illinois net loss or an Illinois net loss deduction under Section 207 of the Illinois Income Tax Act for the taxable year in which the Credit is awarded, (ii) employed a minimum of 1,000 full-time employees in this State during the taxable year in which the Credit is awarded, and (iii) has applied for an Agreement within 365 days after December 14, 2009 (the effective date of Public Act 96-834);

(C) the Taxpayer (i) had an Illinois net operating loss carryforward under Section 207 of the Illinois Income Tax Act in a taxable year ending during calendar year 2008, (ii) has applied for an Agreement within 150 days after the effective date of this amendatory Act of the 96th General Assembly, (iii) creates at least 400 new jobs in Illinois, (iv) retains at least 2,000 jobs in Illinois that would have been at risk of relocation out of Illinois over a 10-year period, and (v) makes a capital investment of at least $75,000,000;

(D) the Taxpayer (i) had an Illinois net operating loss carryforward under Section 207 of the Illinois Income Tax Act in a taxable year ending during calendar year 2009, (ii) has applied for an Agreement within 150 days after the effective date of this amendatory Act of the 96th General Assembly, (iii) creates at least 150 new jobs, (iv) retains at least 1,000 jobs in Illinois that would have been at risk of relocation out of Illinois over a 10-year period, and (v) makes a capital investment of at least $57,000,000; or

(E) the Taxpayer (i) employed at least 2,500 full-time employees in the State during the year in which the Credit is awarded, (ii) commits to make at least $500,000,000 in combined capital improvements and project costs under the Agreement, (iii) applies for an Agreement between January 1, 2011 and June 30, 2011, (iv) executes an Agreement for the Credit during calendar year 2011, and (v) was incorporated no more than 5 years before the filing of an application for an Agreement.

(1.5) The election under this subsection (f) may also be made by a Taxpayer for any Credit awarded pursuant to an agreement that was executed between January 1, 2011 and June 30, 2011, if the Taxpayer (i) is primarily engaged in the manufacture of inner tubes or tires, or both, from natural and synthetic rubber, (ii) employs a minimum of 2,400 full-time employees in Illinois at the time of application, (iii) creates at least 350 full-time jobs and retains at least 250 full-time jobs in Illinois that would have been at risk of being created or retained outside of Illinois, and (iv) makes a capital investment of at least $200,000,000 at the project location.

(1.6) The election under this subsection (f) may also be made by a Taxpayer for any Credit awarded pursuant to an agreement that was executed within 150 days after the effective date of this amendatory Act of the 97th General Assembly, if the Taxpayer (i) is primarily engaged in the operation of a discount department store, (ii) maintains its corporate headquarters in Illinois, (iii) employs a minimum of 4,250 full-time employees at its corporate headquarters in Illinois at the time of application, (iv) retains at least 4,250 full-time jobs in Illinois that would have been at risk of being relocated outside of Illinois, (v) had a minimum of $40,000,000,000 in total revenue in 2010, and (vi) makes a capital investment of at least $300,000,000 at the project location.

(1.7) Notwithstanding any other provision of law, the election under this subsection (f) may also be made by a Taxpayer for any Credit awarded pursuant to an agreement that was executed or applied for on or after July 1, 2011 and on or before March 31, 2012, if the Taxpayer is primarily engaged in the manufacture of original and aftermarket filtration parts and products for automobiles, motor vehicles, light duty motor vehicles, light trucks and utility vehicles, and heavy duty trucks, (ii) employs a minimum of 1,000 full-time employees in Illinois at the time of application, (iii) creates at least 250 full-time jobs in Illinois, (iv) relocates its corporate headquarters to Illinois from another state, and (v) makes a capital investment of at least $4,000,000 at the project location.

(1.8) Notwithstanding any other provision of law, the election under this subsection (f) may also be made by a startup taxpayer for any Credit awarded pursuant to an Agreement that was executed ~~or applied for~~ on or after the effective date of this amendatory Act of the 102nd General Assembly~~, if the startup taxpayer, without considering any Related Member or other investor, (i) has never had any Illinois income tax liability and (ii) was incorporated no more than 5 years before the filing of an application for an Agreement~~. Any such election under this paragraph (1.8) shall be effective unless and until such startup taxpayer has any Illinois income tax liability. This election under this paragraph

(1.8) shall automatically terminate when the startup taxpayer has any Illinois income tax liability at the end of any taxable year during the term of the Agreement. Thereafter, the startup taxpayer may receive a Credit, taking into account any benefits previously enjoyed or received by way of the election under this paragraph (1.8), so long as the startup taxpayer remains in compliance with the terms and conditions of the Agreement.

(2) An election under this subsection shall allow the credit to be taken against payments otherwise due under Section 704A of the Illinois Income Tax Act during the first calendar quarter ~~year~~ beginning after the end of the taxable quarter ~~year~~ in which the credit is awarded under this Act.

(3) The election shall be made in the form and manner required by the Illinois Department of Revenue and, once made, shall be irrevocable.

(4) If a Taxpayer who meets the requirements of subparagraph (A) of paragraph (1) of this subsection (f) elects to claim the Credit against its withholdings as provided in this subsection (f), then, on and after the date of the election, the terms of the Agreement between the Taxpayer and the Department may not be further amended during the term of the Agreement.

(g) A pass-through entity that has been awarded a credit under this Act, its shareholders, or its partners may treat some or all of the credit awarded pursuant to this Act as a tax payment for purposes of the Illinois Income Tax Act. The term "tax payment" means a payment as described in Article 6 or Article 8 of the Illinois Income Tax Act or a composite payment made by a pass-through entity on behalf of any of its shareholders or partners to satisfy such shareholders' or partners' taxes imposed pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act. In no event shall the amount of the award credited pursuant to this Act exceed the Illinois income tax liability of the pass-through entity or its shareholders or partners for the taxable year.

(Source: P.A. 102-700, eff. 4-19-22.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Morrison, **Senate Bill No. 805** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Holmes, **Senate Bill No. 836** was recalled from the order of third reading to the order of second reading.

Senator Holmes offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 836

AMENDMENT NO. 1 . Amend Senate Bill 836 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Paint Stewardship Act.

Section 5. Findings. The General Assembly finds that:

(1) Leftover architectural paints present significant waste management issues for counties and municipalities and create costly environmental, health, and safety risks if not properly managed.

(2) Nationally, an estimated 10% of architectural paint purchased by consumers is leftover. Current governmental programs collect only a fraction of the potential leftover paint for proper reuse, recycling, or disposal. In northern Illinois, there are only 4 permanent household hazardous waste facilities, and these facilities do not typically accept latex paint, which is the most common paint purchased by consumers.

(3) It is in the best interest of this State for paint manufacturers to assume responsibility for the development and implementation of a cost-effective paint stewardship program that will educate consumers on strategies to reduce the generation of leftover paint; provide opportunities to reuse leftover paint; and collect, transport, and process leftover paint for end-of-life management, including reuse, recycling, energy recovery, and disposal. Requiring paint manufacturers to assume responsibility for the collection, recycling, reuse, transportation, and disposal of leftover paint will provide more opportunities for consumers to properly manage their leftover paint, provide fiscal relief for this State and local governments in managing leftover paint, keep paint out of the waste stream, and conserve natural resources.

(4) Similar architectural paint stewardship programs currently operate in 11 jurisdictions and successfully divert a significant portion of the collected paint waste from landfills. These paint stewardship programs are saving counties and municipalities the cost of managing paint waste and have been successful at recycling leftover paint into recycled paint products as well as other products. For instance, in the State of Oregon, 64% of the latex paint collected in the 2019-2020 fiscal year was recycled into paint products, and in Minnesota, 48% of the latex paint collected during the same period was reused or recycled into paint products. Given the lack of access to architectural paint collection programs in Illinois, especially for leftover latex architectural paint, and the demonstrated ability of the paint industry to collect and recycle a substantial portion of leftover architectural paint, this legislation is necessary. It will create a statewide program that diverts a significant portion of paint waste from landfills and facilitates the recycling of leftover paint into paint and other products.

(5) Establishing a paint stewardship program in Illinois will create jobs as the marketplace adjusts to the needs of a robust program that requires transporters and processors. Certain infrastructure already exists in the State, and the program may attract additional resources.

(6) Legislation is needed to establish this program in part because of the risk of antitrust lawsuits. The program involves activities by competitors in the paint industry and may affect the costs or prices of those competitors. As construed by the courts, the antitrust laws impose severe constraints on concerted action by competitors that affect costs or prices. Absent State legislation, participation in this program would entail an unacceptable risk of class action lawsuits. These risks can be mitigated by legislation that would bar application of federal antitrust law under the "state action" doctrine. Under that doctrine, federal antitrust law does not apply to conduct that is (1) undertaken pursuant to a clearly expressed and affirmatively articulated state policy to displace or limit competition and (2) actively supervised by the state.

(7) To ensure that this defense will be available to protect participants in the program, it is important for this State's legislation to be specific about the conduct it is authorizing and to express clearly that the State is authorizing that conduct pursuant to a conscious policy decision to limit the unfettered operation of market forces. It is also critical for the legislation to provide for active supervision of the conduct that might otherwise be subject to antitrust attack. In particular, the legislation must provide for active supervision of the decisions concerning the assessments that will fund the program. A clear articulation of the State's purposes and policies and provisions for active State supervision of the program will ensure that industry participation in the program will not trigger litigation.

(8) To ensure that the costs of the program are distributed in an equitable and competitively neutral manner, the program will be funded through an assessment on each container of paint sold in this State. That assessment will be sufficient to recover, but not exceed, the costs of sustaining the program and will be reviewed and approved by the Environmental Protection Agency. Funds collected through the assessment will be used by the representative organization to operate and sustain the program.

Section 10. Definitions. In this Act:

"Agency" means the Environmental Protection Agency.

"Architectural paint" means interior and exterior architectural coatings sold in containers of 5 gallons or less. "Architectural paint" does not include industrial original equipment or specialty coatings.

"Collection site" means any location, place, tract of land, or facility or improvement at which architectural paint is accepted into a postconsumer paint collection program pursuant to a postconsumer paint collection program plan.

"Environmentally sound management practices" means procedures for the collection, storage, transportation, reuse, recycling, and disposal of architectural paint in a manner that complies with all applicable federal, State, and local laws and any rules, regulations, and ordinances for the protection of human health and the environment. These procedures shall address adequate recordkeeping, tracking and documenting of the final disposition of materials, and environmental liability coverage for the representative organization.

"Household waste" has the meaning given to that term in Section 3.230 of the Environmental Protection Act.

"Manufacturer" means a manufacturer of architectural paint who sells, offers for sale, or distributes the architectural paint in the State under the manufacturer's own name or brand or another brand. "Manufacturer" does not include a retailer that trademarks or owns a brand of architectural paint that is sold, offered for sale, or distributed within or into this State and that is manufactured by a person other than a retailer.

"Person" has the meaning given to that term in Section 3.315 of the Environmental Protection Act.

"Postconsumer paint" means architectural paint not used and no longer wanted by a purchaser.

"Program" means the postconsumer paint stewardship program established pursuant to Section 15.

"Recycling" has the meaning given to that term in Section 3.380 of the Environmental Protection Act.

"Representative organization" means a nonprofit organization established by one or more manufacturers to implement a postconsumer paint stewardship program under this Act.

"Retailer" means a person that sells or offers to sell at retail in this State architectural paint.

"Very small quantity generator" has the meaning given to that term in 40 CFR 260.10.

Section 15. Paint stewardship program plan.

(a) Each manufacturer of architectural paint sold or offered for sale at retail in the State shall submit to the Agency a plan for the establishment of a postconsumer paint stewardship program. The program shall seek to reduce the generation of postconsumer paint, promote its reuse and recycling, and manage the postconsumer paint waste stream using environmentally sound management practices.

(b) A plan submitted under this Section shall:

(1) Provide a list of participating manufacturers and brands covered by the program.

(2) Provide information on the architectural paint products covered under the program, such as interior or exterior water-based and oil-based coatings, primers, sealers, or wood coatings.

(3) Describe how it will provide for the statewide collection of postconsumer architectural paint in the State. The manufacturer or representative organization may coordinate the program with existing household hazardous waste collection infrastructure as is mutually agreeable with the person operating the household waste collection infrastructure.

(4) Provide a goal of sufficient number and geographic distribution of collection sites, collection services, or collection events for postconsumer architectural paint to meet the following criteria:

(A) at least 90% of State residents shall have a collection site, collection service, or collection event within a 15-mile radius; and

(B) at least one collection site, collection service, or collection event for every 50,000 residents of the State.

(5) Describe how postconsumer paint will be managed using the following strategies: reuse, recycling, energy recovery, and disposal.

(6) Describe education and outreach efforts to inform consumers about the program. These efforts should include:

(A) information about collection opportunities for postconsumer paint;

(B) information about the fee for the operation of the program that shall be included in the purchase price of all architectural paint sold in the State; and

(C) efforts to promote the source reduction, reuse, and recycling of architectural paint.

(7) Include a certification from an independent auditor that any added fee to paint sold in the State as a result of the postconsumer paint stewardship program does not exceed the costs to operate and sustain the program in accordance with sound management practices. The independent auditor shall verify that the amount added to each unit of paint will cover the costs and sustain the postconsumer paint stewardship program.

(8) Describe how the paint stewardship program will incorporate and compensate service providers for activities conducted under the program that may include:

(A) the collection of postconsumer architectural paint and architectural paint containers through permanent collection sites, collection events, or curbside services;

(B) the reuse or processing of postconsumer architectural paint at a permanent collection site; and

(C) the transportation, recycling, and proper disposal of postconsumer architectural paint.

(c) Independent audits conducted for the purposes of this Act must be conducted in accordance with generally accepted auditing standards. The work product of the independent auditor shall be submitted to the Agency as part of the annual report required by Section 40. The cost of any work performed by the independent auditor shall be funded by the program.

(d) Not later than 60 days after submission of the plan under this Section, the Agency shall determine in writing whether to approve the plan as submitted or disapprove the plan. The Agency shall approve a plan if it contains all of the information required under subsection (b). If the plan is disapproved, the manufacturer or representative organization shall resubmit a plan within 45 calendar days of receipt of the notice of disapproval.

(e) If a manufacturer or representative organization determines that the paint stewardship fee should be adjusted because the independent audit reveals that the cost of administering the program exceeds the revenues generated by the paint stewardship fee, the manufacturer or representative organization shall submit to the Agency a justification for the adjustment as well as financial reports to support the adjustment, including a 5-year projection of the financial status of the organization. The submission shall include a certification from an independent auditor that the proposed fee adjustment will generate revenues necessary and sufficient to pay the program expenses, including any accumulated debt, and develop a reasonable reserve level sufficient to sustain the program. The Agency shall approve the fee adjustment if the submission contains all of the information required under this subsection.

(f) Within 45 calendar days after Agency approval of a plan, the Agency shall post on its website, and the manufacturer or representative organization shall post on its website, the names of the manufacturers participating in the plan, the brands of architectural paint covered by the program, and a copy of the plan.

(g) Each manufacturer under the plan shall include in the price of any architectural paint sold to retailers or distributors in the State the per container amount of the fee set forth in the plan or fee adjustment. If a representative organization is implementing the plan for a manufacturer, the manufacturer is responsible for filing, reporting, and remitting the paint stewardship fee assessment for each container of architectural paint to the representative organization. A retailer or distributor shall not deduct the amount of the fee from the purchase price of any paint it sells.

Section 20. Incineration prohibited. No person shall incinerate architectural paint collected pursuant to a paint stewardship plan approved in accordance with Section 15.

Section 25. Plan submission. The plan required by Section 15 shall be submitted not later than 12 months after the effective date of this Act.

Section 30. Sale of paint.

(a) A manufacturer or retailer shall not sell or offer for sale architectural paint to any person in the State unless the manufacturer of the paint brand or the manufacturer's representative organization is implementing a paint stewardship plan approved in accordance with Section 15.

(b) A retailer shall not be in violation of subsection (a) if, on the date the architectural paint was sold or offered for sale, the paint or the paint's manufacturer are listed on the Agency's website pursuant to subsection (f) of Section 15.

(c) A paint collection site accepting paint for a program approved under this Act shall not charge for the collection of the paint when it is offered for collection.

(d) No retailer is required to participate in a paint stewardship program as a collection site. A retailer may participate as a paint collection site on a voluntary basis, subject to the same terms, conditions, and requirements that apply to any other collection site.

(e) Nothing in this Act shall require a retailer to track, file, report, submit, or remit a paint stewardship assessment, sales data, or any other information on behalf of a manufacturer, distributor, or representative organization. Nothing in this Act prohibits a manufacturer and a retailer from entering into remitter agreements.

Section 35. Liability. A manufacturer or representative organization participating in a postconsumer paint stewardship program shall not be liable for any claim of a violation of antitrust, restraint of trade, unfair trade practice, or other anticompetitive conduct arising from conduct undertaken in accordance with the program.

Section 40. Annual report. By July 1, 2026, and each July 1 thereafter, a manufacturer or representative organization shall submit a report to the Agency that details the implementation of the manufacturer's or representative organization's program during the prior calendar year. The report shall include:

(1) a description of the methods used to collect and transport the postconsumer paint collected by the program;

(2) the volume and type of postconsumer paint collected and a description of the methods used to process the paint, including reuse, recycling, and other methods;

(3) samples of the educational materials provided to consumers of architectural paint; and

(4) the total cost of the program and an independent financial audit of the program. An independent financial auditor shall be chosen by the manufacturer or representative organization.

The Agency and the manufacturer or manufacturer's representative organization shall post a copy of each annual report on their websites.

Section 45. Disclosure. Financial, production, or sales data reported to the Agency by a manufacturer, retailer, or representative organization is confidential business information that is exempt from disclosure under the Freedom of Information Act.

Section 50. Program plan submission fee. A manufacturer or representative organization submitting a program plan shall pay an administrative fee of $10,000 to the Agency at the time of submission.

Section 55. Administration fee. By July 1, 2026, and each July 1 thereafter, a manufacturer or representative organization operating a stewardship program shall remit to the Agency a $40,000 administration fee.

Section 60. Implementation. Six months following the date of the program approval, a manufacturer or representative organization shall implement a postconsumer paint collection plan approved in accordance with Section 15.

Section 65. Postconsumer paint from households and small businesses.

(a) Delivery of leftover architectural paint by households and very small quantity generators to a collection site is authorized to the extent provided in the postconsumer paint program approved in accordance with Section 15 and in accordance with federal and State law, rules, and regulations.

(b) Collection sites shall accept and temporarily store architectural paint from households and very small quantity generators to the extent provided in the postconsumer paint stewardship program approved in accordance with Section 15 and in accordance with federal and State law, rules, and regulations.

(c) Nothing in this Act shall be construed as restricting the collection of architectural paint by a postconsumer paint stewardship program where the collection is authorized under any otherwise applicable hazardous waste or solid waste laws, rules, or regulations.

(d) Nothing in this Act shall be construed to affect any requirements applicable to any person under any otherwise applicable hazardous waste or solid waste laws, rules, or regulations.

Section 70. Penalties.

(a) Any person who violates any provision of this Act is liable for a civil penalty of $7,000 per violation, except that the failure to register or pay a fee under this Act shall cause the person who fails to register or pay the fee to be liable for a civil penalty that is double the applicable registration fee.

(b) The penalties provided for in this Section may be recovered in a civil action brought in the name of the people of the State of Illinois by the State's Attorney of the county in which the violation occurred or by the Attorney General. Any penalties collected under this Section in an action in which the Attorney General has prevailed shall be deposited into the Environmental Protection Trust Fund, to be used in accordance with the provision of the Environmental Protection Trust Fund Act.

(c) The Attorney General or the State's Attorney of a county in which a violation occurs may institute a civil action for an injunction, prohibitory or mandatory, to restrain violations of this Act or to require such actions as may be necessary to address violations of this Act.

(d) The penalties and injunctions provided in this Act are in addition to any penalties, injunctions, or other relief provided under any other State law. Nothing in this Act bars a cause of action by the State for any other penalty, injunction, or other relief provided by any other law.

(e) Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Agency, related to or required by this Act or any rule adopted under this Act commits a Class 4 felony, and each such statement or writing shall be considered a separate Class 4 felony. A person who, after being convicted under this subsection, violates this subsection a second or subsequent time commits a Class 3 felony.

Section 905. The Freedom of Information Act is amended by changing Section 7.5 as follows:

(5 ILCS 140/7.5)

Sec. 7.5. Statutory exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

(a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.

(c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.

(e) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(f) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(g) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.

(i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(j) Information and data concerning the distribution of surcharge moneys collected and remitted by carriers under the Emergency Telephone System Act.

(k) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(l) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(m) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act. This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(o) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Department of Transportation under Sections 2705-300 and 2705-616 of the Department of Transportation Law of the Civil Administrative Code of Illinois, the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act, or the St. Clair County Transit District under the Bi-State Transit Safety Act.

(q) Information prohibited from being disclosed by the Personnel Record Review Act.

(r) Information prohibited from being disclosed by the Illinois School Student Records Act.

(s) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(t) All identified or deidentified health information in the form of health data or medical records contained in, stored in, submitted to, transferred by, or released from the Illinois Health Information Exchange, and identified or deidentified health information in the form of health data and medical records of the Illinois Health Information Exchange in the possession of the Illinois Health Information Exchange Office due to its administration of the Illinois Health Information Exchange. The terms "identified" and "deidentified" shall be given the same meaning as in the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, or any subsequent amendments thereto, and any regulations promulgated thereunder.

(u) Records and information provided to an independent team of experts under the Developmental Disability and Mental Health Safety Act (also known as Brian's Law).

(v) Names and information of people who have applied for or received Firearm Owner's Identification Cards under the Firearm Owners Identification Card Act or applied for or received a concealed carry license under the Firearm Concealed Carry Act, unless otherwise authorized by the Firearm Concealed Carry Act; and databases under the Firearm Concealed Carry Act, records of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act, and law enforcement agency objections under the Firearm Concealed Carry Act.

(v-5) Records of the Firearm Owner's Identification Card Review Board that are exempted from disclosure under Section 10 of the Firearm Owners Identification Card Act.

(w) Personally identifiable information which is exempted from disclosure under subsection (g) of Section 19.1 of the Toll Highway Act.

(x) Information which is exempted from disclosure under Section 5-1014.3 of the Counties Code or Section 8-11-21 of the Illinois Municipal Code.

(y) Confidential information under the Adult Protective Services Act and its predecessor enabling statute, the Elder Abuse and Neglect Act, including information about the identity and administrative finding against any caregiver of a verified and substantiated decision of abuse, neglect, or financial exploitation of an eligible adult maintained in the Registry established under Section 7.5 of the Adult Protective Services Act.

(z) Records and information provided to a fatality review team or the Illinois Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services Act.

(aa) Information which is exempted from disclosure under Section 2.37 of the Wildlife Code.

(bb) Information which is or was prohibited from disclosure by the Juvenile Court Act of 1987.

(cc) Recordings made under the Law Enforcement Officer-Worn Body Camera Act, except to the extent authorized under that Act.

(dd) Information that is prohibited from being disclosed under Section 45 of the Condominium and Common Interest Community Ombudsperson Act.

(ee) Information that is exempted from disclosure under Section 30.1 of the Pharmacy Practice Act.

(ff) Information that is exempted from disclosure under the Revised Uniform Unclaimed Property Act.

(gg) Information that is prohibited from being disclosed under Section 7-603.5 of the Illinois Vehicle Code.

(hh) Records that are exempt from disclosure under Section 1A-16.7 of the Election Code.

(ii) Information which is exempted from disclosure under Section 2505-800 of the Department of Revenue Law of the Civil Administrative Code of Illinois.

(jj) Information and reports that are required to be submitted to the Department of Labor by registering day and temporary labor service agencies but are exempt from disclosure under subsection (a-1) of Section 45 of the Day and Temporary Labor Services Act.

(kk) Information prohibited from disclosure under the Seizure and Forfeiture Reporting Act.

(ll) Information the disclosure of which is restricted and exempted under Section 5-30.8 of the Illinois Public Aid Code.

(mm) Records that are exempt from disclosure under Section 4.2 of the Crime Victims Compensation Act.

(nn) Information that is exempt from disclosure under Section 70 of the Higher Education Student Assistance Act.

(oo) Communications, notes, records, and reports arising out of a peer support counseling session prohibited from disclosure under the First Responders Suicide Prevention Act.

(pp) Names and all identifying information relating to an employee of an emergency services provider or law enforcement agency under the First Responders Suicide Prevention Act.

(qq) Information and records held by the Department of Public Health and its authorized representatives collected under the Reproductive Health Act.

(rr) Information that is exempt from disclosure under the Cannabis Regulation and Tax Act.

(ss) Data reported by an employer to the Department of Human Rights pursuant to Section 2-108 of the Illinois Human Rights Act.

(tt) Recordings made under the Children's Advocacy Center Act, except to the extent authorized under that Act.

(uu) Information that is exempt from disclosure under Section 50 of the Sexual Assault Evidence Submission Act.

(vv) Information that is exempt from disclosure under subsections (f) and (j) of Section 5-36 of the Illinois Public Aid Code.

(ww) Information that is exempt from disclosure under Section 16.8 of the State Treasurer Act.

(xx) Information that is exempt from disclosure or information that shall not be made public under the Illinois Insurance Code.

(yy) Information prohibited from being disclosed under the Illinois Educational Labor Relations Act.

(zz) Information prohibited from being disclosed under the Illinois Public Labor Relations Act.

(aaa) Information prohibited from being disclosed under Section 1-167 of the Illinois Pension Code.

(bbb) Information that is prohibited from disclosure by the Illinois Police Training Act and the Illinois State Police Act.

(ccc) Records exempt from disclosure under Section 2605-304 of the Illinois State Police Law of the Civil Administrative Code of Illinois.

(ddd) Information prohibited from being disclosed under Section 35 of the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act.

(eee) Information prohibited from being disclosed under subsection (b) of Section 75 of the Domestic Violence Fatality Review Act.

(fff) Images from cameras under the Expressway Camera Act. This subsection (fff) is inoperative on and after July 1, 2023.

(ggg) Information prohibited from disclosure under paragraph (3) of subsection (a) of Section 14 of the Nurse Agency Licensing Act.

(hhh) Information submitted to the Illinois ~~Department of~~ State Police in an affidavit or application for an assault weapon endorsement, assault weapon attachment endorsement, .50 caliber rifle endorsement, or .50 caliber cartridge endorsement under the Firearm Owners Identification Card Act.

(iii) Confidential business information prohibited from disclosure under Section 45 of the Paint Stewardship Act.

(Source: P.A. 101-13, eff. 6-12-19; 101-27, eff. 6-25-19; 101-81, eff. 7-12-19; 101-221, eff. 1-1-20; 101-236, eff. 1-1-20; 101-375, eff. 8-16-19; 101-377, eff. 8-16-19; 101-452, eff. 1-1-20; 101-466, eff. 1-1-20; 101-600, eff. 12-6-19; 101-620, eff 12-20-19; 101-649, eff. 7-7-20; 101-652, eff. 1-1-22; 101-656, eff. 3-23-21; 102-36, eff. 6-25-21; 102-237, eff. 1-1-22; 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff. 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22; 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; revised 2-13-23.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Holmes offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 836

AMENDMENT NO. 2 . Amend Senate Bill 836, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 2, line 9, by deleting "energy recovery,"; and

on page 8, lines 3 and 4, by deleting "energy recovery,".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Holmes, **Senate Bill No. 836** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Lightford	Sims
Aquino	Fine	Martwick	Stadelman
Belt	Fowler	McClure	Stoller
Bennett	Gillespie	McConchie	Syverson

Bryant	Glowiak Hilton	Morrison	Tracy
Castro	Halpin	Murphy	Turner, S.
Cervantes	Harris, N.	Pacione-Zayas	Ventura
Chesney	Harriss, E.	Peters	Villa
Cunningham	Hastings	Plummer	Villanueva
Curran	Holmes	Porfirio	Villivalam
DeWitte	Hunter	Preston	Wilcox
Edly-Allen	Johnson	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Villivalam, **Senate Bill No. 849** was recalled from the order of third reading to the order of second reading.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 849

AMENDMENT NO. 1 . Amend Senate Bill 849 by replacing everything after the enacting clause with the following:

"Section 5. The Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy Act is reenacted and amended by changing Sections 10, 15, 25, and 30 and by adding Section 27 as follows:

(20 ILCS 4116/Act title)

An Act concerning transportation.

(20 ILCS 4116/1)

Sec. 1. Short title. This Act may be cited as the Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy Act.

(Source: P.A. 102-988, eff. 5-27-22.)

(20 ILCS 4116/5)

Sec. 5. Findings. The General Assembly finds the following:

(1) Illinois' transportation system is crucial to every resident, employee, and business. It serves as the backbone of the economy and is a critical component of Illinois' economic competitiveness.

(2) The State must continue to pursue an equitable transportation network in which marginalized communities have improved access to all modes of transportation, thereby enhancing access to jobs, housing, and other services.

(3) Illinois is home to an expansive transportation network, currently ranking third in the nation for the number of roadway miles and bridges, totaling 127,044 and 26,848, respectively. The State also has 6,883 miles of freight railway, 1,118 inland waterway miles, 58 transit systems with over 450 million annual transit trips, and 17 major airports.

(4) The historic Rebuild Illinois capital plan adopted in 2019 will end in June 2025.

(5) The motor fuel tax and vehicle registration fees remain the most significant form of transportation funding for Illinois.

(6) Illinois will continue to contend with transportation funding shortfalls due to increasing vehicle fuel efficiency and the rising popularity of electric vehicles.

(7) New and innovative funding and policy options are needed to adequately maintain Illinois' transportation systems and support future growth.

(8) The General Assembly should study these issues to determine funding mechanisms for transportation projects and operations in Illinois, policy changes to support the efficient governance

and delivery of transportation projects, and the workforce needed to support the future transportation system.

(Source: P.A. 102-988, eff. 5-27-22.)

(20 ILCS 4116/10)

Sec. 10. Commission created.

(a) The Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy is created within the Department of Transportation consisting of members appointed as follows:

(1) Four members of the House of Representatives, with 2 to be appointed by the Speaker of the House of Representatives and 2 to be appointed by the Minority Leader of the House of Representatives.

(2) Four members of the Senate, with 2 to be appointed by the President of the Senate and 2 to be appointed by the Minority Leader of the Senate.

(3) Eight members appointed by the Governor with the advice and consent of the Senate.

(4) The chair of the Commission to be appointed by the Governor from among his 8 appointments.

(b) Members shall have expertise, knowledge, or experience in transportation infrastructure development, construction, workforce, or policy. Members shall also represent a diverse set of sectors, including the labor, engineering, construction, transit, active transportation, rail, air, or other sectors, and shall include participants of the Disadvantaged Business Enterprise Program. No more than 2 appointees shall be members of the same sector.

(c) Members shall represent geographically diverse regions of the State.

(d) Members shall be appointed by June 30 ~~January 31~~, 2023.

(Source: P.A. 102-988, eff. 5-27-22; 102-1129, eff. 2-10-23.)

(20 ILCS 4116/15)

Sec. 15. Meetings. The Commission shall hold its first meeting by July 31 ~~February 15~~, 2023. The Commission may conduct meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish its objectives and purposes.

(Source: P.A. 102-988, eff. 5-27-22; 102-1129, eff. 2-10-23.)

(20 ILCS 4116/20)

Sec. 20. Duties. The Commission shall evaluate Illinois' existing transportation infrastructure funding and policy processes and develop alternative solutions. The Commission shall:

(1) Evaluate current transportation funding in Illinois, taking into account the viability of existing revenue sources and funding distributions.

(2) Consider new and innovative funding options.

(3) Evaluate the existing governance of Illinois' transportation system, including roles and responsibilities for the State and county, township, and municipal governments.

(4) Evaluate current and future workforce needs to design, construct, and manage the state's transportation system within the Illinois Department of Transportation and within the State as a whole.

(5) Evaluate current and future data needs of the Illinois Department of Transportation.

(6) Consider and recommend steps to expedite project approval and completion.

(7) Consider future trends that will impact the transportation system, including safety needs, racial equity, electric vehicles, and climate change.

(8) Consider ways to improve transportation investment impacts on goals such as improving racial equity, addressing climate change, and increasing economic growth.

(9) Consider improvements to the performance-based programming system.

(10) Consider multimodal system needs, including public transportation, bicycle facilities, railways, waterways, and airports.

(11) Consider alternative solutions employed by other states.

(Source: P.A. 102-988, eff. 5-27-22.)

(20 ILCS 4116/25)

Sec. 25. Report. The Commission shall direct the Illinois Department of Transportation to enter into a contract with a third party to assist the Commission in producing a document that evaluates the topics under this Act and outline formal recommendations that can be acted upon by the General Assembly. The Commission shall report a summary of its activities and produce a final report of the data, findings, and

recommendations to the General Assembly by January 1, 2024 ~~September 15, 2023~~. The final report shall include specific, actionable recommendations for legislation and organizational adjustments. The final report may include recommendations for pilot programs to test alternatives. The final report and recommendations shall also include any minority and individual views of task force members.

(Source: P.A. 102-988, eff. 5-27-22; 102-1129, eff. 2-10-23.)

(20 ILCS 4116/27 new)

Sec. 27. Continuation of Act; validation.

(a) The General Assembly finds and declares that:

(1) Public Act 102-1129, which took effect on February 10, 2023, changed the repeal date set for the Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy Act from February 1, 2023 to September 30, 2023.

(2) The Statute on Statutes sets forth general rules on the repeal of statutes and the construction of multiple amendments, but Section 1 of that Act also states that these rules will not be observed when the result would be "inconsistent with the manifest intent of the General Assembly or repugnant to the context of the statute".

(3) This amendatory Act of the 103rd General Assembly manifests the intention of the General Assembly to extend the repeal of the Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy Act and have the Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy Act continue in effect until February 1, 2024.

(4) The Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy Act was originally enacted to protect, promote, and preserve the general welfare. Any construction of this Act that results in the repeal of this Act on February 1, 2023, would be inconsistent with the manifest intent of the General Assembly and repugnant to the context of the Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy Act.

(b) It is hereby declared to have been the intent of the General Assembly that the Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy Act not be subject to repeal on February 1, 2023.

(c) The Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy Act shall be deemed to have been in continuous effect since May 27, 2022 (the effective date of Public Act 102-998), and it shall continue to be in effect until it is otherwise lawfully repealed. All previously enacted amendments to the Act taking effect on or after February 1, 2023, are hereby validated.

(d) All actions taken in reliance on or pursuant to the Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy Act by any person or entity are hereby validated.

(e) In order to ensure the continuing effectiveness of the Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy Act, it is set forth in full and reenacted by this amendatory Act of the 103rd General Assembly. Striking and underscoring are used only to show changes being made to the base text. This reenactment is intended as a continuation of the Act. It is not intended to supersede any amendment to the Act that is enacted by the 103rd General Assembly.

(f) The Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy Act applies to all claims, civil actions, and proceedings pending on or filed on or before the effective date of this amendatory Act of the 103rd General Assembly.

(20 ILCS 4116/30)

Sec. 30. Repeal. This Commission is dissolved, and this Act is repealed, on February 1, 2024 ~~September 30, 2023~~.

(Source: P.A. 102-988, eff. 5-27-22; 102-1129, eff. 2-10-23.)

(20 ILCS 4116/99)

Sec. 99. Effective date. This Act takes effect upon becoming law.

(Source: P.A. 102-988, eff. 5-27-22.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Villivalam, **Senate Bill No. 849** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Belt, **Senate Bill No. 850** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was held in the Committee on Executive.

Senator Belt offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 850

AMENDMENT NO. 2 . Amend Senate Bill 850 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Grocery Initiative Act.

Section 5. Definitions. In this Act:

"Department" means the Department of Commerce and Economic Opportunity.

"Food desert" means a census tract that:

(1) meets one of the following poverty standards:

(A) the census tract has a poverty rate of at least 20%; or

(B) the census tract is not located within a metropolitan statistical area and has a median family income that is less than or equal to 80% of the statewide median household income; or

(C) the census tract is located within a metropolitan statistical area and has a median family income that is less than or equal to 80% of the greater of (i) the statewide median household income or (ii) the metropolitan area median family income; and

(2) meets one of the following population density and food accessibility standards:

(A) the census tract is a rural tract, and at least 33% of the population of the tract or at least 500 residents in the tract reside more than 10 miles from the nearest grocery store; or

(B) the census tract is an urban tract, and at least 33% of the population of the tract or at least 500 residents in the tract reside more than one-half mile from the nearest grocery store.

"Grocery store" means an existing or planned retail establishment that: (1) has or will have a primary business of selling a variety of grocery products, including fresh produce; (2) derives or will derive no more than 30% of its revenue from sales of tobacco and alcohol in any given year; (3) is or will be classified as a supermarket or other grocery retailer in the 2022 North American Industry Classification System under code 445110; (4) accepts or will accept Supplemental Nutrition Assistance Program benefits and Special Supplemental Nutrition Program for Women, Infants, and Children benefits; and (5) provides or will provide for the retail sale of a substantial variety of perishable foods, including fresh or frozen dairy products, fresh produce, and fresh meats, poultry, and fish.

"Local governmental unit" means any county, municipality, township, special district, or unit that is designated as a unit of local government by law and exercises limited governmental powers or powers in respect to limited governmental subjects. "Local governmental unit" also includes any school district or community college district.

"Rural tract" means a census tract that is not an urban tract.

"Urban tract" means a census tract having its geographic centroid in an urban area, as defined by the Bureau of the Census for the most recent year in which all relevant data to identify food deserts is available.

Section 10. Grocery Initiative Study. The Department shall, subject to appropriation, study food insecurity in urban and rural food deserts. The study may include an exploration of the reasons for current market failures, potential policy solutions, geographic trends, and the need for independent grocers, and it shall identify communities at risk of becoming food deserts. The study may also include a disparity study to assess the need for aspirational goals for ownership among minority, women, and persons with a disability as defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act. The Department may enter into contracts, grants, or other agreements to complete this study. This report shall be submitted to the General Assembly by December 31, 2024. This Section is repealed on January 1, 2026.

Section 15. Grocery Initiative Grants and Financial Support.

(a) The Department shall, subject to appropriation, establish the Grocery Initiative to expand access to healthy foods in food deserts in Illinois and areas at risk of becoming food deserts in Illinois by providing grants and other forms of financial assistance to independently owned for-profit grocery stores, as well as grocery stores owned and operated by local governmental units. The Department may enter into contracts, grants, or other agreements to administer these grants and other forms of financial assistance. The Department may, by rule, place limits on the size of the grocery stores that are eligible for grants and other financial assistance under this Act, including, but not limited to, limits on the annual revenue or projected revenue of the applicant, number of full-time employees, or square footage of the facilities. The Department may prioritize grant awards and loan funding to applicants based on poverty rates, income, geographic diversity, local ownership, access to grocery stores in the area surrounding proposed project locations, and other factors as determined by the Department. The Department may award grants or provide loans for any one or more of the following:

(1) market and site feasibility studies, promotional materials, and marketing;

(2) salaries and benefits for workers;

(3) rent or a down payment to acquire a facility;

(4) purchase of ownership of a grocery store as part of establishing a new independently owned grocery store;

(5) capital improvements, planning, renovations, land acquisition, demolition, durable and non-durable equipment purchases; or

(6) other costs as determined eligible by the Department.

(b) The Department may, subject to appropriation, provide grants for equipment upgrades for existing independently-owned, cooperative, and for-profit grocery stores. The Department shall use no more than 20% of total program funding for this purpose. Equipment upgrades shall be focused on providing access to equipment that is energy efficient.

Section 20. Technical Assistance.

(a) The Department shall, subject to appropriation, provide technical assistance to grantees awarded grants under the Act, and other small, independently owned grocery stores to ensure their long-term viability and business success. Technical assistance, online resources, and materials provided shall include, but shall not be limited to, business planning, marketing, financing, supply chain management, and workforce development assistance.

(b) The Department may enter into grants, contracts, or other agreements to provide assistance. At least one technical assistance provider shall be located in a county with a population of at least 3,000,000 inhabitants, and at least one provider shall be located in a county with a population of less than 400,000 inhabitants.

Section 25. Rulemaking. The Department shall adopt rules to implement and administer this Act.

Section 30. The Illinois Enterprise Zone Act is amended by changing Section 5.5 as follows:

(20 ILCS 655/5.5) (from Ch. 67 1/2, par. 609.1)

Sec. 5.5. High Impact Business.

(a) In order to respond to unique opportunities to assist in the encouragement, development, growth, and expansion of the private sector through large scale investment and development projects, the Department is authorized to receive and approve applications for the designation of "High Impact Businesses" in Illinois, for an initial term of 20 years with an option for renewal for a term not to exceed 20 years, subject to the following conditions:

(1) such applications may be submitted at any time during the year;

(2) such business is not located, at the time of designation, in an enterprise zone designated pursuant to this Act;

(3) the business intends to do one or more of the following:

(A) the business intends to make a minimum investment of $12,000,000 which will be placed in service in qualified property and intends to create 500 full-time equivalent jobs at a designated location in Illinois or intends to make a minimum investment of $30,000,000 which will be placed in service in qualified property and intends to retain 1,500 full-time retained jobs at a designated location in Illinois. The terms "placed in service" and "qualified property" have the same meanings as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(B) the business intends to establish a new electric generating facility at a designated location in Illinois. "New electric generating facility", for purposes of this Section, means a newly constructed electric generation plant or a newly constructed generation capacity expansion at an existing electric generation plant, including the transmission lines and associated equipment that transfers electricity from points of supply to points of delivery, and for which such new foundation construction commenced not sooner than July 1, 2001. Such facility shall be designed to provide baseload electric generation and shall operate on a continuous basis throughout the year; and (i) shall have an aggregate rated generating capacity of at least 1,000 megawatts for all new units at one site if it uses natural gas as its primary fuel and foundation construction of the facility is commenced on or before December 31, 2004, or shall have an aggregate rated generating capacity of at least 400 megawatts for all new units at one site if it uses coal or gases derived from coal as its primary fuel and shall support the creation of at least 150 new Illinois coal mining jobs, or (ii) shall be funded through a federal Department of Energy grant before December 31, 2010 and shall support the creation of Illinois coal-mining jobs, or (iii) shall use coal gasification or integrated gasification-combined cycle units that generate electricity or chemicals, or both, and shall support the creation of Illinois coal-mining jobs. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(B-5) the business intends to establish a new gasification facility at a designated location in Illinois. As used in this Section, "new gasification facility" means a newly constructed coal gasification facility that generates chemical feedstocks or transportation fuels derived from coal (which may include, but are not limited to, methane, methanol, and nitrogen fertilizer), that supports the creation or retention of Illinois coal-mining jobs, and that qualifies for financial assistance from the Department before December 31, 2010. A new gasification facility does not

include a pilot project located within Jefferson County or within a county adjacent to Jefferson County for synthetic natural gas from coal; or

(C) the business intends to establish production operations at a new coal mine, re-establish production operations at a closed coal mine, or expand production at an existing coal mine at a designated location in Illinois not sooner than July 1, 2001; provided that the production operations result in the creation of 150 new Illinois coal mining jobs as described in subdivision (a)(3)(B) of this Section, and further provided that the coal extracted from such mine is utilized as the predominant source for a new electric generating facility. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(D) the business intends to construct new transmission facilities or upgrade existing transmission facilities at designated locations in Illinois, for which construction commenced not sooner than July 1, 2001. For the purposes of this Section, "transmission facilities" means transmission lines with a voltage rating of 115 kilovolts or above, including associated equipment, that transfer electricity from points of supply to points of delivery and that transmit a majority of the electricity generated by a new electric generating facility designated as a High Impact Business in accordance with this Section. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(E) the business intends to establish a new wind power facility at a designated location in Illinois. For purposes of this Section, "new wind power facility" means a newly constructed electric generation facility, a newly constructed expansion of an existing electric generation facility, or the replacement of an existing electric generation facility, including the demolition and removal of an electric generation facility irrespective of whether it will be replaced, placed in service or replaced on or after July 1, 2009, that generates electricity using wind energy devices, and such facility shall be deemed to include any permanent structures associated with the electric generation facility and all associated transmission lines, substations, and other equipment related to the generation of electricity from wind energy devices. For purposes of this Section, "wind energy device" means any device, with a nameplate capacity of at least 0.5 megawatts, that is used in the process of converting kinetic energy from the wind to generate electricity; or

(E-5) the business intends to establish a new utility-scale solar facility at a designated location in Illinois. For purposes of this Section, "new utility-scale solar power facility" means a newly constructed electric generation facility, or a newly constructed expansion of an existing electric generation facility, placed in service on or after July 1, 2021, that (i) generates electricity using photovoltaic cells and (ii) has a nameplate capacity that is greater than 5,000 kilowatts, and such facility shall be deemed to include all associated transmission lines, substations, energy storage facilities, and other equipment related to the generation and storage of electricity from photovoltaic cells; or

(F) the business commits to (i) make a minimum investment of $500,000,000, which will be placed in service in a qualified property, (ii) create 125 full-time equivalent jobs at a designated location in Illinois, (iii) establish a fertilizer plant at a designated location in Illinois that complies with the set-back standards as described in Table 1: Initial Isolation and Protective Action Distances in the 2012 Emergency Response Guidebook published by the United States Department of Transportation, (iv) pay a prevailing wage for employees at that location who are engaged in construction activities, and (v) secure an appropriate level of general liability insurance to protect against catastrophic failure of the fertilizer plant or any of its constituent systems; in addition, the business must agree to enter into a construction project labor agreement including provisions establishing wages, benefits, and other compensation for employees performing work under the project labor agreement at that location; for the purposes of this Section, "fertilizer plant" means a newly constructed or upgraded plant utilizing gas used in the production of anhydrous ammonia and downstream nitrogen fertilizer products for resale; for the purposes of this Section, "prevailing wage" means the hourly cash wages plus fringe benefits for training and apprenticeship programs approved by the U.S. Department of Labor, Bureau of Apprenticeship and Training, health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character on public works; this paragraph (F) applies only to businesses that

submit an application to the Department within 60 days after July 25, 2013 (the effective date of Public Act 98-109); ~~and~~

(G) the business is a grocery store, as that term is defined in Section 5 of the Grocery Initiative Act, and receives financial support under that Act within the 10 years before submitting its application under this Act; and

(4) no later than 90 days after an application is submitted, the Department shall notify the applicant of the Department's determination of the qualification of the proposed High Impact Business under this Section.

(b) Businesses designated as High Impact Businesses pursuant to subdivision (a)(3)(A) of this Section shall qualify for the credits and exemptions described in the following Acts: Section 9-222 and Section 9-222.1A of the Public Utilities Act, subsection (h) of Section 201 of the Illinois Income Tax Act, and Section 1d of the Retailers' Occupation Tax Act; provided that these credits and exemptions described in these Acts shall not be authorized until the minimum investments set forth in subdivision (a)(3)(A) of this Section have been placed in service in qualified properties and, in the case of the exemptions described in the Public Utilities Act and Section 1d of the Retailers' Occupation Tax Act, the minimum full-time equivalent jobs or full-time retained jobs set forth in subdivision (a)(3)(A) of this Section have been created or retained. Businesses designated as High Impact Businesses under this Section shall also qualify for the exemption described in Section 5l of the Retailers' Occupation Tax Act. The credit provided in subsection (h) of Section 201 of the Illinois Income Tax Act shall be applicable to investments in qualified property as set forth in subdivision (a)(3)(A) of this Section.

(b-5) Businesses designated as High Impact Businesses pursuant to subdivisions (a)(3)(B), (a)(3)(B-5), (a)(3)(C), and (a)(3)(D) of this Section shall qualify for the credits and exemptions described in the following Acts: Section 5l of the Retailers' Occupation Tax Act, Section 9-222 and Section 9-222.1A of the Public Utilities Act, and subsection (h) of Section 201 of the Illinois Income Tax Act; however, the credits and exemptions authorized under Section 9-222 and Section 9-222.1A of the Public Utilities Act, and subsection (h) of Section 201 of the Illinois Income Tax Act shall not be authorized until the new electric generating facility, the new gasification facility, the new transmission facility, or the new, expanded, or reopened coal mine is operational, except that a new electric generating facility whose primary fuel source is natural gas is eligible only for the exemption under Section 5l of the Retailers' Occupation Tax Act.

(b-6) Businesses designated as High Impact Businesses pursuant to subdivision (a)(3)(E) or (a)(3)(E-5) of this Section shall qualify for the exemptions described in Section 5l of the Retailers' Occupation Tax Act; any business so designated as a High Impact Business being, for purposes of this Section, a "Wind Energy Business".

(b-7) Beginning on January 1, 2021, businesses designated as High Impact Businesses by the Department shall qualify for the High Impact Business construction jobs credit under subsection (h-5) of Section 201 of the Illinois Income Tax Act if the business meets the criteria set forth in subsection (i) of this Section. The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of Public Act 101-9) shall not exceed $20,000,000 in any State fiscal year.

(c) High Impact Businesses located in federally designated foreign trade zones or sub-zones are also eligible for additional credits, exemptions and deductions as described in the following Acts: Section 9-221 and Section 9-222.1 of the Public Utilities Act; and subsection (g) of Section 201, and Section 203 of the Illinois Income Tax Act.

(d) Except for businesses contemplated under subdivision (a)(3)(E) or (a)(3)(E-5) of this Section, existing Illinois businesses which apply for designation as a High Impact Business must provide the Department with the prospective plan for which 1,500 full-time retained jobs would be eliminated in the event that the business is not designated.

(e) Except for new wind power facilities contemplated under subdivision (a)(3)(E) of this Section, new proposed facilities which apply for designation as High Impact Business must provide the Department with proof of alternative non-Illinois sites which would receive the proposed investment and job creation in the event that the business is not designated as a High Impact Business.

(f) Except for businesses contemplated under subdivision (a)(3)(E) of this Section, in the event that a business is designated a High Impact Business and it is later determined after reasonable notice and an opportunity for a hearing as provided under the Illinois Administrative Procedure Act, that the business would have placed in service in qualified property the investments and created or retained the requisite number of jobs without the benefits of the High Impact Business designation, the Department shall be required to immediately revoke the designation and notify the Director of the Department of Revenue who

shall begin proceedings to recover all wrongfully exempted State taxes with interest. The business shall also be ineligible for all State funded Department programs for a period of 10 years.

(g) The Department shall revoke a High Impact Business designation if the participating business fails to comply with the terms and conditions of the designation.

(h) Prior to designating a business, the Department shall provide the members of the General Assembly and Commission on Government Forecasting and Accountability with a report setting forth the terms and conditions of the designation and guarantees that have been received by the Department in relation to the proposed business being designated.

(i) High Impact Business construction jobs credit. Beginning on January 1, 2021, a High Impact Business may receive a tax credit against the tax imposed under subsections (a) and (b) of Section 201 of the Illinois Income Tax Act in an amount equal to 50% of the amount of the incremental income tax attributable to High Impact Business construction jobs credit employees employed in the course of completing a High Impact Business construction jobs project. However, the High Impact Business construction jobs credit may equal 75% of the amount of the incremental income tax attributable to High Impact Business construction jobs credit employees if the High Impact Business construction jobs credit project is located in an underserved area.

The Department shall certify to the Department of Revenue: (1) the identity of taxpayers that are eligible for the High Impact Business construction jobs credit; and (2) the amount of High Impact Business construction jobs credits that are claimed pursuant to subsection (h-5) of Section 201 of the Illinois Income Tax Act in each taxable year. Any business entity that receives a High Impact Business construction jobs credit shall maintain a certified payroll pursuant to subsection (j) of this Section.

As used in this subsection (i):

"High Impact Business construction jobs credit" means an amount equal to 50% (or 75% if the High Impact Business construction project is located in an underserved area) of the incremental income tax attributable to High Impact Business construction job employees. The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of Public Act 101-9) shall not exceed $20,000,000 in any State fiscal year

"High Impact Business construction job employee" means a laborer or worker who is employed by an Illinois contractor or subcontractor in the actual construction work on the site of a High Impact Business construction job project.

"High Impact Business construction jobs project" means building a structure or building or making improvements of any kind to real property, undertaken and commissioned by a business that was designated as a High Impact Business by the Department. The term "High Impact Business construction jobs project" does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.

"Incremental income tax" means the total amount withheld during the taxable year from the compensation of High Impact Business construction job employees.

"Underserved area" means a geographic area that meets one or more of the following conditions:

(1) the area has a poverty rate of at least 20% according to the latest American Community Survey;

(2) 35% or more of the families with children in the area are living below 130% of the poverty line, according to the latest American Community Survey;

(3) at least 20% of the households in the area receive assistance under the Supplemental Nutrition Assistance Program (SNAP); or

(4) the area has an average unemployment rate, as determined by the Illinois Department of Employment Security, that is more than 120% of the national unemployment average, as determined by the U.S. Department of Labor, for a period of at least 2 consecutive calendar years preceding the date of the application.

(j) Each contractor and subcontractor who is engaged in and executing a High Impact Business Construction jobs project, as defined under subsection (i) of this Section, for a business that is entitled to a credit pursuant to subsection (i) of this Section shall:

(1) make and keep, for a period of 5 years from the date of the last payment made on or after June 5, 2019 (the effective date of Public Act 101-9) on a contract or subcontract for a High Impact Business Construction Jobs Project, records for all laborers and other workers employed by the contractor or subcontractor on the project; the records shall include:

(A) the worker's name;

(B) the worker's address;
(C) the worker's telephone number, if available;
(D) the worker's social security number;
(E) the worker's classification or classifications;
(F) the worker's gross and net wages paid in each pay period;
(G) the worker's number of hours worked each day;
(H) the worker's starting and ending times of work each day;
(I) the worker's hourly wage rate;
(J) the worker's hourly overtime wage rate;
(K) the worker's race and ethnicity; and
(L) the worker's gender;

(2) no later than the 15th day of each calendar month, provide a certified payroll for the immediately preceding month to the taxpayer in charge of the High Impact Business construction jobs project; within 5 business days after receiving the certified payroll, the taxpayer shall file the certified payroll with the Department of Labor and the Department of Commerce and Economic Opportunity; a certified payroll must be filed for only those calendar months during which construction on a High Impact Business construction jobs project has occurred; the certified payroll shall consist of a complete copy of the records identified in paragraph (1) of this subsection (j), but may exclude the starting and ending times of work each day; the certified payroll shall be accompanied by a statement signed by the contractor or subcontractor or an officer, employee, or agent of the contractor or subcontractor which avers that:

(A) he or she has examined the certified payroll records required to be submitted by the Act and such records are true and accurate; and

(B) the contractor or subcontractor is aware that filing a certified payroll that he or she knows to be false is a Class A misdemeanor.

A general contractor is not prohibited from relying on a certified payroll of a lower-tier subcontractor, provided the general contractor does not knowingly rely upon a subcontractor's false certification.

Any contractor or subcontractor subject to this subsection, and any officer, employee, or agent of such contractor or subcontractor whose duty as an officer, employee, or agent it is to file a certified payroll under this subsection, who willfully fails to file such a certified payroll on or before the date such certified payroll is required by this paragraph to be filed and any person who willfully files a false certified payroll that is false as to any material fact is in violation of this Act and guilty of a Class A misdemeanor.

The taxpayer in charge of the project shall keep the records submitted in accordance with this subsection on or after June 5, 2019 (the effective date of Public Act 101-9) for a period of 5 years from the date of the last payment for work on a contract or subcontract for the High Impact Business construction jobs project.

The records submitted in accordance with this subsection shall be considered public records, except an employee's address, telephone number, and social security number, and made available in accordance with the Freedom of Information Act. The Department of Labor shall share the information with the Department in order to comply with the awarding of a High Impact Business construction jobs credit. A contractor, subcontractor, or public body may retain records required under this Section in paper or electronic format.

(k) Upon 7 business days' notice, each contractor and subcontractor shall make available for inspection and copying at a location within this State during reasonable hours, the records identified in this subsection (j) to the taxpayer in charge of the High Impact Business construction jobs project, its officers and agents, the Director of the Department of Labor and his or her deputies and agents, and to federal, State, or local law enforcement agencies and prosecutors.

(l) The changes made to this Section by this amendatory Act of the 102nd General Assembly, other than the changes in subsection (a), apply to high impact businesses that submit applications on or after the effective date of this amendatory Act of the 102nd General Assembly.

(Source: P.A. 101-9, eff. 6-5-19; 102-108, eff. 1-1-22; 102-558, eff. 8-20-21; 102-605, eff. 8-27-21; 102-662, eff. 9-15-21; 102-673, eff. 11-30-21; 102-813, eff. 5-13-22; 102-1125, eff. 2-3-23.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Belt, **Senate Bill No. 850** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Fowler, **Senate Bill No. 1098** was recalled from the order of third reading to the order of second reading.

Senator Fowler offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1098

AMENDMENT NO. 1 . Amend Senate Bill 1098 by replacing everything after the enacting clause with the following:

"Section 5. The River Conservancy Districts Act is amended by changing Section 4a and by adding Section 4c as follows:

(70 ILCS 2105/4a) (from Ch. 42, par. 386a)

Sec. 4a. Every conservancy district so established shall be governed by a board of trustees. In the statement finding the results of the election to be favorable to the establishment of the district, the circuit court shall determine and name each municipality within the district having 5,000 or more population according to the last preceding federal census.

(1) In case there is one or more municipalities having a population of 5,000 or more within the district, the trustees shall be appointed as follows:

(a) In districts organized prior to July 1, 1961, where there is only one such municipality, 3 trustees shall be appointed from such municipality, and one trustee shall be appointed from

the area within the district outside of such municipality, and one trustee shall be appointed at large. In districts organized on and after July 1, 1961, where there is only one such municipality one trustee shall be appointed from such municipality, and one trustee shall be appointed from each county in the district, except that where the district is wholly contained within a single county, one trustee shall be appointed from that county and one additional trustee shall be appointed from the municipality, and, in any case, 2 trustees shall be appointed at large. A trustee appointed from a county in the district shall be appointed from the area outside any such municipality. If the district is located wholly within the corporate limits of such municipality, 3 of the trustees of the district shall be appointed from such municipality, and 2 trustees shall be appointed at large. In a district wholly contained within a single county of between 60,500 and 70,000 population and having no more than one municipality of 5,000 or more population, regardless of the date of organization, 3 trustees shall be appointed from that municipality, 2 trustees shall be appointed from the district outside that municipality, and 2 trustees shall be appointed at large. No more than 2 appointments by each appointing authority may be from the same political party.

In the case of the Saline Valley Conservancy District, in addition to the other trustees as provided in this subsection (a), the mayor of each municipality with a population of 2,000 to 4,999 that purchases water from the District may appoint one member to the Board of Trustees beginning July 1, 2023 for a 5-year term, and the member shall serve until the trustee's successor is appointed and qualified or the municipality no longer purchases water from the District. A vacancy shall be filled by the mayor of the municipality for the remainder of the term.

(b) Where there are 2 or more such municipalities, one trustee shall be appointed from each such municipality, one trustee shall be appointed from each county in the district for each 50,000 population or part thereof within the district in such county according to the last preceding federal census, and 2 trustees shall be appointed at large. A trustee appointed from a county in the district shall be appointed from the area outside any such municipality. If the district is located wholly within the corporate limits of such municipalities, 2 trustees shall be appointed from the one of such municipalities having the largest population, and one trustee shall be appointed from each of the other such municipalities, and 2 trustees shall be appointed at large.

(c) Trustees representing the area within the district located outside of any municipality having 5,000 or more population and trustees appointed at large when the district is wholly contained within a single county shall be appointed by the presiding officer of the county board with the advice and consent of the county board and any trustee representing the area within any such municipality shall be appointed by its presiding officer. If however the district is located in more than one county, any trustee representing the area within a district located outside of any municipality having 5,000 or more population and any trustee at large shall be appointed by a majority vote of the presiding officers of the county boards of the counties which encompass any part of the district, except that no such appointment shall affect the term of any trustee in office on the effective date of this amendatory Act of 1977. Any trustee representing the area within any such municipality shall be appointed by its presiding officer.

(d) A trustee representing the area within any such municipality shall reside within its corporate limits. A trustee representing the area within the district and located outside of any such municipality shall reside within such area. A trustee appointed at large may reside either within or without any such municipality but must reside within the territory of the district. Should any trustee cease to reside within that part of the territory he represents, then his office shall be deemed vacated, and shall be filled by appointment for the remainder of the term as hereinafter provided.

(2) In case there are no municipalities having a population of 5,000 or more within such district located wholly within a single county, the statement required by Section 1 shall include such finding, and in such case the Board shall consist of 5 trustees who shall be appointed at large by the presiding officer of the county board with the advice and consent of the county board. If however the district is located in more than one county, the trustees at large shall be appointed by a majority vote of the presiding officers of the county boards of the counties which encompass any portion of the district, but any trustee in office on the effective date of this amendatory Act of 1977 shall be permitted to

serve out the remainder of his term. Each such trustee shall reside within the district and shall continue to reside therein.

(3) All initial appointments of trustees shall be made within 60 days after the determination of the result of the election. Each appointment shall be in writing and shall be filed and made a matter of record in the office of the county clerk wherein the organization proceedings were filed. A trustee shall qualify within 10 days after appointment by acceptance and the taking of the constitutional oath of office, both to be in writing and similarly filed for record in the office of such county clerk. Members initially appointed to the board of trustees of such district shall serve from date of appointment for 1, 2, 3, 4 and 5 years and shall draw lots to determine the periods for which they each shall serve. In case there are more than 5 trustees, lots shall be drawn so that 5 trustees shall serve initial terms of 1, 2, 3, 4 and 5 years and the other trustees shall serve terms of 1, 2, 3, 4 or 5 years as the number of trustees shall require and the drawing of lots shall determine. The successors of all such initial members of the board of trustees of a river conservancy district shall serve for terms of 5 years, all such appointments and appointments to fill vacancies shall be made in like manner as in the case of the initial trustees. A trustee having been duly appointed shall continue to serve after the expiration of his term until his successor has been appointed. Each trustee initially appointed in accordance with this amendatory Act of 1995 shall serve a term of 3 or 5 years as determined by lot.

(4) Should a municipality which is wholly within a district attain, or should such a municipality be established, having a population of 5,000 or more after the entry of the statement by the circuit court, the presiding officer of such municipality may petition the circuit court of the county in which such municipality lies for an order finding and determining the population of such municipality and, if it is found and determined upon the hearing of such petition that the population of such municipality is 5,000 or more, the board of trustees of such district as previously established shall be increased by one trustee who shall reside within the corporate limits of such municipality and shall be appointed by its presiding officer. The initial trustee so appointed shall serve for a term of 1, 2, 3, 4 or 5 years, as may be determined by lot, and his successors shall be similarly appointed and shall serve for terms of 5 years. All provisions of this Section applicable to trustees representing municipal areas shall apply to any such trustee, including paragraph 5.

(5) Should the foregoing provisions respecting the appointment of trustees representing the area within any municipality of 5,000 or more population be invalid when applied to any situation, then as to such situation any such provision shall be deemed to be excised from this Act, and the trustee whose appointment is thus affected shall be appointed at large by the presiding officer of the county board with the advice and consent of the county board except if the district embraces more than one county in which case the trustees shall be appointed at large by a majority vote of the presiding officers of the county boards of the counties which encompass any portion of the district.

(6) In the case of a board representing a district that embraces Franklin and Jefferson counties, a trustee may be removed for incompetence, neglect of duty, or malfeasance in office by the appropriate appointing presiding officer or officers, without the advice and consent of the corporate authorities, by filing a written order of removal with the appropriate county or municipal clerk or clerks.

(7) Notwithstanding any other provision of law to the contrary, in the case of a board representing a district that embraces Franklin and Jefferson counties, the terms of all trustees shall end on the effective date of this amendatory Act of the 94th General Assembly. Beginning on that date, the board shall consist of 7 trustees. The 7 trustees initially appointed pursuant to this amendatory Act of the 94th General Assembly shall be appointed in the same manner as otherwise provided in this Section by the appropriate appointing authority and shall serve the following terms, as determined by lot: (i) 2 trustees shall serve until July 1, 2006; (ii) 2 trustees shall serve until July 1, 2007; (iii) one trustee shall serve until July 1, 2008; (iv) one trustee shall serve until July 1, 2009; and (v) one trustee shall serve until July 1, 2010. Upon expiration of the terms of the trustees initially appointed under this amendatory Act of the 94th General Assembly, their respective successors shall be appointed for terms of 5 years, beginning on July 1 of the year in which the previous term expires and until their respective successors are appointed and qualified. After the appointment of the trustees initially appointed pursuant to this amendatory Act of the 94th General Assembly, the number of trustees on the board may be increased in accordance with subsection (4).

(Source: P.A. 94-64, eff. 6-21-05.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Fowler, **Senate Bill No. 1098** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Stoller, **Senate Bill No. 1147** was recalled from the order of third reading to the order of second reading.

Senator Stoller offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1147

AMENDMENT NO. 1 . Amend Senate Bill 1147 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Section 201 as follows:

(35 ILCS 5/201)

Sec. 201. Tax imposed.

(a) In general. A tax measured by net income is hereby imposed on every individual, corporation, trust and estate for each taxable year ending after July 31, 1969 on the privilege of earning or receiving income in or as a resident of this State. Such tax shall be in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(b) Rates. The tax imposed by subsection (a) of this Section shall be determined as follows, except as adjusted by subsection (d-1):

(1) In the case of an individual, trust or estate, for taxable years ending prior to July 1, 1989, an amount equal to 2 1/2% of the taxpayer's net income for the taxable year.

(2) In the case of an individual, trust or estate, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 2 1/2% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 3% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(3) In the case of an individual, trust or estate, for taxable years beginning after June 30, 1989, and ending prior to January 1, 2011, an amount equal to 3% of the taxpayer's net income for the taxable year.

(4) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2011, and ending after December 31, 2010, an amount equal to the sum of (i) 3% of the taxpayer's net income for the period prior to January 1, 2011, as calculated under Section 202.5, and (ii) 5% of the taxpayer's net income for the period after December 31, 2010, as calculated under Section 202.5.

(5) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2011, and ending prior to January 1, 2015, an amount equal to 5% of the taxpayer's net income for the taxable year.

(5.1) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2015, and ending after December 31, 2014, an amount equal to the sum of (i) 5% of the taxpayer's net income for the period prior to January 1, 2015, as calculated under Section 202.5, and (ii) 3.75% of the taxpayer's net income for the period after December 31, 2014, as calculated under Section 202.5.

(5.2) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2015, and ending prior to July 1, 2017, an amount equal to 3.75% of the taxpayer's net income for the taxable year.

(5.3) In the case of an individual, trust, or estate, for taxable years beginning prior to July 1, 2017, and ending after June 30, 2017, an amount equal to the sum of (i) 3.75% of the taxpayer's net income for the period prior to July 1, 2017, as calculated under Section 202.5, and (ii) 4.95% of the taxpayer's net income for the period after June 30, 2017, as calculated under Section 202.5.

(5.4) In the case of an individual, trust, or estate, for taxable years beginning on or after July 1, 2017, an amount equal to 4.95% of the taxpayer's net income for the taxable year.

(6) In the case of a corporation, for taxable years ending prior to July 1, 1989, an amount equal to 4% of the taxpayer's net income for the taxable year.

(7) In the case of a corporation, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 4% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 4.8% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(8) In the case of a corporation, for taxable years beginning after June 30, 1989, and ending prior to January 1, 2011, an amount equal to 4.8% of the taxpayer's net income for the taxable year.

(9) In the case of a corporation, for taxable years beginning prior to January 1, 2011, and ending after December 31, 2010, an amount equal to the sum of (i) 4.8% of the taxpayer's net income for the period prior to January 1, 2011, as calculated under Section 202.5, and (ii) 7% of the taxpayer's net income for the period after December 31, 2010, as calculated under Section 202.5.

(10) In the case of a corporation, for taxable years beginning on or after January 1, 2011, and ending prior to January 1, 2015, an amount equal to 7% of the taxpayer's net income for the taxable year.

(11) In the case of a corporation, for taxable years beginning prior to January 1, 2015, and ending after December 31, 2014, an amount equal to the sum of (i) 7% of the taxpayer's net income for the period prior to January 1, 2015, as calculated under Section 202.5, and (ii) 5.25% of the taxpayer's net income for the period after December 31, 2014, as calculated under Section 202.5.

(12) In the case of a corporation, for taxable years beginning on or after January 1, 2015, and ending prior to July 1, 2017, an amount equal to 5.25% of the taxpayer's net income for the taxable year.

(13) In the case of a corporation, for taxable years beginning prior to July 1, 2017, and ending after June 30, 2017, an amount equal to the sum of (i) 5.25% of the taxpayer's net income for the

period prior to July 1, 2017, as calculated under Section 202.5, and (ii) 7% of the taxpayer's net income for the period after June 30, 2017, as calculated under Section 202.5.

(14) In the case of a corporation, for taxable years beginning on or after July 1, 2017, an amount equal to 7% of the taxpayer's net income for the taxable year.

The rates under this subsection (b) are subject to the provisions of Section 201.5.

(b-5) Surcharge; sale or exchange of assets, properties, and intangibles of organization gaming licensees. For each of taxable years 2019 through 2027, a surcharge is imposed on all taxpayers on income arising from the sale or exchange of capital assets, depreciable business property, real property used in the trade or business, and Section 197 intangibles (i) of an organization licensee under the Illinois Horse Racing Act of 1975 and (ii) of an organization gaming licensee under the Illinois Gambling Act. The amount of the surcharge is equal to the amount of federal income tax liability for the taxable year attributable to those sales and exchanges. The surcharge imposed shall not apply if:

(1) the organization gaming license, organization license, or racetrack property is transferred as a result of any of the following:

(A) bankruptcy, a receivership, or a debt adjustment initiated by or against the initial licensee or the substantial owners of the initial licensee;

(B) cancellation, revocation, or termination of any such license by the Illinois Gaming Board or the Illinois Racing Board;

(C) a determination by the Illinois Gaming Board that transfer of the license is in the best interests of Illinois gaming;

(D) the death of an owner of the equity interest in a licensee;

(E) the acquisition of a controlling interest in the stock or substantially all of the assets of a publicly traded company;

(F) a transfer by a parent company to a wholly owned subsidiary; or

(G) the transfer or sale to or by one person to another person where both persons were initial owners of the license when the license was issued; or

(2) the controlling interest in the organization gaming license, organization license, or racetrack property is transferred in a transaction to lineal descendants in which no gain or loss is recognized or as a result of a transaction in accordance with Section 351 of the Internal Revenue Code in which no gain or loss is recognized; or

(3) live horse racing was not conducted in 2010 at a racetrack located within 3 miles of the Mississippi River under a license issued pursuant to the Illinois Horse Racing Act of 1975.

The transfer of an organization gaming license, organization license, or racetrack property by a person other than the initial licensee to receive the organization gaming license is not subject to a surcharge. The Department shall adopt rules necessary to implement and administer this subsection.

(c) Personal Property Tax Replacement Income Tax. Beginning on July 1, 1979 and thereafter, in addition to such income tax, there is also hereby imposed the Personal Property Tax Replacement Income Tax measured by net income on every corporation (including Subchapter S corporations), partnership and trust, for each taxable year ending after June 30, 1979. Such taxes are imposed on the privilege of earning or receiving income in or as a resident of this State. The Personal Property Tax Replacement Income Tax shall be in addition to the income tax imposed by subsections (a) and (b) of this Section and in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(d) Additional Personal Property Tax Replacement Income Tax Rates. The personal property tax replacement income tax imposed by this subsection and subsection (c) of this Section in the case of a corporation, other than a Subchapter S corporation and except as adjusted by subsection (d-1), shall be an additional amount equal to 2.85% of such taxpayer's net income for the taxable year, except that beginning on January 1, 1981, and thereafter, the rate of 2.85% specified in this subsection shall be reduced to 2.5%, and in the case of a partnership, trust or a Subchapter S corporation shall be an additional amount equal to 1.5% of such taxpayer's net income for the taxable year.

(d-1) Rate reduction for certain foreign insurers. In the case of a foreign insurer, as defined by Section 35A-5 of the Illinois Insurance Code, whose state or country of domicile imposes on insurers domiciled in Illinois a retaliatory tax (excluding any insurer whose premiums from reinsurance assumed are 50% or more of its total insurance premiums as determined under paragraph (2) of subsection (b) of Section 304, except that for purposes of this determination premiums from reinsurance do not include premiums from inter-affiliate reinsurance arrangements), beginning with taxable years ending on or after December 31,

1999, the sum of the rates of tax imposed by subsections (b) and (d) shall be reduced (but not increased) to the rate at which the total amount of tax imposed under this Act, net of all credits allowed under this Act, shall equal (i) the total amount of tax that would be imposed on the foreign insurer's net income allocable to Illinois for the taxable year by such foreign insurer's state or country of domicile if that net income were subject to all income taxes and taxes measured by net income imposed by such foreign insurer's state or country of domicile, net of all credits allowed or (ii) a rate of zero if no such tax is imposed on such income by the foreign insurer's state of domicile. For the purposes of this subsection (d-1), an inter-affiliate includes a mutual insurer under common management.

(1) For the purposes of subsection (d-1), in no event shall the sum of the rates of tax imposed by subsections (b) and (d) be reduced below the rate at which the sum of:

(A) the total amount of tax imposed on such foreign insurer under this Act for a taxable year, net of all credits allowed under this Act, plus

(B) the privilege tax imposed by Section 409 of the Illinois Insurance Code, the fire insurance company tax imposed by Section 12 of the Fire Investigation Act, and the fire department taxes imposed under Section 11-10-1 of the Illinois Municipal Code,

equals 1.25% for taxable years ending prior to December 31, 2003, or 1.75% for taxable years ending on or after December 31, 2003, of the net taxable premiums written for the taxable year, as described by subsection (1) of Section 409 of the Illinois Insurance Code. This paragraph will in no event increase the rates imposed under subsections (b) and (d).

(2) Any reduction in the rates of tax imposed by this subsection shall be applied first against the rates imposed by subsection (b) and only after the tax imposed by subsection (a) net of all credits allowed under this Section other than the credit allowed under subsection (i) has been reduced to zero, against the rates imposed by subsection (d).

This subsection (d-1) is exempt from the provisions of Section 250.

(e) Investment credit. A taxpayer shall be allowed a credit against the Personal Property Tax Replacement Income Tax for investment in qualified property.

(1) A taxpayer shall be allowed a credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1984. There shall be allowed an additional credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1986, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. The provisions added to this Section by Public Act 85-1200 (and restored by Public Act 87-895) shall be construed as declaratory of existing law and not as a new enactment. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is .5% and the denominator of which is 1%, but shall not exceed .5%. The investment credit shall not be allowed to the extent that it would reduce a taxpayer's liability in any tax year below zero, nor may any credit for qualified property be allowed for any year other than the year in which the property was placed in service in Illinois. For tax years ending on or after December 31, 1987, and on or before December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years if the taxpayer (i) makes investments which cause the creation of a minimum of 2,000 full-time equivalent jobs in Illinois, (ii) is located in an enterprise zone established pursuant to the Illinois Enterprise Zone Act and (iii) is certified by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) as complying with the requirements specified in clause (i) and (ii) by July 1, 1986. The Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall notify the Department of Revenue of all such certifications immediately. For tax years ending after December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the

excess credit years. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, earlier credit shall be applied first.

(2) The term "qualified property" means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings and signs that are real property, but not including land or improvements to real property that are not a structural component of a building such as landscaping, sewer lines, local access roads, fencing, parking lots, and other appurtenances;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (e);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in Illinois by a taxpayer who is primarily engaged in manufacturing, or in mining coal or fluorite, or in retailing, or was placed in service on or after July 1, 2006 in a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act; and

(E) has not previously been used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (e) or subsection (f).

(3) For purposes of this subsection (e), "manufacturing" means the material staging and production of tangible personal property by procedures commonly regarded as manufacturing, processing, fabrication, or assembling which changes some existing material into new shapes, new qualities, or new combinations. For purposes of this subsection (e) the term "mining" shall have the same meaning as the term "mining" in Section 613(c) of the Internal Revenue Code. For purposes of this subsection (e), the term "retailing" means the sale of tangible personal property for use or consumption and not for resale, or services rendered in conjunction with the sale of tangible personal property for use or consumption and not for resale. For purposes of this subsection (e), "tangible personal property" has the same meaning as when that term is used in the Retailers' Occupation Tax Act, and, for taxable years ending after December 31, 2008, does not include the generation, transmission, or distribution of electricity.

(4) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(5) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(6) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(7) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the Personal Property Tax Replacement Income Tax for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation and, (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (7), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(8) Unless the investment credit is extended by law, the basis of qualified property shall not include costs incurred after December 31, 2018, except for costs incurred pursuant to a binding contract entered into on or before December 31, 2018.

(9) Each taxable year ending before December 31, 2000, a partnership may elect to pass through to its partners the credits to which the partnership is entitled under this subsection (e) for the taxable year. A partner may use the credit allocated to him or her under this paragraph only against the tax imposed in subsections (c) and (d) of this Section. If the partnership makes that election, those credits shall be allocated among the partners in the partnership in accordance with the rules set forth in Section 704(b) of the Internal Revenue Code, and the rules promulgated under that Section, and the allocated amount of the credits shall be allowed to the partners for that taxable year. The partnership

shall make this election on its Personal Property Tax Replacement Income Tax return for that taxable year. The election to pass through the credits shall be irrevocable.

For taxable years ending on or after December 31, 2000, a partner that qualifies its partnership for a subtraction under subparagraph (I) of paragraph (2) of subsection (d) of Section 203 or a shareholder that qualifies a Subchapter S corporation for a subtraction under subparagraph (S) of paragraph (2) of subsection (b) of Section 203 shall be allowed a credit under this subsection (e) equal to its share of the credit earned under this subsection (e) during the taxable year by the partnership or Subchapter S corporation, determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. This paragraph is exempt from the provisions of Section 250.

(f) Investment credit; Enterprise Zone; River Edge Redevelopment Zone.

(1) A taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service in an Enterprise Zone created pursuant to the Illinois Enterprise Zone Act or, for property placed in service on or after July 1, 2006, a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (f) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. The credit shall be .5% of the basis for such property. The credit shall be available only in the taxable year in which the property is placed in service in the Enterprise Zone or River Edge Redevelopment Zone and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1985, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (f);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer; and

(E) has not been previously used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (f) or subsection (e).

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside the Enterprise Zone or River Edge Redevelopment Zone within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from

the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) There shall be allowed an additional credit equal to 0.5% of the basis of qualified property placed in service during the taxable year in a River Edge Redevelopment Zone, provided such property is placed in service on or after July 1, 2006, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is 0.5% and the denominator of which is 1%, but shall not exceed 0.5%.

(8) For taxable years beginning on or after January 1, 2021, there shall be allowed an Enterprise Zone construction jobs credit against the taxes imposed under subsections (a) and (b) of this Section as provided in Section 13 of the Illinois Enterprise Zone Act.

The credit or credits may not reduce the taxpayer's liability to less than zero. If the amount of the credit or credits exceeds the taxpayer's liability, the excess may be carried forward and applied against the taxpayer's liability in succeeding calendar years in the same manner provided under paragraph (4) of Section 211 of this Act. The credit or credits shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one taxable year that are available to offset a liability, the earlier credit shall be applied first.

For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for the purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of Public Act 101-9) shall not exceed $20,000,000 in any State fiscal year.

This paragraph (8) is exempt from the provisions of Section 250.

(g) (Blank).

(h) Investment credit; High Impact Business.

(1) Subject to subsections (b) and (b-5) of Section 5.5 of the Illinois Enterprise Zone Act, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service by a Department of Commerce and Economic Opportunity designated High Impact Business. The credit shall be .5% of the basis for such property. The credit shall not be available (i) until the minimum investments in qualified property set forth in subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act have been satisfied or (ii) until the time authorized in subsection (b-5) of the Illinois Enterprise Zone Act for entities designated as High Impact Businesses under subdivisions (a)(3)(B), (a)(3)(C), and (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone Act, and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. The credit applicable to such investments shall be taken in the taxable year in which such investments have been completed. The credit for additional investments beyond the minimum investment by a designated high impact business authorized under subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act shall be available only in the taxable year in which the property is placed in service and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1987, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

Changes made in this subdivision (h)(1) by Public Act 88-670 restore changes made by Public Act 85-1182 and reflect existing law.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (h);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code; and

(D) is not eligible for the Enterprise Zone Investment Credit provided by subsection (f) of this Section.

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year ending on or before December 31, 1996, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) Beginning with tax years ending after December 31, 1996, if a taxpayer qualifies for the credit under this subsection (h) and thereby is granted a tax abatement and the taxpayer relocates its entire facility in violation of the explicit terms and length of the contract under Section 18-183 of the Property Tax Code, the tax imposed under subsections (a) and (b) of this Section shall be increased for the taxable year in which the taxpayer relocated its facility by an amount equal to the amount of credit received by the taxpayer under this subsection (h).

(h-5) High Impact Business construction jobs credit. For taxable years beginning on or after January 1, 2021, there shall also be allowed a High Impact Business construction jobs credit against the tax imposed under subsections (a) and (b) of this Section as provided in subsections (i) and (j) of Section 5.5 of the Illinois Enterprise Zone Act.

The credit or credits may not reduce the taxpayer's liability to less than zero. If the amount of the credit or credits exceeds the taxpayer's liability, the excess may be carried forward and applied against the taxpayer's liability in succeeding calendar years in the manner provided under paragraph (4) of Section 211 of this Act. The credit or credits shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one taxable year that are available to offset a liability, the earlier credit shall be applied first.

For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for the purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of Public Act 101-9) shall not exceed $20,000,000 in any State fiscal year.

This subsection (h-5) is exempt from the provisions of Section 250.

(i) Credit for Personal Property Tax Replacement Income Tax. For tax years ending prior to December 31, 2003, a credit shall be allowed against the tax imposed by subsections (a) and (b) of this Section for the tax imposed by subsections (c) and (d) of this Section. This credit shall be computed by multiplying the tax imposed by subsections (c) and (d) of this Section by a fraction, the numerator of which is base income

allocable to Illinois and the denominator of which is Illinois base income, and further multiplying the product by the tax rate imposed by subsections (a) and (b) of this Section.

Any credit earned on or after December 31, 1986 under this subsection which is unused in the year the credit is computed because it exceeds the tax liability imposed by subsections (a) and (b) for that year (whether it exceeds the original liability or the liability as later amended) may be carried forward and applied to the tax liability imposed by subsections (a) and (b) of the 5 taxable years following the excess credit year, provided that no credit may be carried forward to any year ending on or after December 31, 2003. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first.

If, during any taxable year ending on or after December 31, 1986, the tax imposed by subsections (c) and (d) of this Section for which a taxpayer has claimed a credit under this subsection (i) is reduced, the amount of credit for such tax shall also be reduced. Such reduction shall be determined by recomputing the credit to take into account the reduced tax imposed by subsections (c) and (d). If any portion of the reduced amount of credit has been carried to a different taxable year, an amended return shall be filed for such taxable year to reduce the amount of credit claimed.

(j) Training expense credit. Beginning with tax years ending on or after December 31, 1986 and prior to December 31, 2003, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) under this Section for all amounts paid or accrued, on behalf of all persons employed by the taxpayer in Illinois or Illinois residents employed outside of Illinois by a taxpayer, for educational or vocational training in semi-technical or technical fields or semi-skilled or skilled fields, which were deducted from gross income in the computation of taxable income. The credit against the tax imposed by subsections (a) and (b) shall be 1.6% of such training expenses. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (j) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

Any credit allowed under this subsection which is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first computed until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. No carryforward credit may be claimed in any tax year ending on or after December 31, 2003.

(k) Research and development credit. For tax years ending after July 1, 1990 and prior to December 31, 2003, and beginning again for tax years ending on or after December 31, 2004, and ending prior to January 1, 2027, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for increasing research activities in this State. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 6 1/2% of the qualifying expenditures for increasing research activities in this State. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

For purposes of this subsection, "qualifying expenditures" means the qualifying expenditures as defined for the federal credit for increasing research activities which would be allowable under Section 41 of the Internal Revenue Code and which are conducted in this State, "qualifying expenditures for increasing research activities in this State" means the excess of qualifying expenditures for the taxable year in which incurred over qualifying expenditures for the base period, "qualifying expenditures for the base period" means the average of the qualifying expenditures for each year in the base period, and "base period" means the 3 taxable years immediately preceding the taxable year for which the determination is being made.

Any credit in excess of the tax liability for the taxable year may be carried forward. A taxpayer may elect to have the unused credit shown on its final completed return carried over as a credit against the tax liability for the following 5 taxable years or until it has been fully used, whichever occurs first; provided that no credit earned in a tax year ending prior to December 31, 2003 may be carried forward to any year ending on or after December 31, 2003.

If an unused credit is carried forward to a given year from 2 or more earlier years, that credit arising in the earliest year will be applied first against the tax liability for the given year. If a tax liability for the given year still remains, the credit from the next earliest year will then be applied, and so on, until all credits have been used or no tax liability for the given year remains. Any remaining unused credit or credits then will be carried forward to the next following year in which a tax liability is incurred, except that no credit can be carried forward to a year which is more than 5 years after the year in which the expense for which the credit is given was incurred.

No inference shall be drawn from Public Act 91-644 in construing this Section for taxable years beginning before January 1, 1999.

It is the intent of the General Assembly that the research and development credit under this subsection (k) shall apply continuously for all tax years ending on or after December 31, 2004 and ending prior to January 1, 2027, including, but not limited to, the period beginning on January 1, 2016 and ending on July 6, 2017 (the effective date of Public Act 100-22). All actions taken in reliance on the continuation of the credit under this subsection (k) by any taxpayer are hereby validated.

(l) Environmental Remediation Tax Credit.

(i) For tax years ending after December 31, 1997 and on or before December 31, 2001, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14 of the Environmental Protection Act that were paid in performing environmental remediation at a site for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. After the Pollution Control Board rules are adopted pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act, determinations as to credit availability for purposes of this Section shall be made consistent with those rules. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site, except that the $100,000 threshold shall not apply to any site contained in an enterprise zone as determined by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity). The total credit allowed shall not exceed $40,000 per year with a maximum total of $150,000 per site. For partners and shareholders of subchapter S corporations, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. The term "unused credit" does not include any amounts of unreimbursed eligible remediation costs in excess of the maximum credit per site authorized under paragraph (i). This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(m) Education expense credit. Beginning with tax years ending after December 31, 1999, a taxpayer who is the custodian of one or more qualifying pupils shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for qualified education expenses incurred on behalf of the qualifying pupils. The credit shall be equal to 25% of qualified education expenses, but in no event may the total credit under this subsection claimed by a family that is the custodian of qualifying pupils exceed (i) $500 for tax years ending prior to December 31, 2017, and (ii) $750 for tax years ending on or after December 31, 2017. In no event shall a credit under this subsection reduce the taxpayer's liability under this Act to less than zero. Notwithstanding any other provision of law, for taxable years beginning on or after January 1, 2017, no taxpayer may claim a credit under this subsection (m) if the taxpayer's adjusted gross income for the taxable year exceeds (i) $500,000, in the case of spouses filing a joint federal tax return or (ii) $250,000, in the case of all other taxpayers. This subsection is exempt from the provisions of Section 250 of this Act.

For purposes of this subsection:

"Qualifying pupils" means individuals who (i) are residents of the State of Illinois, (ii) are under the age of 21 at the close of the school year for which a credit is sought, and (iii) during the school year for which a credit is sought were full-time pupils enrolled in a kindergarten through twelfth grade education program at any school, as defined in this subsection.

"Qualified education expense" means the amount incurred on behalf of a qualifying pupil in excess of $250 for tuition, book fees, and lab fees at the school in which the pupil is enrolled during the regular school year.

"School" means any public or nonpublic elementary or secondary school in Illinois that is in compliance with Title VI of the Civil Rights Act of 1964 and attendance at which satisfies the requirements of Section 26-1 of the School Code, except that nothing shall be construed to require a child to attend any particular public or nonpublic school to qualify for the credit under this Section.

"Custodian" means, with respect to qualifying pupils, an Illinois resident who is a parent, the parents, a legal guardian, or the legal guardians of the qualifying pupils.

(n) River Edge Redevelopment Zone site remediation tax credit.

(i) For tax years ending on or after December 31, 2006, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14a of the Environmental Protection Act that were paid in performing environmental remediation at a site within a River Edge Redevelopment Zone for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. Determinations as to credit availability for purposes of this Section shall be made consistent with rules adopted by the Pollution Control Board pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused

credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(o) For each of taxable years during the Compassionate Use of Medical Cannabis Program, a surcharge is imposed on all taxpayers on income arising from the sale or exchange of capital assets, depreciable business property, real property used in the trade or business, and Section 197 intangibles of an organization registrant under the Compassionate Use of Medical Cannabis Program Act. The amount of the surcharge is equal to the amount of federal income tax liability for the taxable year attributable to those sales and exchanges. The surcharge imposed does not apply if:

(1) the medical cannabis cultivation center registration, medical cannabis dispensary registration, or the property of a registration is transferred as a result of any of the following:

(A) bankruptcy, a receivership, or a debt adjustment initiated by or against the initial registration or the substantial owners of the initial registration;

(B) cancellation, revocation, or termination of any registration by the Illinois Department of Public Health;

(C) a determination by the Illinois Department of Public Health that transfer of the registration is in the best interests of Illinois qualifying patients as defined by the Compassionate Use of Medical Cannabis Program Act;

(D) the death of an owner of the equity interest in a registrant;

(E) the acquisition of a controlling interest in the stock or substantially all of the assets of a publicly traded company;

(F) a transfer by a parent company to a wholly owned subsidiary; or

(G) the transfer or sale to or by one person to another person where both persons were initial owners of the registration when the registration was issued; or

(2) the cannabis cultivation center registration, medical cannabis dispensary registration, or the controlling interest in a registrant's property is transferred in a transaction to lineal descendants in which no gain or loss is recognized or as a result of a transaction in accordance with Section 351 of the Internal Revenue Code in which no gain or loss is recognized.

(p) Pass-through entity tax.

(1) For taxable years ending on or after December 31, 2021 and beginning prior to January 1, 2026, a partnership (other than a publicly traded partnership under Section 7704 of the Internal Revenue Code) or Subchapter S corporation may elect to apply the provisions of this subsection. A separate election shall be made for each taxable year. Such election shall be made at such time, and in such form and manner as prescribed by the Department, and, once made, is irrevocable.

(2) Entity-level tax. A partnership or Subchapter S corporation electing to apply the provisions of this subsection shall be subject to a tax for the privilege of earning or receiving income in this State in an amount equal to 4.95% of the taxpayer's net income for the taxable year.

(3) Net income defined.

(A) In general. For purposes of paragraph (2), the term net income has the same meaning as defined in Section 202 of this Act, except that, for tax years ending on or after December 31, 2023, a deduction shall be allowed in computing base income for distributions to a retired partner to the extent that the partner's distributions are exempt from tax under Section 201(a)(2)(F) of this Act. In addition, the following modifications ~~provisions~~ shall not apply:

(i) the standard exemption allowed under Section 204;

(ii) the deduction for net losses allowed under Section 207;

(iii) in the case of an S corporation, the modification under Section 203(b)(2)(S); and

(iv) in the case of a partnership, the modifications under Section 203(d)(2)(H) and Section 203(d)(2)(I).

(B) Special rule for tiered partnerships. If a taxpayer making the election under paragraph (1) is a partner of another taxpayer making the election under paragraph (1), net income shall be computed as provided in subparagraph (A), except that the taxpayer shall subtract its

distributive share of the net income of the electing partnership (including its distributive share of the net income of the electing partnership derived as a distributive share from electing partnerships in which it is a partner).

(4) Credit for entity level tax. Each partner or shareholder of a taxpayer making the election under this Section shall be allowed a credit against the tax imposed under subsections (a) and (b) of Section 201 of this Act for the taxable year of the partnership or Subchapter S corporation for which an election is in effect ending within or with the taxable year of the partner or shareholder in an amount equal to 4.95% times the partner or shareholder's distributive share of the net income of the electing partnership or Subchapter S corporation, but not to exceed the partner's or shareholder's share of the tax imposed under paragraph (1) which is actually paid by the partnership or Subchapter S corporation. If the taxpayer is a partnership or Subchapter S corporation that is itself a partner of a partnership making the election under paragraph (1), the credit under this paragraph shall be allowed to the taxpayer's partners or shareholders (or if the partner is a partnership or Subchapter S corporation then its partners or shareholders) in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. If the amount of the credit allowed under this paragraph exceeds the partner's or shareholder's liability for tax imposed under subsections (a) and (b) of Section 201 of this Act for the taxable year, such excess shall be treated as an overpayment for purposes of Section 909 of this Act.

(5) Nonresidents. A nonresident individual who is a partner or shareholder of a partnership or Subchapter S corporation for a taxable year for which an election is in effect under paragraph (1) shall not be required to file an income tax return under this Act for such taxable year if the only source of net income of the individual (or the individual and the individual's spouse in the case of a joint return) is from an entity making the election under paragraph (1) and the credit allowed to the partner or shareholder under paragraph (4) equals or exceeds the individual's liability for the tax imposed under subsections (a) and (b) of Section 201 of this Act for the taxable year.

(6) Liability for tax. Except as provided in this paragraph, a partnership or Subchapter S making the election under paragraph (1) is liable for the entity-level tax imposed under paragraph (2). If the electing partnership or corporation fails to pay the full amount of tax deemed assessed under paragraph (2), the partners or shareholders shall be liable to pay the tax assessed (including penalties and interest). Each partner or shareholder shall be liable for the unpaid assessment based on the ratio of the partner's or shareholder's share of the net income of the partnership over the total net income of the partnership. If the partnership or Subchapter S corporation fails to pay the tax assessed (including penalties and interest) and thereafter an amount of such tax is paid by the partners or shareholders, such amount shall not be collected from the partnership or corporation.

(7) Foreign tax. For purposes of the credit allowed under Section 601(b)(3) of this Act, tax paid by a partnership or Subchapter S corporation to another state which, as determined by the Department, is substantially similar to the tax imposed under this subsection, shall be considered tax paid by the partner or shareholder to the extent that the partner's or shareholder's share of the income of the partnership or Subchapter S corporation allocated and apportioned to such other state bears to the total income of the partnership or Subchapter S corporation allocated or apportioned to such other state.

(8) Suspension of withholding. The provisions of Section 709.5 of this Act shall not apply to a partnership or Subchapter S corporation for the taxable year for which an election under paragraph (1) is in effect.

(9) Requirement to pay estimated tax. For each taxable year for which an election under paragraph (1) is in effect, a partnership or Subchapter S corporation is required to pay estimated tax for such taxable year under Sections 803 and 804 of this Act if the amount payable as estimated tax can reasonably be expected to exceed $500.

(10) The provisions of this subsection shall apply only with respect to taxable years for which the limitation on individual deductions applies under Section 164(b)(6) of the Internal Revenue Code.

(Source: P.A. 101-9, eff. 6-5-19; 101-31, eff. 6-28-19; 101-207, eff. 8-2-19; 101-363, eff. 8-9-19; 102-558, eff. 8-20-21; 102-658, eff. 8-27-21.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Stoller offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1147

AMENDMENT NO. 2 . Amend Senate Bill 1147, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 41, line 11, by replacing "201(a)(2)(F)" with "203(a)(2)(F)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Stoller, **Senate Bill No. 1147** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Rose, **Senate Bill No. 1212** was recalled from the order of third reading to the order of second reading.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1212

AMENDMENT NO. 1 . Amend Senate Bill 1212 by replacing everything after the enacting clause with the following:

"Section 5. The Roadside Memorial Act is amended by changing Sections 20 and 23.1 as follows:

(605 ILCS 125/20)

Sec. 20. DUI memorial markers.

(a) A DUI memorial marker erected before July 1, 2021 shall consist of a white on blue panel bearing the message "Please Don't Drink and Drive". A DUI memorial marker erected on or after July 1, 2021 shall consist of a white on blue panel bearing the message "Don't Drive Under the Influence". At the request of the qualified relative, a separate panel bearing the words "In Memory of (victim's name)", followed by the date of the crash that was the proximate cause of the loss of the victim's life, shall be mounted below the primary panel. This amendatory Act of the 102nd General Assembly does not require the removal or replacement of any memorial markers erected before July 1, 2021.

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

(c) A DUI memorial marker shall be maintained for at least 4 ~~2~~ years from the date the last person was memorialized on the marker.

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

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

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

(Source: P.A. 102-60, eff. 7-9-21.)

(605 ILCS 125/23.1)

(Text of Section before amendment by P.A. 102-982)

Sec. 23.1. Fatal accident memorial marker program.

(a) The fatal accident memorial marker program is intended to raise public awareness of traffic fatalities caused by reckless driving or other means by emphasizing the dangers while affording families an opportunity to remember the victims of traffic crashes.

(b) As used in this Section, "fatal accident memorial marker" means a marker on a highway in this State commemorating one or more persons who died as a proximate result of a crash caused by a driver who committed an act of reckless homicide in violation of Section 9-3 or 9-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012 or who otherwise caused the death of one or more persons through the operation of a motor vehicle.

(c) For purposes of the fatal accident memorial marker program in this Section, the provisions of Section 15 of this Act applicable to DUI memorial markers shall apply the same to fatal accident memorial markers.

(d) A fatal accident memorial marker shall consist of a white on blue panel bearing the message "Reckless Driving Costs Lives" if the victim or victims died as a proximate result of a crash caused by a driver who committed an act of reckless homicide in violation of Section 9-3 or 9-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012. Otherwise, a fatal accident memorial marker shall consist of a white on blue panel bearing the message "Drive With Care". At the request of the qualified relative, a separate panel bearing the words "In Memory of (victim's name)", followed by the date of the crash that was the proximate cause of the loss of the victim's life, shall be mounted below the primary panel.

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

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

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

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

(i) A fee in an amount to be determined by the supporting jurisdiction shall be charged to the qualified relative. The fee shall not exceed the costs associated with the fabrication, installation, and maintenance of the fatal accident memorial marker.

(j) The provisions of this Section shall apply to any fatal accident marker constructed on or after January 1, 2013.

(Source: P.A. 102-60, eff. 7-9-21.)

(Text of Section after amendment by P.A. 102-982)

Sec. 23.1. Fatal crash memorial marker program.

(a) The fatal crash memorial marker program is intended to raise public awareness of traffic fatalities caused by reckless driving or other means by emphasizing the dangers while affording families an opportunity to remember the victims of traffic crashes.

(b) As used in this Section, "fatal crash memorial marker" means a marker on a highway in this State commemorating one or more persons who died as a proximate result of a crash caused by a driver who committed an act of reckless homicide in violation of Section 9-3 or 9-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012 or who otherwise caused the death of one or more persons through the operation of a motor vehicle.

(c) For purposes of the fatal crash memorial marker program in this Section, the provisions of Section 15 of this Act applicable to DUI memorial markers shall apply the same to fatal crash memorial markers.

(d) A fatal crash memorial marker shall consist of a white on blue panel bearing the message "Reckless Driving Costs Lives" if the victim or victims died as a proximate result of a crash caused by a driver who committed an act of reckless homicide in violation of Section 9-3 or 9-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012. Otherwise, a fatal crash memorial marker shall consist of a white on blue panel bearing the message "Drive With Care". At the request of the qualified relative, a separate panel bearing the words "In Memory of (victim's name)", followed by the date of the crash that was the proximate cause of the loss of the victim's life, shall be mounted below the primary panel.

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

(f) A fatal crash memorial marker shall be maintained for at least 4 ~~2~~ years from the date the last person was memorialized on the marker.

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

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

(i) A fee in an amount to be determined by the supporting jurisdiction shall be charged to the qualified relative. The fee shall not exceed the costs associated with the fabrication, installation, and maintenance of the fatal crash memorial marker.

(j) The provisions of this Section shall apply to any fatal crash marker constructed on or after January 1, 2013.

(Source: P.A. 102-60, eff. 7-9-21; 102-982, eff. 7-1-23.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Rose, **Senate Bill No. 1212** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator D. Turner, **Senate Bill No. 1250** was recalled from the order of third reading to the order of second reading.

Senator D. Turner offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1250

AMENDMENT NO. 1 . Amend Senate Bill 1250 by replacing everything after the enacting clause with the following:

"Section 5. The State Fire Marshal Act is amended by adding Section 5 as follows:

(20 ILCS 2905/5 new)

Sec. 5. Fire-resistant material applicator certification.

(a) In this Section:

"Fire-resistant material" means a cementitious or fibrous material that is applied onto a steel structure to provide fire-resistant protection to the steel structure.

"Fire-resistant material applicator" means an individual in the business of applying fire-resistant material.

(b) It is unlawful for a person to engage in business as a fire-resistant material applicator in this State without being certified by the Office as provided in this Section and without being otherwise in compliance with this Act. A person who violates this Section shall be assessed a civil penalty by the Office of up to

$250 for each violation. Each day's violation constitutes a separate offense. The Attorney General or the State's Attorney of the county in which the violation occurs may bring an action in the name of the People of the State of Illinois or may, in addition to other remedies provided in this Act, bring an action for an injunction to restrain a violation of this subsection.

(c) The Office:

(1) shall develop a registry of persons certified as fire-resistant material applicators under this Section; and

(2) shall adhere to training requirements for fire-resistant material applicators that are consistent with manufacturer specifications.

(d) A person seeking certification as a fire-resistant material applicator shall, in the judgment of the Office, successfully complete the training requirements to apply fire-resistant material.

If a person satisfactorily completes the training, the Office shall accept that he or she is certified to apply fire-resistant material.

(e) Registration as a fire-resistant material applicator must be renewed every 3 years.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator D. Turner, **Senate Bill No. 1250** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 52; NAYS 4.

The following voted in the affirmative:

Aquino	Gillespie	McClure	Syverson
Belt	Glowiak Hilton	McConchie	Tracy
Bennett	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Cunningham	Hastings	Peters	Villa
Curran	Holmes	Porfirio	Villanueva
DeWitte	Hunter	Preston	Villivalam
Edly-Allen	Johnson	Rezin	Wilcox
Ellman	Joyce	Rose	Mr. President
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	
Fine	Loughran Cappel	Stadelman	
Fowler	Martwick	Stoller	

The following voted in the negative:

Anderson	Chesney
Bryant	Plummer

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Martwick, **Senate Bill No. 1235** was recalled from the order of third reading to the order of second reading.

Senator Martwick offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1235

AMENDMENT NO. 1 . Amend Senate Bill 1235 on page 2, line 6, by replacing "for any fraction of the month" with "and contributes to the System".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Martwick offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1235

AMENDMENT NO. 2 . Amend Senate Bill 1235 on page 2, line 18, by replacing "January" with "September"; and

on page 3, line 1, by replacing "January" with "September"; and

on page 3, line 14, by replacing "January" with "September".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Martwick, **Senate Bill No. 1235** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Syverson
Bryant	Halpin	McConchie	Tracy
Castro	Harris, N.	Morrison	Turner, D.
Cervantes	Harriss, E.	Murphy	Turner, S.
Cunningham	Hastings	Pacione-Zayas	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Joyce	Rezin	Wilcox
Faraci	Koehler	Rose	Mr. President
Feigenholtz	Lewis	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Glowiak Hilton, **Senate Bill No. 1446** was recalled from the order of third reading to the order of second reading.

Senator Glowiak Hilton offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1446

AMENDMENT NO. 3 . Amend Senate Bill 1446, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 10-22.25b, and 34-2.3 and by adding Section 2-3.196 as follows:

(105 ILCS 5/2-3.196 new)

Sec. 2-3.196. Clothing resource materials. By no later than July 1, 2024, the State Board of Education shall make available to schools resource materials developed in consultation with stakeholders regarding a student wearing or accessorizing the student's graduation attire with general items that may be used by the student to associate with, identify, or declare the student's cultural, ethnic, or religious identity or any other protected characteristic or category identified in subsection (Q) of Section 1-103 of the Illinois Human Rights Act. The State Board of Education shall make the resource materials available on its Internet website.

(105 ILCS 5/10-22.25b) (from Ch. 122, par. 10-22.25b)

Sec. 10-22.25b. School uniforms. The school board may adopt a school uniform or dress code policy that governs all or certain individual attendance centers and that is necessary to maintain the orderly process of a school function or prevent endangerment of student health or safety. A school uniform or dress code policy adopted by a school board: (i) shall not be applied in such manner as to discipline or deny attendance to a transfer student or any other student for noncompliance with that policy during such period of time as is reasonably necessary to enable the student to acquire a school uniform or otherwise comply with the dress code policy that is in effect at the attendance center or in the district into which the student's enrollment is transferred; (ii) shall include criteria and procedures under which the school board will accommodate the needs of or otherwise provide appropriate resources to assist a student from an indigent family in complying with an applicable school uniform or dress code policy; ~~and~~ (iii) shall not include or apply to hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists; and (iv) shall not prohibit the right of a student to wear or accessorize the student's graduation attire with items associated with the student's cultural, ethnic, or religious identity or any other protected characteristic or category identified in subsection (Q) of Section 1-103 of the Illinois Human Rights Act. A student whose parents or legal guardians object on religious grounds to the student's compliance with an applicable school uniform or dress code policy shall not be required to comply with that policy if the student's parents or legal guardians present to the school board a signed statement of objection detailing the grounds for the objection. This Section applies to school boards of all districts, including special charter districts and districts organized under Article 34. If a school board does not comply with the requirements and prohibitions set forth in this Section, the school district is subject to the penalty imposed pursuant to subsection (a) of Section 2-3.25.

By no later than July 1, 2022, the State Board of Education shall make available to schools resource materials developed in consultation with stakeholders regarding hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists. The State Board of Education shall make the resource materials available on its Internet website.

(Source: P.A. 102-360, eff. 1-1-22.)

(105 ILCS 5/34-2.3) (from Ch. 122, par. 34-2.3)

Sec. 34-2.3. Local school councils; powers and duties. Each local school council shall have and exercise, consistent with the provisions of this Article and the powers and duties of the board of education, the following powers and duties:

1. (A) To annually evaluate the performance of the principal of the attendance center using a Board approved principal evaluation form, which shall include the evaluation of (i) student academic improvement, as defined by the school improvement plan, (ii) student absenteeism rates at the school, (iii) instructional leadership, (iv) the effective implementation of programs, policies, or strategies to improve student academic achievement, (v) school management, and (vi) any other factors deemed relevant by the local school council, including, without limitation, the principal's communication skills and ability to create and maintain a student-centered learning environment, to develop opportunities for professional development, and to encourage parental involvement and community partnerships to achieve school improvement;

(B) to determine in the manner provided by subsection (c) of Section 34-2.2 and subdivision 1.5 of this Section whether the performance contract of the principal shall be renewed; and

(C) to directly select, in the manner provided by subsection (c) of Section 34-2.2, a new principal (including a new principal to fill a vacancy) -- without submitting any list of candidates for that position to the general superintendent as provided in paragraph 2 of this Section -- to serve under a 4 year performance contract; provided that (i) the determination of whether the principal's performance contract is to be renewed, based upon the evaluation required by subdivision 1.5 of this Section, shall be made no later than 150 days prior to the expiration of the current performance-based contract of the principal, (ii) in cases where such performance contract is not renewed -- a direct selection of a new principal -- to serve under a 4 year performance contract shall be made by the local school council no later than 45 days prior to the expiration of the current performance contract of the principal, and (iii) a selection by the local school council of a new principal to fill a vacancy under a 4 year performance contract shall be made within 90 days after the date such vacancy occurs. A Council shall be required, if requested by the principal, to provide in writing the reasons for the council's not renewing the principal's contract.

1.5. The local school council's determination of whether to renew the principal's contract shall be based on an evaluation to assess the educational and administrative progress made at the school during the principal's current performance-based contract. The local school council shall base its evaluation on (i) student academic improvement, as defined by the school improvement plan, (ii) student absenteeism rates at the school, (iii) instructional leadership, (iv) the effective implementation of programs, policies, or strategies to improve student academic achievement, (v) school management, and (vi) any other factors deemed relevant by the local school council, including, without limitation, the principal's communication skills and ability to create and maintain a student-centered learning environment, to develop opportunities for professional development, and to encourage parental involvement and community partnerships to achieve school improvement. If a local school council fails to renew the performance contract of a principal rated by the general superintendent, or his or her designee, in the previous years' evaluations as meeting or exceeding expectations, the principal, within 15 days after the local school council's decision not to renew the contract, may request a review of the local school council's principal non-retention decision by a hearing officer appointed by the American Arbitration Association. A local school council member or members or the general superintendent may support the principal's request for review. During the period of the hearing officer's review of the local school council's decision on whether or not to retain the principal, the local school council shall maintain all authority to search for and contract with a person to serve as interim or acting principal, or as the principal of the attendance center under a 4-year performance contract, provided that any performance contract entered into by the local school council shall be voidable or modified in accordance with the decision of the hearing officer. The principal may request review only once while at that attendance center. If a local school council renews the contract of a principal who failed to obtain a rating of "meets" or "exceeds expectations" in the general superintendent's evaluation for the previous year, the general superintendent, within 15 days after the local school council's decision to renew the contract, may request a review of the local school council's principal retention decision by a hearing officer appointed by the American Arbitration Association. The general superintendent may request a review only once for that principal at that attendance center. All requests to review the retention or non-retention of a principal shall be submitted to the general superintendent, who shall, in turn, forward such requests, within 14 days of receipt, to the American Arbitration Association. The general superintendent shall send a contemporaneous copy of the request that was forwarded to the American Arbitration Association to the principal and to each local school council member and shall inform the local school council of its rights and responsibilities under

the arbitration process, including the local school council's right to representation and the manner and process by which the Board shall pay the costs of the council's representation. If the local school council retains the principal and the general superintendent requests a review of the retention decision, the local school council and the general superintendent shall be considered parties to the arbitration, a hearing officer shall be chosen between those 2 parties pursuant to procedures promulgated by the State Board of Education, and the principal may retain counsel and participate in the arbitration. If the local school council does not retain the principal and the principal requests a review of the retention decision, the local school council and the principal shall be considered parties to the arbitration and a hearing officer shall be chosen between those 2 parties pursuant to procedures promulgated by the State Board of Education. The hearing shall begin (i) within 45 days after the initial request for review is submitted by the principal to the general superintendent or (ii) if the initial request for review is made by the general superintendent, within 45 days after that request is mailed to the American Arbitration Association. The hearing officer shall render a decision within 45 days after the hearing begins and within 90 days after the initial request for review. The Board shall contract with the American Arbitration Association for all of the hearing officer's reasonable and necessary costs. In addition, the Board shall pay any reasonable costs incurred by a local school council for representation before a hearing officer.

1.10. The hearing officer shall conduct a hearing, which shall include (i) a review of the principal's performance, evaluations, and other evidence of the principal's service at the school, (ii) reasons provided by the local school council for its decision, and (iii) documentation evidencing views of interested persons, including, without limitation, students, parents, local school council members, school faculty and staff, the principal, the general superintendent or his or her designee, and members of the community. The burden of proof in establishing that the local school council's decision was arbitrary and capricious shall be on the party requesting the arbitration, and this party shall sustain the burden by a preponderance of the evidence. The hearing officer shall set the local school council decision aside if that decision, in light of the record developed at the hearing, is arbitrary and capricious. The decision of the hearing officer may not be appealed to the Board or the State Board of Education. If the hearing officer decides that the principal shall be retained, the retention period shall not exceed 2 years.

2. In the event (i) the local school council does not renew the performance contract of the principal, or the principal fails to receive a satisfactory rating as provided in subsection (h) of Section 34-8.3, or the principal is removed for cause during the term of his or her performance contract in the manner provided by Section 34-85, or a vacancy in the position of principal otherwise occurs prior to the expiration of the term of a principal's performance contract, and (ii) the local school council fails to directly select a new principal to serve under a 4 year performance contract, the local school council in such event shall submit to the general superintendent a list of 3 candidates -- listed in the local school council's order of preference -- for the position of principal, one of which shall be selected by the general superintendent to serve as principal of the attendance center. If the general superintendent fails or refuses to select one of the candidates on the list to serve as principal within 30 days after being furnished with the candidate list, the general superintendent shall select and place a principal on an interim basis (i) for a period not to exceed one year or (ii) until the local school council selects a new principal with 7 affirmative votes as provided in subsection (c) of Section 34-2.2, whichever occurs first. If the local school council fails or refuses to select and appoint a new principal, as specified by subsection (c) of Section 34-2.2, the general superintendent may select and appoint a new principal on an interim basis for an additional year or until a new contract principal is selected by the local school council. There shall be no discrimination on the basis of race, sex, creed, color or disability unrelated to ability to perform in connection with the submission of candidates for, and the selection of a candidate to serve as principal of an attendance center. No person shall be directly selected, listed as a candidate for, or selected to serve as principal of an attendance center (i) if such person has been removed for cause from employment by the Board or (ii) if such person does not hold a valid Professional Educator License issued under Article 21B and endorsed as required by that Article for the position of principal. A principal whose performance contract is not renewed as provided under subsection (c) of Section 34-2.2 may nevertheless, if otherwise qualified and licensed as herein provided and if he or she has received a satisfactory rating as provided in subsection (h) of Section 34-8.3, be included by a local school council as one of the 3 candidates listed in order of preference on any candidate list from which one person is to be selected to serve as principal of the attendance center under a new performance contract. The initial candidate list required to be submitted by a local school council to the general superintendent in cases where the local school council does not renew the performance contract of its principal and does not directly select a new principal to serve under a 4 year performance contract shall be submitted not later than 30 days prior

to the expiration of the current performance contract. In cases where the local school council fails or refuses to submit the candidate list to the general superintendent no later than 30 days prior to the expiration of the incumbent principal's contract, the general superintendent may appoint a principal on an interim basis for a period not to exceed one year, during which time the local school council shall be able to select a new principal with 7 affirmative votes as provided in subsection (c) of Section 34-2.2. In cases where a principal is removed for cause or a vacancy otherwise occurs in the position of principal and the vacancy is not filled by direct selection by the local school council, the candidate list shall be submitted by the local school council to the general superintendent within 90 days after the date such removal or vacancy occurs. In cases where the local school council fails or refuses to submit the candidate list to the general superintendent within 90 days after the date of the vacancy, the general superintendent may appoint a principal on an interim basis for a period of one year, during which time the local school council shall be able to select a new principal with 7 affirmative votes as provided in subsection (c) of Section 34-2.2.

2.5. Whenever a vacancy in the office of a principal occurs for any reason, the vacancy shall be filled in the manner provided by this Section by the selection of a new principal to serve under a 4 year performance contract.

3. To establish additional criteria to be included as part of the performance contract of its principal, provided that such additional criteria shall not discriminate on the basis of race, sex, creed, color or disability unrelated to ability to perform, and shall not be inconsistent with the uniform 4 year performance contract for principals developed by the board as provided in Section 34-8.1 of the School Code or with other provisions of this Article governing the authority and responsibility of principals.

4. To approve the expenditure plan prepared by the principal with respect to all funds allocated and distributed to the attendance center by the Board. The expenditure plan shall be administered by the principal. Notwithstanding any other provision of this Act or any other law, any expenditure plan approved and administered under this Section 34-2.3 shall be consistent with and subject to the terms of any contract for services with a third party entered into by the Chicago School Reform Board of Trustees or the board under this Act.

Via a supermajority vote of 8 members of a local school council enrolling students through the 8th grade or 9 members of a local school council at a secondary attendance center or an attendance center enrolling students in grades 7 through 12, the Council may transfer allocations pursuant to Section 34-2.3 within funds; provided that such a transfer is consistent with applicable law and collective bargaining agreements.

Beginning in fiscal year 1991 and in each fiscal year thereafter, the Board may reserve up to 1% of its total fiscal year budget for distribution on a prioritized basis to schools throughout the school system in order to assure adequate programs to meet the needs of special student populations as determined by the Board. This distribution shall take into account the needs catalogued in the Systemwide Plan and the various local school improvement plans of the local school councils. Information about these centrally funded programs shall be distributed to the local school councils so that their subsequent planning and programming will account for these provisions.

Beginning in fiscal year 1991 and in each fiscal year thereafter, from other amounts available in the applicable fiscal year budget, the board shall allocate a lump sum amount to each local school based upon such formula as the board shall determine taking into account the special needs of the student body. The local school principal shall develop an expenditure plan in consultation with the local school council, the professional personnel leadership committee and with all other school personnel, which reflects the priorities and activities as described in the school's local school improvement plan and is consistent with applicable law and collective bargaining agreements and with board policies and standards; however, the local school council shall have the right to request waivers of board policy from the board of education and waivers of employee collective bargaining agreements pursuant to Section 34-8.1a.

The expenditure plan developed by the principal with respect to amounts available from the fund for prioritized special needs programs and the allocated lump sum amount must be approved by the local school council.

The lump sum allocation shall take into account the following principles:

a. Teachers: Each school shall be allocated funds equal to the amount appropriated in the previous school year for compensation for teachers (regular grades kindergarten through 12th grade) plus whatever increases in compensation have been negotiated contractually or through longevity as provided in the negotiated agreement. Adjustments shall be made due to layoff or reduction in force, lack of funds or work, change in subject requirements, enrollment changes, or contracts with third

parties for the performance of services or to rectify any inconsistencies with system-wide allocation formulas or for other legitimate reasons.

b. Other personnel: Funds for other teacher licensed and nonlicensed personnel paid through non-categorical funds shall be provided according to system-wide formulas based on student enrollment and the special needs of the school as determined by the Board.

c. Non-compensation items: Appropriations for all non-compensation items shall be based on system-wide formulas based on student enrollment and on the special needs of the school or factors related to the physical plant, including but not limited to textbooks, electronic textbooks and the technological equipment necessary to gain access to and use electronic textbooks, supplies, electricity, equipment, and routine maintenance.

d. Funds for categorical programs: Schools shall receive personnel and funds based on, and shall use such personnel and funds in accordance with State and Federal requirements applicable to each categorical program provided to meet the special needs of the student body (including but not limited to, Federal Chapter I, Bilingual, and Special Education).

d.1. Funds for State Title I: Each school shall receive funds based on State and Board requirements applicable to each State Title I pupil provided to meet the special needs of the student body. Each school shall receive the proportion of funds as provided in Section 18-8 or 18-8.15 to which they are entitled. These funds shall be spent only with the budgetary approval of the Local School Council as provided in Section 34-2.3.

e. The Local School Council shall have the right to request the principal to close positions and open new ones consistent with the provisions of the local school improvement plan provided that these decisions are consistent with applicable law and collective bargaining agreements. If a position is closed, pursuant to this paragraph, the local school shall have for its use the system-wide average compensation for the closed position.

f. Operating within existing laws and collective bargaining agreements, the local school council shall have the right to direct the principal to shift expenditures within funds.

g. (Blank).

Any funds unexpended at the end of the fiscal year shall be available to the board of education for use as part of its budget for the following fiscal year.

5. To make recommendations to the principal concerning textbook selection and concerning curriculum developed pursuant to the school improvement plan which is consistent with systemwide curriculum objectives in accordance with Sections 34-8 and 34-18 of the School Code and in conformity with the collective bargaining agreement.

6. To advise the principal concerning the attendance and disciplinary policies for the attendance center, subject to the provisions of this Article and Article 26, and consistent with the uniform system of discipline established by the board pursuant to Section 34-19.

7. To approve a school improvement plan developed as provided in Section 34-2.4. The process and schedule for plan development shall be publicized to the entire school community, and the community shall be afforded the opportunity to make recommendations concerning the plan. At least twice a year the principal and local school council shall report publicly on progress and problems with respect to plan implementation.

8. To evaluate the allocation of teaching resources and other licensed and nonlicensed staff to the attendance center to determine whether such allocation is consistent with and in furtherance of instructional objectives and school programs reflective of the school improvement plan adopted for the attendance center; and to make recommendations to the board, the general superintendent and the principal concerning any reallocation of teaching resources or other staff whenever the council determines that any such reallocation is appropriate because the qualifications of any existing staff at the attendance center do not adequately match or support instructional objectives or school programs which reflect the school improvement plan.

9. To make recommendations to the principal and the general superintendent concerning their respective appointments, after August 31, 1989, and in the manner provided by Section 34-8 and Section 34-8.1, of persons to fill any vacant, additional or newly created positions for teachers at the attendance center or at attendance centers which include the attendance center served by the local school council.

10. To request of the Board the manner in which training and assistance shall be provided to the local school council. Pursuant to Board guidelines a local school council is authorized to direct the Board of Education to contract with personnel or not-for-profit organizations not associated with the school district to train or assist council members. If training or assistance is provided by contract with personnel or

organizations not associated with the school district, the period of training or assistance shall not exceed 30 hours during a given school year; person shall not be employed on a continuous basis longer than said period and shall not have been employed by the Chicago Board of Education within the preceding six months. Council members shall receive training in at least the following areas:

1. school budgets;

2. educational theory pertinent to the attendance center's particular needs, including the development of the school improvement plan and the principal's performance contract; and

3. personnel selection.

Council members shall, to the greatest extent possible, complete such training within 90 days of election.

11. In accordance with systemwide guidelines contained in the System-Wide Educational Reform Goals and Objectives Plan, criteria for evaluation of performance shall be established for local school councils and local school council members. If a local school council persists in noncompliance with systemwide requirements, the Board may impose sanctions and take necessary corrective action, consistent with Section 34-8.3.

12. Each local school council shall comply with the Open Meetings Act and the Freedom of Information Act. Each local school council shall issue and transmit to its school community a detailed annual report accounting for its activities programmatically and financially. Each local school council shall convene at least 2 well-publicized meetings annually with its entire school community. These meetings shall include presentation of the proposed local school improvement plan, of the proposed school expenditure plan, and the annual report, and shall provide an opportunity for public comment.

13. Each local school council is encouraged to involve additional non-voting members of the school community in facilitating the council's exercise of its responsibilities.

14. The local school council may adopt a school uniform or dress code policy that governs the attendance center and that is necessary to maintain the orderly process of a school function or prevent endangerment of student health or safety, consistent with the policies and rules of the Board of Education. A school uniform or dress code policy adopted by a local school council: (i) shall not be applied in such manner as to discipline or deny attendance to a transfer student or any other student for noncompliance with that policy during such period of time as is reasonably necessary to enable the student to acquire a school uniform or otherwise comply with the dress code policy that is in effect at the attendance center into which the student's enrollment is transferred; (ii) shall include criteria and procedures under which the local school council will accommodate the needs of or otherwise provide appropriate resources to assist a student from an indigent family in complying with an applicable school uniform or dress code policy; ~~and~~ (iii) shall not include or apply to hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists ; and (iv) shall not prohibit the right of a student to wear or accessorize the student's graduation attire with items associated with the student's cultural, ethnic, or religious identity or any other protected characteristic or category identified in subsection (Q) of Section 1-103 of the Illinois Human Rights Act. A student whose parents or legal guardians object on religious grounds to the student's compliance with an applicable school uniform or dress code policy shall not be required to comply with that policy if the student's parents or legal guardians present to the local school council a signed statement of objection detailing the grounds for the objection. If a local school council does not comply with the requirements and prohibitions set forth in this paragraph 14, the attendance center is subject to the penalty imposed pursuant to subsection (a) of Section 2-3.25.

15. All decisions made and actions taken by the local school council in the exercise of its powers and duties shall comply with State and federal laws, all applicable collective bargaining agreements, court orders and rules properly promulgated by the Board.

15a. To grant, in accordance with board rules and policies, the use of assembly halls and classrooms when not otherwise needed, including lighting, heat, and attendants, for public lectures, concerts, and other educational and social activities.

15b. To approve, in accordance with board rules and policies, receipts and expenditures for all internal accounts of the attendance center, and to approve all fund-raising activities by nonschool organizations that use the school building.

16. (Blank).

17. Names and addresses of local school council members shall be a matter of public record.

(Source: P.A. 102-360, eff. 1-1-22; 102-677, eff. 12-3-21; 102-894, eff. 5-20-22.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Glowiak Hilton, **Senate Bill No. 1446** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 49; NAYS 4.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Simmons
Aquino	Fine	Lewis	Sims
Belt	Fowler	Lightford	Stadelman
Bennett	Gillespie	Loughran Cappel	Turner, D.
Bryant	Glowiak Hilton	Martwick	Turner, S.
Castro	Halpin	McClure	Ventura
Cervantes	Harris, N.	McConchie	Villa
Cunningham	Harriss, E.	Murphy	Villanueva
Curran	Hastings	Pacione-Zayas	Villivalam
DeWitte	Holmes	Peters	Mr. President
Edly-Allen	Hunter	Porfirio	
Ellman	Johnson	Preston	
Faraci	Joyce	Rezin	

The following voted in the negative:

Chesney	Rose
Plummer	Stoller

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Bryant asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the negative on **Senate Bill No. 1446**.

SENATE BILL RECALLED

On motion of Senator Bennett, **Senate Bill No. 1488** was recalled from the order of third reading to the order of second reading.

Senator Bennett offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1488

AMENDMENT NO. 3 . Amend Senate Bill 1488, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2 on page 5, line 13, after "State.", by inserting "each currently a faculty member in an approved educator preparation program."; and

on page 5, line 16, after "State,", by inserting "each currently a faculty member in an approved educator preparation program,".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Bennett, **Senate Bill No. 1488** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Villa, **Senate Bill No. 1497** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Morrison	Turner, S.
Castro	Harris, N.	Murphy	Ventura
Cervantes	Harriss, E.	Pacione-Zayas	Villa
Chesney	Hastings	Peters	Villanueva

Cunningham	Holmes	Plummer	Villivalam
Curran	Hunter	Porfirio	Wilcox
DeWitte	Johnson	Preston	Mr. President
Edly-Allen	Joyce	Rezin	
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Villa, **Senate Bill No. 1499** was recalled from the order of third reading to the order of second reading.

Senator Villa offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1499

AMENDMENT NO. 2 . Amend Senate Bill 1499 on page 1, by replacing line 10 with the following:
"3.01, 3.02, 3.03, 3.03-1, 4.01, 4.03, 4.04, 6, ~~or~~ 7.1, or 7.15 of"; and

on page 3, by replacing line 7 with the following:
"violated Section 3.01, 3.02, 3.03, 3.03-1, 4.01, 4.03, 4.04, 6, ~~or~~"; and

on page 3, line 22, by inserting "3.03-1," after "3.03,".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Villa, **Senate Bill No. 1499** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Morrison	Turner, S.
Castro	Harris, N.	Murphy	Ventura
Cervantes	Harriss, E.	Pacione-Zayas	Villa
Chesney	Hastings	Peters	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Curran	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President

Edly-Allen	Joyce	Rose
Ellman	Koehler	Simmons
Faraci	Lewis	Sims
Feigenholtz	Lightford	Stadelman

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Murphy, **Senate Bill No. 1559** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Morrison, **Senate Bill No. 1568** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva

Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Martwick, **Senate Bill No. 1646** was recalled from the order of third reading to the order of second reading.

Senator Martwick offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1646

AMENDMENT NO. 2 . Amend Senate Bill 1646, AS AMENDED, by replacing everything after the enacting clause with the following:

"Article 1.

Section 1-5. The Illinois Pension Code is amended by changing Section 11-196 and by adding Section 12-162.5 as follows:

(40 ILCS 5/11-196) (from Ch. 108 1/2, par. 11-196)

Sec. 11-196. To subpoena witnesses and compel the production of records. To issue subpoenas to compel the attendance of witnesses to testify before it and to compel the production of documents and records upon any matter concerning the Fund, including, but not limited to, in conjunction with: ~~fund and allow witness fees not in excess of $6 per day.~~

(1) a disability claim;

(2) an administrative review proceeding;

(3) an attempt to obtain information to assist in the collection of sums due to the Fund;

(4) obtaining any and all personal identifying information necessary for the administration of benefits;

(5) the determination of the death of a benefit recipient or a potential benefit recipient; or

(6) a felony forfeiture investigation.

The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit courts of this State and shall be paid by the party seeking the subpoena. The Board may apply to any circuit court in the State for an order requiring compliance with a subpoena issued under this Section. Subpoenas issued under this Section shall be subject to applicable provisions of the Code of Civil Procedure. The president or other members of the board may administer oaths to witnesses.

(Source: Laws 1963, p. 161.)

(40 ILCS 5/12-162.5 new)

Sec. 12-162.5. To subpoena witnesses and compel the production of records. To issue subpoenas to compel the attendance of witnesses to testify before it and to compel the production of documents and records upon any matter concerning the Fund, including, but not limited to, in conjunction with:

(1) a disability claim;

(2) an administrative review proceeding;

(3) an attempt to obtain information to assist in the collection of sums due to the Fund;

(4) obtaining any and all personal identifying information necessary for the administration of benefits;

(5) the determination of the death of a benefit recipient or a potential benefit recipient; or

(6) a felony forfeiture investigation.

The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit courts of this State and shall be paid by the party seeking the subpoena. The Board may apply to any circuit court in the State for an order requiring compliance with a subpoena issued under this Section. Subpoenas issued under this Section shall be subject to applicable provisions of the Code of Civil Procedure. The president or other members of the board may administer oaths to witnesses.

Article 2.

Section 2-5. The Illinois Pension Code is amended by changing Sections 15-202, 16-204, 24-104, and 24-107 as follows:

(40 ILCS 5/15-202)

Sec. 15-202. Optional deferred compensation plan.

(a) As soon as practicable after August 10, 2018 (the effective date of Public Act 100-769), the System shall offer a deferred compensation plan that is eligible under Section 457(b) of the Internal Revenue Code of 1986, as amended, to participating employees of the System employed by employers described in Section 15-106 of this Code that qualify as eligible employers under Section 457(e)(1)(A) of the Internal Revenue Code of 1986, as amended. Such eligible employers shall adopt the plan with an effective date no later than September 1, 2021. Participating employees may voluntarily elect to make elective deferrals to the eligible deferred compensation plan. Eligible employers may make optional employer contributions to the plan on behalf of participating employees, which contributions may be maintained, increased, reduced, or eliminated at the discretion of the employer from plan year to plan year. The plan shall collect voluntary employee and optional employer contributions into an account for each participant and shall offer investment options to the participant. The plan under this Section shall be operated in full compliance with any applicable State and federal laws, and the System shall utilize generally accepted practices in creating and maintaining the plan for the best interest of the participants. In administering the deferred compensation plan, the System shall require that the deferred compensation plan recordkeeper agree that, in performing services with respect to the deferred compensation plan, the recordkeeper: (i) will not use information received as a result of providing services with respect to the deferred compensation plan or the participants in the deferred compensation plan to solicit the participants in the deferred compensation plan for the purpose of cross-selling nonplan products and services, unless in response to a request by a participant in the deferred compensation plan; and (ii) will not promote, recommend, endorse, or solicit participants in the deferred compensation plan to purchase any financial products or services outside of the deferred compensation plan, except that links to parts of the recordkeeper's website that are generally available to the public, are about commercial products, and may be encountered by a participant in the regular course of navigating the recordkeeper's website will not constitute a violation of this item (ii), except that links to parts of the recordkeeper's website that are generally available to the public, are about commercial products, and may be encountered by a participant in the regular course of navigating the recordkeeper's website will not constitute a violation of this item (ii). The System may use funds from the employee and employer contributions to defray any and all costs of creating and maintaining the plan. The System shall produce an annual report on the participation in the plan and shall make the report public.

(b) The System shall automatically enroll in the eligible deferred compensation plan any employee of an eligible employer who first becomes a participating employee of the System on or after July 1, 2023 under an eligible automatic contribution arrangement that is subject to Section 414(w) of the Internal Revenue Code of 1986, as amended, and the United States Department of Treasury regulations promulgated thereunder. An employee who is automatically enrolled under this subsection (b) shall have 3% of his or her compensation, as defined by the plan, for each pay period deferred on a pre-tax basis into his or her account, subject to any contribution limits applicable to the plan. The Board may increase the default percentage of compensation deferred under this subsection (b).

An employee shall have 30 days from the date on which the System provides the notice required under Section 414(w) of the Internal Revenue Code of 1986, as amended, to elect to not participate in the eligible deferred compensation plan or to elect to increase or reduce the initial amount of elective deferrals made to the plan. In the absence of such affirmative election, the employee shall be automatically enrolled in the plan on the first day of the calendar month, or as soon as administratively practicable thereafter, following the 30th day from the date on which the System provides the required notice. An employee who has been automatically enrolled in the plan under this subsection (b) may elect, within 90 days of

enrollment, to withdraw from the plan and receive a refund of amounts deferred, adjusted by applicable earnings and fees. An employee making such an election shall forfeit all employer matching contributions, if any, made with respect to such refunded elective deferrals and such forfeited amounts shall be used to defray plan expenses. Any refunded elective deferrals shall be included in the employee's gross income for the taxable year in which the refund is issued.

(c) The System may provide for one or more automatic contribution arrangements, which shall comply with all applicable Internal Revenue Service rules and regulations, in conjunction with or in lieu of the eligible automatic contribution arrangement under subsection (b), for participating employees of eligible employers whose annual earnings are limited by application of subsection (b) of Section 15-111 of this Code. The amount of elective deferrals made for the employee each pay period under an automatic contribution arrangement shall equal the default percentage specified by resolution of the Board multiplied by the employee's compensation as defined by the plan, subject to any contribution limits applicable to the plan, and shall be made on a pre-tax basis. An employee subject to this subsection (c) shall have 30 days from the date on which the System provides written notice to the employee to elect to not participate in the eligible deferred compensation plan or to elect to increase or reduce the amount of initial elective deferrals made to the plan. In the absence of such affirmative election, the employee shall be automatically enrolled in the plan beginning the first day of the calendar month, or as soon as administratively practicable thereafter, following the 30th day from the date on which the System provides the required notice.

(d) The System may provide that the default percentage for any employee automatically enrolled in the eligible deferred compensation plan under subsection (b) or (c) be increased by a specified percentage each plan year after the plan year in which the employee is automatically enrolled in the plan. The amount of automatic annual increases in any plan year shall not exceed 1% of compensation as defined by the plan.

(e) The changes made to this Section by this amendatory Act of the 102nd General Assembly are corrections of existing law and are intended to be retroactive to the effective date of Public Act 100-769, notwithstanding Section 1-103.1 of this Code.

(Source: P.A. 102-540, eff. 8-20-21.)

(40 ILCS 5/16-204)

Sec. 16-204. Optional defined contribution benefit. As soon as practicable after the effective date of this amendatory Act of the 100th General Assembly, the System shall offer a defined contribution benefit to active members of the System. The defined contribution benefit shall be an optional benefit to any member who chooses to participate. The defined contribution benefit shall collect optional employee and optional employer contributions into an account and shall offer investment options to the participant. The benefit under this Section shall be operated in full compliance with any applicable State and federal laws, and the System shall utilize generally accepted practices in creating and maintaining the benefit for the best interest of the participants. In administering the defined contribution benefit, the System shall require that the defined contribution benefit recordkeeper agree that, in performing services with respect to the defined contribution benefit, the recordkeeper: (i) will not use information received as a result of providing services with respect to the defined contribution benefit or the participants in the defined contribution benefit to solicit the participants in the defined contribution benefit for the purpose of cross-selling nonplan products and services, unless in response to a request by a participant in the defined contribution benefit; and (ii) will not promote, recommend, endorse, or solicit participants in the defined contribution benefit to purchase any financial products or services outside of the defined contribution benefit, except that links to parts of the recordkeeper's website that are generally available to the public, are about commercial products, and may be encountered by a participant in the regular course of navigating the recordkeeper's website will not constitute a violation of this item (ii), except that links to parts of the recordkeeper's website that are generally available to the public, are about commercial products, and may be encountered by a participant in the regular course of navigating the recordkeeper's website will not constitute a violation of this item (ii). The System may use funds from the employee and employer contributions to defray any and all costs of creating and maintaining the benefit. In addition, the System may use funds provided under Section 16-158 of this Code to defray any and all costs of creating and maintaining the benefit and then shall reimburse those costs from funds received from the employee and employer contributions under this Section. All employers must comply with the reporting and administrative functions established by the System and are required to implement the benefits established under this Section. The System shall produce an annual report on the participation in the benefit and shall make the report public.

As soon as is practicable on or after January 1, 2022, the System shall automatically enroll any employee who first becomes an active member or participant in the System. A member automatically

enrolled under this Section shall have 3% of his or her pre-tax gross compensation for each compensation period deferred into his or her deferred compensation account, unless the member otherwise instructs the System on forms approved by the System. A member may elect, in a manner provided for by the System, to not participate in the defined contribution benefit or to increase or reduce the amount of pre-tax gross compensation contributed, consistent with State or federal law. A member shall be automatically enrolled in the benefit beginning the first day of the pay period following the member's 30th day of employment. A member who has been automatically enrolled in the benefit may elect, within 90 days of enrollment, to withdraw from the benefit and receive a refund of amounts deferred, plus or minus any applicable earnings, investment fees, and administrative fees. Any refunded amount shall be included in the member's gross income for the taxable year in which the refund is issued.

On or after January 1, 2023, the System may elect to increase the automatic annual contributions under this Section. The increase in the rate of contribution, however, shall not exceed 2% of a member's pre-tax gross compensation per year, and at no time shall any total contribution exceed any contribution limits established by State or federal law.

(Source: P.A. 102-540, eff. 8-20-21.)

(40 ILCS 5/24-104) (from Ch. 108 1/2, par. 24-104)

Sec. 24-104. State Employees Deferred Compensation Plan.

In this Section, "Plan" means the State Employees Deferred Compensation Plan.

The Illinois State Board of Investment created under Article 22A of this Act shall develop and establish a deferred compensation plan for employees of the State which shall be known as the State Employees Deferred Compensation Plan. The Plan shall provide for the Board to review proposed investment offerings and shall require that only investments determined to be acceptable by the Board may be used for investing compensation deferred.

The Plan shall include appropriate provisions pertaining to its day to day operation providing for methods of electing to defer income, methods of changing the amount of income to be deferred, methods of selecting from among investment options available under the plan and such other provisions as may be appropriate.

In administering the Plan, the Board shall require that the Plan recordkeeper agree that, in performing services with respect to the Plan, the recordkeeper: (i) will not use information received as a result of providing services with respect to the Plan or the Plan's participants to solicit the Plan's participants for the purpose of cross-selling non-Plan products and services, unless in response to a request by a Plan participant; and (ii) will not promote, recommend, endorse, or solicit Plan participants to purchase any financial products or services outside of the Plan, except that links to parts of the recordkeeper's website that are generally available to the public, are about commercial products, and may be encountered by a Plan participant in the regular course of navigating the recordkeeper's website will not constitute a violation of this item (ii), except that links to parts of the recordkeeper's website that are generally available to the public, are about commercial products, and may be encountered by a Plan participant in the regular course of navigating the recordkeeper's website will not constitute a violation of this item (ii).

The Plan shall provide for the preparation, and distribution from time to time to all eligible State employees, of pamphlets describing the Plan and outlining the options and opportunities available to State employees under the Plan.

The Plan established under this Section shall not be implemented or amended until the Board is satisfied that compensation deferred under the Plan is not subject to income tax for the year in which it is earned and that the taxation of such compensation will be deferred until the time of its distribution to the employee.

The Board shall also review and oversee the administration of the Plan.

(Source: P.A. 81-671.)

(40 ILCS 5/24-107) (from Ch. 108 1/2, par. 24-107)

Sec. 24-107. Local government plans.

(a) Any unit of local government or school district may establish for its employees a deferred compensation plan ~~program~~. Participation shall be by written agreement between each employee and the legislative authority of the unit of local government or school district providing for the deferral of such compensation and the subsequent investment and administration of such funds.

(b) Any unit of local government may establish an employer-funded money purchase retirement plan for those of its full time employees who are not eligible to participate in any pension fund or retirement system established under Articles 2 through 18 of this Code. Contributions to the plan shall be made by the

unit of local government only from general purpose funds not derived from real property taxes imposed by the unit, at a rate to be determined from time to time by the unit of local government. However, the rate of employer contribution shall be (i) the same for all employees participating in the plan, and (ii) not more than 10% of the employee's salary.

Any benefits accruing to the participants in a retirement plan established under this subsection shall be protected from impairment in accordance with Article XIII, Section 5 of the Illinois Constitution. However, the unit of local government establishing such a plan may terminate it at any time, unless it has otherwise contractually agreed with its participating employees.

(c) The agency or department designated by the unit of local government or school district to establish and administer a plan or program authorized under subsection (a) or (b) of this Section may invest the assets of the plan in investments deemed appropriate by the agency or department, including but not limited to life insurance or annuity contracts, and share or share certificate accounts of State or federal credit unions, the accounts of which are insured as required by the Illinois Credit Union Act or the Federal Credit Union Act, whichever is applicable. The payment of employer contributions to a retirement plan established under subsection (b), and investment and payment to a participant of deferred compensation and income or gain thereon, if any, shall not be construed to be prohibited uses of the general assets of the unit of local government or school district.

This Section does not limit the power or authority of any unit of local government, school district or any institution supported in whole or in part by public funds to establish and administer any other deferred compensation plans that may be authorized by law and deemed appropriate by the officials of such subdivisions or institutions.

(d) In administering the deferred compensation plans authorized under this Section, the governing board or administrators of the sponsoring unit of local government or school district shall require that the deferred compensation plan recordkeeper agree that, in performing services with respect to the deferred compensation plan, the recordkeeper: (i) will not use information received as a result of providing services with respect to the deferred compensation plan or the deferred compensation plan's participants to solicit the participants in the deferred compensation plan for the purpose of cross-selling nonplan products and services, unless in response to a request by a participant in the deferred compensation plan; and (ii) will not promote, recommend, endorse, or solicit participants in the deferred compensation plan to purchase any financial products or services outside of the deferred compensation plan, except that links to parts of the recordkeeper's website that are generally available to the public, are about commercial products, and may be encountered by a Plan participant in the regular course of navigating the recordkeeper's website will not constitute a violation of this item (ii).

(Source: P.A. 87-794.)

Section 2-10. The University Employees Custodial Accounts Act is amended by changing Section 2 as follows:

(110 ILCS 95/2) (from Ch. 144, par. 1702)

Sec. 2. The governing board of any public institution of higher education has the power to establish a defined contribution plan to make payments to custodial accounts for investment in regulated investment company stock to provide retirement benefits as described in Section 403(b)(7) of the Internal Revenue Code for eligible employees of such institutions. Such payments shall be made with funds made available by deductions from or reductions in salary or wages of eligible employees who authorize in writing deductions or reductions for such purpose. Such stock shall be purchased only from persons authorized to sell such stock in this State.

In administering the defined contribution plan, the governing board of any public institution of higher education shall require that the defined contribution plan recordkeeper agree that, in performing services with respect to the defined contribution plan, the recordkeeper: (i) will not use information received as a result of providing services with respect to the defined contribution plan or the participants in the defined contribution plan to solicit the participants in the defined contribution plan for the purpose of cross-selling nonplan products and services, unless in response to a request by a participant in the defined contribution plan; and (ii) will not promote, recommend, endorse, or solicit participants in the defined contribution plan to purchase any financial products or services outside of the defined contribution plan, except that links to parts of the recordkeeper's website that are generally available to the public, are about commercial products, and may be encountered by a participant in the regular course of navigating the recordkeeper's website will not constitute a violation of this item (ii).

(Source: P.A. 83-261.)

Article 3.

Section 3-5. The Illinois Pension Code is amended by changing Section 1-167 as follows:
(40 ILCS 5/1-167)

Sec. 1-167. Prohibited disclosures. No pension fund or retirement system subject to this Code shall disclose the following information of any members or participants of any pension fund or retirement system: (1) the individual's home address (including ZIP code and county); (2) the individual's date of birth; (3) the individual's home and personal phone number; (4) the individual's personal email address; (5) personally identifying member or participant deduction information; or (6) any membership status in a labor organization or other voluntary association affiliated with a labor organization or labor federation (including whether participants are members of such organization, the identity of such organization, whether or not participants pay or authorize the payment of any dues or moneys to such organization, and the amounts of such dues or moneys).

This Section does not apply to disclosures (i) required under the Freedom of Information Act, (ii) for purposes of conducting public operations or business, or (iii) to a labor organization or other voluntary association affiliated with a labor organization or labor federation or to the Municipal Employees Society of Chicago.
(Source: P.A. 101-620, eff. 12-20-19.)

Article 4.

Section 4-5. The Illinois Pension Code is amended by changing Section 24-105.2 as follows:
(40 ILCS 5/24-105.2)

Sec. 24-105.2. Automatic enrollment for certain employees. The Department of Central Management Services shall automatically enroll in the State Employees Deferred Compensation Plan any employee who, on or after July 1, 2020, becomes an active member or participant of a retirement system created under Article 2, 14, or 18. Any agency with employees subject to automatic enrollment must systematically provide the employee data necessary for enrollment to the Department of Central Management Services or its designee. An employee automatically enrolled under this Section shall have 3% of his or her pre-tax gross compensation for each compensation period deferred into his or her deferred compensation account. The Board may increase the default percentage amount of compensation deferred into employee accounts.

An employee hired on or after January 1, 2024 shall be automatically enrolled in the Plan beginning the first day of the pay period following the close of the notice period, unless the employee elects otherwise within the notice period. During the notice period, an employee may elect to not participate in the Plan or to increase or reduce the amount of pre-tax gross compensation deferred. For the purposes of this Section, "notice period" means a reasonable period of time after the employee is provided with an automatic enrollment notice as required under Section 414(w) of the Internal Revenue Code of 1986, as amended. An employee who has been automatically enrolled in the Plan may elect, within 90 days after enrollment, to withdraw from the Plan and receive a refund of amounts deferred, plus or minus any applicable earnings, investment fees, and administrative fees. An employee making such an election shall forfeit all employer matching contributions, if any, made prior to the election. Any refunded amount shall be included in the employee's gross income for the taxable year in which the refund is issued.

An employee hired on or after July 1, 2020 and before January 1, 2024 shall have 30 days from the start date of employment to elect to not participate in the deferred compensation plan or to elect to increase or reduce the amount of pre-tax gross compensation deferred. An employee shall be automatically enrolled in the Plan beginning the first day of the pay period following the employee's thirtieth day of employment. An employee who has been automatically enrolled in the Plan may elect, within 90 days of enrollment, to withdraw from the Plan and receive a refund of amounts deferred, plus or minus any applicable earnings, investment fees, and administrative fees. An employee making such an election shall forfeit all employer matching contributions, if any, made prior to the election. Any refunded amount shall be included in the employee's gross income for the taxable year in which the refund is issued.

As soon as practicable, the Board shall establish annual, automatic increases to employee contribution rates for employees who are automatically enrolled in the Plan pursuant to this Section. The amount of

automatic annual increases in any 12-month period shall not exceed 1% of compensation. Employees may elect to not receive automatic annual increases in a manner described by the Board.
(Source: P.A. 101-277, eff. 1-1-20; 102-219, eff. 7-30-21.)

Article 5.

Section 5-5. The Illinois Pension Code is amended by changing Sections 22C-115, 22C-116, 22C-119, and 22C-123 as follows:

(40 ILCS 5/22C-115)

Sec. 22C-115. Board of Trustees of the Fund.

(a) No later than February 1, 2020 (one month after the effective date of Public Act 101-610) or as soon thereafter as may be practicable, the Governor shall appoint, by and with the advice and consent of the Senate, a transition board of trustees consisting of 9 members as follows:

(1) three members representing municipalities and fire protection districts who are mayors, presidents, chief executive officers, chief financial officers, or other officers, executives, or department heads of municipalities or fire protection districts and appointed from among candidates recommended by the Illinois Municipal League;

(2) three members representing participants who are participants and appointed from among candidates recommended by the statewide labor organization representing firefighters employed by at least 85 municipalities that is affiliated with the Illinois State Federation of Labor;

(3) one member representing beneficiaries who is a beneficiary and appointed from among the candidate or candidates recommended by the statewide labor organization representing firefighters employed by at least 85 municipalities that is affiliated with the Illinois State Federation of Labor;

(4) one member recommended by the Illinois Municipal League; and

(5) one member who is a participant recommended by the statewide labor organization representing firefighters employed by at least 85 municipalities and that is affiliated with the Illinois State Federation of Labor.

The transition board members shall serve until the initial permanent board members are elected and qualified.

The transition board of trustees shall select the chairperson of the transition board of trustees from among the trustees for the duration of the transition board's tenure.

(b) The permanent board of trustees shall consist of 9 members comprised as follows:

(1) Three members who are mayors, presidents, chief executive officers, chief financial officers, or other officers, executives, or department heads of municipalities or fire protection districts that have participating pension funds and are elected by the mayors and presidents of municipalities or fire protection districts that have participating pension funds.

(2) Three members who are participants of participating pension funds and elected by the participants of participating pension funds.

(3) One member who is a beneficiary of a participating pension fund and is elected by the beneficiaries of participating pension funds.

(4) One member recommended by the Illinois Municipal League who shall be appointed by the Governor with the advice and consent of the Senate.

(5) One member recommended by the statewide labor organization representing firefighters employed by at least 85 municipalities and that is affiliated with the Illinois State Federation of Labor who shall be appointed by the Governor with the advice and consent of the Senate.

The permanent board of trustees shall select the chairperson of the permanent board of trustees from among the trustees for a term of 2 years. The holder of the office of chairperson shall alternate between a person elected or appointed under item (1) or (4) of this subsection (b) and a person elected or appointed under item (2), (3), or (5) of this subsection (b).

(c) Each trustee shall qualify by taking an oath of office before the Secretary of State or the Board's appointed legal counsel stating that he or she will diligently and honestly administer the affairs of the board and will not violate or knowingly permit the violation of any provision of this Article.

(d) Trustees shall receive no salary for service on the board but shall be reimbursed for travel expenses incurred while on business for the board ~~according to the standards in effect for members of the Commission on Government Forecasting and Accountability~~.

A municipality or fire protection district employing a firefighter who is an elected or appointed trustee of the board must allow reasonable time off with compensation for the firefighter to conduct official business related to his or her position on the board, including time for travel. The board shall notify the municipality or fire protection district in advance of the dates, times, and locations of this official business. The Fund shall timely reimburse the municipality or fire protection district for the reasonable costs incurred that are due to the firefighter's absence.

(e) No trustee shall have any interest in any brokerage fee, commission, or other profit or gain arising out of any investment directed by the board. This subsection does not preclude ownership by any member of any minority interest in any common stock or any corporate obligation in which an investment is directed by the board.

(f) Notwithstanding any provision or interpretation of law to the contrary, any member of the transition board may also be elected or appointed as a member of the permanent board.

Notwithstanding any provision or interpretation of law to the contrary, any trustee of a fund established under Article 4 of this Code may also be appointed as a member of the transition board or elected or appointed as a member of the permanent board.

The restriction in Section 3.1 of the Lobbyist Registration Act shall not apply to a member of the transition board appointed pursuant to items (4) or (5) of subsection (a) or to a member of the permanent board appointed pursuant to items (4) or (5) of subsection (b).

(Source: P.A. 101-610, eff. 1-1-20; 102-558, eff. 8-20-21.)

(40 ILCS 5/22C-116)

Sec. 22C-116. Conduct and administration of elections; terms of office.

(a) For the election of the permanent trustees, the transition board shall administer the initial elections and the permanent board shall administer all subsequent elections. Each board shall develop and implement such procedures as it determines to be appropriate for the conduct of such elections. For the purposes of obtaining information necessary to conduct elections under this Section, participating pension funds shall cooperate with the Fund.

(b) All nominations for election shall be by petition. Each petition for a trustee shall be executed as follows:

(1) for trustees to be elected by the mayors and presidents of municipalities or fire protection districts that have participating pension funds, by at least 20 such mayors and presidents; except that this item (1) shall apply only with respect to participating pension funds;

(2) for trustees to be elected by participants, by at least 400 participants; and

(3) for trustees to be elected by beneficiaries, by at least 100 beneficiaries.

(c) A separate ballot shall be used for each class of trustee. The board shall prepare and send ballots and ballot envelopes to ~~the participants and beneficiaries~~ eligible voters ~~to vote~~ in accordance with rules adopted by the board. The ballots shall contain the names of all candidates in alphabetical order. ~~The ballot envelope shall have on the outside a form of certificate stating that the person voting the ballot is a participant or beneficiary entitled to vote.~~

Eligible voters ~~Participants and beneficiaries~~, upon receipt of the ballot, shall vote the ballot and place it in the ballot envelope, seal the envelope, ~~execute the certificate thereon,~~ and return the ballot to the Fund.

The board shall set a final date for ballot return, and ballots received prior to that date in a ballot envelope ~~with a properly executed certificate and properly voted~~ shall be valid ballots.

The board shall set a day for counting the ballots and name judges and clerks of election to conduct the count of ballots and shall make any rules necessary for the conduct of the count.

The candidate or candidates receiving the highest number of votes for each class of trustee shall be elected. In the case of a tie vote, the winner shall be determined in accordance with procedures developed by the Department of Insurance.

In lieu of conducting elections via mail balloting as described in this Section, the board may instead adopt rules to provide for elections to be carried out solely via Internet balloting or phone balloting. Nothing in this Section prohibits the Fund from contracting with a third party to administer the election in accordance with this Section.

(d) At any election, voting shall be as follows:

(1) Each person authorized to vote for an elected trustee may cast one vote for each related position for which such person is entitled to vote and may cast such vote for any candidate or candidates on the ballot for such trustee position.

(2) If only one candidate for each position is properly nominated in petitions received, that candidate shall be deemed the winner and no election under this Section shall be required.

(3) The results shall be entered in the minutes of the first meeting of the board following the tally of votes.

(e) The initial election for permanent trustees shall be held and the permanent board shall be seated no later than 12 months after the effective date of this amendatory Act of the 101st General Assembly. Each subsequent election shall be held no later than 30 days prior to the end of the term of the incumbent trustees.

(f) The elected trustees shall each serve for terms of 4 years commencing on the first business day of the first month after election; except that the terms of office of the initially elected trustees shall be as follows:

(1) One trustee elected pursuant to item (1) of subsection (b) of Section 22C-115 shall serve for a term of 2 years and 2 trustees elected pursuant to item (1) of subsection (b) of Section 22C-115 shall serve for a term of 4 years;

(2) One trustee elected pursuant to item (2) of subsection (b) of Section 22C-115 shall serve for a term of 2 years and 2 trustees elected pursuant to item (2) of subsection (b) of Section 22C-115 shall serve for a term of 4 years; and

(3) The trustee elected pursuant to item (3) of subsection (b) of Section 22C-115 shall serve for a term of 2 years.

(g) The trustees appointed pursuant to items (4) and (5) of subsection (b) of Section 22C-115 shall each serve for a term of 4 years commencing on the first business day of the first month after the election of the elected trustees.

(h) A member of the board who was elected pursuant to item (1) of subsection (b) of Section 22C-115 who ceases to serve as a mayor, president, chief executive officer, chief financial officer, or other officer, executive, or department head of a municipality or fire protection district that has a participating pension fund shall not be eligible to serve as a member of the board and his or her position shall be deemed vacant. A member of the board who was elected by the participants of participating pension funds who ceases to be a participant may serve the remainder of his or her elected term.

~~For a vacancy of an elected trustee occurring with an unexpired term of 6 months or more, an election shall be conducted for the vacancy in accordance with Section 22C-115 and this Section.~~

For a vacancy of an elected trustee ~~occurring with an unexpired term of less than 6 months~~, the vacancy shall be filled by appointment by the board ~~for the unexpired term~~ as follows: a vacancy of a member elected pursuant to item (1) of subsection (b) of Section 22C-115 shall be filled by a mayor, president, chief executive officer, chief financial officer, or other officer, executive, or department head of a municipality or fire protection district that has a participating pension fund; a vacancy of a member elected pursuant to item (2) of subsection (b) of Section 22C-115 shall be filled by a participant of a participating pension fund; and a vacancy of a member elected under item (3) of subsection (b) of Section 22C-115 shall be filled by a beneficiary of a participating pension fund. A trustee appointed to fill the vacancy of an elected trustee shall serve until a successor is elected. Special elections to fill the remainder of an unexpired term vacated by an elected trustee shall be held concurrently with and in the same manner as the next regular election for an elected trustee position.

Vacancies among the appointed trustees shall be filled for unexpired terms by appointment in like manner as for the original appointments.

(Source: P.A. 101-610, eff. 1-1-20.)

(40 ILCS 5/22C-119)

Sec. 22C-119. Adoption of rules. The board shall adopt such rules (not inconsistent with this Code) as in its judgment are desirable to implement and properly administer this Article. Such rules shall specifically provide for the following: (1) the implementation of the transition process described in Section 22C-120; (2) the process by which the participating pension funds may request transfer of funds; (3) the process for the transfer in, receipt for, and investment of pension assets received by the Fund after the transition period from the participating pension funds; (4) the process by which contributions from municipalities and fire protection districts for the benefit of the participating pension funds may, but are not required to, be directly transferred to the Fund; and (5) compensation and benefits for its employees. A copy of the rules adopted by the Fund shall be posted on the Fund's website ~~filed with the Secretary of State and the Department of Insurance~~. The adoption and effectiveness of such rules shall not be subject to Article 5 of the Illinois Administrative Procedure Act.

(Source: P.A. 101-610, eff. 1-1-20.)

(40 ILCS 5/22C-123)

Sec. 22C-123. Custodian. The pension fund assets transferred to or otherwise acquired by the Fund shall be placed in the custody of a custodian who shall provide adequate safe deposit facilities for those assets and hold all such securities, funds, and other assets subject to the order of the Fund.

Each custodian shall furnish a corporate surety bond of such amount as the board designates, which bond shall indemnify the Fund, the board, and the officers and employees of the Fund against any loss that may result from any action or failure to act by the custodian or any of the custodian's agents, or provide insurance coverages of such type and limits as the board designates. All charges incidental to the procuring and giving of any bond shall be paid by the board and each bond shall be in the custody of the board.

(Source: P.A. 101-610, eff. 1-1-20.)

Article 6.

Section 6-5. The Illinois Pension Code is amended by changing Section 8-165 as follows:

(40 ILCS 5/8-165) (from Ch. 108 1/2, par. 8-165)

Sec. 8-165. Re-entry into service.

(a) Except as provided in subsection (c) or (d), when an employee receiving age and service or prior service annuity who has withdrawn from service after the effective date re-enters service before age 65, any annuity previously granted and any annuity fixed for his wife shall be cancelled. The employee shall be credited for annuity purposes with sums sufficient to provide annuities equal to those cancelled, as of their ages on the date of re-entry; provided, the maximum age of the wife for this purpose shall be as provided in Section 8-155 of this Article.

The sums so credited shall provide for annuities to be fixed and granted in the future. Contributions by the employees and the city for the purposes of this Article shall be made, and when the proper time arrives, as provided in this Article, new annuities based upon the total credit for annuity purposes and the entire term of his service shall be fixed for the employee and his wife.

If the employee's wife died before he re-entered service, no part of any credits for widow's or widow's prior service annuity at the time annuity for his wife was fixed shall be credited upon re-entry into service, and no such sums shall thereafter be used to provide such annuity.

(b) Except as provided in subsection (c) or (d), when an employee re-enters service after age 65, payments on account of any annuity previously granted shall be suspended during the time thereafter that he is in service, and when he again withdraws, annuity payments shall be resumed. If the employee dies in service, his widow shall receive the amount of annuity previously fixed for her.

(c) For school years beginning on or after July 1, 2021, an age and service or prior service annuity shall not be cancelled in the case of an employee who is re-employed by the Board of Education of the city as a Special Education Classroom Assistant or Classroom Assistant on a temporary and non-annual basis or on an hourly basis so long as the person: (1) does not work for compensation on more than 120 days in a school year; or (2) does not accept gross compensation for the re-employment in a school year in excess of $30,000. These limitations apply only to school years that begin on or after July 1, 2021. Re-employment under this subsection does not require contributions, result in service credit being earned or granted, or constitute active participation in the Fund.

(d) For school years beginning on or after July 1, 2023, an age and service or prior service annuity shall not be cancelled in the case of an employee who is re-employed by the Board of Education of the city as a paraprofessional or related service provider on a temporary and non-annual basis or on an hourly basis so long as the person: (1) does not work for compensation on more than 120 days in a school year; or (2) does not accept gross compensation for the re-employment in a school year in excess of $30,000. These limitations apply only to school years that begin on or after July 1, 2023. Re-employment under this subsection does not require contributions, result in service credit being earned or granted, or constitute active participation in the Fund.

(Source: P.A. 102-342, eff. 8-13-21.)

Article 7.

Section 7-5. The School Code is amended by changing Section 24-6.3 as follows:

(105 ILCS 5/24-6.3) (from Ch. 122, par. 24-6.3)

Sec. 24-6.3. Retirement trustee leave.

(a) Each school board employing a teacher who is an elected trustee of the Teachers' Retirement System of the State of Illinois shall make available to the elected trustee at least 20 days of paid leave of absence per year for the purpose of attending meetings of the System's Board of Trustees, committee meetings of such Board, and seminars regarding issues for which such Board is responsible. The Teachers' Retirement System of the State of Illinois shall reimburse affected school districts for the actual cost of hiring a substitute teacher during such leaves of absence.

(b) Each school board employing an employee who is an elected trustee of the Illinois Municipal Retirement Fund shall make available to the elected trustee at least 20 days of paid leave of absence per year for the purpose of attending meetings of the Fund's Board of Trustees, committee meetings of the Board of Trustees, and seminars regarding issues for which the Board of Trustees is responsible. The Illinois Municipal Retirement Fund may reimburse affected school districts for the actual cost of hiring a substitute employee during such leaves of absence.

(c) The school board established under Article 34 and employers under Article 17 of the Illinois Pension Code shall make available to each active teacher who is an elected trustee of the Board of Trustees of the Public School Teachers' Pension and Retirement Fund of Chicago established under Article 17 of the Illinois Pension Code up to 22 days of paid leave of absence per year for the purpose of attending meetings of the Board of Trustees, committee meetings of the Board of Trustees, and seminars regarding issues for which the Board of Trustees is responsible. The allocation of the days of paid leave shall be at the discretion of the Board of Trustees of the Public School Teachers' Pension and Retirement Fund of Chicago.

(Source: P.A. 96-357, eff. 8-13-09.)

Article 8.

Section 8-5. The Illinois Pension Code is amended by changing Section 16-155 as follows:

(40 ILCS 5/16-155) (from Ch. 108 1/2, par. 16-155)

Sec. 16-155. Report to system and payment of deductions.

(a) The employer ~~governing body of each school district~~ shall submit to the System all required reports and ~~make two deposits each month. The deposit for member~~ contributions for salary paid during any ~~between the first and the fifteenth of the~~ month ~~is due~~ by the 10th ~~25th~~ of the following month. Additionally, all ~~The deposit of member contributions for salary paid between the sixteenth and last day of the month is due by the 10th of the following month. All~~ required contributions for salary earned during a school term are due by July 10 ~~next~~ following the close of such school term.

The governing body of each State institution coming under this retirement system, the State Comptroller or other State officer certifying payroll vouchers including payments of salary or wages to teachers, and any other employer of teachers, shall, monthly, forward to the secretary of the retirement system the member contributions required under this Article.

Each employer specified above shall, prior to August 15 of each year, forward to the System a detailed statement, verified in all cases of school districts by the secretary or clerk of the district, of the amounts so contributed since the period covered by the last previous annual statement, together with required contributions not yet forwarded, such payments being payable to the System.

The board may prescribe rules governing the form, content, investigation, control, and supervision of such statements and may establish additional interim employer reporting requirements as the Board deems necessary. If no teacher in a school district comes under the provisions of this Article, the governing body of the district shall so state under the oath of its secretary to this system, and shall at the same time forward a copy of the statement to the regional superintendent of schools.

The board may also require reporting requirements that are different than those prescribed in this Section and may require different reporting requirements for different benefits or purposes established under this Article, including, but not limited to, any optional benefit plan an employee chooses to participate in.

(b) If ~~the governing body of~~ an employer that is not a State agency fails to forward such required contributions within the time permitted in subsection (a) above, the System shall notify the employer of an ~~additional~~ amount due, equal to $50 per day for each day that elapses from the due date until the day such report and ~~employee~~ contributions are received by the System.

(c) If the system, on August 15, is not in receipt of the detailed statements required under this Section of any school district or other employing unit, such school district or other employing unit shall pay to the system an amount equal to $250 for each day that elapses from August 15, until the day such statement is filed with the system.

(Source: P.A. 101-502, eff. 8-23-19.)

Article 9.

Section 9-5. The Illinois Pension Code is amended by changing Sections 9-108.3 and 9-161 as follows:

(40 ILCS 5/9-108.3)

Sec. 9-108.3. In service. "In service": Any period during which contributions are being made to the Fund on behalf of an employee except for temporary election work as described in subsection (c) of Section 9-161.

(Source: P.A. 99-578, eff. 7-15-16.)

(40 ILCS 5/9-161) (from Ch. 108 1/2, par. 9-161)

Sec. 9-161. Re-entry into service. (a) When an employee who has withdrawn from service after the effective date re-enters service before age 65, any annuity previously granted and any annuity fixed for his wife shall be cancelled. The employee shall be credited for annuity purposes with the actuarial value of annuities equal to those cancelled as of their ages on the date of re-entry; provided, the maximum age of the wife for this purpose shall be as provided in Section 9-151 of this Article. The sums so credited shall provide for annuities to be fixed and granted in the future. Contributions by the employee and the county for the purposes of this Article shall be made and when the proper time arrives, as provided in this Article, new annuities based upon the total sums accumulated to his credit for annuity purposes and the entire term of his service shall be fixed for the employee and his wife.

If the employee's wife has died before he re-entered service, no part of any credits for widow's or widow's prior service annuity at the time annuity for his wife was fixed shall be credited upon re-entry into service, and no such sums shall thereafter be used to provide such annuity.

(b) When an employee re-enters service after age 65, payments on account of any annuity previously granted shall be suspended during the time thereafter that he is in service, and when he again withdraws annuity payments shall be resumed. If the employee dies in service, his widow shall receive the annuity previously fixed for her.

(c) If an employee annuitant re-enters service as an election worker and provides services for a scheduled federal, State, or local election for a period of 60 days or less during a calendar year, that employee annuitant's annuity shall not be suspended and such employee annuitant shall not be considered to be in service within the meaning of Section 9-108.3 and is not entitled to benefits for employees in service. If an employee annuitant re-enters service for a period longer than 60 days during a calendar year, the annuity shall be suspended or cancelled retroactive to the initial date of re-entry.

(Source: P.A. 81-1536.)

Article 10.

Section 10-5. The Illinois Pension Code is amended by changing Section 17-133 as follows:

(40 ILCS 5/17-133) (from Ch. 108 1/2, par. 17-133)

Sec. 17-133. Contributions for periods of outside and other service. Regularly certified and appointed teachers who desire to have the following described services credited for pension purposes shall submit to the Board evidence thereof and pay into the Fund the amounts prescribed herein:

1. For teaching service by a certified teacher in the public schools of the several states or in schools operated by or under the auspices of the United States, a teacher shall pay the contributions at the rates in force (a) on the date of appointment as a regularly certified teacher after salary adjustments are completed, or (b) at the time of reappointment after salary adjustments are completed, whichever is later, but not less than $450 per year of service. Upon the Board's approval of such service and the payment of the required contributions, service credit of not more than 10 years shall be granted.

2. For service as a playground instructor in public school playgrounds, teachers shall pay the contributions prescribed in this Article (a) at the time of appointment, as a regularly certified teacher after salary adjustments are completed, or (b) on return to service as a full time regularly certified teacher, as the case may be, provided such rates or amounts shall not be less than $450 per year.

3. For service prior to September 1, 1955, in the public schools of the City as a substitute, evening school or temporary teacher, or for service as an Americanization teacher prior to December

31, 1955, teachers shall pay the contributions prescribed in this Article (a) at the time of appointment, as a regularly certified teacher after salary adjustments are completed, (b) on return to service as a full time regularly certified teacher, as the case may be, provided such rates or amounts shall not be less than $450 per year; and provided further that for teachers employed on or after September 1, 1953, rates shall not include contributions for widows' pensions if the service described in this sub-paragraph 3 was rendered before that date. Any teacher entitled to repay a refund of contributions under Section 17-126 may validate service described in this paragraph by payment of the amounts prescribed herein, together with the repayment of the refund, provided that if such creditable service was the last service rendered in the public schools of the City and is not automatically reinstated by repayment of the refund, the rates or amounts shall not be less than $450 per year.

4. For service after June 30, 1982 as a member of the Board of Education, if required to resign from an administrative or teaching position in order to qualify as a member of the Board of Education.

5. For service during the 1986-87 school year as a teacher on a special leave of absence with full loss of salary, teaching for an agency under contract to the Board of Education, if the teacher returned to employment in September, 1987. For service under this item 5, the teacher must pay the contributions at the rates in force at the completion of the leave period.

6. For up to 2 years of service as a teacher or administrator employed by a private school registered with or recognized by the Illinois State Board of Education, provided that the teacher (i) was certified under the law governing the certification of teachers at the time the service was rendered, (ii) applies in writing no later than 2 years after the effective date of this amendatory Act of the 102nd General Assembly, (iii) supplies satisfactory evidence of the employment, (iv) completes at least 10 years of contributing service as a teacher as defined in Section 17-106, (v) pays the contribution required in this Section, and (vi) does not receive credit for that service under any other provision of this Code. The member may apply for credit under this subsection and pay the required contribution before completing the 10 years of contributing service required under item (iv), but the credit may not be used until the item (iv) contributing service requirement has been met.

For each year of service credit to be established under this subparagraph 6, a member is required to contribute to the System (i) the employee and employer contribution that would have been required had such service been rendered as a member based on the annual salary rate during the first year of full-time employment as a teacher under this Article following the private school service, plus (ii) interest thereon at the actuarially assumed rate from the date of first full-time employment as a teacher under this Article following the private school service to the date of payment, compounded annually~~, at a rate determined by the Board~~.

For service described in sub-paragraphs 1, 2 and 3 of this Section, interest shall be charged beginning one year after the effective date of appointment or reappointment.

Effective September 1, 1974, the interest rate to be charged by the Fund on contributions provided in sub-paragraphs 1, 2, 3 and 4 shall be 5% per annum compounded annually.

(Source: P.A. 102-822, eff. 5-13-22.)

Article 99.

Section 99-90. The State Mandates Act is amended by adding Section 8.47 as follows:

(30 ILCS 805/8.47 new)

Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 103rd General Assembly.

Section 99-99. Effective date. This Act takes effect upon becoming law.".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Martwick offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1646

AMENDMENT NO. 3 . Amend Senate Bill 1646, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 5, by replacing lines 16 through 20 with "item (ii). The System"; and

by replacing line 25 on page 9 through line 4 on page 10 with "will not constitute a violation of this item (ii). The System may"; and

by replacing line 25 on page 12 through line 4 on page 13 with "not constitute a violation of this item (ii).".

The motion prevailed.

And the amendment was adopted and ordered printed.

Floor Amendment No. 4 was postponed in the Senate Special Committee on Pensions.

There being no further amendments, the foregoing Amendments numbered 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Martwick, **Senate Bill No. 1646** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Syverson
Bryant	Halpin	McConchie	Tracy
Castro	Harris, N.	Morrison	Turner, D.
Cervantes	Harriss, E.	Murphy	Turner, S.
Cunningham	Hastings	Pacione-Zayas	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Joyce	Rezin	Wilcox
Faraci	Koehler	Rose	Mr. President
Feigenholtz	Lewis	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Feigenholtz, **Senate Bill No. 1670** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman

Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Fine, **Senate Bill No. 1674** was recalled from the order of third reading to the order of second reading.

Senator Fine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1674

AMENDMENT NO. 1 . Amend Senate Bill 1674 on page 1, by replacing lines 17 and 18 with the following:

"(1) decrease the number of admissions to State developmental centers".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Fine, **Senate Bill No. 1674** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 53; NAYS 2.

The following voted in the affirmative:

Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Syverson
Bryant	Halpin	Morrison	Tracy
Castro	Harris, N.	Murphy	Turner, D.
Cervantes	Harriss, E.	Pacione-Zayas	Turner, S.
Cunningham	Hastings	Peters	Ventura
Curran	Holmes	Plummer	Villa
DeWitte	Hunter	Porfirio	Villanueva

Edly-Allen	Johnson	Preston	Villivalam
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	
Fine	Lightford	Sims	

The following voted in the negative:

Chesney
Wilcox

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Villivalam, **Senate Bill No. 1701** was recalled from the order of third reading to the order of second reading.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 1701

AMENDMENT NO. 4 . Amend Senate Bill 1701, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 3, line 23, by replacing "professional development," with "lab analysis, ~~development~~"; and

on page 4, lines 2 and 3, by deleting "for practices that improve soil health"; and

on page 11, line 2, by deleting "a suite of"; and

on page 11, line 3, by replacing "soil-health-indicator measures" with "soil health indicator measures"; and

on page 12, line 21, by deleting "and leverage"; and

on page 13, line 2, by deleting "private,"; and

on page 14, line 9, by replacing "summarized" with "compiled"; and

on page 14, line 13, by replacing "by July 1 of each year" with "annually"; and

on page 14, line 22, after "develop", by inserting "annually"; and

on page 15, line 11, by replacing "shall" with "may".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 4 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Villivalam, **Senate Bill No. 1701** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Glowiak Hilton, **Senate Bill No. 1716** was recalled from the order of third reading to the order of second reading.

Senator Glowiak Hilton offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1716

AMENDMENT NO. 1 . Amend Senate Bill 1716 on page 15, line 3, by replacing "~~registered or certified~~" with "registered or certified"; and

on page 15, by replacing lines 4 and 5 with "applicant's or registrant's address of record or, if in the course of the administrative proceeding the party has previously designated a specific email address at which to accept electronic service for that specific proceeding, by sending a copy by email to the party's email address on record. If the person fails to file an answer after".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Glowiak Hilton, **Senate Bill No. 1716** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Stadelman, **Senate Bill No. 1741** was recalled from the order of third reading to the order of second reading.

Senator Stadelman offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1741

AMENDMENT NO. 1 . Amend Senate Bill 1741 by replacing everything after the enacting clause with the following:

"Section 5. The Security Deposit Return Act is amended by changing Section 1 as follows:

(765 ILCS 710/1) (from Ch. 80, par. 101)

Sec. 1. Statement of damage.

(a) Except as provided in subsection (b), a lessor of residential real property~~, containing 5 or more units,~~ who has received a security deposit from a lessee to secure the payment of rent or to compensate for damage to the leased premises may not withhold any part of that deposit as reimbursement for property damage unless the lessor has, within 30 days of the date that the lessee vacated the leased premises or within 30 days of the date the lessee's right of possession ends, whichever is later, furnished to the lessee, by personal delivery, by postmarked mail directed to his or her last known address, or by electronic mail to a verified electronic mail address provided by the lessee, an itemized statement of the damage allegedly caused to the leased premises and the estimated or actual cost for repairing or replacing each item on that statement, attaching the paid receipts, or copies thereof, for the repair or replacement. If the lessor utilizes his or her own labor to repair or replace any damage or damaged items caused by the lessee, the lessor may include the reasonable cost of his or her labor to repair or replace such damage or damaged items. If estimated cost is given, the lessor shall furnish to the lessee, delivered in person or by postmarked mail directed to the last known address of the lessee or another address provided by the lessee, paid receipts, or copies thereof, within 30 days from the date the statement showing estimated cost was furnished to the lessee, as required by this Section. If a written lease specifies the cost for cleaning, repair, or replacement of any component of the leased premises or any component of the building or common areas that, if damaged, will not be replaced, the lessor may withhold the dollar amount specified in the lease. Costs specified in a written lease shall be for damage beyond normal wear and tear and reasonable to restore the leased premises

to the same condition as at the time the lease began. The itemized statement shall reference the dollar amount specified in the written lease associated with the specific building component or amenity and include a copy of the applicable portion of the lease. Deductions for costs or values not specified in the lease shall otherwise comply with the requirements of this Section. If no such statement and receipts, or copies thereof, are furnished to the lessee as required by this Section, the lessor shall return the security deposit in full within 45 days of the date that the lessee vacated the premises, delivered in person or by postmarked mail directed to the last known address of the lessee or another address provided by the lessee. If the lessee fails to provide the lessor with a mailing address or electronic mail address, the lessor shall not be held liable for any damages or penalties as a result of the lessee's failure to provide an address.

(b) If, through no fault of the lessor, the lessor is unable to produce as required in subsection (a) receipts for repairs or replacements, or copies thereof, then the lessor shall produce an itemized list of the cost of repair or replacement, any other evidence the lessor has of the cost, and a verified statement of the lessor or the agent of the lessor detailing the specific reasons why the lessor is unable to produce the required receipts or copies and verifying that the lessor has provided all other evidence the lessor has of the cost.

(c) Upon a finding by a circuit court that a lessor has refused to supply the itemized statement required by this Section, or has supplied such statement in bad faith, and has failed or refused to return the amount of the security deposit due within the time limits provided, the lessor shall be liable for an amount equal to twice the amount of the security deposit due, together with court costs and reasonable attorney's fees.

(Source: P.A. 100-269, eff. 1-1-18; 100-654, eff. 7-31-18.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Stadelman, **Senate Bill No. 1741** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 40; NAYS 16; Present 1.

The following voted in the affirmative:

Aquino	Glowiak Hilton	Lightford	Stadelman
Belt	Halpin	Loughran Cappel	Turner, D.
Castro	Harris, N.	Martwick	Ventura
Cervantes	Harriss, E.	Morrison	Villa
Cunningham	Hastings	Murphy	Villanueva
Edly-Allen	Holmes	Pacione-Zayas	Villivalam
Ellman	Hunter	Peters	Mr. President
Faraci	Johnson	Porfirio	
Feigenholtz	Joyce	Preston	
Fine	Koehler	Simmons	
Gillespie	Lewis	Sims	

The following voted in the negative:

Anderson	DeWitte	Rezin	Wilcox
Bennett	Fowler	Stoller	
Bryant	McClure	Syverson	
Chesney	McConchie	Tracy	

Curran Plummer Turner, S.

The following voted present:

Rose

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator E. Harriss asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the negative on **Senate Bill No. 1741**.

SENATE BILL RECALLED

On motion of Senator Tracy, **Senate Bill No. 1745** was recalled from the order of third reading to the order of second reading.

Senator Tracy offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1745

AMENDMENT NO. 2 . Amend Senate Bill 1745 on page 4, by replacing lines 6 through 10 with the following:

"A drainage district or road district or the designee of a drainage district or road district shall be exempt from the requirement to obtain a permit to control nuisance muskrats or beavers if all"; and

on page 4, by replacing lines 13 through 19 with the following:
"including marking or identification. The designee of a drainage district or road district"; and

on page 4, by replacing line 21 with the following:
"drainage district or road district in possession at all"; and

on page 4, by replacing line 25 with the following:
"district or road district. For the purposes of this Section, "road district" includes a township road district.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Tracy, **Senate Bill No. 1745** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Lewis	Sims
Aquino	Fine	Lightford	Stadelman
Belt	Fowler	Loughran Cappel	Stoller
Bennett	Gillespie	Martwick	Syverson
Bryant	Glowiak Hilton	McClure	Tracy
Castro	Halpin	McConchie	Turner, D.

Cervantes	Harris, N.	Murphy	Turner, S.
Chesney	Harriss, E.	Pacione-Zayas	Ventura
Cunningham	Hastings	Peters	Villa
Curran	Holmes	Porfirio	Villanueva
DeWitte	Hunter	Preston	Villivalam
Edly-Allen	Johnson	Rezin	Wilcox
Ellman	Joyce	Rose	Mr. President
Faraci	Koehler	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator D. Turner, **Senate Bill No. 1779** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 42; NAYS 7.

The following voted in the affirmative:

Anderson	Faraci	Lewis	Sims
Bennett	Fine	Lightford	Stadelman
Bryant	Fowler	Loughran Cappel	Stoller
Castro	Glowiak Hilton	Martwick	Syverson
Cervantes	Halpin	McClure	Tracy
Chesney	Harris, N.	McConchie	Turner, D.
Cunningham	Harriss, E.	Murphy	Turner, S.
Curran	Hastings	Plummer	Wilcox
DeWitte	Hunter	Porfirio	Mr. President
Edly-Allen	Johnson	Rezin	
Ellman	Koehler	Rose	

The following voted in the negative:

Aquino	Morrison	Ventura	Villivalam
Joyce	Preston	Villanueva	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

At the hour of 4:31 o'clock p.m., the Honorable Don Harmon, President of the Senate, presiding.

SENATE BILL RECALLED

On motion of Senator Murphy, **Senate Bill No. 1804** was recalled from the order of third reading to the order of second reading.

Senator Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1804

AMENDMENT NO. 2 . Amend Senate Bill 1804 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by adding Section 9.19 as follows:
(415 ILCS 5/9.19 new)
Sec. 9.19. Refrigerants. A refrigerant designated as approved in accordance with 42 U.S.C. 7671k shall be allowed for use in the State as long as any equipment containing such refrigerant is listed and installed in accordance with safety standards and use conditions imposed pursuant to such designation. No unit of local government or municipality shall be restricted from authorizing or prohibiting alternative refrigerants otherwise authorized for use in the State.

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

The motion prevailed.
And the amendment was adopted and ordered printed.
There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Murphy, **Senate Bill No. 1804** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.
And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).
Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

INQUIRY

President Harmon inquired of the Secretary the status of **Senate Bill No. 895**.
The Secretary stated that **Senate Bill No. 895** was recalled from Third Reading to Second Reading and then taken out of the record.
President Harmon directed the Secretary to place **Senate Bill No. 895** on the order of Third Reading.

SENATE BILL RECALLED

On motion of Senator Cervantes, **Senate Bill No. 1866** was recalled from the order of third reading to the order of second reading.

Senator Cervantes offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1866

AMENDMENT NO. 2 . Amend Senate Bill 1866, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 11, line 22, by replacing "~~certified~~" with "certified"; and

on page 11, line 24, after "record", by inserting "or, if in the course of the administrative proceeding the party has previously designated a specific email address at which to accept electronic service for that specific proceeding, by sending a copy by email to the party's email address on record"; and

on page 145, line 24, by replacing "~~certified~~" with "certified"; and

on page 146, line 1, after "Department", by inserting "or, if in the course of the administrative proceeding the party has previously designated a specific email address at which to accept electronic service for that specific proceeding, by sending a copy by email to the party's email address on record".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Cervantes offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1866

AMENDMENT NO. 3 . Amend Senate Bill 1866, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 5, by replacing lines 7 through 10 with "General Fund. On or after July 1, 2023, at the direction of the Department, the Comptroller shall direct and the Treasurer shall transfer the remaining balance of funds collected under this Act from the General Professions Dedicated Fund to the Division of Real Estate General Fund.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cervantes, **Senate Bill No. 1866** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Murphy	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Harriss, E.	Peters	Villa
Chesney	Hastings	Plummer	Villanueva
Cunningham	Holmes	Porfirio	Villivalam

Curran	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Joyce	Rose	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

At the hour of 4:37 o'clock p.m., Senator Koehler, presiding.

On motion of Senator Villanueva, **Senate Bill No. 1907** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 38; NAYS 19.

The following voted in the affirmative:

Aquino	Gillespie	Lightford	Sims
Belt	Glowiak Hilton	Loughran Cappel	Stadelman
Castro	Halpin	Martwick	Turner, D.
Cervantes	Harris, N.	Morrison	Ventura
Cunningham	Hastings	Murphy	Villa
Edly-Allen	Holmes	Pacione-Zayas	Villanueva
Ellman	Hunter	Peters	Villivalam
Faraci	Johnson	Porfirio	Mr. President
Feigenholtz	Joyce	Preston	
Fine	Koehler	Simmons	

The following voted in the negative:

Anderson	DeWitte	McConchie	Syverson
Bennett	Fowler	Plummer	Tracy
Bryant	Harriss, E.	Rezin	Turner, S.
Chesney	Lewis	Rose	Wilcox
Curran	McClure	Stoller	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Gillespie, **Senate Bill No. 1817** was recalled from the order of third reading to the order of second reading.

Senator Gillespie offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1817

AMENDMENT NO. 2 . Amend Senate Bill 1817, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 4, by replacing lines 8 through 10 with "real estate transaction with a person or to discriminate in making available such a transaction"; and

on page 14, lines 2 and 3, by replacing "otherwise required by" with "in compliance with".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Gillespie, **Senate Bill No. 1817** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 46; NAYS 9.

The following voted in the affirmative:

Aquino	Feigenholtz	Koehler	Rezin
Belt	Fine	Lewis	Simmons
Bennett	Fowler	Lightford	Sims
Bryant	Gillespie	Loughran Cappel	Stadelman
Castro	Glowiak Hilton	Martwick	Turner, D.
Cervantes	Halpin	McConchie	Ventura
Cunningham	Harris, N.	Morrison	Villa
Curran	Hastings	Murphy	Villanueva
DeWitte	Holmes	Pacione-Zayas	Villivalam
Edly-Allen	Hunter	Peters	Mr. President
Ellman	Johnson	Porfirio	
Faraci	Joyce	Preston	

The following voted in the negative:

Anderson	Plummer	Tracy
Chesney	Rose	Turner, S.
Harriss, E.	Stoller	Wilcox

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Aquino, **Senate Bill No. 1979** was recalled from the order of third reading to the order of second reading.

Senator Aquino offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1979

AMENDMENT NO. 1 . Amend Senate Bill 1979 by replacing everything after the enacting clause with the following:

"Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2BBBB as follows:

(815 ILCS 505/2BBBB new)

Sec. 2BBBB. Retail businesses prohibited from refusing cash payments.

(a) As used in this Section:

"Cash" means the coin and paper money of the United States.

"Electronic payment" means a payment transaction that is initiated and processed using electronic or digital means.

"Fuel station" means an establishment at which motor vehicles are refueled.

"Grocery store" means a retail establishment where 50% or more of its gross sales include nonprescription medicines, uncooked article of foods, beverages, confections, and condiments used for or intended to be used for human consumption off premises.

"Pharmacy" has the meaning set forth in subsection (a) of Section 3 of the Pharmacy Practice Act.

"Prepaid card" means any secured instrument that uses an account identification number that is not connected with a personal financial account to access deposited cash to purchase goods, services, or anything else of value.

"Retail mercantile establishment" means a fuel station, pharmacy, restaurant, or grocery store.

"Restaurant" means any business that is primarily engaged in the sale of ready-to-eat food for immediate consumption that comprises at least 51% of the total sales, excluding the sale of liquor. "Restaurant" does not include a temporary vendor at a market or festival, a business operating from a vehicle or other mobile space, or a street vendor.

"Self-service checkout" means an interactive electronic terminal that facilitates an action or displays a piece of information and allows a consumer to pay for goods and services.

(b) Each State or local agency or public utility or an authorized agent of the State or local agency or public utility shall provide a means to accept cash to pay any amount due of less than $750 to that State or local agency or public utility.

(c) A retail mercantile establishment selling or offering to sell goods or services to the public that employs an individual to accept in-person payments at a physical location shall not:

(1) refuse to accept cash as a form of payment for sales of less than $750 made at such physical location;

(2) post a sign on the premises stating that cash payment is not accepted; or

(3) charge a higher price to customers paying with cash compared to the price charged to customers not paying with cash.

(d) The provisions of subsection (c) shall not apply to:

(1) self-service checkouts;

(2) retail sales that occur between the times of 11 p.m. and 6 a.m. for restaurants, fuel stations, and grocery stores only;

(3) a retail mercantile establishment that is unable to accept cash because of a sales system failure that temporarily prevents the processing of cash payments or a temporary insufficiency in cash on hand needed to provide change;

(4) a retail mercantile establishment that sells consumer goods exclusively through a membership model requiring payment by means of an affiliated mobile device application or online application;

(5) a retail mercantile establishment that sells consumer goods and services through a membership model;

(6) a retail mercantile establishment that both (i) accepts prepaid cards as payment for goods and services; and (ii) provides a mechanism to convert cash to the prepaid card either at the point of sale, self-service checkout, or similar method within the retail mercantile establishment; or

(7) retail sales made by the telephone, internet, mobile application or other similar means but completed in person at the seller's location or retail sales made by the telephone, internet, mobile application, or other similar means but completed in person off-premises.

(e) Notwithstanding paragraph (1) of subsection (d), a retail mercantile establishment subject to subsection (c) shall be deemed to comply with this Section if no fewer than one point of sale at that physical location accepts cash.

(f) Nothing in this Section requires a person to accept any bills larger than $20 bills as payment for goods or services.

(g) The regulation of accepting cash or electronic payments by retail mercantile establishments is an exclusive power and function of the State. A home rule unit may not regulate the acceptance of cash or electronic payments by a retail mercantile establishment that is inconsistent with this Section. This Section is a denial and limitation of home rule powers and functions under subsection (i) of Section 6 of Article VII of the Illinois Constitution.

(h) Nothing in this Section shall be construed to limit, regulate, or prohibit the acceptance of electronic payments by a retail mercantile establishment.

(i) A violation of this Section shall be a business offense and may be fined as follows:

(1) for a first violation, a fine not exceeding $50;

(2) for a second violation within a 12-month period, a fine not exceeding $100;

(3) for a third violation within a 12-month period, and any additional violation within a 12-month period, a fine of no more than $500.

A retail mercantile establishment shall not be fined in excess of $5000 per year for violations under this Section.

Section 99. Effective date. This Act takes effect January 1, 2024.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Aquino, **Senate Bill No. 1979** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 40; NAYS 16.

The following voted in the affirmative:

Aquino	Gillespie	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Ventura
Castro	Halpin	Martwick	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Hastings	Pacione-Zayas	Villivalam
Cunningham	Holmes	Peters	Wilcox
Edly-Allen	Hunter	Porfirio	Mr. President
Ellman	Johnson	Preston	
Faraci	Joyce	Simmons	
Feigenholtz	Koehler	Sims	
Fine	Lewis	Stadelman	

The following voted in the negative:

Anderson	Fowler	Rezin	Turner, S.
Bennett	Harriss, E.	Rose	
Bryant	McClure	Stoller	
Curran	McConchie	Syverson	
DeWitte	Plummer	Tracy	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Martwick, **Senate Bill No. 2102** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Johnson, **Senate Bill No. 2240** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	

Faraci	Lewis	Simmons
Feigenholtz	Lightford	Sims

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Castro, **Senate Bill No. 63** was recalled from the order of third reading to the order of second reading.

Senator Castro offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 63

AMENDMENT NO. 1 . Amend Senate Bill 63 by replacing everything after the enacting clause with the following:

"Section 5. The Highway Advertising Control Act of 1971 is amended by changing Section 8 as follows:

(225 ILCS 440/8) (from Ch. 121, par. 508)

Sec. 8. Within 90 days of July 1, 1972, or the owner being notified of a new controlled route subject to this Act being added ~~after the effective date of this Act~~, each sign, except signs described by Sections 4.01, 4.02, and 4.03, must be registered with the Department by the owner of the sign, on forms obtained from the Department. Within 90 days after the effective date of this amendatory Act of 1975, each sign located beyond 660 feet of the right-of-way located outside of urban areas, visible from the main-traveled way of the highway and erected with the purpose of the message being read from such traveled way, must be registered with the Department by the owner of the sign on forms obtained from the Department. The Department shall require reasonable information to be furnished including the name of the owner of the land on which the sign is located and a statement that the owner has consented to the erection or maintenance of the sign. Registration must be made of each sign and shall be accompanied by a registration fee of $5.

No sign, except signs described by Sections 4.01, 4.02, and 4.03, may be erected after the effective date of this Act without first obtaining a permit from the Department. The application for permit shall be on a form provided by the Department and shall contain such information as the Department may reasonably require. Upon receipt of an application ~~containing all required information and appropriately executed~~ and upon payment of the fee required under this Section, the Department then issues a permit to the applicant for the erection of the sign, provided such sign will not violate any provision of this Act. The Department shall have up to 45 days to complete its review and approve the permit application or notify the applicant of any and all deficiencies necessary for the Department's approval. The applicant shall then have 45 days to correct the noted deficiencies, and the Department shall have 30 days from receipt of the notice of corrected deficiencies to make a final determination. If the application for permit has been denied, written notice of the decision shall state in detail why the application was denied. The application fee shall be as follows:

(1) for signs of less than 150 square feet, $50;

(2) for signs of at least 150 but less than 300 square feet, $100; and

(3) for signs of 300 or more square feet, $200.

If a permit application is for a sign within an area subject to the Airport Zoning Act, the Department shall notify the applicant in writing that the review process will exceed the timelines set forth in the Section. Notwithstanding, the Department shall complete its own review of the permit application pending approval under the Airport Zoning Act.

In determining the appropriateness of issuing a permit for a municipal network sign, the Department shall waive any provision or requirement of this Act or administrative rule adopted under the authority of this Act to the extent that the waiver does not contravene the federal Highway Beautification Act of 1965, 23 U.S.C. 131, and the regulations promulgated under that Act by the Secretary of the United States Department of Transportation. Any municipal network sign applications pending on May 1, 2013 that are not affected by compliance with the federal Highway Beautification Act of 1965 shall be issued within 10

days after the effective date of this amendatory Act of the 98th General Assembly. The determination of the balance of pending municipal network sign applications and issuance of approved permits shall be completed within 30 days after the effective date of this amendatory Act of the 98th General Assembly. To the extent that the Secretary of the United States Department of Transportation or any court finds any permit granted pursuant to such a waiver to be inconsistent with or preempted by the federal Highway Beautification Act of 1965, 23 U.S.C. 131, and the regulations promulgated under that Act, that permit shall be void.

Upon change of ownership of a sign ~~ownership~~ permit or sign registration, the new owner of the sign permit or sign registration shall notify the Department to confirm the change of ownership and supply the necessary information in writing or on a form provided by the Department to transfer ~~to renew~~ the permit or registration for such sign at no cost within 120 ~~60~~ days after the change of ownership. The Department shall acknowledge to the new sign owner, in writing or by electronic communication, the receipt of such request within 14 calendar days after receiving the necessary information and shall record the transferee as the new owner. Failure of the new sign owner to submit the necessary information to transfer the name of sign ownership on a sign permit within 120 calendar days may subject the permit to revocation. The Department shall issue a notice to the sign owner of failure to notify and inform the transferee of ownership that the transferee has 30 calendar days from receipt of notice to provide the necessary information required for the transfer of ownership. ~~Any permit not so renewed shall become void.~~

Owners of registered signs shall be issued an identifying tag, which must remain securely affixed to the front face of the sign or sign structure in a conspicuous position by the owner within 60 days after receipt of the tag; owners of signs erected by permit shall be issued an identifying tag which must remain securely affixed to the front face of the sign or sign structure in a conspicuous position by the owner upon completion of the sign erection or within 10 days after receipt of the tag, whichever is the later.

When a sign owner intends to upgrade an existing legal permitted sign to a multiple message sign with a digital display, the Department shall not require a new sign permit. A permit addendum application requesting authorization for the upgrade shall be made on a form provided by the Department and shall be accompanied by a $200 fee, which shall not be subject to return upon rejection of the permit addendum application. As part of the permit addendum application, the Department shall not require a new land survey or other documentation that has previously been submitted and approved and is on file for the existing permit of the legal permitted sign. Upon receipt of the permit addendum application, the Department shall have up to 30 days to complete its initial review and either approve the addendum to the existing permit or notify the applicant of any and all deficiencies necessary for the Department's approval. The applicant shall have 30 days to correct the noted deficiencies, upon which the Department shall have 30 days after receipt of the notice of corrected deficiencies to make a final determination. If the permit application addendum is denied, written notice of the decision shall state in detail why the application was denied. For purposes of this Section, legal nonconforming sign structures are not eligible for this upgrade.

A person aggrieved by any action of the Department in denying an application or revoking a permit or registration under this Act may, within 30 days after receipt of the notice of denial or revocation, apply to the Department for an administrative hearing pursuant to the Administrative Review Law.

(Source: P.A. 98-56, eff. 7-5-13.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Castro, **Senate Bill No. 63** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 52; NAYS 5.

The following voted in the affirmative:

Anderson	Fowler	Loughran Cappel	Stoller
Aquino	Gillespie	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Tracy
Bennett	Halpin	McConchie	Turner, D.
Castro	Harris, N.	Morrison	Turner, S.
Cervantes	Harriss, E.	Murphy	Ventura
Cunningham	Hastings	Pacione-Zayas	Villa
Curran	Holmes	Peters	Villanueva
DeWitte	Hunter	Porfirio	Villivalam
Edly-Allen	Johnson	Preston	Mr. President
Ellman	Joyce	Rezin	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	
Fine	Lightford	Stadelman	

The following voted in the negative:

Bryant	Plummer	Wilcox
Chesney	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Murphy, **Senate Bill No. 201** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 40; NAYS 15.

The following voted in the affirmative:

Aquino	Gillespie	Lightford	Stadelman
Belt	Glowiak Hilton	Loughran Cappel	Turner, D.
Castro	Halpin	Martwick	Ventura
Cervantes	Harris, N.	Morrison	Villa
Cunningham	Hastings	Murphy	Villanueva
DeWitte	Holmes	Pacione-Zayas	Villivalam
Edly-Allen	Hunter	Peters	Mr. President
Ellman	Johnson	Porfirio	
Faraci	Joyce	Preston	
Feigenholtz	Koehler	Simmons	
Fine	Lewis	Sims	

The following voted in the negative:

Anderson	Curran	Plummer	Tracy
Bennett	Fowler	Rose	Turner, S.
Bryant	Harriss, E.	Stoller	Wilcox
Chesney	McClure	Syverson	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Joyce, **Senate Bill No. 273** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was postponed in the Committee on Transportation.

Senator Joyce offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 273

AMENDMENT NO. 2 . Amend Senate Bill 273 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 13-101, 13-103, 13-103.1, 13-103.3, 13-106, 13-107, 13-108, 13-109, and 13-110 and by adding Sections 13-103.4 and 13-105.2 as follows:

(625 ILCS 5/13-101) (from Ch. 95 1/2, par. 13-101)

Sec. 13-101. Submission to safety test; certificate of safety. To promote the safety of the general public, every owner of a second division vehicle, medical transport vehicle, tow truck, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, motor vehicle used for driver education training, or contract carrier transporting employees in the course of their employment on a highway of this State in a vehicle designed to carry 15 or fewer passengers shall, before operating the vehicle upon the highways of Illinois, submit it to a "safety test" and secure a certificate of safety furnished by the Department as set forth in Section 13-109. Each second division motor vehicle that pulls or draws a trailer, semitrailer or pole trailer, with a gross weight of 10,001 lbs or more or is registered for a gross weight of 10,001 lbs or more, motor bus, religious organization bus, school bus, senior citizen transportation vehicle, and limousine shall be subject to inspection by the Department and the Department is authorized to establish rules and regulations for the implementation of such inspections.

The owners of each salvage vehicle shall submit it to a "safety test" and secure a certificate of safety furnished by the Department prior to its salvage vehicle inspection pursuant to Section 3-308 of this Code. In implementing and enforcing the provisions of this Section, the Department and other authorized State agencies shall do so in a manner that is not inconsistent with any applicable federal law or regulation so that no federal funding or support is jeopardized by the enactment or application of these provisions.

However, none of the provisions of Chapter 13 requiring safety tests or a certificate of safety shall apply to:

(a) farm tractors, machinery and implements, wagons, wagon-trailers or like farm vehicles used primarily in agricultural pursuits;

(b) vehicles other than school buses, tow trucks and medical transport vehicles owned or operated by a municipal corporation or political subdivision having a population of 1,000,000 or more inhabitants and which are subject to safety tests imposed by local ordinance or resolution;

(c) a semitrailer or trailer having a gross weight of 5,000 pounds or less including vehicle weight and maximum load;

(d) recreational vehicles;

(e) vehicles registered as and displaying Illinois antique vehicle plates and vehicles registered as expanded-use antique vehicles and displaying expanded-use antique vehicle plates;

(f) house trailers equipped and used for living quarters;

(g) vehicles registered as and displaying Illinois permanently mounted equipment plates or similar vehicles eligible therefor but registered as governmental vehicles provided that if said vehicle is reclassified from a permanently mounted equipment plate so as to lose the exemption of not

requiring a certificate of safety, such vehicle must be safety tested within 30 days of the reclassification;

(h) vehicles owned or operated by a manufacturer, dealer or transporter displaying a special plate or plates as described in Chapter 3 of this Code while such vehicle is being delivered from the manufacturing or assembly plant directly to the purchasing dealership or distributor, or being temporarily road driven for quality control testing, or from one dealer or distributor to another, or are being moved by the most direct route from one location to another for the purpose of installing special bodies or equipment, or driven for purposes of demonstration by a prospective buyer with the dealer or his agent present in the cab of the vehicle during the demonstration;

(i) pole trailers and auxiliary axles;

(j) special mobile equipment;

(k) vehicles properly registered in another State pursuant to law and displaying a valid registration plate or digital registration plate, except vehicles of contract carriers transporting employees in the course of their employment on a highway of this State in a vehicle designed to carry 15 or fewer passengers are only exempted to the extent that the safety testing requirements applicable to such vehicles in the state of registration are no less stringent than the safety testing requirements applicable to contract carriers that are lawfully registered in Illinois;

(l) water-well boring apparatuses or rigs;

(m) any vehicle which is owned and operated by the federal government and externally displays evidence of such ownership; and

(n) second division vehicles registered for a gross weight of 10,000 pounds or less, except when such second division motor vehicles pull or draw a trailer, semi-trailer or pole trailer having a gross weight of or registered for a gross weight of more than 10,000 pounds; motor buses; religious organization buses; school buses; senior citizen transportation vehicles; medical transport vehicles; tow trucks; and any property carrying vehicles being operated in commerce that are registered for a gross weight of more than 8,000 lbs but less than 10,001 lbs.

The safety test shall include the testing and inspection of brakes, lights, horns, reflectors, rear vision mirrors, mufflers, safety chains, windshields and windshield wipers, warning flags and flares, frame, axle, cab and body, or cab or body, wheels, steering apparatus, and other safety devices and appliances required by this Code and such other safety tests as the Department may by rule or regulation require, for second division vehicles, school buses, medical transport vehicles, tow trucks, first division vehicles including taxis which are used for a purpose that requires a school bus driver permit, motor vehicles used for driver education training, vehicles designed to carry 15 or fewer passengers operated by a contract carrier transporting employees in the course of their employment on a highway of this State, trailers, and semitrailers subject to inspection.

For tow trucks, the safety test and inspection shall also include the inspection of winch mountings, body panels, body mounts, wheel lift swivel points, and sling straps, and other tests and inspections the Department by rule requires for tow trucks.

For driver education vehicles used by public high schools, the vehicle must also be equipped with dual control brakes, a mirror on each side of the vehicle so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear, and a sign visible from the front and the rear identifying the vehicle as a driver education car.

For trucks, truck tractors, trailers, semi-trailers, buses engaged in interstate commerce as defined Section 1-133 of this Code, and first division vehicles including taxis which are used for a purpose that requires a school bus driver permit, the safety test shall be conducted in accordance with the Minimum Periodic Inspection Standards promulgated by the Federal Highway Administration of the U.S. Department of Transportation and contained in Appendix G to Subchapter B of Chapter III of Title 49 of the Code of Federal Regulations. Those standards, as now in effect, are made a part of this Code, in the same manner as though they were set out in full in this Code.

The passing of the safety test shall not be a bar at any time to prosecution for operating a second division vehicle, medical transport vehicle, motor vehicle used for driver education training, or vehicle designed to carry 15 or fewer passengers operated by a contract carrier as provided in this Section that is unsafe, as determined by the standards prescribed in this Code.

(Source: P.A. 100-956, eff. 1-1-19; 101-395, eff. 8-16-19.)

(625 ILCS 5/13-103) (from Ch. 95 1/2, par. 13-103)

Sec. 13-103. Official testing stations - Fee - Permit - Bond. Upon the payment of a fee of $50 ~~$10~~ and the filing of an application by the proprietor of a company or municipality ~~any vehicle service station or public or private garage~~ upon forms furnished by the Department, accompanied by proof of experience, training and ability of the operator of the testing equipment, together with proof of ~~installation of~~ approved testing equipment as defined in Section 13-102 and the giving of a bond conditioned upon faithful observance of this Section and of rules and regulations issued by the Department in the amount of $10,000 ~~$1,000~~ with security approved by the Department, the Department shall issue a permit to the proprietor of such company or municipality ~~vehicle service station or garage~~ to operate an Official Testing Station. Such permit shall expire 12 months following its issuance, but may be renewed annually by complying with the requirements set forth in this Section and upon the payment of a renewal fee of $50 ~~$10~~. Proprietors of official testing stations for which permits have been issued prior to the effective date of this Act may renew such permits for the renewal fee of $50 ~~$10~~ on the expiration of each 12 months following issuance of such permits, by complying with the requirements set forth in this Section. However, any city, village or incorporated town shall upon application to the Department and without payment of any fee or filing of any bond, but upon proof of experience, training and ability of the operator of the testing equipment, and proof of ~~the installation of~~ approved testing equipment as defined in Section 13-102, be issued a permit to operate such testing station as an Official Testing Station under this Act. The permit so issued shall at all times be displayed in a prominent place in the official ~~vehicle service station, garage or municipal~~ testing station which is licensed as an Official Testing Station under this Act. No person or company ~~vehicle service station, garage~~ or municipality ~~municipal testing station~~ shall in any manner claim or represent himself or itself to be an official testing station unless a permit has been issued to him or it as provided in this Section.

Any person or municipality who or which has received a permit under this Section may test his or its own second division vehicles and issue certificates of safety and conduct emission inspections of his or its own second division vehicles in accordance with the requirements of Section 13-109.1 with respect to any such second division vehicles owned, operated or controlled by him or it.

Each such permit issued by the Department shall state on its face the location of the official testing station to be operated under the permit and safety tests shall be made only at such location. However, the Department may, upon application, authorize a change in the location of the official testing station and the removal of the testing equipment to the new location. Upon approval of such application, the Department shall issue an endorsement which the applicant shall affix to his permit. Such endorsement constitutes authority for the applicant to make such change in location and to remove his testing equipment at the times and to the places stated in the endorsement.

(Source: P.A. 91-254, eff. 7-1-00.)

(625 ILCS 5/13-103.1) (from Ch. 95 1/2, par. 13-103.1)

Sec. 13-103.1. Annual certification of certified safety testers and certified diesel emission testers - Fee - Renewal. Only certified safety testers are authorized to perform safety tests and affix Certificates of Safety to vehicles. The Department shall annually certify those certified safety testers and certified diesel emission testers who have met its requirements. Certified safety ~~Safety~~ testers' and certified diesel emission testers' certificates shall expire 12 months following the date of issue, but may be renewed annually by complying with the requirements as established by the Department.

(Source: P.A. 80-606.)

(625 ILCS 5/13-103.3)

Sec. 13-103.3. Official portable emissions testing company; fee; permit; bond. Upon the payment of a fee of $50 ~~$10~~ and the filing of an application by the proprietor of any ~~vehicle service~~ company upon forms furnished by the Department, accompanied by proof of experience, training, and ability of the operator of the testing equipment, together with proof of approved testing equipment as defined in Section 13-102 and the giving of a bond conditioned upon faithful observance of this Section and of rules adopted by the Department in the amount of $10,000 ~~$1,000~~ with security approved by the Department, the Department shall issue a permit to the proprietor of the vehicle service company to operate an official portable emissions testing company. An official portable emissions testing company shall only conduct portable emissions inspections for diesel fleets with 5 or more diesel vehicles required to be inspected under subsection (a) of Section 13-109.1, and only at the fleet owner's place of business. A permit issued under this Section shall expire 12 months following its issuance, but may be renewed annually by complying with this Section and upon the payment of a renewal fee of $50 ~~$10~~. No person or ~~vehicle service~~ company shall operate as an official portable emissions testing company without having been issued a permit as provided in this Section.

A permittee under this Section may test second division vehicles owned, operated, or controlled by the permittee to conduct emission inspections of such vehicles in accordance with Section 13-109.1. ~~A permittee under this Section may conduct interstate inspections on interstate carriers in accordance with 49 CFR Part 396.~~

Each permit issued by the Department shall state on its face the location of the recordkeeping office of the proprietor of the official portable emissions testing company. However, the Department, upon application, may authorize a change in the location of the recordkeeping office. Upon the approval of such an application, the Department shall issue an endorsement to be fixed by the applicant to the permit. Such an endorsement constitutes authority for the applicant to make the change in location.

(Source: P.A. 102-566, eff. 1-1-22.)

(625 ILCS 5/13-103.4 new)

Sec. 13-103.4. Official mobile safety testing company; fee; permit; bond. Upon the payment of a fee of $50 and the filing of an application by the proprietor of a company or municipality seeking to perform mobile safety inspections upon forms furnished by the Department, accompanied by proof of experience, training, and ability of the operator of the testing equipment, together with proof of approved testing equipment as defined in Section 13-102 and the giving of a bond conditioned upon faithful observance of this Section and rules adopted by the Department in the amount of $10,000 with security approved by the Department, the Department shall issue a permit to the proprietor to operate an official mobile safety testing company. An official mobile safety testing company must maintain a physical office in this State. The permit shall expire 12 months following its issuance, but may be renewed annually by complying with the requirements set forth in this Section and upon the payment of a renewal fee of $50. The permit so issued shall at all times be displayed in a prominent place in the official mobile safety testing vehicle as well as at the required physical office of the testing company. No person or official mobile safety testing company shall in any manner claim or represent himself, herself, or itself to be an official mobile safety testing company unless a permit has been issued to the person or company as provided in this Section.

Any person or municipality that has received a permit under this Section may test the second division vehicles owned by the person or municipality and issue certificates of safety vehicles owned by the person or municipality in accordance with the requirements of Section 13-109.1 with respect to any such vehicles owned, operated, or controlled by the person or municipality.

Each such permit issued by the Department shall state on its face the location of the physical office of the official mobile safety testing company. The physical office shall be the location in which all records are stored and retained. Official mobile safety testing companies shall only perform safety tests of vehicles at the vehicle owner's place of business with a 48-hour advance notice to the Department. The Department may, upon application, authorize a change in the location of the physical office to a new location. Upon the approval of such an application, the Department shall issue an endorsement, which the applicant shall affix to his or her permit. Such an endorsement constitutes authority for the applicant to operate.

As used in this Section, "official mobile safety testing company" means a safety testing company permitted to test trucks, truck tractors, trailers, semi-trailers, and buses engaged in interstate commerce as defined Section 1-133 of this Code. The safety test shall be conducted in accordance with the Minimum Periodic Inspection Standards promulgated by the Federal Highway Administration of the United States Department of Transportation and contained in Appendix G to Subchapter B of Chapter III of Title 49 of the Code of Federal Regulations.

The Department shall adopt rules to implement this Section.

(625 ILCS 5/13-105.2 new)

Sec. 13-105.2. Inspection of official mobile safety testing companies. Employees specifically authorized by the Department to conduct inspections shall inspect all official mobile safety testing companies at frequent intervals. Such employees shall have access to all records relating to tests and work done or parts sold as a result of such tests, to ascertain whether the tests are properly, fairly, and honestly made, and may examine the owner of the official mobile safety testing company or any officer or employee thereof under oath.

(625 ILCS 5/13-106) (from Ch. 95 1/2, par. 13-106)

Sec. 13-106. Rates and charges by official testing stations, official mobile testing companies, and official portable emissions testing companies; schedule to be filed. Every operator of an official testing station or official portable emissions testing company shall file with the Department, in the manner prescribed by the Department, a schedule of all rates and charges made by him for performing the tests provided for in Section 13-101 and Section 13-109.1. Such rate or charge shall include an amount to

reimburse the operator of the official testing station or official portable emissions testing company for the purchase from the Department of the certificate of safety required by this chapter, not to exceed that fee paid to the Department by the operator authorized by this chapter. Such rates and charges shall be just and reasonable and the Department upon its own initiative or upon complaint of any person or corporation may require the testing station operator to appear for a hearing and prove that the rates so filed are just and reasonable. A "just and reasonable" rate or charge, for the purposes of this Section, means a rate or charge which is the same, or nearly the same, as the prevailing rate or charge for the same or similar tests made in the community where the station is located. No operator may change this schedule of rates and charges until the proposed changes are filed with and approved by the Department. No license may be issued to any official testing station or official portable emissions testing company unless the applicant has filed with the Department a proposed schedule of rates and charges and unless such rates and charges have been approved by the Department. No operator of an official testing station or official portable emissions testing company shall charge more or less than the rates so filed with and approved by the Department.
(Source: P.A. 102-566, eff. 1-1-22.)

(625 ILCS 5/13-107) (from Ch. 95 1/2, par. 13-107)

Sec. 13-107. Investigation of complaints against official testing stations, official mobile testing companies, and official portable emissions testing companies. The Department shall, upon its own motion, or upon charges made in writing verified under oath, investigate complaints that an official testing station or official portable emissions testing company is willfully falsifying records or tests, either for the purpose of selling parts or services not actually required, or for the purpose of issuing a certificate of safety for a vehicle designed to carry 15 or fewer passengers operated by a contract carrier transporting employees in the course of their employment on a highway of this State, second division vehicle, or medical transport vehicle that is not in safe mechanical condition as determined by the standards of this Chapter in violation of the provisions of this Chapter or of the rules and regulations issued by the Department.

The Secretary of Transportation, for the purpose of more effectively carrying out the provisions of Chapter 13, may appoint such a number of inspectors as he may deem necessary. Such inspectors shall inspect and investigate applicants for official testing station or official portable emissions testing company permits and investigate and report violations. With respect to enforcement of the provisions of this Chapter 13, such inspectors shall have and may exercise throughout the State all the powers of police officers.

The Secretary must authorize to each inspector and to any other employee of the Department exercising the powers of a peace officer a distinct badge that, on its face, (i) clearly states that the badge is authorized by the Department and (ii) contains a unique identifying number. No other badge shall be authorized by the Department. Nothing in this Section prohibits the Secretary from issuing shields or other distinctive identification to employees not exercising the powers of a peace officer if the Secretary determines that a shield or distinctive identification is needed by the employee to carry out his or her responsibilities.
(Source: P.A. 102-566, eff. 1-1-22.)

(625 ILCS 5/13-108) (from Ch. 95 1/2, par. 13-108)

Sec. 13-108. Hearing on complaint against official testing station, official mobile testing company, or official portable emissions testing company; suspension or revocation of permit. If it appears to the Department, either through its own investigation or upon charges verified under oath, that any of the provisions of this Chapter or the rules and regulations of the Department are being violated, the Department shall, after notice to the person, firm, or corporation charged with such violation, conduct a hearing. At least 10 days prior to the date of such hearing the Department shall cause to be served upon the person, firm, or corporation charged with such violation, a copy of such charge or charges by registered mail or by the personal service thereof, together with a notice specifying the time and place of such hearing. At the time and place specified in such notice, the person, firm, or corporation charged with such violation shall be given an opportunity to appear in person or by counsel and to be heard by the Secretary of Transportation or an officer or employee of the Department designated in writing by him to conduct such hearing. If it appears from the hearing that such person, firm, or corporation is guilty of the charge preferred against the person, firm, or corporation, the Secretary of Transportation may order the permit suspended or revoked, and the bond forfeited. Any such revocation or suspension shall not be a bar to subsequent arrest and prosecution for violation of this Chapter.
(Source: P.A. 102-566, eff. 1-1-22; 102-813, eff. 5-13-22.)

(625 ILCS 5/13-109) (from Ch. 95 1/2, par. 13-109)

(Text of Section before amendment by P.A. 102-982)

Sec. 13-109. Safety test prior to application for license - Subsequent tests - Repairs - Retest.

(a) Except as otherwise provided in Chapter 13, each second division vehicle, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, and medical transport vehicle, except those vehicles other than school buses or medical transport vehicles owned or operated by a municipal corporation or political subdivision having a population of 1,000,000 or more inhabitants which are subjected to safety tests imposed by local ordinance or resolution, operated in whole or in part over the highways of this State, motor vehicle used for driver education training, and each vehicle designed to carry 15 or fewer passengers operated by a contract carrier transporting employees in the course of their employment on a highway of this State, shall be subjected to the safety test provided for in Chapter 13 of this Code. Tests shall be conducted at an official testing station within 6 months prior to the application for registration as provided for in this Code. Subsequently each vehicle shall be subject to tests (i) at least every 6 months, (ii) in the case of school buses and first division vehicles including taxis which are used for a purpose that requires a school bus driver permit, at least every 6 months or 10,000 miles, whichever occurs first, (iii) in the case of driver education vehicles used by public high schools, at least every 12 months for vehicles over 5 model years of age or having an odometer reading of over 75,000 miles, whichever occurs first, or (iv) in the case of truck tractors, semitrailers, and property-carrying vehicles registered for a gross weight of more than 10,000 pounds but less than 26,001 pounds, at least every 12 months, and according to schedules established by rules and regulations promulgated by the Department. Any component subject to regular inspection which is damaged in a reportable accident must be reinspected before the bus or first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit is returned to service.

(b) The Department shall also conduct periodic nonscheduled inspections of school buses, of buses registered as charitable vehicles and of religious organization buses. If such inspection reveals that a vehicle is not in substantial compliance with the rules promulgated by the Department, the Department shall remove the Certificate of Safety from the vehicle, and shall place the vehicle out-of-service. A bright orange, triangular decal shall be placed on an out-of-service vehicle where the Certificate of Safety has been removed. The vehicle must pass a safety test at an official testing station before it is again placed in service.

(c) If the violation is not substantial a bright yellow, triangular sticker shall be placed next to the Certificate of Safety at the time the nonscheduled inspection is made. The Department shall reinspect the vehicle after 3 working days to determine that the violation has been corrected and remove the yellow, triangular decal. If the violation is not corrected within 3 working days, the Department shall place the vehicle out-of-service in accordance with procedures in subsection (b).

(d) If a violation is not substantial and does not directly affect the safe operation of the vehicle, the Department shall issue a warning notice requiring correction of the violation. Such correction shall be accomplished as soon as practicable and a report of the correction shall be made to the Department within 30 days in a manner established by the Department. If the Department has not been advised that the corrections have been made, and the violations still exist, the Department shall place the vehicle out-of-service in accordance with procedures in subsection (b).

(e) The Department is authorized to promulgate regulations to implement its program of nonscheduled inspections. Causing or allowing the operation of an out-of-service vehicle with passengers or unauthorized removal of an out-of-service sticker is a Class 3 felony. Causing or allowing the operation of a vehicle with a 3-day sticker for longer than 3 days with the sticker attached or the unauthorized removal of a 3-day sticker is a Class C misdemeanor.

(f) If a second division vehicle, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, medical transport vehicle, or vehicle operated by a contract carrier as provided in subsection (a) of this Section is in safe mechanical condition, as determined pursuant to Chapter 13, the operator of the official testing station must at once issue to the second division vehicle, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, or medical transport vehicle a certificate of safety, in the form and manner prescribed by the Department, which shall be affixed to the vehicle by the certified safety tester who performed the safety tests. The owner of the second division vehicle, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, or medical transport vehicle or the contract carrier shall at all times display the Certificate of Safety on the second division vehicle, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, medical transport vehicle, or vehicle operated by a contract carrier in the manner prescribed by the Department.

(g) If a test shows that a second division vehicle, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, medical transport vehicle, or vehicle operated by a contract carrier is not in safe mechanical condition as provided in this Section, it shall not be operated on the highways until it has been repaired and submitted to a retest at an official testing station. If the owner or contract carrier submits the vehicle to a retest at a different official testing station from that where it failed to pass the first test, he or she shall present to the operator of the second station the report of the original test, and shall notify the Department in writing, giving the name and address of the original testing station and the defects which prevented the issuance of a Certificate of Safety, and the name and address of the second official testing station making the retest.
(Source: P.A. 100-160, eff. 1-1-18; 100-683, eff. 1-1-19.)

(Text of Section after amendment by P.A. 102-982)

Sec. 13-109. Safety test prior to application for license - Subsequent tests - Repairs - Retest.

(a) Except as otherwise provided in Chapter 13, each second division vehicle, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, and medical transport vehicle, except those vehicles other than school buses or medical transport vehicles owned or operated by a municipal corporation or political subdivision having a population of 1,000,000 or more inhabitants which are subjected to safety tests imposed by local ordinance or resolution, operated in whole or in part over the highways of this State, motor vehicle used for driver education training, and each vehicle designed to carry 15 or fewer passengers operated by a contract carrier transporting employees in the course of their employment on a highway of this State, shall be subjected to the safety test provided for in Chapter 13 of this Code. Tests shall be conducted at an official testing station or by an official mobile safety testing company within 6 months prior to the application for registration as provided for in this Code. Subsequently each vehicle shall be subject to tests (i) at least every 6 months, (ii) in the case of school buses and first division vehicles including taxis which are used for a purpose that requires a school bus driver permit, at least every 6 months or 10,000 miles, whichever occurs first, (iii) in the case of driver education vehicles used by public high schools, at least every 12 months for vehicles over 5 model years of age or having an odometer reading of over 75,000 miles, whichever occurs first, or (iv) in the case of truck tractors, semitrailers, and property-carrying vehicles registered for a gross weight of more than 10,000 pounds but less than 26,001 pounds, at least every 12 months, and according to schedules established by rules and regulations promulgated by the Department. Any component subject to regular inspection which is damaged in a reportable crash must be reinspected before the bus or first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit is returned to service.

(b) The Department shall also conduct periodic nonscheduled inspections of school buses, of buses registered as charitable vehicles and of religious organization buses. If such inspection reveals that a vehicle is not in substantial compliance with the rules promulgated by the Department, the Department shall remove the Certificate of Safety from the vehicle, and shall place the vehicle out-of-service. A bright orange, triangular decal shall be placed on an out-of-service vehicle where the Certificate of Safety has been removed. The vehicle must pass a safety test at an official testing station or official mobile safety testing company before it is again placed in service.

(c) If the violation is not substantial a bright yellow, triangular sticker shall be placed next to the Certificate of Safety at the time the nonscheduled inspection is made. The Department shall reinspect the vehicle after 3 working days to determine that the violation has been corrected and remove the yellow, triangular decal. If the violation is not corrected within 3 working days, the Department shall place the vehicle out-of-service in accordance with procedures in subsection (b).

(d) If a violation is not substantial and does not directly affect the safe operation of the vehicle, the Department shall issue a warning notice requiring correction of the violation. Such correction shall be accomplished as soon as practicable and a report of the correction shall be made to the Department within 30 days in a manner established by the Department. If the Department has not been advised that the corrections have been made, and the violations still exist, the Department shall place the vehicle out-of-service in accordance with procedures in subsection (b).

(e) The Department is authorized to promulgate regulations to implement its program of nonscheduled inspections. Causing or allowing the operation of an out-of-service vehicle with passengers or unauthorized removal of an out-of-service sticker is a Class 3 felony. Causing or allowing the operation of a vehicle with a 3-day sticker for longer than 3 days with the sticker attached or the unauthorized removal of a 3-day sticker is a Class C misdemeanor.

(f) If a second division vehicle, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, medical transport vehicle, or vehicle operated by a contract carrier as provided in subsection (a) of this Section is in safe mechanical condition, as determined pursuant to Chapter 13, the operator of the official testing station or official mobile safety testing company must at once issue to the second division vehicle, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, or medical transport vehicle a certificate of safety, in the form and manner prescribed by the Department, which shall be affixed to the vehicle by the certified safety tester who performed the safety tests. The owner of the second division vehicle, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, or medical transport vehicle or the contract carrier shall at all times display the Certificate of Safety on the second division vehicle, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, medical transport vehicle, or vehicle operated by a contract carrier in the manner prescribed by the Department.

(g) If a test shows that a second division vehicle, first division vehicle including a taxi which is used for a purpose that requires a school bus driver permit, medical transport vehicle, or vehicle operated by a contract carrier is not in safe mechanical condition as provided in this Section, it shall not be operated on the highways until it has been repaired and submitted to a retest at an official testing station or official mobile safety testing company. If the owner or contract carrier submits the vehicle to a retest at a different official testing station or official mobile safety testing company from that where it failed to pass the first test, he or she shall present to the operator of the second station the report of the original test, and shall notify the Department in writing, giving the name and address of the original testing station or official mobile safety testing company and the defects which prevented the issuance of a Certificate of Safety, and the name and address of the second official testing station or official mobile safety testing company making the retest.
(Source: P.A. 102-982, eff. 7-1-23.)

(625 ILCS 5/13-110) (from Ch. 95 1/2, par. 13-110)

Sec. 13-110. Certificate of safety. (a) Certificates of Safety shall be in contrasting colors, with a number on the face of the Certificate indicating the month of the next inspection period the vehicle is subject to inspection. Certificates for school buses shall also indicate the mileage at which the school bus shall be subject to inspection if it occurs before the next regular inspection period. The colors of Certificates of Safety shall be prescribed by the Department.

(b) Certificates of Safety, which remain the property of the State of Illinois, will be provided to Official Testing Stations and official mobile safety testing companies by the Department at the fee of $1 each. Certificates of Safety which remain unused at the end of each inspection period will be redeemed for the same amount in a manner prescribed by the Department.

(c) Nothing in this Chapter shall be construed as a suggestion or direction to any owner to require him to have any repairs made or any work done by any official testing station or official mobile safety testing company, but all tests must be made at an official testing station to secure the issuance of a certificate of safety, and no certificate of safety issued by any other than an official testing station or official mobile safety testing company shall be deemed a compliance with this Chapter.
(Source: P.A. 83-311.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Joyce, **Senate Bill No. 273** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 52; NAYS 3.

The following voted in the affirmative:

Anderson	Fine	Lightford	Stadelman
Aquino	Fowler	Loughran Cappel	Syverson
Belt	Gillespie	Martwick	Tracy
Bennett	Glowiak Hilton	McClure	Turner, D.
Bryant	Halpin	Morrison	Turner, S.
Castro	Harris, N.	Murphy	Ventura
Cervantes	Harriss, E.	Pacione-Zayas	Villa
Cunningham	Hastings	Peters	Villanueva
Curran	Holmes	Porfirio	Villivalam
DeWitte	Hunter	Preston	Mr. President
Edly-Allen	Johnson	Rezin	
Ellman	Joyce	Rose	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	

The following voted in the negative:

Plummer
Stoller
Wilcox

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Rose, **Senate Bill No. 1115** was recalled from the order of third reading to the order of second reading.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1115

AMENDMENT NO. 1 . Amend Senate Bill 1115 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 15-150, 15-153, 15-153.2, and 15-198 as follows:

(40 ILCS 5/15-150) (from Ch. 108 1/2, par. 15-150)

Sec. 15-150. Disability benefits; eligibility ~~benefits - Eligibility~~. A participant may be granted a disability benefit if: (1) while a participating employee, he or she becomes physically or mentally incapacitated and unable to perform the duties of his or her assigned position for any period exceeding 60 days; and (2) the employee had completed 2 years of service at the time of disability, unless the disability is a result of an accident or the employee is a police officer who qualifies for the calculation under subsection (b) of Section 15-153.

An employee shall be considered disabled only during the period for which the board determines, based upon the evidence listed below, that the employee is unable to reasonably perform the duties of his or her assigned position as a result of a physical or mental disability. This determination shall be based upon:

(i) a written certificate from one or more licensed and practicing physicians appointed by or acceptable to the board, stating that the employee is disabled and unable to reasonably perform the duties of his or her assigned position;

(ii) a written certificate from the employer stating that the employee is unable to perform the duties of his or her assigned position and, if the employee is a police officer, the employer's position on whether the disability qualifies as a line of duty disability; ~~and~~

(iii) any other medical examinations, hospital records, laboratory results, or other information necessary for determining the employment capacity and condition of the employee; and~~.~~

(iv) if the employee is a police officer applying for a line of duty disability, a written certification from one or more licensed and practicing physicians appointed by or acceptable to the board, stating that the disability qualifies as a line of duty disability under subsection (b) of Section 15-153.

The board shall prescribe rules governing the filing, investigation, control, and supervision of disability claims. Costs incurred by a claimant in connection with completing a claim for disability benefits shall be paid (A) by the claimant, in the case of the one required medical examination, medical certificate, and employer's certificate and any other requirements generally imposed by the board on all disability benefit claimants; and (B) by the System, in the case of any additional medical examination or other additional requirement imposed on a particular claimant that is not imposed generally on all disability benefit claimants.

Pregnancy and childbirth shall be considered a disability.

The same application shall be used to determine eligibility for the calculation of disability benefits under subsection (a) or subsection (b) of Section 15-153.

(Source: P.A. 90-766, eff. 8-14-98.)

(40 ILCS 5/15-153) (from Ch. 108 1/2, par. 15-153)

Sec. 15-153. Disability benefits; amount ~~benefits - Amount~~.

(a) Except as provided in subsection (b), the ~~The~~ disability benefit shall be the greater of (1) 50% of the basic compensation which would have been paid had the participant continued in service for the entire period during which disability benefits are payable, excluding wage or salary increases subsequent to the date of disability or extra prospective earnings on a summer teaching contract or other extra service not yet entered upon or (2) 50% of the participant's average earnings during the 24 months immediately preceding the month in which disability occurs. In determining the disability benefit, the basic compensation of a participating employee on leave of absence or on lay-off status shall be assumed to be equal to his or her basic compensation on the date the leave of absence or lay-off begins.

(b) In lieu of the amount of the disability benefit otherwise provided for in subsection (a) of this Section, for a participant who is employed as a police officer and who incurs a line of duty disability, the disability benefit under this Section shall be the greater of: (1) 65% of the basic compensation that would have been paid had the participant continued in employment for the entire period during which disability benefits are payable, excluding wage or salary increases subsequent to the date of disability; or (2) 65% of the participant's average earnings during the 24 months immediately preceding the month in which disability occurs. In determining the disability benefit, the basic compensation of a participating employee on leave of absence or on lay-off status shall be assumed to be equal to his or her basic compensation on the date the leave of absence or lay-off begins.

Any police officer who suffers a heart attack or stroke as a result of the performance and discharge of police duty shall be considered to have been injured in the performance of an act of duty and shall be eligible for the calculation of benefits provided for under this subsection (b).

A police officer shall be considered to be in the performance of an act of duty while on any assignment approved by the police officer's chief, whether the assignment is on or off the employer's property.

The changes made to this Section shall apply to participants whose line of duty disability occurred on or after January 1, 2022.

For the purposes of this Section, "line of duty disability" means that, as the result of sickness, accident, or injury incurred in or resulting from the performance of an act of duty, the police officer is found to be physically or mentally disabled for employment as a police officer so as to render necessary his or her

suspension or retirement from employment as a police officer or is found to be unable to perform his or her duties as a police officer by reason of heart disease, stroke, tuberculosis, or any disease of the lungs or respiratory tract, resulting from employment as a police officer.

If the disability benefit is 50% of basic compensation under subsection (a) or 65% of basic compensation under subsection (b), payments during the academic year shall accrue over the period that the basic compensation would have been paid had the participant continued in service. If the disability benefit is 50% under subsection (a) or 65% under subsection (b) of the average earnings of the participant during the 24 months immediately preceding the month in which disability occurs, payments during the year shall accrue over a period of 12 months. Disability benefits shall be paid as of the end of each calendar month during which payments accrue. Payments for fractional parts of a month shall be determined by prorating the total amount payable for the full month on the basis of days elapsing during the month. Any disability benefit accrued but unpaid on the death of a participant shall be paid to the participant's beneficiary.

(Source: P.A. 93-347, eff. 7-24-03.)

(40 ILCS 5/15-153.2) (from Ch. 108 1/2, par. 15-153.2)

Sec. 15-153.2. Disability retirement annuity.

(a) This subsection (a) applies to a participant receiving benefits calculated under subsection (a) of Section 15-153. A participant whose disability benefits are discontinued under the provisions of clause (6) of Section 15-152 and who is not a participant in the optional retirement plan established under Section 15-158.2 is entitled to a disability retirement annuity of 35% of the basic compensation which was payable to the participant at the time that disability began, provided that the board determines that the participant has a medically determinable physical or mental impairment that prevents him or her from engaging in any substantial gainful activity, and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months.

(b) This subsection (b) applies to a participant receiving benefits calculated under subsection (b) of Section 15-153. A participant whose disability benefits are discontinued under clause (6) of Section 15-152 and who is not a participant in the optional retirement plan established under Section 15-158.2 is entitled to a disability retirement annuity of 65% of the basic compensation that was payable to the participant at the time that disability began, provided that the board determines that the participant has a medically determinable physical or mental impairment that prevents him or her from engaging in any substantial gainful activity and can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months.

(c) The board's determination of whether a participant is disabled shall be based upon:

(i) a written certificate from one or more licensed and practicing physicians appointed by or acceptable to the board, stating that the participant is unable to engage in any substantial gainful activity; and

(ii) any other medical examinations, hospital records, laboratory results, or other information necessary for determining the employment capacity and condition of the participant.

The terms "medically determinable physical or mental impairment" and "substantial gainful activity" shall have the meanings ascribed to them in the federal Social Security Act, as now or hereafter amended, and the regulations issued thereunder.

(d) The disability retirement annuity payment period shall begin immediately following the expiration of the disability benefit payments under clause (6) of Section 15-152 and shall be discontinued for a recipient of a disability retirement annuity when (1) the physical or mental impairment no longer prevents the recipient from engaging in any substantial gainful activity, (2) the recipient dies, (3) the recipient elects to receive a retirement annuity under Sections 15-135 and 15-136, (4) the recipient refuses to submit to a reasonable physical examination by a physician approved by the board, or (5) the recipient fails to provide an earnings verification necessary to determine continuance of benefits. If a person's disability retirement annuity is discontinued under clause (1), all rights and credits accrued in the system on the date that the disability retirement annuity began shall be restored, and the disability retirement annuity paid shall be considered as disability payments under clause (6) of Section 15-152.

(e) The board shall adopt rules governing the filing, investigation, control, and supervision of disability retirement annuity claims. Costs incurred by a claimant in connection with completing a claim for a disability retirement annuity shall be paid: (A) by the claimant in the case of the one required medical examination, medical certificate, and any other requirements generally imposed by the board on all disability retirement annuity claimants; and (B) by the System in the case of any additional medical

examination or other additional requirement imposed on a particular claimant that is not imposed generally on all disability retirement annuity claimants.
(Source: P.A. 100-556, eff. 12-8-17.)

(40 ILCS 5/15-198)

Sec. 15-198. Application and expiration of new benefit increases.

(a) As used in this Section, "new benefit increase" means an increase in the amount of any benefit provided under this Article, or an expansion of the conditions of eligibility for any benefit under this Article, that results from an amendment to this Code that takes effect after June 1, 2005 (the effective date of Public Act 94-4). "New benefit increase", however, does not include any benefit increase resulting from the changes made to Article 1 or this Article by Public Act 100-23, Public Act 100-587, Public Act 100-769, Public Act 101-10, Public Act 101-610, Public Act 102-16, or this amendatory Act of the 103rd General Assembly ~~this amendatory Act of the 102nd General Assembly~~.

(b) Notwithstanding any other provision of this Code or any subsequent amendment to this Code, every new benefit increase is subject to this Section and shall be deemed to be granted only in conformance with and contingent upon compliance with the provisions of this Section.

(c) The Public Act enacting a new benefit increase must identify and provide for payment to the System of additional funding at least sufficient to fund the resulting annual increase in cost to the System as it accrues.

Every new benefit increase is contingent upon the General Assembly providing the additional funding required under this subsection. The Commission on Government Forecasting and Accountability shall analyze whether adequate additional funding has been provided for the new benefit increase and shall report its analysis to the Public Pension Division of the Department of Insurance. A new benefit increase created by a Public Act that does not include the additional funding required under this subsection is null and void. If the Public Pension Division determines that the additional funding provided for a new benefit increase under this subsection is or has become inadequate, it may so certify to the Governor and the State Comptroller and, in the absence of corrective action by the General Assembly, the new benefit increase shall expire at the end of the fiscal year in which the certification is made.

(d) Every new benefit increase shall expire 5 years after its effective date or on such earlier date as may be specified in the language enacting the new benefit increase or provided under subsection (c). This does not prevent the General Assembly from extending or re-creating a new benefit increase by law.

(e) Except as otherwise provided in the language creating the new benefit increase, a new benefit increase that expires under this Section continues to apply to persons who applied and qualified for the affected benefit while the new benefit increase was in effect and to the affected beneficiaries and alternate payees of such persons, but does not apply to any other person, including, without limitation, a person who continues in service after the expiration date and did not apply and qualify for the affected benefit while the new benefit increase was in effect.
(Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19; 101-610, eff. 1-1-20; 102-16, eff. 6-17-21.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Rose, **Senate Bill No. 1115** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Morrison, **Senate Bill No. 1563** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stoller
Aquino	Gillespie	McClure	Syverson
Belt	Glowiak Hilton	McConchie	Tracy
Bennett	Halpin	Morrison	Turner, D.
Bryant	Harris, N.	Murphy	Turner, S.
Castro	Harriss, E.	Pacione-Zayas	Ventura
Cervantes	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Holmes, **Senate Bill No. 1882** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stoller
Aquino	Gillespie	McClure	Syverson
Belt	Glowiak Hilton	McConchie	Tracy
Bennett	Halpin	Morrison	Turner, D.
Bryant	Harris, N.	Murphy	Turner, S.
Castro	Harriss, E.	Pacione-Zayas	Ventura
Cervantes	Hastings	Peters	Villa
Chesney	Holmes	Plummer	Villanueva
Cunningham	Hunter	Porfirio	Villivalam
Curran	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Gillespie, **Senate Bill No. 1964** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Gillespie	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Halpin	Murphy	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Harriss, E.	Peters	Villa
Chesney	Hastings	Plummer	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Curran	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Joyce	Rose	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Gillespie, **Senate Bill No. 1965** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Gillespie	McConchie	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.
Bryant	Halpin	Murphy	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Harriss, E.	Peters	Villa
Chesney	Hastings	Plummer	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Curran	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Joyce	Rose	
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Ventura, **Senate Bill No. 1474** was recalled from the order of third reading to the order of second reading.

Senator Ventura offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1474

AMENDMENT NO. 2 . Amend Senate Bill 1474, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 62, line 11, by deleting "or adjacent to".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Ventura, **Senate Bill No. 1474** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Simmons
Aquino	Fowler	Loughran Cappel	Sims
Belt	Gillespie	Martwick	Stadelman

Bennett	Glowiak Hilton	McClure	Stoller
Bryant	Halpin	McConchie	Syverson
Castro	Harris, N.	Morrison	Turner, D.
Cervantes	Harriss, E.	Murphy	Turner, S.
Cunningham	Hastings	Pacione-Zayas	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Plummer	Villanueva
Edly-Allen	Johnson	Porfirio	Villivalam
Ellman	Joyce	Preston	Mr. President
Faraci	Koehler	Rezin	
Feigenholtz	Lewis	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Martwick, **Senate Bill No. 1648** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Syverson
Bryant	Halpin	McConchie	Tracy
Castro	Harris, N.	Morrison	Turner, D.
Cervantes	Harriss, E.	Murphy	Turner, S.
Cunningham	Hastings	Pacione-Zayas	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Cunningham, **Senate Bill No. 2152** was recalled from the order of third reading to the order of second reading.

Senator Cunningham offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2152

AMENDMENT NO. 3 . Amend Senate Bill 2152, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 22A-106 and by adding Sections 15-177.5, 15-177.6, 16-188, 16-189, 22A-113.4, and 22A-113.5 as follows:

(40 ILCS 5/15-177.5 new)

Sec. 15-177.5. Proxy voting.

(a) In this Section, "fiduciary" has the meaning given to that term in Section 1-101.2.

(b) Notwithstanding the Board's investment authority, and upon the affirmative vote of at least three-fifths of the members of the Board, the State Treasurer shall be authorized to manage the domestic and international proxy voting activity for shares held directly by the System and execute required ballots on behalf of the System. The Board's consent granted under this Section may be revoked at any time upon the affirmative vote of a majority of the members of the Board.

(c) When the State Treasurer is managing any proxy voting activity in accordance with subsection (b), the following shall apply: (1) the State Treasurer shall provide the Board with (i) comprehensive proxy voting reports on a quarterly basis and as requested by the Board and (ii) access to communications with its third-party proxy voting service, if any, used in preparing the comprehensive proxy voting reports requested by the Board; and (2) the Board may provide the State Treasurer with guidance for proxy voting, which, if provided, the State Treasurer shall consider when voting.

(d) The State Treasurer shall act as a fiduciary to the System with regard to all aspects of the State Treasurer's management of the proxy voting activity as provided under subsection (b).

(e) With respect to this Section, and with respect to the State Treasurer's management of the proxy voting activity as provided for under subsection (b), the Board is exempt from any conflicting statutory or common law obligations, including any fiduciary or co-fiduciary duties under this Article and Article 1.

(f) With respect to this Section and with respect to the State Treasurer's management of the proxy voting activity as provided for under subsection (b), the Board, its staff, and the trustees of the Board shall not be liable for any damage or suits where damages are sought for negligent or wrongful acts alleged to have been committed in connection with the management of proxy voting activity as provided for under this Section.

(g) In order to facilitate the State Treasurer's proxy voting activities under this Section and before the State Treasurer begins proxy voting activities, the State Treasurer and the Board shall enter into an intergovernmental agreement concerning costs, proxy voting guidance, reports and other documents, and other issues.

(h) This Section is repealed on January 1, 2027.

(40 ILCS 5/15-177.6 new)

Sec. 15-177.6. Fiduciary report. On or before September 1, 2023, and annually thereafter, the Board shall publish its guidelines for voting proxy ballots and a detailed report on its website describing how the Board is considering sustainability factors as defined in the Illinois Sustainable Investing Act. The report shall:

(1) describe the Board's strategy as it relates to the consideration of sustainable investment factors;

(2) outline the process for regular assessment across the total portfolio of potential effects from systemic and regulatory risks and opportunities, including, but not limited to, sustainability factors on the assets of the plan;

(3) disclose how each investment manager serving as a fiduciary to the Board integrates sustainability factors into the investment manager's investment decision-making process;

(4) provide a comprehensive proxy voting report;

(5) provide an overview of all corporate engagement and stewardship activities; and

(6) include any other information the Board deems necessary.

(40 ILCS 5/16-188 new)

Sec. 16-188. Proxy voting.

(a) In this Section, "fiduciary" has the meaning given to that term in Section 1-101.2.

(b) Notwithstanding the Board's investment authority, and upon the affirmative vote of at least three-fifths of the members of the Board, the State Treasurer shall be authorized to manage the domestic and international proxy voting activity for shares held directly by the System and execute required ballots on behalf of the System. The Board's consent granted under this Section may be revoked at any time upon the affirmative vote of a majority of the members of the Board.

(c) When the State Treasurer is managing any proxy voting activity in accordance with subsection (b), the following shall apply: (1) the State Treasurer shall provide the Board with (i) comprehensive proxy

voting reports on a quarterly basis and as requested by the Board and (ii) access to communications with its third-party proxy voting service, if any, used in preparing the comprehensive proxy voting reports requested by the Board; and (2) the Board may provide the State Treasurer with guidance for proxy voting, which, if provided, the State Treasurer shall consider when voting.

(d) The State Treasurer shall act as a fiduciary to the System with regard to all aspects of the State Treasurer's management of the proxy voting activity as provided under subsection (b).

(e) With respect to this Section, and with respect to the State Treasurer's management of the proxy voting activity as provided for under subsection (b), the Board is exempt from any conflicting statutory or common law obligations, including any fiduciary or co-fiduciary duties under this Article and Article 1.

(f) With respect to this Section and with respect to the State Treasurer's management of the proxy voting activity as provided for under subsection (b), the Board, its staff, and the trustees of the Board shall not be liable for any damage or suits where damages are sought for negligent or wrongful acts alleged to have been committed in connection with the management of proxy voting activity as provided for under this Section.

(g) In order to facilitate the State Treasurer's proxy voting activities under this Section and before the State Treasurer begins proxy voting activities, the State Treasurer and the Board shall enter into an intergovernmental agreement concerning costs, proxy voting guidance, reports and other documents, and other issues.

(h) This Section is repealed on January 1, 2027.

(40 ILCS 5/16-189 new)

Sec. 16-189. Fiduciary report. On or before September 1, 2023, and annually thereafter, the Board shall publish its guidelines for voting proxy ballots and a detailed report on its website describing how the Board is considering sustainability factors as defined in the Illinois Sustainable Investing Act. The report shall:

(1) describe the Board's strategy as it relates to the consideration of sustainable investment factors;

(2) outline the process for regular assessment across the total portfolio of potential effects from systemic and regulatory risks and opportunities, including, but not limited to, sustainability factors on the assets of the plan;

(3) disclose how each investment manager serving as a fiduciary to the Board integrates sustainability factors into the investment manager's investment decision-making process;

(4) provide a comprehensive proxy voting report;

(5) provide an overview of all corporate engagement and stewardship activities; and

(6) include any other information the Board deems necessary.

(40 ILCS 5/22A-106) (from Ch. 108 1/2, par. 22A-106)

Sec. 22A-106. "Manage": To invest, reinvest, exchange and to perform all investment functions with regard to reserves, funds, assets, securities and moneys which the board is authorized to invest, and to preserve and protect such reserves, funds, assets, securities and moneys, including, but not limited to, authority to vote any stocks, bonds or other securities and to give general or special proxies or powers of attorney with or without power of substitution, except that the authority to vote proxies is subject to Section 22A-113.4. This term shall not include any functions, duties and responsibilities incident to the operation and administration of pension funds or education fund other than that of investments.

(Source: P.A. 84-1127.)

(40 ILCS 5/22A-113.4 new)

Sec. 22A-113.4. Proxy voting.

(a) In this Section, "fiduciary" has the meaning given to that term in Section 1-101.2.

(b) Notwithstanding the Board's investment authority, and upon the affirmative vote of at least three-fifths of the members of the Board, the State Treasurer shall be authorized to manage the domestic and international proxy voting activity for shares held directly by the Board and execute required ballots on behalf of the Board. The Board's consent granted under this Section may be revoked at any time upon the affirmative vote of a majority of the members of the Board.

(c) When the State Treasurer is managing any proxy voting activity in accordance with subsection (b), the following shall apply: (1) the State Treasurer shall provide the Board with (i) comprehensive proxy voting reports on a quarterly basis and as requested by the Board and (ii) access to communications with its third-party proxy voting service, if any, used in preparing the comprehensive proxy voting reports requested

by the Board; and (2) the Board may provide the State Treasurer with guidance for proxy voting, which, if provided, the State Treasurer shall consider when voting.

(d) The State Treasurer shall act as a fiduciary to the Illinois State Board of Investment with regard to all aspects of the State Treasurer's management of the proxy voting activity as provided under subsection (b).

(e) With respect to this Section, and with respect to the State Treasurer's management of the proxy voting activity as provided for under subsection (b), the Board is exempt from any conflicting statutory or common law obligations, including any fiduciary or co-fiduciary duties under this Article and Article 1.

(f) With respect to this Section and with respect to the State Treasurer's management of the proxy voting activity as provided for under subsection (b), the Board, its staff, and the trustees of the Board shall not be liable for any damage or suits where damages are sought for negligent or wrongful acts alleged to have been committed in connection with the management of proxy voting activity as provided for under this Section.

(g) In order to facilitate the State Treasurer's proxy voting activities under this Section and before the State Treasurer begins proxy voting activities, the State Treasurer and the Board shall enter into an intergovernmental agreement concerning costs, proxy voting guidance, reports and other documents, and other issues.

(h) This Section is repealed on January 1, 2027.

(40 ILCS 5/22A-113.5 new)

Sec. 22A-113.5. Fiduciary report. On or before September 1, 2023, and annually thereafter, the Board shall publish its guidelines for voting proxy ballots and a detailed report on its website describing how the Board is considering sustainability factors as defined in the Illinois Sustainable Investing Act. The report shall:

(1) describe the Board's strategy as it relates to the consideration of sustainable investment factors;

(2) outline the process for regular assessment across the total portfolio of potential effects from systemic and regulatory risks and opportunities, including, but not limited to, sustainability factors on the assets of the plan;

(3) disclose how each investment manager serving as a fiduciary to the Board integrates sustainability factors into the investment manager's investment decision-making process;

(4) provide a comprehensive proxy voting report;

(5) provide an overview of all corporate engagement and stewardship activities; and

(6) include any other information the Board deems necessary.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cunningham, **Senate Bill No. 2152** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 50; NAYS 5.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Sims
Aquino	Fine	Lewis	Stadelman
Belt	Fowler	Lightford	Syverson
Bennett	Gillespie	Loughran Cappel	Tracy

Bryant	Glowiak Hilton	Martwick	Turner, D.
Castro	Halpin	Morrison	Turner, S.
Cervantes	Harris, N.	Murphy	Ventura
Cunningham	Harriss, E.	Pacione-Zayas	Villa
Curran	Hastings	Peters	Villanueva
DeWitte	Holmes	Porfirio	Villivalam
Edly-Allen	Hunter	Preston	Mr. President
Ellman	Johnson	Rezin	
Faraci	Joyce	Simmons	

The following voted in the negative:

Chesney	Plummer	Wilcox
McConchie	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Morrison, **Senate Bill No. 1772** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stoller
Belt	Gillespie	McClure	Syverson
Bennett	Glowiak Hilton	McConchie	Tracy
Bryant	Halpin	Morrison	Turner, D.
Castro	Harris, N.	Murphy	Turner, S.
Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Joyce	Rezin	Mr. President
Ellman	Koehler	Rose	
Faraci	Lewis	Simmons	
Feigenholtz	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

At the hour of 5:52 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 6:23 o'clock p.m., the Senate resumed consideration of business.

Senator Koehler, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its March 30, 2023 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Environment and Conservation: **Floor Amendment No. 4 to Senate Bill 1769; Floor Amendment No. 5 to Senate Bill 1769; Floor Amendment No. 2 to Senate Bill 2212**.

Executive: **Floor Amendment No. 2 to Senate Bill 64; Floor Amendment No. 1 to Senate Bill 376; Floor Amendment No. 1 to Senate Bill 422; Floor Amendment No. 1 to Senate Bill 506; Floor Amendment No. 2 to Senate Bill 1344; Floor Amendment No. 4 to Senate Bill 1509; Floor Amendment No. 2 to Senate Bill 1653; Floor Amendment No. 1 to Senate Bill 1913; Floor Amendment No. 1 to Senate Bill 2228**.

State Government: **Floor Amendment No. 1 to Senate Bill 1997; Floor Amendment No. 2 to Senate Bill 2100; Floor Amendment No. 2 to Senate Bill 2121; Floor Amendment No. 2 to Senate Bill 2278**.

Transportation: **Floor Amendment No. 2 to Senate Bill 1211; Floor Amendment No. 1 to Senate Bill 1213; Floor Amendment No. 2 to Senate Bill 1213**.

Senator Lightford, Chair of the Committee on Assignments, during its March 30, 2023 meeting, reported that the Committee recommends that **Senate Resolution No. 98** be re-referred from the Committee on Local Government to the Committee on Assignments.

Senator Lightford, Chair of the Committee on Assignments, during its March 30, 2023 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 2 to Senate Bill 1438

The foregoing floor amendment was placed on the Secretary's Desk.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Lightford, **Senate Bill No. 1351** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Martwick	Stoller
Aquino	Fowler	McClure	Syverson
Belt	Gillespie	McConchie	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.
Bryant	Halpin	Murphy	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Harriss, E.	Peters	Villa
Chesney	Holmes	Plummer	Villanueva
Cunningham	Hunter	Porfirio	Villivalam
Curran	Johnson	Preston	Wilcox
DeWitte	Joyce	Rezin	Mr. President
Edly-Allen	Koehler	Rose	

Ellman	Lewis	Simmons
Faraci	Lightford	Sims
Feigenholtz	Loughran Cappel	Stadelman

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Simmons, **Senate Bill No. 1484** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 41; NAYS 15.

The following voted in the affirmative:

Aquino	Gillespie	Martwick	Stoller
Belt	Glowiak Hilton	Morrison	Tracy
Castro	Halpin	Murphy	Turner, D.
Cervantes	Harris, N.	Pacione-Zayas	Ventura
Cunningham	Holmes	Peters	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Simmons	
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	Stadelman	

The following voted in the negative:

Anderson	Curran	McClure	Syverson
Bennett	Fowler	McConchie	Turner, S.
Bryant	Harriss, E.	Plummer	Wilcox
Chesney	Lewis	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

At the hour of 6:31 o'clock p.m., the Honorable Don Harmon, President of the Senate, presiding.

SENATE BILL RECALLED

On motion of Senator Koehler, **Senate Bill No. 757** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was withdrawn by the sponsor.

Senator Koehler offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 757

AMENDMENT NO. 2 . Amend Senate Bill 757 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by adding Section 513b7 as follows:

(215 ILCS 5/513b7 new)

Sec. 513b7. Pharmacy audits.

(a) As used in this Section:

"Audit" means any physical on-site, remote electronic, or concurrent review of a pharmacist service submitted to the pharmacy benefit manager or pharmacy benefit manager affiliate by a pharmacist or pharmacy for payment.

"Auditing entity" means a person or company that performs a pharmacy audit.

"Extrapolation" means the practice of inferring a frequency of dollar amount of overpayments, underpayments, nonvalid claims, or other errors on any portion of claims submitted, based on the frequency of dollar amount of overpayments, underpayments, nonvalid claims, or other errors actually measured in a sample of claims.

"Misfill" means a prescription that was not dispensed; a prescription that was dispensed but was an incorrect dose, amount, or type of medication; a prescription that was dispensed to the wrong person; a prescription in which the prescriber denied the authorization request; or a prescription in which an additional dispensing fee was charged.

"Pharmacy audit" means an audit conducted of any records of a pharmacy for prescriptions dispensed or nonproprietary drugs or pharmacist services provided by a pharmacy or pharmacist to a covered person.

"Pharmacy record" means any record stored electronically or as a hard copy by a pharmacy that relates to the provision of a prescription or pharmacy services or other component of pharmacist care that is included in the practice of pharmacy.

(b) Notwithstanding any other law, when conducting a pharmacy audit, an auditing entity shall:

(1) not conduct an on-site audit of a pharmacy at any time during the first 3 business days of a month or the first 2 weeks and final 2 weeks of the calendar year or during a declared State or federal public health emergency;

(2) notify the pharmacy or its contracting agent no later than 14 business days before the date of initial on-site audit; the notification to the pharmacy or its contracting agent shall be in writing and delivered either:

(A) by mail or common carrier, return receipt requested; or

(B) electronically, not including facsimilie, with electronic receipt confirmation and delivered during normal business hours of operation, addressed to the supervising pharmacist and pharmacy corporate office, if applicable, at least 14 business days before the date of an initial on-site audit;

(3) limit the audit period to 24 months after the date a claim is submitted to or adjudicated by the pharmacy benefit manager;

(4) provide in writing the list of specific prescription numbers to be included in the audit 14 business days before the on-site audit that may or may not include the final 2 digits of the prescription numbers;

(5) use the written and verifiable records of a hospital, physician, or other authorized practitioner that are transmitted by any means of communication to validate the pharmacy records in accordance with State and federal law;

(6) limit the number of prescriptions audited to no more than 100 prescriptions per audit and an entity shall not audit more than 200 prescriptions in any 12-month period, except in cases of fraud, waste, or abuse; a refill shall not constitute a separate prescription and a pharmacy shall not be audited more than once every 6 months;

(7) provide the pharmacy or its contracting agent with a copy of the preliminary audit report within 45 days after the conclusion of the audit;

(8) be allowed to conduct a follow-up audit on site if a remote or desk audit reveals the necessity for a review of additional claims;

(9) accept invoice audits as validation invoices from any wholesaler registered with the Department of Financial and Professional Regulation from which the pharmacy has purchased prescription drugs or, in the case of durable medical equipment or sickroom supplies, invoices from an authorized distributor other than a wholesaler;

(10) provide the pharmacy or its contracting agent with the ability to provide documentation to address a discrepancy or audit finding if the documentation is received by the pharmacy benefit manager no later than the 45th day after the preliminary audit report was provided to the pharmacy or

its contracting agent; the pharmacy benefit manager shall consider a reasonable request from the pharmacy for an extension of time to submit documentation to address or correct any findings in the report;

(11) be required to provide the pharmacy or its contracting agent with the final audit report no later than 90 days after the initial audit report was provided to the pharmacy or its contracting agent;

(12) conduct the audit in consultation with a pharmacist in specific cases if the audit involves clinical or professional judgment;

(13) not chargeback, recoup, or collect penalties from a pharmacy until the time period to file an appeal of the final pharmacy audit report has passed or the appeals process has been exhausted, whichever is later, unless the identified discrepancy is expected to exceed $25,000, in which case the auditing entity may withhold future payments in excess of that amount until the final resolution of the audit;

(14) not compensate the employee or contractor conducting the audit based on a percentage of the amount claimed or recouped pursuant to the audit;

(15) not use extrapolation to calculate penalties or amounts to be charged back or recouped unless otherwise required by federal law or regulation; any amount to be charged back or recouped due to overpayment may not exceed the amount the pharmacy was overpaid;

(16) not include dispensing fees in the calculation of overpayments unless a prescription is considered a misfill, the medication is not delivered to the patient, the prescription is not valid, or the prescriber denies authorizing the prescription; and

(17) conduct a pharmacy audit under the same standards and parameters as conducted for other similarly situated pharmacies audited by the auditing entity.

(c) Except as otherwise provided by State or federal law, an auditing entity conducting a pharmacy audit may have access to a pharmacy's previous audit report only if the report was prepared by that auditing entity.

(d) Information collected during a pharmacy audit shall be confidential by law, except that the auditing entity conducting the pharmacy audit may share the information with the health benefit plan for which a pharmacy audit is being conducted and with any regulatory agencies and law enforcement agencies as required by law.

(e) A pharmacy may not be subject to a chargeback or recoupment for a clerical or recordkeeping error in a required document or record, including a typographical error or computer error, unless the pharmacy benefit manager can provide proof of intent to commit fraud or such error results in actual financial harm to the pharmacy benefit manager, a health plan managed by the pharmacy benefit manager, or a consumer.

(f) A pharmacy shall have the right to file a written appeal of a preliminary and final pharmacy audit report in accordance with the procedures established by the entity conducting the pharmacy audit.

(g) No interest shall accrue for any party during the audit period, beginning with the notice of the pharmacy audit and ending with the conclusion of the appeals process.

(h) An auditing entity must provide a copy to the plan sponsor of its claims that were included in the audit, and any recouped money shall be returned to the plan sponsor, unless otherwise contractually agreed upon by the plan sponsor and the pharmacy benefit manager.

(i) The parameters of an audit must comply with manufacturer listings or recommendations, unless otherwise prescribed by the treating provider, and must be covered under the individual's health plan, for the following:

(1) the day supply for eyedrops must be calculated so that the consumer pays only one 30-day copayment if the bottle of eyedrops is intended by the manufacturer to be a 30-day supply;

(2) the day supply for insulin must be calculated so that the highest dose prescribed is used to determine the day supply and consumer copayment; and

(3) the day supply for topical product must be determined by the judgment of the pharmacist or treating provider upon the treated area.

(j) This Section shall not apply to:

(1) audits in which suspected fraud, waste, or abuse or other intentional or willful misrepresentation is evidenced by a physical review, review of claims data or statements, or other investigative methods;

(2) audits of claims paid for by federally funded programs; or

(3) concurrent reviews or desk audits that occur within 3 business days after transmission of a claim and in which no chargeback or recoupment is demanded.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Koehler, **Senate Bill No. 757** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Martwick	Stoller
Aquino	Fowler	McClure	Syverson
Belt	Gillespie	McConchie	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.
Bryant	Halpin	Murphy	Turner, S.
Castro	Harris, N.	Pacione-Zayas	Ventura
Cervantes	Harriss, E.	Peters	Villa
Chesney	Holmes	Plummer	Villanueva
Cunningham	Hunter	Porfirio	Villivalam
Curran	Johnson	Preston	Wilcox
DeWitte	Joyce	Rezin	Mr. President
Edly-Allen	Koehler	Rose	
Ellman	Lewis	Simmons	
Faraci	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Koehler, **Senate Bill No. 1960** was recalled from the order of third reading to the order of second reading.

Senator Koehler offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1960

AMENDMENT NO. 2 . Amend Senate Bill 1960, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 3-102, 3-402, and 6-102 and by adding Sections 1-140.11 and 11-1518 as follows:

(625 ILCS 5/1-140.11 new)

Sec. 1-140.11. Low-speed electric scooter. A device weighing less than 100 pounds, with 2 or 3 wheels, handlebars, and a floorboard that can be stood upon while riding, that is solely powered by an

electric motor and human power, and whose maximum speed, with or without human propulsion, is no more than 10 miles per hour. "Low-speed electric scooter" does not include a moped or motor-driven cycle.

(625 ILCS 5/3-102) (from Ch. 95 1/2, par. 3-102)

Sec. 3-102. Exclusions. No certificate of title need be obtained for:

1. a vehicle owned by the State of Illinois; or a vehicle owned by the United States unless it is registered in this State;

2. a vehicle owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway or used for purposes of testing or demonstration, provided a dealer reassignment area is still available on the manufacturer's certificate of origin or the Illinois title; or a vehicle used by a manufacturer solely for testing;

3. a vehicle owned by a non-resident of this State and not required by law to be registered in this State;

4. a motor vehicle regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another State;

5. a vehicle moved solely by animal power;

6. an implement of husbandry;

7. special mobile equipment;

8. an apportionable trailer or an apportionable semitrailer registered in the State prior to April 1, 1998;

9. a manufactured home for which an affidavit of affixation has been recorded pursuant to the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act unless with respect to the same manufactured home there has been recorded an affidavit of severance pursuant to that Act; -

10. low-speed electric scooters.

(Source: P.A. 98-749, eff. 7-16-14; 99-78, eff. 7-20-15.)

(625 ILCS 5/3-402) (from Ch. 95 1/2, par. 3-402)

Sec. 3-402. Vehicles subject to registration; exceptions.

A. Exemptions and Policy. Every motor vehicle, trailer, semitrailer and pole trailer when driven or moved upon a highway shall be subject to the registration and certificate of title provisions of this Chapter except:

(1) Any such vehicle driven or moved upon a highway in conformance with the provisions of this Chapter relating to manufacturers, transporters, dealers, lienholders or nonresidents or under a temporary registration permit issued by the Secretary of State;

(2) Any implement of husbandry whether of a type otherwise subject to registration hereunder or not which is only incidentally operated or moved upon a highway, which shall include a not-for-hire movement for the purpose of delivering farm commodities to a place of first processing or sale, or to a place of storage;

(3) Any special mobile equipment as herein defined;

(4) Any vehicle which is propelled exclusively by electric power obtained from overhead trolley wires though not operated upon rails;

(5) Any vehicle which is equipped and used exclusively as a pumper, ladder truck, rescue vehicle, searchlight truck, or other fire apparatus, but not a vehicle of a type which would otherwise be subject to registration as a vehicle of the first division;

(6) Any vehicle which is owned and operated by the federal government and externally displays evidence of federal ownership. It is the policy of the State of Illinois to promote and encourage the fullest use of its highways and to enhance the flow of commerce thus contributing to the economic, agricultural, industrial and social growth and development of this State, by authorizing the Secretary of State to negotiate and enter into reciprocal or proportional agreements or arrangements with other States, or to issue declarations setting forth reciprocal exemptions, benefits and privileges with respect to vehicles operated interstate which are properly registered in this and other States, assuring nevertheless proper registration of vehicles in Illinois as may be required by this Code;

(7) Any converter dolly or tow dolly which merely serves as substitute wheels for another legally licensed vehicle. A title may be issued on a voluntary basis to a tow dolly upon receipt of the manufacturer's certificate of origin or the bill of sale;

(8) Any house trailer found to be an abandoned mobile home under the Abandoned Mobile Home Act;

(9) Any vehicle that is not properly registered or does not have registration plates or digital registration plates issued to the owner or operator affixed thereto, or that does have registration plates or digital registration plates issued to the owner or operator affixed thereto but the plates are not appropriate for the weight of the vehicle, provided that this exemption shall apply only while the vehicle is being transported or operated by a towing service and has a third tow plate affixed to it; -

(10) Low-speed electric scooters.

B. Reciprocity. Any motor vehicle, trailer, semitrailer or pole trailer need not be registered under this Code provided the same is operated interstate and in accordance with the following provisions and any rules and regulations promulgated pursuant thereto:

(1) A nonresident owner, except as otherwise provided in this Section, owning any foreign registered vehicle of a type otherwise subject to registration hereunder, may operate or permit the operation of such vehicle within this State in interstate commerce without registering such vehicle in, or paying any fees to, this State subject to the condition that such vehicle at all times when operated in this State is operated pursuant to a reciprocity agreement, arrangement or declaration by this State, and further subject to the condition that such vehicle at all times when operated in this State is duly registered in, and displays upon it, a valid registration card and registration plate or plates or digital registration plate or plates issued for such vehicle in the place of residence of such owner and is issued and maintains in such vehicle a valid Illinois reciprocity permit as required by the Secretary of State, and provided like privileges are afforded to residents of this State by the State of residence of such owner.

Every nonresident including any foreign corporation carrying on business within this State and owning and regularly operating in such business any motor vehicle, trailer or semitrailer within this State in intrastate commerce, shall be required to register each such vehicle and pay the same fees therefor as is required with reference to like vehicles owned by residents of this State.

(2) Any motor vehicle, trailer, semitrailer and pole trailer operated interstate need not be registered in this State, provided:

(a) that the vehicle is properly registered in another State pursuant to law or to a reciprocity agreement, arrangement or declaration; or

(b) that such vehicle is part of a fleet of vehicles owned or operated by the same person who registers such fleet of vehicles pro rata among the various States in which such fleet operates; or

(c) that such vehicle is part of a fleet of vehicles, a portion of which are registered with the Secretary of State of Illinois in accordance with an agreement or arrangement concurred in by the Secretary of State of Illinois based on one or more of the following factors: ratio of miles in Illinois as against total miles in all jurisdictions; situs or base of a vehicle, or where it is principally garaged, or from whence it is principally dispatched or where the movements of such vehicle usually originate; situs of the residence of the owner or operator thereof, or of his principal office or offices, or of his places of business; the routes traversed and whether regular or irregular routes are traversed, and the jurisdictions traversed and served; and such other factors as may be deemed material by the Secretary and the motor vehicle administrators of the other jurisdictions involved in such apportionment. Such vehicles shall maintain therein any reciprocity permit which may be required by the Secretary of State pursuant to rules and regulations which the Secretary of State may promulgate in the administration of this Code, in the public interest.

(3)(a) In order to effectuate the purposes of this Code, the Secretary of State of Illinois is empowered to negotiate and execute written reciprocal agreements or arrangements with the duly authorized representatives of other jurisdictions, including States, districts, territories and possessions of the United States, and foreign states, provinces, or countries, granting to owners or operators of vehicles duly registered or licensed in such other jurisdictions and for which evidence of compliance is supplied, benefits, privileges and exemption from the payment, wholly or partially, of any taxes, fees or other charges imposed with respect to the ownership or operation of such vehicles by the laws of this State except the tax imposed by the Motor Fuel Tax Law, approved March 25, 1929, as amended, and the tax imposed by the Use Tax Act, approved July 14, 1955, as amended.

The Secretary of State may negotiate agreements or arrangements as are in the best interests of this State and the residents of this State pursuant to the policies expressed in this Section taking into

consideration the reciprocal exemptions, benefits and privileges available and accruing to residents of this State and vehicles registered in this State.

(b) Such reciprocal agreements or arrangements shall provide that vehicles duly registered or licensed in this State when operated upon the highways of such other jurisdictions, shall receive exemptions, benefits and privileges of a similar kind or to a similar degree as extended to vehicles from such jurisdictions in this State.

(c) Such agreements or arrangements may also authorize the apportionment of registration or licensing of fleets of vehicles operated interstate, based on any or all of the following factors: ratio of miles in Illinois as against total miles in all jurisdictions; situs or base of a vehicle, or where it is principally garaged or from whence it is principally dispatched or where the movements of such vehicle usually originate; situs of the residence of the owner or operator thereof, or of his principal office or offices, or of his places of business; the routes traversed and whether regular or irregular routes are traversed, and the jurisdictions traversed and served; and such other factors as may be deemed material by the Secretary and the motor vehicle administrators of the other jurisdictions involved in such apportionment, and such vehicles shall likewise be entitled to reciprocal exemptions, benefits and privileges.

(d) Such agreements or arrangements shall also provide that vehicles being operated in intrastate commerce in Illinois shall comply with the registration and licensing laws of this State, except that vehicles which are part of an apportioned fleet may conduct an intrastate operation incidental to their interstate operations. Any motor vehicle properly registered and qualified under any reciprocal agreement or arrangement under this Code and not having a situs or base within Illinois may complete the inbound movement of a trailer or semitrailer to an Illinois destination that was brought into Illinois by a motor vehicle also properly registered and qualified under this Code and not having a situs or base within Illinois, or may complete an outbound movement of a trailer or semitrailer to an out-of-state destination that was originated in Illinois by a motor vehicle also properly registered and qualified under this Code and not having a situs or base in Illinois, only if the operator thereof did not break bulk of the cargo laden in such inbound or outbound trailer or semitrailer. Adding or unloading intrastate cargo on such inbound or outbound trailer or semitrailer shall be deemed as breaking bulk.

(e) Such agreements or arrangements may also provide for the determination of the proper State in which leased vehicles shall be registered based on the factors set out in subsection (c) above and for apportionment of registration of fleets of leased vehicles by the lessee or by the lessor who leases such vehicles to persons who are not fleet operators.

(f) Such agreements or arrangements may also include reciprocal exemptions, benefits or privileges accruing under The Illinois Driver Licensing Law or The Driver License Compact.

(4) The Secretary of State is further authorized to examine the laws and requirements of other jurisdictions, and, in the absence of a written agreement or arrangement, to issue a written declaration of the extent and nature of the exemptions, benefits and privileges accorded to vehicles of this State by such other jurisdictions, and the extent and nature of reciprocal exemptions, benefits and privileges thereby accorded by this State to the vehicles of such other jurisdictions. A declaration by the Secretary of State may include any, part or all reciprocal exemptions, benefits and privileges or provisions as may be included within an agreement or arrangement.

(5) All agreements, arrangements, declarations and amendments thereto, shall be in writing and become effective when signed by the Secretary of State, and copies of all such documents shall be available to the public upon request.

(6) The Secretary of State is further authorized to require the display by foreign registered trucks, truck-tractors and buses, entitled to reciprocal benefits, exemptions or privileges hereunder, a reciprocity permit for external display before any such reciprocal benefits, exemptions or privileges are granted. The Secretary of State shall provide suitable application forms for such permit and shall promulgate and publish reasonable rules and regulations for the administration and enforcement of the provisions of this Code including a provision for revocation of such permit as to any vehicle operated wilfully in violation of the terms of any reciprocal agreement, arrangement or declaration or in violation of the Illinois Motor Carrier of Property Law, as amended.

(7)(a) Upon the suspension, revocation or denial of one or more of all reciprocal benefits, privileges and exemptions existing pursuant to the terms and provisions of this Code or by virtue of a reciprocal agreement or arrangement or declaration thereunder; or, upon the suspension, revocation or

denial of a reciprocity permit; or, upon any action or inaction of the Secretary in the administration and enforcement of the provisions of this Code, any person, resident or nonresident, so aggrieved, may serve upon the Secretary, a petition in writing and under oath, setting forth the grievance of the petitioner, the grounds and basis for the relief sought, and all necessary facts and particulars, and request an administrative hearing thereon. Within 20 days, the Secretary shall set a hearing date as early as practical. The Secretary may, in his discretion, supply forms for such a petition. The Secretary may require the payment of a fee of not more than $50 for the filing of any petition, motion, or request for hearing conducted pursuant to this Section. These fees must be deposited into the Secretary of State DUI Administration Fund, a special fund that is hereby created in the State treasury, and, subject to appropriation and as directed by the Secretary of State, shall be used to fund the operation of the hearings department of the Office of the Secretary of State and for no other purpose. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees.

(b) The Secretary may likewise, in his discretion and upon his own petition, order a hearing, when in his best judgment, any person is not entitled to the reciprocal benefits, privileges and exemptions existing pursuant to the terms and provisions of this Code or under a reciprocal agreement or arrangement or declaration thereunder or that a vehicle owned or operated by such person is improperly registered or licensed, or that an Illinois resident has improperly registered or licensed a vehicle in another jurisdiction for the purposes of violating or avoiding the registration laws of this State.

(c) The Secretary shall notify a petitioner or any other person involved of such a hearing, by giving at least 10 days notice, in writing, by U.S. Mail, Registered or Certified, or by personal service, at the last known address of such petitioner or person, specifying the time and place of such hearing. Such hearing shall be held before the Secretary, or any person as he may designate, and unless the parties mutually agree to some other county in Illinois, the hearing shall be held in the County of Sangamon or the County of Cook. Appropriate records of the hearing shall be kept, and the Secretary shall issue or cause to be issued, his decision on the case, within 30 days after the close of such hearing or within 30 days after receipt of the transcript thereof, and a copy shall likewise be served or mailed to the petitioner or person involved.

(d) The actions or inactions or determinations, or findings and decisions upon an administrative hearing, of the Secretary, shall be subject to judicial review in the Circuit Court of the County of Sangamon or the County of Cook, and the provisions of the Administrative Review Law, and all amendments and modifications thereof and rules adopted pursuant thereto, apply to and govern all such reviewable matters.

Any reciprocal agreements or arrangements entered into by the Secretary of State or any declarations issued by the Secretary of State pursuant to any law in effect prior to the effective date of this Code are not hereby abrogated, and such shall continue in force and effect until amended pursuant to the provisions of this Code or expire pursuant to the terms or provisions thereof.

(Source: P.A. 101-395, eff. 8-16-19.)

(625 ILCS 5/6-102) (from Ch. 95 1/2, par. 6-102)

Sec. 6-102. What persons are exempt. The following persons are exempt from the requirements of Section 6-101 and are not required to have an Illinois drivers license or permit if one or more of the following qualifying exemptions are met and apply:

1. Any employee of the United States Government or any member of the Armed Forces of the United States, while operating a motor vehicle owned by or leased to the United States Government and being operated on official business need not be licensed;

2. A nonresident who has in his immediate possession a valid license issued to him in his home state or country may operate a motor vehicle for which he is licensed for the period during which he is in this State;

3. A nonresident and his spouse and children living with him who is a student at a college or university in Illinois who have a valid license issued by their home State.

4. A person operating a road machine temporarily upon a highway or operating a farm tractor between the home farm buildings and any adjacent or nearby farm land for the exclusive purpose of conducting farm operations need not be licensed as a driver.

5. A resident of this State who has been serving as a member or as a civilian employee of the Armed Forces of the United States, or as a civilian employee of the United States Department of

Defense, outside the Continental limits of the United States, for a period of 120 days following his return to the continental limits of the United States.

6. A nonresident on active duty in the Armed Forces of the United States who has a valid license issued by his home state and such nonresident's spouse, and dependent children and living with parents, who have a valid license issued by their home state.

7. A nonresident who becomes a resident of this State, may for a period of the first 90 days of residence in Illinois operate any motor vehicle which he was qualified or licensed to drive by his home state or country so long as he has in his possession, a valid and current license issued to him by his home state or country. Upon expiration of such 90 day period, such new resident must comply with the provisions of this Act and apply for an Illinois license or permit.

8. An engineer, conductor, brakeman, or any other member of the crew of a locomotive or train being operated upon rails, including operation on a railroad crossing over a public street, road or highway. Such person is not required to display a driver's license to any law enforcement officer in connection with the operation of a locomotive or train within this State.

9. Persons operating low-speed electric scooters in accordance with Section 11-1518.

The provisions of this Section granting exemption to any nonresident shall be operative to the same extent that the laws of the State or country of such nonresident grant like exemption to residents of this State.

The Secretary of State may implement the exemption provisions of this Section by inclusion thereof in a reciprocity agreement, arrangement or declaration issued pursuant to this Act.

(Source: P.A. 99-118, eff. 1-1-16.)

(625 ILCS 5/11-1518 new)

Sec. 11-1518. Low-speed electric scooters.

(a) Subject to the restrictions of this Section, a municipality or park district may authorize and regulate the operation of low-speed electric scooters within the unit of local government on any or all highways under their respective jurisdiction, sidewalks, trails, or other public right of way where the operation of bicycles is permitted. The use of low-speed electric scooters within any municipality or park district is allowed only if authorized by the municipality or park district under this Section. Any authorization or regulation by a park district applies only on park district property.

(b) A person may not operate a low-speed electric scooter on a highway with a posted speed limit in excess of 35 mph.

(c) A person may not operate a low-speed electric scooter unless he or she is 18 years of age or older.

(d) A low-speed electric scooter may be parked in the same manner and at the same locations as a bicycle may be parked.

(e) Every low-speed electric scooter when in use at nighttime shall be equipped with a lamp on the front that emits a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear that is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle, except that a lamp emitting a steady or flashing red light visible from a distance of 500 feet to the rear may be used in addition to or instead of the red reflector.

(f) A low-speed electric scooter shall not be equipped with nor shall any person use upon a low-speed electric scooter any siren. This subsection does not apply to a low-speed electric scooter that is a police vehicle or fire department vehicle.

(g) Every low-speed electric scooter shall be equipped with a brake that will adequately control movement of and stop and hold the low-speed electric scooter.

(h) A person may not operate a low-speed electric scooter while carrying any package, bundle, or article that prevents the operator from keeping at least one hand upon the handlebars.

(i) A person may not use a low-speed electric scooter to carry more than one person at a time. A person operating a low-speed electric scooter may not attach himself or herself or the scooter to any other vehicle being operated on the public right-of-way.

(j) Unless specifically stated otherwise in an ordinance or resolution by a municipality, county, or park district authorizing the use of low-speed electric scooters within its jurisdiction, the use of a low-speed electric scooter is not an intended use of a public right-of-way under Section 3-102 of the Local Governmental Employees Tort Immunity Act.

(k) A person may not operate a low-speed electric scooter upon any highway in the State while under the influence of alcohol or any drug.

(l) The use of low-speed electric scooters is not permitted on State highways.

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Koehler offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1960

AMENDMENT NO. 3 . Amend Senate Bill 1960, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, by replacing line 16 on page 17 through line 2 on page 18 with the following:

"Sec. 11-1518. Low-speed electric scooters.

(a) Subject to the restrictions of this Section, a municipality, park district, forest preserve district, or conservation district may authorize and regulate the operation of low-speed electric scooters within the unit of local government on any or all highways under their respective jurisdiction, sidewalks, trails, or other public right of way where the operation of bicycles is permitted. The use of low-speed electric scooters within any municipality, park district, forest preserve district, or conservation district is allowed only if authorized by the municipality, park district, forest preserve district, or conservation district under this Section. Any authorization or regulation by a park district, forest preserve district, or conservation district applies only on property owned, managed, or leased by the park district, forest preserve district, or conservation district. "; and

on page 19, immediately below line 19, by inserting the following:

"(m) Every low-speed electric scooter shall be well-maintained and in good operating condition.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Koehler, **Senate Bill No. 1960** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 48; NAYS 5.

The following voted in the affirmative:

Anderson	Feigenholtz	Lewis	Stoller
Aquino	Fine	Lightford	Tracy
Belt	Fowler	Loughran Cappel	Turner, D.
Bennett	Gillespie	Martwick	Turner, S.
Bryant	Glowiak Hilton	Morrison	Ventura
Castro	Halpin	Murphy	Villa
Cervantes	Harris, N.	Pacione-Zayas	Villanueva
Cunningham	Harriss, E.	Peters	Villivalam
Curran	Holmes	Porfirio	Mr. President

DeWitte	Hunter	Preston
Edly-Allen	Johnson	Simmons
Ellman	Joyce	Sims
Faraci	Koehler	Stadelman

The following voted in the negative:

Chesney	Plummer	Wilcox
McConchie	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet at 7:20 o'clock p.m.:

Executive in Room 212
State Government in Room 409
Environment and Conservation in Room 400

SENATE BILL RECALLED

On motion of Senator Koehler, **Senate Bill No. 2368** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 3 was postponed in the Committee on Executive earlier today.

Senator Koehler offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 2368

AMENDMENT NO. 4 . Amend Senate Bill 2368, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, as follows:

on page 1, line 9, after "commercial building", by inserting "or a substantially improved commercial building"; and

on page 2, line 17, by replacing "NFPA 70" with "~~NFPA 70~~"; and

on page 4, by replacing lines 12 through 19 with the following:

""Qualified inspector" means an individual ~~qualified by the State of Illinois,~~ certified as a commercial building inspector by the International Code Council or an equivalent ~~by a~~ nationally recognized building inspector ~~official~~ certification organization, qualified as a construction and building inspector by successful completion of ~~by~~ an apprentice program certified by the United States Department of Labor ~~Bureau of Apprentice Training~~, or who has filed verification of inspection experience according to rules adopted by the Board for the purposes of conducting inspections in non-building code jurisdictions."; and

on page 4, immediately after line 19, by inserting the following:

""Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before damage occurred.

"Substantially improved commercial building" means, for work commenced on or after January 1, 2025, any commercial building that has undergone any repair, reconstruction, rehabilitation, alteration, addition, or other improvement, the cost of which equals or exceeds 50% of the market value of the

structure before the improvement or repair is started. If a commercial building has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. "Substantially improved commercial building" does not include: (i) any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (ii) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure."; and

on page 5, line 16, by replacing "July 1, 2024" with "January 1, 2025"; and

on page 5, by replacing lines 20 and 21 with the following:
"(a) Any municipality or county ~~All municipalities with a population of less than 1,000,000 or a county~~ adopting a new building"; and

on page 6, by replacing lines 4 through 6 with "amendatory Act of the 103rd General Assembly, any municipality or county that has adopted and is enforcing a building"; and

on page 6, line 11, after "code", by inserting "or codes"; and

on page 6, by replacing lines 24 and 25 with the following:
"(e) Beginning January 1, 2025, any municipal building code or county building code must:; and

on page 9, by replacing line 22 with the following:
""Home builder" ~~"Residential building contractor"~~ means any individual,"; and

on page 10, by replacing line 7 with "to build new residential construction ~~a home (1)~~ in any non-building code jurisdiction".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 4 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Koehler, **Senate Bill No. 2368** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 34; NAYS 18; Present 1.

The following voted in the affirmative:

Aquino	Fine	McConchie	Stadelman
Belt	Gillespie	Morrison	Turner, D.
Castro	Halpin	Murphy	Ventura
Cervantes	Harris, N.	Pacione-Zayas	Villa
Cunningham	Hunter	Peters	Villanueva
Edly-Allen	Johnson	Porfirio	Villivalam
Ellman	Koehler	Preston	Mr. President
Faraci	Lightford	Simmons	
Feigenholtz	Martwick	Sims	

The following voted in the negative:

Anderson	DeWitte	McClure	Tracy
Bennett	Fowler	Plummer	Turner, S.
Bryant	Harriss, E.	Rose	Wilcox
Chesney	Joyce	Stoller	
Curran	Lewis	Syverson	

The following voted present:

Glowiak Hilton

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Rezin asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 2368**.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Villivalam, **Senate Bill No. 167** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 167

AMENDMENT NO. 1 . Amend Senate Bill 167 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Sections 10-20.85 and 34-18.82 as follows:

(105 ILCS 5/10-20.85 new)

Sec. 10-20.85. Halal and kosher lunch options

(a) As part of a school lunch program, each school board shall provide halal and kosher food options that comply with federal and State nutritional guidelines to those students who submit a request for a halal and kosher food options. A request shall be submitted at the time of school registration. After a student or the student's parent or guardian submits a request for a halal or kosher option, the school board shall make accommodations for the request as soon as the vendor determined by the State Board of Education pursuant to subsection (c), the school district itself, or a vendor selected by the school district is able to provide the meals.

(b) Any vendor offering halal or kosher food products to a school district shall certify that the food or food product is halal or kosher and that the vendor is in compliance with the Halal Food Act or the Kosher Food Act. A school district may rely upon such certification.

(c) The State Board of Education shall enter into a statewide education master contract as defined in Article 28A of this Code with a halal-certified and kosher-certified vendor for packaged meals that meet both the federal and State nutritional guidelines for school lunch programs and school breakfast programs as defined in the School Breakfast and Lunch Program Act for the purpose of providing a statewide option for school districts to purchase halal and kosher meals. The State Board may enter into as many contracts needed in order to provide access for schools districts statewide. The contract must specify packaged meal delivery directly to any requesting school in the state at a uniform delivery cost, regardless of the school's location The State Board of Education shall notify all school districts of the award of contract as required in subsection (c) of Section 10-20.21 of this Code. Upon notice, each school district may purchase halal and kosher packaged meals from the contracted vendor as needed in order to fulfill subsection (a) of this Section.

(d) Halal-certified and kosher-certified meals shall be reimbursable by the State Board of Education. The amount of the State reimbursement provided through the program to each participating school board for each budget year shall be equal to the federal free reimbursement rate multiplied by the total number of eligible meals that the participating schools serve during the applicable budget year, minus the total amount

of reimbursement for eligible meals served during the applicable budget year that the school board receives pursuant to the National School Breakfast Program and the National School Lunch Program. The State Board of Education shall develop procedures to allocate and disburse the money appropriated as reimbursements pursuant to this Section among participating school boards each budget year in an equitable manner and in compliance with the requirements of the National School Breakfast Program and the National School Lunch Program.

(e) A school district shall only be responsible for providing a lunch program by which halal or kosher food options are offered under subsection (a) if the State Board is able to secure a statewide education master contract and provide a halal and kosher food option to the school district pursuant to subsection (c) for halal or kosher meals that meet all of the requirements of this Section.

(f) A school district is not subject to the Halal Food Act or the Kosher Food Act if it uses a vendor to provide halal or kosher food products pursuant to this Section.

(g) The provisions of this Section shall not infringe upon or affect any obligation in a contract entered into and in effect on or before the effective date of this amendatory Act of the 103rd General Assembly.

(105 ILCS 5/34-18.82 new)

Sec. 34-18.82. Halal and kosher lunch options.

(a) As part of a school lunch program, each school board shall provide halal and kosher food options that comply with federal and State nutritional guidelines to those students who submit a request for a halal and kosher food options. A request shall be submitted at the time of school registration. After a student or the student's parent or guardian submits a request for a halal or kosher option, the school board shall make accommodations for the request as soon as the vendor determined by the State Board of Education pursuant to subsection (c), the school district itself, or a vendor selected by the school district is able to provide the meals.

(b) Any vendor offering halal or kosher food products to a school district shall certify that the food or food product is halal or kosher and that the vendor is in compliance with the Halal Food Act or the Kosher Food Act. A school district may rely upon such certification.

(c) The State Board of Education shall enter into a statewide education master contract as defined in Article 28A of this Code with a halal-certified and kosher-certified vendor for packaged meals that meet both the federal and State nutritional guidelines for school lunch programs and school breakfast programs as defined in the School Breakfast and Lunch Program Act for the purpose of providing a statewide option for school districts to purchase halal and kosher meals. The State Board may enter into as many contracts needed in order to provide access for schools districts statewide. The contract must specify packaged meal delivery directly to any requesting school in the state at a uniform delivery cost, regardless of the school's location The State Board of Education shall notify all school districts of the award of contract as required in subsection (c) of Section 10-20.21 of this Code. Upon notice, each school district may purchase halal and kosher packaged meals from the contracted vendor as needed in order to fulfill subsection (a) of this Section.

(d) Halal-certified and kosher-certified meals shall be reimbursable by the State Board of Education. The amount of the State reimbursement provided through the program to each participating school board for each budget year shall be equal to the federal free reimbursement rate multiplied by the total number of eligible meals that the participating schools serve during the applicable budget year, minus the total amount of reimbursement for eligible meals served during the applicable budget year that the school board receives pursuant to the National School Breakfast Program and the National School Lunch Program. The State Board of Education shall develop procedures to allocate and disburse the money appropriated as reimbursements pursuant to this Section among participating school boards each budget year in an equitable manner and in compliance with the requirements of the National School Breakfast Program and the National School Lunch Program.

(e) A school district shall only be responsible for providing a lunch program by which halal or kosher food options are offered under subsection (a) if the State Board is able to secure a statewide education master contract and provide a halal and kosher food option to the school district pursuant to subsection (c) for halal or kosher meals that meet all of the requirements of this Section.

(f) A school district is not subject to the Halal Food Act or the Kosher Food Act if it uses a vendor to provide halal or kosher food products pursuant to this Section.

(g) The provisions of this Section shall not infringe upon or affect any obligation in a contract entered into and in effect on or before the effective date of this amendatory Act of the 103rd General Assembly.

Section 15. The Halal Food Act is amended by adding Section 25 as follows:

(410 ILCS 637/25 new)

Sec. 25. State facility halal food services.

(a) In this Section, "State-owned or State-operated facility" means either of the following:

(1) A hospital that is organized under the University of Illinois Hospital Act.

(2) A penal institution, as that term is defined under Section 2-14 of the Criminal Code of 2012, that is owned or operated by the State.

(b) Any State-owned or State-operated facility that provides food services or cafeteria services for which food products are provided or offered for sale also shall offer, upon request provided with reasonable notice, halal food options that comply with federal and State nutritional guidelines at the State-owned or State-operated facility. After an individual submits a request for a halal option, the state-owned or state-operated facility shall make accommodations for the request as soon as the state-owned or state-operated facility is able to provide the meals

(c) Any halal food product offered under this Section purchased from a halal-certified vendor. Any person, organization, or vendor falsely representing a food product it provides as halal or falsely representing itself as a halal-certified vendor shall be subject to penalties under Section 2 of this Act.

(d) The provisions of this Section shall not infringe upon or affect any obligation in a contract entered into and in effect on or before the effective date of this amendatory Act of the 103rd General Assembly.

Section 20. The Kosher Food Act is amended by adding Section 1.5 and by changing Sections 1 and 2 as follows:

(410 ILCS 645/1) (from Ch. 56 1/2, par. 288.1)

Sec. 1. (a) Every person, who, with intent to defraud, sells, or exposes for sale any meat or meat preparations and falsely represents the same to be kosher, whether such meat or meat preparations be raw or prepared for human consumption, or as having been prepared under and of a product or products sanctioned by the certifying organization or the supervising rabbi; or falsely represents any food product or the contents of any food package or container to be so constituted and prepared, by having or permitting to be inscribed thereon the word "kosher" in any language; or in any sign, display or advertisement characterizes his place of business as a "kosher" establishment if non-kosher food products are sold or offered for sale in such place of business; or who, while dealing or purporting to deal in kosher meat or meat preparations, prepares or handles or sells, or causes to be prepared or handled or sold, any food products which, when so prepared or handled or sold together with kosher meat or meat preparations, constitute a violation of the requirements of the certifying organization or the supervising rabbi, and thereby render such kosher meat or meat preparations, so handled or sold in conjunction therewith, non-kosher, or who otherwise in the preparation, handling, and sale of such kosher meat or meat preparations fails to comply with such religious requirements and dietary laws necessary to constitute such meat or meat preparations kosher, or who, without complying with such religious or dietary laws, issues or maintains any sign or advertisement in any language purporting to represent that he sells or deals in kosher meat or meat preparations, shall be deemed guilty of a misdemeanor and subject to the penalty provided for in Section 2 of this Act.

(b) It shall be unlawful to label or designate food or food products with the words parve or pareve knowing that such food or food products contain milk, meat or poultry products rendering such food products impermissible to be used or eaten according to the certifying organization or the supervising rabbi.

(c) Any food commodity in package form which is marked as being certified by an organization, identified on the package by any symbol or is marked as being Kosher shall not be offered for sale by the producer or distributor of such food commodity until 30 days after such producer or distributor shall have registered the name, current address and telephone numbers of the certifying organization or the supervising rabbi with the Illinois Department of Agriculture.

In this Act, "kosher" means supervised, prepared under, and maintained in strict compliance with the laws and customs of the Jewish religion, including, but not limited to, (i) the laws and customs of shechita requiring the slaughter of animals according to appropriate Jewish law and (ii) as expressed by reliable, recognized Orthodox Jewish entities and Orthodox Jewish rabbis.

(Source: P.A. 93-134, eff. 1-1-04.)

(410 ILCS 645/1.5 new)

Sec. 1.5. State facility kosher food services.

(a) In this Section, "State-owned or State-operated facility" means either of the following:

(1) A hospital that is organized under the University of Illinois Hospital Act.

(2) A penal institution, as that term is defined under Section 2-14 of the Criminal Code of 2012, that is owned or operated by the State.

(b) Any State-owned or State-operated facility that provides food services or cafeteria services for which food products are provided or offered for sale also shall offer, upon request provided with reasonable notice, kosher food options that comply with federal and State nutritional guidelines at the State-owned or State-operated facility. After an individual submits a request for a kosher option, the state-owned or state-operated facility shall make accommodations for the request as soon as the state-owned or state-operated facility is able to provide the meals

(c) Any kosher food product offered under this Section purchased from a kosher-certified vendor. Any person, organization, or vendor falsely representing a food product it provides as kosher or falsely representing itself as a kosher-certified vendor shall be subject to penalties under Section 2 of this Act.

(d) The provisions of this Section shall not infringe upon or affect any obligation in a contract entered into and in effect on or before the effective date of this amendatory Act of the 103rd General Assembly.

(410 ILCS 645/2) (from Ch. 56 1/2, par. 288.2)

Sec. 2. Any person convicted of violating Section 1 or 1.5 of this Act, shall for the first offense, be guilty of a Class C misdemeanor and for the second and each subsequent offense shall be guilty of a Class A misdemeanor.

(Source: P.A. 77-2510.)

Section 99. Effective date. This Act takes effect June 1, 2024.".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Edly-Allen, **Senate Bill No. 2337** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2337

AMENDMENT NO. 1 . Amend Senate Bill 2337 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 10-17a, 14A-17, and 14A-32 as follows:

(105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

Sec. 10-17a. State, school district, and school report cards.

(1) By October 31, 2013 and October 31 of each subsequent school year, the State Board of Education, through the State Superintendent of Education, shall prepare a State report card, school district report cards, and school report cards, and shall by the most economical means provide to each school district in this State, including special charter districts and districts subject to the provisions of Article 34, the report cards for the school district and each of its schools. Because of the impacts of the COVID-19 public health emergency during school year 2020-2021, the State Board of Education shall have until December 31, 2021 to prepare and provide the report cards that would otherwise be due by October 31, 2021. During a school year in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, the report cards for the school districts and each of its schools shall be prepared by December 31.

(2) In addition to any information required by federal law, the State Superintendent shall determine the indicators and presentation of the school report card, which must include, at a minimum, the most current data collected and maintained by the State Board of Education related to the following:

(A) school characteristics and student demographics, including average class size, average teaching experience, student racial/ethnic breakdown, and the percentage of students classified as low-income; the percentage of students classified as English learners, the number of students who graduate from a bilingual or English learner program, and the number of students who graduate from, transfer from, or otherwise leave bilingual programs; the percentage of students who have individualized education plans or 504 plans that provide for special education services; the number and the percentage of all students in grades kindergarten through 8, disaggregated by the students

demographics described in this paragraph (A), in each of the following categories: (i) those who have been assessed for placement in a gifted education program or accelerated placement, (ii) those who have enrolled in a gifted education program or in accelerated placement, and (iii) for each of categories (i) and (ii), those who received direct instruction from a teacher who holds a gifted education endorsement; the number and the percentage of all students in grades 9 through 12, disaggregated by the student demographics described in this paragraph (A), who have been enrolled in an advanced academic program; ~~the number and percentage of all students who have been assessed for placement in a gifted education or advanced academic program and, of those students: (i) the racial and ethnic breakdown, (ii) the percentage who are classified as low income, and (iii) the number and percentage of students who received direct instruction from a teacher who holds a gifted education endorsement and, of those students, the percentage who are classified as low income;~~ the percentage of students scoring at the "exceeds expectations" level on the assessments required under Section 2-3.64a-5 of this Code; the percentage of students who annually transferred in or out of the school district; average daily attendance; the per-pupil operating expenditure of the school district; and the per-pupil State average operating expenditure for the district type (elementary, high school, or unit);

(B) curriculum information, including, where applicable, Advanced Placement, International Baccalaureate or equivalent courses, dual credit ~~enrollment~~ courses, foreign language classes, computer science courses, school personnel resources (including Career Technical Education teachers), before and after school programs, extracurricular activities, subjects in which elective classes are offered, health and wellness initiatives (including the average number of days of Physical Education per week per student), approved programs of study, awards received, community partnerships, and special programs such as programming for the gifted and talented, students with disabilities, and work-study students;

(C) student outcomes, including, where applicable, the percentage of students deemed proficient on assessments of State standards, the percentage of students in the eighth grade who pass Algebra, the percentage of students who participated in workplace learning experiences, the percentage of students enrolled in post-secondary institutions (including colleges, universities, community colleges, trade/vocational schools, and training programs leading to career certification within 2 semesters of high school graduation), the percentage of students graduating from high school who are college and career ready, and the percentage of graduates enrolled in community colleges, colleges, and universities who are in one or more courses that the community college, college, or university identifies as a developmental course;

(D) student progress, including, where applicable, the percentage of students in the ninth grade who have earned 5 credits or more without failing more than one core class, a measure of students entering kindergarten ready to learn, a measure of growth, and the percentage of students who enter high school on track for college and career readiness;

(E) the school environment, including, where applicable, high school dropout rate by grade level, the percentage of students with less than 10 absences in a school year, the percentage of teachers with less than 10 absences in a school year for reasons other than professional development, leaves taken pursuant to the federal Family Medical Leave Act of 1993, long-term disability, or parental leaves, the 3-year average of the percentage of teachers returning to the school from the previous year, the number of different principals at the school in the last 6 years, the number of teachers who hold a gifted education endorsement, the process and criteria used by the district to determine whether a student is eligible for participation in a gifted education program or advanced academic program and the manner in which parents and guardians are made aware of the process and criteria, the number of teachers who are National Board Certified Teachers, disaggregated by race and ethnicity, 2 or more indicators from any school climate survey selected or approved by the State and administered pursuant to Section 2-3.153 of this Code, with the same or similar indicators included on school report cards for all surveys selected or approved by the State pursuant to Section 2-3.153 of this Code, the combined percentage of teachers rated as proficient or excellent in their most recent evaluation, and, beginning with the 2022-2023 school year, data on the number of incidents of violence that occurred on school grounds or during school-related activities and that resulted in an out-of-school suspension, expulsion, or removal to an alternative setting, as reported pursuant to Section 2-3.162;

(F) a school district's and its individual schools' balanced accountability measure, in accordance with Section 2-3.25a of this Code;

(G) the total and per pupil normal cost amount the State contributed to the Teachers' Retirement System of the State of Illinois in the prior fiscal year for the school's employees, which shall be reported to the State Board of Education by the Teachers' Retirement System of the State of Illinois;

(H) for a school district organized under Article 34 of this Code only, State contributions to the Public School Teachers' Pension and Retirement Fund of Chicago and State contributions for health care for employees of that school district;

(I) a school district's Final Percent of Adequacy, as defined in paragraph (4) of subsection (f) of Section 18-8.15 of this Code;

(J) a school district's Local Capacity Target, as defined in paragraph (2) of subsection (c) of Section 18-8.15 of this Code, displayed as a percentage amount;

(K) a school district's Real Receipts, as defined in paragraph (1) of subsection (d) of Section 18-8.15 of this Code, divided by a school district's Adequacy Target, as defined in paragraph (1) of subsection (b) of Section 18-8.15 of this Code, displayed as a percentage amount;

(L) a school district's administrative costs;

(M) whether or not the school has participated in the Illinois Youth Survey. In this paragraph (M), "Illinois Youth Survey" means a self-report survey, administered in school settings every 2 years, designed to gather information about health and social indicators, including substance abuse patterns and the attitudes of students in grades 8, 10, and 12; and

(N) whether the school offered its students career and technical education opportunities.

The school report card shall also provide information that allows for comparing the current outcome, progress, and environment data to the State average, to the school data from the past 5 years, and to the outcomes, progress, and environment of similar schools based on the type of school and enrollment of low-income students, special education students, and English learners.

As used in this subsection (2):

"Accelerated placement" has the meaning ascribed to that term in Section 14A-17 of this Code.

"Administrative costs" means costs associated with executive, administrative, or managerial functions within the school district that involve planning, organizing, managing, or directing the school district.

"Advanced academic program" means a course of study, including, but not limited to, accelerated placement, advanced placement coursework, International Baccalaureate coursework, dual credit, or any course designated as enriched or honors, that a student is enrolled in ~~to which students are assigned~~ based on advanced cognitive ability or advanced academic achievement compared to local age peers and in which the curriculum is substantially differentiated from the general curriculum to provide appropriate challenge and pace.

"Computer science" means the study of computers and algorithms, including their principles, their hardware and software designs, their implementation, and their impact on society. "Computer science" does not include the study of everyday uses of computers and computer applications, such as keyboarding or accessing the Internet.

"Gifted education" means educational services, including differentiated curricula and instructional methods, designed to meet the needs of gifted children as defined in Article 14A of this Code.

For the purposes of paragraph (A) of this subsection (2), "average daily attendance" means the average of the actual number of attendance days during the previous school year for any enrolled student who is subject to compulsory attendance by Section 26-1 of this Code at each school and charter school.

(3) At the discretion of the State Superintendent, the school district report card shall include a subset of the information identified in paragraphs (A) through (E) of subsection (2) of this Section, as well as information relating to the operating expense per pupil and other finances of the school district, and the State report card shall include a subset of the information identified in paragraphs (A) through (E) and paragraph (N) of subsection (2) of this Section. The school district report card shall include the average daily attendance, as that term is defined in subsection (2) of this Section, of students who have individualized education programs and students who have 504 plans that provide for special education services within the school district.

(4) Notwithstanding anything to the contrary in this Section, in consultation with key education stakeholders, the State Superintendent shall at any time have the discretion to amend or update any and all metrics on the school, district, or State report card.

(5) Annually, no more than 30 calendar days after receipt of the school district and school report cards from the State Superintendent of Education, each school district, including special charter districts and districts subject to the provisions of Article 34, shall present such report cards at a regular school board meeting subject to applicable notice requirements, post the report cards on the school district's Internet web site, if the district maintains an Internet web site, make the report cards available to a newspaper of general circulation serving the district, and, upon request, send the report cards home to a parent (unless the district does not maintain an Internet web site, in which case the report card shall be sent home to parents without request). If the district posts the report card on its Internet web site, the district shall send a written notice home to parents stating (i) that the report card is available on the web site, (ii) the address of the web site, (iii) that a printed copy of the report card will be sent to parents upon request, and (iv) the telephone number that parents may call to request a printed copy of the report card.

(6) Nothing contained in Public Act 98-648 repeals, supersedes, invalidates, or nullifies final decisions in lawsuits pending on July 1, 2014 (the effective date of Public Act 98-648) in Illinois courts involving the interpretation of Public Act 97-8.

(Source: P.A. 101-68, eff. 1-1-20; 101-81, eff. 7-12-19; 101-654, eff. 3-8-21; 102-16, eff. 6-17-21; 102-294, eff. 1-1-22; 102-539, eff. 8-20-21; 102-558, eff. 8-20-21; 102-594, eff. 7-1-22; 102-813, eff. 5-13-22.)

(105 ILCS 5/14A-17)

Sec. 14A-17. Accelerated placement; advanced academic program. For purposes of this Article, "accelerated placement" means the placement of a child in an educational setting with curriculum that is usually reserved for children who are older or in higher grades than the child. "Accelerated placement" under this Article or other school district-adopted policies shall include, but need not be limited to, the following types of acceleration: early entrance to kindergarten or first grade, accelerating a child in a single subject, and grade acceleration.

"Advanced academic program" means a course of study, including, but not limited to, accelerated placement, advanced placement coursework, International Baccalaureate coursework, dual credit, or any course designated as enriched or honors, that a student is enrolled in based on the student's advanced cognitive ability or advanced academic achievement compared to local age peers and in which the curriculum is substantially differentiated from the general curriculum to provide appropriate challenge and pace.

(Source: P.A. 100-421, eff. 7-1-18.)

(105 ILCS 5/14A-32)

Sec. 14A-32. Accelerated placement; school district responsibilities.

(a) Each school district shall have a policy that allows for accelerated placement that includes or incorporates by reference the following components:

(1) a provision that provides that participation in accelerated placement is not limited to those children who have been identified as gifted and talented, but rather is open to all children who demonstrate high ability and who may benefit from accelerated placement;

(2) a fair and equitable decision-making process that involves multiple persons and includes a student's parents or guardians;

(3) procedures for notifying parents or guardians of a child of a decision affecting that child's participation in an accelerated placement program; and

(4) an assessment process that includes multiple valid, reliable indicators.

(a-5) By no later than the beginning of the 2023-2024 school year, a school district's accelerated placement policy shall allow for the automatic enrollment, in the following school term, of a student into the next most rigorous level of advanced coursework offered by the high school if the student meets or exceeds State standards in English language arts, mathematics, or science on a State assessment administered under Section 2-3.64a-5 as follows:

(1) A student who meets or exceeds State standards in English language arts shall be automatically enrolled into the next most rigorous level of advanced coursework in English, social studies, humanities, or related subjects.

(2) A student who meets or exceeds State standards in mathematics shall be automatically enrolled into the next most rigorous level of advanced coursework in mathematics.

(3) A student who meets or exceeds State standards in science shall be automatically enrolled into the next most rigorous level of advanced coursework in science.

For a student entering grade 12, the next most rigorous level of advanced coursework in English language arts or mathematics shall be a dual credit course, as defined in the Dual Credit Quality Act, an

Advanced Placement course, as defined in Section 10 of the College and Career Success for All Students Act, or an International Baccalaureate course; otherwise, the next most rigorous level of advanced coursework under this subsection (a-5) may include a dual credit course, as defined in the Dual Credit Quality Act, an Advanced Placement course, as defined in Section 10 of the College and Career Success for All Students Act, an International Baccalaureate course, an honors class, an enrichment opportunity, a gifted program, or another program offered by the district.

A school district may use the student's most recent State assessment results to determine whether a student meets or exceeds State standards. For a student entering grade 9, results from the State assessment taken in grades 6 through 8 may be used. For other high school grades, the results from a locally selected, nationally normed assessment may be used instead of the State assessment if those results are the most recent.

A school district must provide the parent or guardian of a student eligible for automatic enrollment under this subsection (a-5) with the option to instead have the student enroll in alternative coursework that better aligns with the student's postsecondary education or career goals.

Nothing in this subsection (a-5) may be interpreted to preclude other students from enrolling in advanced coursework per the policy of a school district.

(b) Further, a school district's accelerated placement policy may include or incorporate by reference, but need not be limited to, the following components:

(1) procedures for annually informing the community at-large, including parents or guardians, community-based organizations, and providers of out-of-school programs, about the accelerated placement program and the methods used for the identification of children eligible for accelerated placement, including strategies to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework;

(2) a process for referral that allows for multiple referrers, including a child's parents or guardians; other referrers may include licensed education professionals, the child, with the written consent of a parent or guardian, a peer, through a licensed education professional who has knowledge of the referred child's abilities, or, in case of possible early entrance, a preschool educator, pediatrician, or psychologist who knows the child;

(3) a provision that provides that children participating in an accelerated placement program and their parents or guardians will be provided a written plan detailing the type of acceleration the child will receive and strategies to support the child;

(4) procedures to provide support and promote success for students who are newly enrolled in an accelerated placement program; ~~and~~

(5) a process for the school district to review and utilize disaggregated data on participation in an accelerated placement program to address gaps among demographic groups in accelerated placement opportunities; and~~.~~

(6) procedures to promote equity, which may incorporate one or more of the following evidence-based practices:

(A) the use of multiple tools to assess exceptional potential and provide several pathways into advanced academic programs when assessing student need for advanced academic or accelerated programming;

(B) providing enrichment opportunities starting in the early grades to address achievement gaps that occur at school entry and provide students with opportunities to demonstrate their advanced potential;

(C) the use of universal screening combined with local school-based norms for placement in accelerated and advanced learning programs;

(D) developing a continuum of services to identify and develop talent in all learners ranging from enriched learning experiences, such as problem-based learning, performance tasks, critical thinking, and career exploration, to accelerated placement and advanced academic programming; and

(E) providing professional learning in gifted education for teachers and other appropriate school personnel to appropriately identify and challenge students from diverse cultures and backgrounds who may benefit from accelerated placement or advanced academic programming.

(c) The State Board of Education shall adopt rules to determine data to be collected and disaggregated by demographic group regarding accelerated placement, including the rates of students who participate in

and successfully complete advanced coursework, and a method of making the information available to the public.

(d) On or before November 1, 2022, following a review of disaggregated data on the participation and successful completion rates of students enrolled in an accelerated placement program, each school district shall develop a plan to expand access to its accelerated placement program and to ensure the teaching capacity necessary to meet the increased demand.

(Source: P.A. 101-654, eff. 3-8-21; 102-209, eff. 11-30-21 (See Section 5 of P.A. 102-671 for effective date of P.A. 102-209).)

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator D. Turner, **Senate Bill No. 2340** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Transportation, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2340

AMENDMENT NO. 1 . Amend Senate Bill 2340 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 12-803 as follows:

(625 ILCS 5/12-803) (from Ch. 95 1/2, par. 12-803)

Sec. 12-803. (a) Each school bus shall be equipped with a stop signal arm on the driver's side of the school bus that may be operated either manually or mechanically. Each ~~For each~~ school bus ~~manufactured on and after September 1, 1992, the~~ stop signal arm shall be an octagon shaped semaphore that conforms to 49 C.F.R. 571.131, "SCHOOL BUS PEDESTRIAN SAFETY DEVICES", S5.1 through S5.5.

(b) Each school bus manufactured prior to September 1, 1992 shall be equipped with a stop signal arm that conforms to standards promulgated by the Department.

(c) A school bus may be equipped with an extension to the required stop arm that partially obstructs the roadway to ensure passenger safety.

(d) A maximum of 2 extensions to the required stop arms may be installed on the driver's side of the school bus.

(e) In addition to the lighting systems required under Section 12-805, each extension to the required stop arm must be equipped with a system of flashing red lights. The front side extension to the required stop arm must extend no more than 78 inches, measured from the side of the bus to furthest part of the extension to the required stop arm, and at a height not less than 36 inches from the ground. The rear side extension to the required stop arm must meet the same specification as the front side extension to the required stop arm except that it may not extend more than 32 inches, measured from the side of the bus to the furthest part of the extension to the required stop arm.

(f) No driver of a motor vehicle may make contact with any portion of a stopped school bus, including an extension to the required stop arm, or make contact with a school child within 30 feet of the school bus. A driver of motor vehicle that violates this subsection shall be subject to the penalties under Section 11-1414.

(Source: P.A. 88-415.)

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Gillespie, **Senate Bill No. 218** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Licensed Activities.

The following amendment was offered in the Committee on Licensed Activities, adopted and ordered printed:

AMENDMENT NO. 2 TO SENATE BILL 218

AMENDMENT NO. 2 . Amend Senate Bill 218 by replacing everything after the enacting clause with the following:

"Section 5. The Physician Assistant Practice Act of 1987 is amended by changing Sections 4, 7, 7.5, and 7.7 and by adding Section 7.6 as follows:

(225 ILCS 95/4) (from Ch. 111, par. 4604)

(Section scheduled to be repealed on January 1, 2028)

Sec. 4. Definitions. In this Act:

1. "Department" means the Department of Financial and Professional Regulation.

2. "Secretary" means the Secretary of Financial and Professional Regulation.

3. "Physician assistant" means any person not holding an active license or permit issued by the Department pursuant to the Medical Practice Act of 1987 who has been certified as a physician assistant by the National Commission on the Certification of Physician Assistants or equivalent successor agency and performs procedures in collaboration with a physician as defined in this Act. A physician assistant may perform such procedures within the specialty of the collaborating physician, except that such physician shall exercise such direction, collaboration, and control over such physician assistants as will assure that patients shall receive quality medical care. Physician assistants shall be capable of performing a variety of tasks within the specialty of medical care in collaboration with a physician. Collaboration with the physician assistant shall not be construed to necessarily require the personal presence of the collaborating physician at all times at the place where services are rendered, as long as there is communication available for consultation by radio, telephone or telecommunications within established guidelines as determined by the physician/physician assistant team. The collaborating physician may delegate tasks and duties to the physician assistant. Delegated tasks or duties shall be consistent with physician assistant education, training, and experience. The delegated tasks or duties shall be specific to the practice setting and shall be implemented and reviewed under a written collaborative agreement established by the physician or physician/physician assistant team. A physician assistant, acting as an agent of the physician, shall be permitted to transmit the collaborating physician's orders as determined by the institution's by-laws, policies, procedures, or job description within which the physician/physician assistant team practices. Physician assistants shall practice only in accordance with a written collaborative agreement.

Any person who holds an active license or permit issued pursuant to the Medical Practice Act of 1987 shall have that license automatically placed into inactive status upon issuance of a physician assistant license. Any person who holds an active license as a physician assistant who is issued a license or permit pursuant to the Medical Practice Act of 1987 shall have his or her physician assistant license automatically placed into inactive status.

3.5. "Physician assistant practice" means the performance of procedures within the specialty of the collaborating physician. Physician assistants shall be capable of performing a variety of tasks within the specialty of medical care of the collaborating physician. Collaboration with the physician assistant shall not be construed to necessarily require the personal presence of the collaborating physician at all times at the place where services are rendered, as long as there is communication available for consultation by radio, telephone, telecommunications, or electronic communications. The collaborating physician may delegate tasks and duties to the physician assistant. Delegated tasks or duties shall be consistent with physician assistant education, training, and experience. The delegated tasks or duties shall be specific to the practice setting and shall be implemented and reviewed under a written collaborative agreement established by the physician or physician/physician assistant team. A physician assistant shall be permitted to transmit the collaborating physician's orders as determined by the institution's bylaws, policies, or procedures or the job description within which the physician/physician assistant team practices. Physician assistants shall practice only in accordance with a written collaborative agreement, except as provided in Section 7.5 of this Act.

4. "Board" means the Medical Licensing Board constituted under the Medical Practice Act of 1987.

5. (Blank).

6. "Physician" means a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987.

7. "Collaborating physician" means the physician who, within his or her specialty and expertise, may delegate a variety of tasks and procedures to the physician assistant. Such tasks and procedures shall be delegated in accordance with a written collaborative agreement.

8. (Blank).

9. "Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department's licensure maintenance unit.

10. "Hospital affiliate" means a corporation, partnership, joint venture, limited liability company, or similar organization, other than a hospital, that is devoted primarily to the provision, management, or support of health care services and that directly or indirectly controls, is controlled by, or is under common control of the hospital. For the purposes of this definition, "control" means having at least an equal or a majority ownership or membership interest. A hospital affiliate shall be 100% owned or controlled by any combination of hospitals, their parent corporations, or physicians licensed to practice medicine in all its branches in Illinois. "Hospital affiliate" does not include a health maintenance organization regulated under the Health Maintenance Organization Act.

11. "Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department's licensure maintenance unit.

12. "Federally qualified health center" means a health center funded under Section 330 of the federal Public Health Service Act.

(Source: P.A. 102-1117, eff. 1-13-23.)

(225 ILCS 95/7) (from Ch. 111, par. 4607)

(Section scheduled to be repealed on January 1, 2028)

Sec. 7. Collaboration requirements.

(a) A collaborating physician shall determine the number of physician assistants to collaborate with, provided the physician is able to provide adequate collaboration as outlined in the written collaborative agreement required under Section 7.5 of this Act and consideration is given to the nature of the physician's practice, complexity of the patient population, and the experience of each physician assistant. A collaborating physician may collaborate with a maximum of 7 full-time equivalent physician assistants as described in Section 54.5 of the Medical Practice Act of 1987. As used in this Section, "full-time equivalent" means the equivalent of 40 hours per week per individual. Physicians and physician assistants who work in a hospital, hospital affiliate, federally qualified health center, or ambulatory surgical treatment center as defined by Section 7.7 of this Act are exempt from the collaborative ratio restriction requirements of this Section. A physician assistant shall be able to hold more than one professional position. A collaborating physician shall file a notice of collaboration of each physician assistant according to the rules of the Department.

Physician assistants shall collaborate only with physicians as defined in this Act who are engaged in clinical practice, or in clinical practice in public health or other community health facilities.

Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a nurse or other appropriately trained personnel.

Nothing in this Act shall be construed to prohibit the employment of physician assistants by a hospital, nursing home or other health care facility where such physician assistants function under a collaborating physician.

A physician assistant may be employed by a practice group or other entity employing multiple physicians at one or more locations. In that case, one of the physicians practicing at a location shall be designated the collaborating physician. The other physicians with that practice group or other entity who practice in the same general type of practice or specialty as the collaborating physician may collaborate with the physician assistant with respect to their patients.

(b) A physician assistant licensed in this State, or licensed or authorized to practice in any other U.S. jurisdiction or credentialed by his or her federal employer as a physician assistant, who is responding to a need for medical care created by an emergency or by a state or local disaster may render such care that the physician assistant is able to provide without collaboration as it is defined in this Section or with such collaboration as is available.

Any physician who collaborates with a physician assistant providing medical care in response to such an emergency or state or local disaster shall not be required to meet the requirements set forth in this Section for a collaborating physician.

(Source: P.A. 100-453, eff. 8-25-17; 100-605, eff. 1-1-19.)

(225 ILCS 95/7.5)

(Section scheduled to be repealed on January 1, 2028)

Sec. 7.5. Written collaborative agreements; prescriptive authority.

(a) A written collaborative agreement is required for all physician assistants to practice in the State, except as provided in Section 7.7 of this Act.

(1) A written collaborative agreement shall describe the working relationship of the physician assistant with the collaborating physician and shall describe the categories of care, treatment, or procedures to be provided by the physician assistant. The written collaborative agreement shall promote the exercise of professional judgment by the physician assistant commensurate with his or her education and experience. The services to be provided by the physician assistant shall be services that the collaborating physician is authorized to and generally provides to his or her patients in the normal course of his or her clinical medical practice. The written collaborative agreement need not describe the exact steps that a physician assistant must take with respect to each specific condition, disease, or symptom but must specify which authorized procedures require the presence of the collaborating physician as the procedures are being performed. The relationship under a written collaborative agreement shall not be construed to require the personal presence of a physician at the place where services are rendered. Methods of communication shall be available for consultation with the collaborating physician in person or by telecommunications or electronic communications as set forth in the written collaborative agreement. For the purposes of this Act, "generally provides to his or her patients in the normal course of his or her clinical medical practice" means services, not specific tasks or duties, the collaborating physician routinely provides individually or through delegation to other persons so that the physician has the experience and ability to collaborate and provide consultation.

(2) The written collaborative agreement shall be adequate if a physician does each of the following:

(A) Participates in the joint formulation and joint approval of orders or guidelines with the physician assistant and he or she periodically reviews such orders and the services provided patients under such orders in accordance with accepted standards of medical practice and physician assistant practice.

(B) Provides consultation at least once a month.

(3) A copy of the signed, written collaborative agreement must be available to the Department upon request from both the physician assistant and the collaborating physician.

(4) A physician assistant shall inform each collaborating physician of all written collaborative agreements he or she has signed and provide a copy of these to any collaborating physician upon request.

(b) A collaborating physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written collaborative agreement. This authority may, but is not required to, include prescription of, selection of, orders for, administration of, storage of, acceptance of samples of, and dispensing medical devices, over the counter medications, legend drugs, medical gases, and controlled substances categorized as Schedule II through V controlled substances, as defined in Article II of the Illinois Controlled Substances Act, and other preparations, including, but not limited to, botanical and herbal remedies. The collaborating physician must have a valid, current Illinois controlled substance license and federal registration with the Drug Enforcement Administration to delegate the authority to prescribe controlled substances.

(1) To prescribe Schedule II, III, IV, or V controlled substances under this Section, a physician assistant must obtain a mid-level practitioner controlled substances license. Medication orders issued by a physician assistant shall be reviewed periodically by the collaborating physician.

(2) The collaborating physician shall file with the Department notice of delegation of prescriptive authority to a physician assistant and termination of delegation, specifying the authority delegated or terminated. Upon receipt of this notice delegating authority to prescribe controlled substances, the physician assistant shall be eligible to register for a mid-level practitioner controlled substances license under Section 303.05 of the Illinois Controlled Substances Act. Nothing in this Act shall be construed to limit the delegation of tasks or duties by the collaborating physician to a nurse or other appropriately trained persons in accordance with Section 54.2 of the Medical Practice Act of 1987.

(3) In addition to the requirements of this subsection (b), a collaborating physician may, but is not required to, delegate authority to a physician assistant to prescribe Schedule II controlled substances, if all of the following conditions apply:

(A) Specific Schedule II controlled substances by oral dosage or topical or transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the collaborating physician. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated.

(B) (Blank).

(C) Any prescription must be limited to no more than a 30-day supply, with any continuation authorized only after prior approval of the collaborating physician.

(D) The physician assistant must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the collaborating physician.

(E) The physician assistant meets the education requirements of Section 303.05 of the Illinois Controlled Substances Act.

(c) Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a licensed practical nurse, a registered professional nurse, or other persons. Nothing in this Act shall be construed to limit the method of delegation that may be authorized by any means, including, but not limited to, oral, written, electronic, standing orders, protocols, guidelines, or verbal orders. Nothing in this Act shall be construed to authorize a physician assistant to provide health care services required by law or rule to be performed by a physician. Nothing in this Act shall be construed to authorize the delegation or performance of operative surgery. Nothing in this Section shall be construed to preclude a physician assistant from assisting in surgery.

(c-5) Nothing in this Section shall be construed to apply to any medication authority, including Schedule II controlled substances of a licensed physician assistant for care provided in a hospital, hospital affiliate, federally qualified health center, or ambulatory surgical treatment center pursuant to Section 7.7 of this Act.

(d) (Blank).

(e) Nothing in this Section shall be construed to prohibit generic substitution.

(Source: P.A. 101-13, eff. 6-12-19; 102-558, eff. 8-20-21.)

(225 ILCS 95/7.6 new)

Sec. 7.6. Written collaborative agreement; temporary practice. Any physician assistant required to enter into a written collaborative agreement with a collaborating physician is authorized to continue to practice for up to 90 days after the termination of a written collaborative agreement, provided the physician assistant seeks any necessary collaboration at a local hospital and refers patients who require services beyond the training and experience of the physician assistant to a physician or other health care provider.

(225 ILCS 95/7.7)

(Section scheduled to be repealed on January 1, 2028)

Sec. 7.7. Physician assistants in hospitals, hospital affiliates, federally qualified health centers, or ambulatory surgical treatment centers.

(a) A physician assistant may provide services in a hospital as defined in the Hospital Licensing Act, a hospital affiliate as defined in the University of Illinois Hospital Act, a federally qualified health center, or a licensed ambulatory surgical treatment center as defined in the Ambulatory Surgical Treatment Center Act without a written collaborative agreement pursuant to Section 7.5 of this Act only in accordance with this Section. A physician assistant must possess clinical privileges recommended by (i) the hospital medical staff and granted by the hospital, (ii) the physician committee and federally qualified health center, or (iii) the consulting medical staff committee and ambulatory surgical treatment center in order to provide services. The medical staff, physician committee, or consulting medical staff committee shall periodically review the services of physician assistants granted clinical privileges, including any care provided in a hospital affiliate or federally qualified health center. Authority may also be granted when recommended by the hospital medical staff and granted by the hospital, recommended by the physician committee and granted by the federally qualified health center, or recommended by the consulting medical staff committee and ambulatory surgical treatment center to individual physician assistants to select, order, and administer medications, including controlled substances, to provide delineated care. In a hospital, hospital affiliate, federally qualified health center, or ambulatory surgical treatment center, the attending physician shall determine a

physician assistant's role in providing care for his or her patients, except as otherwise provided in the medical staff bylaws or consulting committee policies.

(a-5) Physician assistants practicing in a hospital affiliate or a federally qualified health center may be, but are not required to be, granted authority to prescribe Schedule II through V controlled substances when such authority is recommended by the appropriate physician committee of the hospital affiliate and granted by the hospital affiliate or recommended by the physician committee of the federally qualified health center and granted by the federally qualified health center. This authority may, but is not required to, include prescription of, selection of, orders for, administration of, storage of, acceptance of samples of, and dispensing over-the-counter medications, legend drugs, medical gases, and controlled substances categorized as Schedule II through V controlled substances, as defined in Article II of the Illinois Controlled Substances Act, and other preparations, including, but not limited to, botanical and herbal remedies.

To prescribe controlled substances under this subsection (a-5), a physician assistant must obtain a mid-level practitioner controlled substance license. Medication orders shall be reviewed periodically by the appropriate hospital affiliate physicians committee or its physician designee or by the physician committee of a federally qualified health center.

The hospital affiliate or federally qualified health center shall file with the Department notice of a grant of prescriptive authority consistent with this subsection (a-5) and termination of such a grant of authority in accordance with rules of the Department. Upon receipt of this notice of grant of authority to prescribe any Schedule II through V controlled substances, the licensed physician assistant may register for a mid-level practitioner controlled substance license under Section 303.05 of the Illinois Controlled Substances Act.

In addition, a hospital affiliate or a federally qualified health center may, but is not required to, grant authority to a physician assistant to prescribe any Schedule II controlled substances if all of the following conditions apply:

(1) specific Schedule II controlled substances by oral dosage or topical or transdermal application may be designated, provided that the designated Schedule II controlled substances are routinely prescribed by physician assistants in their area of certification; this grant of authority must identify the specific Schedule II controlled substances by either brand name or generic name; authority to prescribe or dispense Schedule II controlled substances to be delivered by injection or other route of administration may not be granted;

(2) any grant of authority must be controlled substances limited to the practice of the physician assistant;

(3) any prescription must be limited to no more than a 30-day supply;

(4) the physician assistant must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the appropriate physician committee of the hospital affiliate or its physician designee, or the physician committee of a federally qualified health center; and

(5) the physician assistant must meet the education requirements of Section 303.05 of the Illinois Controlled Substances Act.

(b) A physician assistant granted authority to order medications including controlled substances may complete discharge prescriptions provided the prescription is in the name of the physician assistant and the attending or discharging physician.

(c) Physician assistants practicing in a hospital, hospital affiliate, federally qualified health center, or an ambulatory surgical treatment center are not required to obtain a mid-level controlled substance license to order controlled substances under Section 303.05 of the Illinois Controlled Substances Act.
(Source: P.A. 100-453, eff. 8-25-17.)".

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Villanueva, **Senate Bill No. 1909** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 1909

AMENDMENT NO. 1 . Amend Senate Bill 1909 by replacing everything after the enacting clause with the following:

"Section 1. Legislative intent. The laws and public policy of this State have established the fundamental rights of individuals to make autonomous decisions about their own reproductive health, including the fundamental right to use or refuse reproductive health care. It is also the public policy of the State to ensure that patients receive timely access to information and medically appropriate care and that consumers are protected from deceptive and unfair practices. Despite these laws, vulnerable State residents and nonresidents seeking health care in this State have repeatedly been misled by organizations and their agents purporting to provide comprehensive reproductive health care services, but which, in reality, aim to dissuade pregnant persons from considering abortion care through deceptive, fraudulent, and misleading information and practices, without any regard for a pregnant person's concerns or circumstances. These organizations pay for advertising, including online and on billboards and public transportation, that is intended to attract consumers to their organizations and away from medical providers that offer comprehensive reproductive care. The advertisements and information given by these organizations provide grossly inaccurate or misleading information overstating the risks associated with abortion, including conveying untrue claims that abortion causes cancer or infertility and concealing data that shows the risk of death associated with childbirth is approximately 14 times higher than the risk of death associated with an abortion. This misinformation is intended to cause undue delays and disruption to protected, time-sensitive, reproductive health care services, and the State has an interest in preventing health risks and associated costs caused and compounded by unnecessary delays in obtaining life-changing or life-saving reproductive care. Even when an organization offers free services, all of this activity has a commercial and economic impact on where, when, and how reproductive care is provided. The conduct of these organizations has become increasingly aggressive following the United States Supreme Court decision in Dobbs v. Jackson Women's Health Organization, 142 S.Ct. 2228 (2022). The State has an interest to protect against deceptive, fraudulent, and misleading advertising and practices that interfere with an individual's ability to make autonomous, informed, and evidence-based decisions about the individual's reproductive health and have timely access to quality reproductive health care that adheres to accepted standards of medical practice or care. The State also has an interest to protect against deceptive and unfair practices affecting trade and commerce, to ensure a free, open, and fair marketplace for all marketplace participants. At the same time, it is the public policy of the State to respect the right to hold and express deeply held beliefs about abortion so long as fraud, deception, and misleading practices are not employed to interfere with or prevent another from accessing comprehensive reproductive health care. It is not the intention of this Act to regulate, limit, or curtail the ability to counsel against abortion if an organization and its agents are otherwise operating in compliance with the law.

Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2BBBB as follows:

(815 ILCS 505/2BBBB new)

Sec. 2BBBB. Deceptive practices related to limited services pregnancy centers.

(a) As used in this Section:

"Abortion" means the use of any instrument, medicine, drug, or any other substance or device to terminate the pregnancy of an individual known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead fetus, as defined in Section 1-10 of the Reproductive Health Act.

"Affiliates" has the meaning given to the term "hospital affiliate" as defined in subsection (b) of Section 10.8 of the Hospital Licensing Act.

"Emergency contraception" means one or more prescription drugs (i) used separately or in combination for the purpose of preventing pregnancy, (ii) administered to or self-administered by a patient within a medically recommended amount of time after sexual intercourse, and (iii) dispensed for such purpose in accordance with professional standards of practice.

"Limited services pregnancy center" means an organization or facility, including a mobile facility, that:

(1) does not directly provide abortions or provide or prescribe emergency contraception, or provide referrals for abortions or emergency contraception, and has no affiliation with any organization or provider who provides abortions or provides or prescribes emergency contraception; and

(2) has a primary purpose to offer or provide pregnancy-related services to an individual who is or has reason to believe the individual may be pregnant, whether or not a fee is charged for such services.

"Limited services pregnancy center" does not include:

(1) a health care professional licensed by the Department of Financial and Professional Regulation;

(2) a hospital licensed under the Hospital Licensing Act and its affiliates; or

(3) a hospital licensed under the University of Illinois Hospital Act and its affiliates.

"Limited services pregnancy center" includes an organization or facility that has employees, volunteers, or agents who are health care professionals licensed by the Department of Financial and Professional Regulation.

"Pregnancy-related services" means any medical service, or health counseling service, related to the prevention, preservation, or termination of pregnancy, including, but not limited to, contraception and contraceptive counseling, pregnancy testing, pregnancy diagnosis, pregnancy options counseling, limited obstetric ultrasound, obstetric ultrasound, obstetric sonogram, sexually transmitted infections testing, and prenatal care.

(b) A limited services pregnancy center shall not engage in unfair methods of competition or unfair or deceptive acts or practices, including the use or employment of any deception, fraud, false pretense, false promise, or misrepresentation, or the concealment, suppression, or omission of any material fact, with the intent that others rely upon the concealment, suppression, or omission of such material fact:

(1) to interfere with or prevent an individual from seeking to gain entry or access to a provider of abortion or emergency contraception;

(2) to induce an individual to enter or access the limited services pregnancy center;

(3) in advertising, soliciting, or otherwise offering pregnancy-related services; or

(4) in conducting, providing, or performing pregnancy-related services.

(c) A violation of this Section constitutes a violation of this Act.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Glowiak Hilton, **House Bill No. 559** having been printed, was taken up, read by title a second time and ordered to a third reading.

READING BILL OF THE SENATE A SECOND TIME

On motion of Senator McClure, **Senate Bill No. 188** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Health and Human Services, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 188

AMENDMENT NO. 1 . Amend Senate Bill 188 on page 1, by replacing lines 18 through 22 with:

"A parent who consents to the performance upon his or her child of a health care service under this Section shall be entitled, upon request, to inspect and copy the child's records or any part thereof related to a health care service for which the parent is treated as the child's personal representative under HIPAA, 45 CFR 164.502(g).".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

INTRODUCTION OF BILL

SENATE BILL NO. 2560. Introduced by Senator Villa, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 21

WHEREAS, It is appropriate to remember the many sacrifices and contributions to the cause of freedom made by the outstanding men and women who served in the United States Armed Forces; and

WHEREAS, The freedom we enjoy in the United States of America and the State of Illinois is owed to those who made the ultimate sacrifice for our nation and State; and

WHEREAS, Cpl. Tommy Neal Miller was born on July 19, 1949 and was raised in Meadowbrook near Bethalto in Madison County; and

WHEREAS, Cpl. Miller enlisted in the United States Marine Corps and served during the Vietnam War; he began his tour of duty on June 10, 1968; his military specialty was mortarman, and he was attached to Echo Company, Second Battalion, Fourth Marines, Third Marine Division; and

WHEREAS, While serving as a radio operator on the morning of February 25, 1969 at Fire Support Base Russell in Quang Tri Province in South Vietnam, under assault by a large North Vietnamese Army sappers unit, Cpl. Miller unhesitatingly maneuvered across the fire-swept terrain in search of an undamaged radio; after locating operable equipment, he again exposed himself to hostile fire to assist the commanding officer with restoring communications; he then went to the aid of his fellow Marines to free them from entrapment in debris; as he attempted to free his comrades, he was mortally wounded by fragments from an enemy grenade; and

WHEREAS, Cpl. Miller's heroic and timely actions inspired all who observed him and contributed greatly to repelling the enemy's assault; and

WHEREAS, Cpl. Miller's commendations include the Bronze Star Medal with Combat "V", the Purple Heart, the Combat Action Ribbon, the National Defense Service Medal, the Vietnam Campaign Medal, the Vietnam Service Medal, the Marine Corps Presidential Unit Citation, the Vietnam Gallantry Cross, the Marine Corps Good Conduct Medal, and the Marine Corps Expeditionary Medal; and

WHEREAS, Cpl. Miller is honored on the Vietnam Veterans Memorial in Washington, DC; his name is inscribed at VVM Wall, Panel 31w, Line 53; and

WHEREAS, Like so many who gave the ultimate sacrifice and gave up many years of their lives, Cpl. Miller will forever be 19; and

WHEREAS, Cpl. Miller is loved and missed by his family, friends, and Marine brothers; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate Illinois Route 140 as it travels through Meadowbrook as the "Cpl. Tommy N. Miller Memorial Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name "Cpl. Tommy N. Miller Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Cpl. Miller and the Secretary of the Illinois Department of Transportation.

Adopted by the House, March 30, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 21 was referred to the Committee on Assignments.

COMMUNICATIONS

DISCLOSURE TO THE SENATE

Date: March 30, 2023

Legislative Measure(s): SB 1741

Venue:

X Committee on Judiciary
X Full Senate

X Due to a potential conflict of interest (or the potential appearance thereof), I abstained from voting (or voted "present") on the above legislative measure(s).

Notwithstanding a potential conflict of interest (or the potential appearance thereof), I voted in favor of or against the above legislative measure(s) because I believe doing so is in the best interests of the State.

s/Chapin Rose
Senator Chapin Rose

DISCLOSURE TO THE SENATE

Date: March 30, 2023

Legislative Measure(s): SB 2057

Venue:

Committee on _____
X Full Senate

Due to a potential conflict of interest (or the potential appearance thereof), I abstained from voting (or voted "present") on the above legislative measure(s).

X Notwithstanding a potential conflict of interest (or the potential appearance thereof), I voted in favor of or against the above legislative measure(s) because I believe doing so is in the best interests of the State.

s/Chapin Rose
Senator Chapin Rose

DISCLOSURE TO THE SENATE

Date: March 30, 2023

Legislative Measure(s): SB 2146

Venue:

Committee on _____
X Full Senate

X Due to a potential conflict of interest (or the potential appearance thereof), I abstained from voting (or voted "present") on the above legislative measure(s).

Notwithstanding a potential conflict of interest (or the potential appearance thereof), I voted in favor of or against the above legislative measure(s) because I believe doing so is in the best interests of the State.

s/Jil Tracy
Senator Jil Tracy

LEGISLATIVE MEASURES FILED

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 2 to Senate Bill 895
Amendment No. 1 to Senate Bill 1214

The following Committee amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 2 to Senate Bill 281

REPORT RECEIVED

Illinois State Board of Education

Krish Mohip, Interim State Superintendent of Education
Dr. Steven Isoye, Chair of the Board

EQUITY • QUALITY • COLLABORATION • COMMUNITY

M E M O R A N D U M

TO: The Honorable Tony McCombie, House Minority Leader
The Honorable Don Harmon, Senate President
The Honorable John Curran, Senate Minority Leader
The Honorable Emanuel "Chris" Welch, Speaker of the House

FROM: Krish Mohip
Interim State Superintendent of Education

DATE: February 21, 2023

SUBJECT: Spring 2023 Waiver Report | Requests to Waive School Code Mandates

As required by Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g], the following report provides summaries of requests for waivers of School Code mandates being transmitted to the Illinois General Assembly for its consideration. The report concludes with a database listing all the requests received, organized by Senate and House districts, including those requests for waivers and modifications acted on by the state superintendent of education in accordance with Section 1A-4 of the School Code [105 ILCS 5/1A-4] and applications that have been returned to school districts or other eligible applicants.

Pursuant to Section 2-3.25g (d) of the School Code [105 ILCS 5/2-3.25g (d)]:

The report shall be reviewed by a panel of four members consisting of:

(1) The Speaker of the House of Representatives;

(2) The Minority Leader of the House of Representatives;

(3) The President of the Senate; and

(4) The Minority Leader of the Senate.

The State Board of Education may provide the panel recommendations on waiver requests.

The members of the panel shall review the report submitted by the State Board of Education and submit to the State Board of Education any notice of further consideration to any waiver request within 14 days after the member receives the report. If three or more of the panel members submit a notice of further consideration to any waiver request contained within the report, the State Board of Education shall submit the waiver request to the General Assembly for consideration. If fewer than three panel members submit a notice of further consideration to a waiver request, the waiver may be approved, denied, or modified by the State Board. If the State Board does not act on a waiver request within 10 days, then the waiver request is approved. If the waiver request is denied by the State Board, it shall submit the waiver request to the General Assembly for consideration.

The General Assembly may disapprove any waiver request submitted to the General Assembly pursuant to this subsection (d) in whole or in part within 60 calendar days after each house of the General Assembly next

convenes after the waiver request is submitted by adoption of a resolution by a record vote of the majority of members elected in each house. If the General Assembly fails to disapprove any waiver request or appealed request within such 60-day period, the waiver or modification shall be deemed granted. Any resolution adopted by the General Assembly disapproving a report of the State Board in whole or in part shall be binding on the State Board.

To effectuate the law, memoranda detailing the following shall be submitted to the Illinois State Board of Education by each panel member:

(1) Notice of specific waiver requests noticed for further consideration by the General Assembly; and
(2) A statement indicating that all waiver requests included in the report, except for those listed above in (1), are returned to the State Board of Education for final action.

This report is transmitted on behalf of the State Superintendent of Education. For additional copies of this report or for more specific information, please contact Hector Rodriguez, Director, Legislative Affairs at (217) 782-6510 or hrodrigu@isbe.net.

cc: Secretary of the Senate
Clerk of the House
Legislative Research Unit
State Government Report Center

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Executive Summary

The following report outlines waivers of School Code mandates that school districts, Regional Offices of Education, or special education or area vocational centers have requested since the last report, which was transmitted in September 2022. Pursuant to Section 2-3.25g of the School Code, these requests must be sent to the General Assembly before March 1, 2023.

Section I summarizes the 100 requests received for waivers of School Code mandates pursuant to Section 2-3.25g for consideration by the General Assembly. They are presented alphabetically by topic area. The largest number of applications received, 48 requests, seek waivers from the requirements for non-resident tuition. The next highest set of applications received, 21 requests, are related to administrative cost cap limitations; six applications are related to physical education.

This document contains an additional section beyond what is required under Section 2-3.25g of the School Code. Section II is a database with a list of the modifications or waivers of State Board of Education rules and modifications of School Code mandates upon which the state superintendent of education has acted in accordance with Section 1A-4 of the School Code. The database also includes a list of the requests that have been returned to or withdrawn by the petitioning entities. Finally, the database includes the 82 waiver requests for the General Assembly's consideration and is organized by Senate and House districts.

Complete copies of the waiver requests for the General Assembly's consideration have been made available to legislative staff.

This report is the 56th report submitted pursuant to Section 2-3.25g of the School Code, which requires that State Board of Education staff compile and submit requests for waivers of School Code mandates to the General Assembly before March 1 and October 1 of each year.

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Summary of Applications for Waivers and Modifications
Volume 56 – Spring 2023

Topic	Approved by ISBE	Denied by ISBE	Transmitted to GA	Withdrawn or Returned
Administrative Cost Cap Limitation	0	0	21	3
Bonds	0	2	0	0
Consolidation	0	0	2	0
Driver Education	0	0	4	0
Physical Education	0	0	6	0
Non-Resident Tuition	0	0	48	8
School Improvement Days	2	0	0	1
Statement of Affairs	0	0	1	2
Petition Summary	2	2	82	14
Total number of Applications:	100			

Section I
Applications Transmitted to the General Assembly

Administrative Cost Cap Limitation

St. George CCSD 258 – Kankakee – (SD17/HD34) – **Expiration 2022-23 school year / W-100-7213 – Waiver of School Code (Section 17-1.5)** requests a waiver of the fiscal year 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 10%.

The full-time superintendent employed for the 2021-22 school year retired from the district in December 2021, six months earlier than anticipated. For the remainder of the 2021-22 school year, the district employed an interim superintendent at a lower salary cost with no benefits. For the 2022-23 school year, the district is employing a full-time superintendent at a salary cost comparable to the full-time status, along with benefits. The administrative change resulted in $19,380 additional budgeted administrative expenditures in FY 2023 for salary and benefits.

The change from a part-year full-time superintendent and part-year interim superintendent to a full-year full-time superintendent caused the district to exceed the statutory allowable 5% increase. Without these additional costs, St. George CCSD 258 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 1% increase.

Kildeer Countryside CCSD 96 – Lake – (SD30/HD59) – **Expiration 2022-23 school year / W-100-7188 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 19%.

The 2022-23 school year is a leadership transition year, and the district is carrying salary and benefit costs for two superintendents. The current superintendent was promoted from within the district, and the 2022-23 school year is their first year as superintendent. The prior superintendent is still working in the district for part of the school year until March in order to help with the transition, provide assistance to the new superintendent, provide advice, and serve as a mentor. This leadership structure resulted in $106,305 additional salary and $73,410 additional benefits, for a total of $179,715 additional budgeted administrative expenditures in FY 2023.

The current year leadership structure caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Kildeer Countryside CCSD 96 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 4% increase.

Hinckley-Big Rock CUSD 429 – DeKalb – (SD35/HD70) – **Expiration 2022-23 school year / W-100-7211 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2022 budgeted administrative costs exceed the FY 2022 actual administrative costs by 10%.

An employee accounted for on the Limitation of Administrative Costs worksheet left the district prior to the end of the 2021-22 school year and was not replaced until the beginning of the 2022-23 school year. The district underspent $9,343 between the resignation and the end of the school year, resulting in the district's budgeted administrative expenditures increasing by that amount in FY 2023.

The district originally budgeted $1,500 for professional development costs in FY 2022. Due to fewer in-person offerings and the need for administrators to remain in the district in order to manage pandemic-related issues, the budgeted professional development amounts were not spent. In anticipation of potential professional development and related travel costs, the district has budgeted the same amount in FY 2023 for these items as was originally budgeted in FY 2022. Because there was underspending in the previous year, the district's budgeted administrative expenditures have increased by $1,500 over the prior year spending.

Due to retirements, the district administrative assistant has had to take on additional duties. The compensation for these additional duties resulted in $14,985 additional budgeted administrative expenditures in FY 2023.

The previous year underspending and additional compensation for taking on additional duties caused the district to exceed the statutory allowable 5% increase. Without this issue, Hinckley-Big Rock CUSD 429 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 4% increase.

Brimfield CUSD 309 – Peoria – (SD37/HD73) – **Expiration 2023-24 school year / W-100-7191 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 18%.

The district superintendent's salary and benefit package were lower than area districts of similar size and demographics. In order to make the compensation package more regionally competitive and after an evaluation of the superintendent, the school board increased the compensation package an additional $13,301 for salary and $6,913 for benefits. Included in the superintendent's accomplishments was forming a new transportation division within the district after contractual bus services were canceled. The superintendent's raise resulted in $20,214 additional budgeted administrative expenditures for FY 2023.

The superintendent salary and benefit raise caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Brimfield CUSD 309 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 5% increase.

Eswood CCSD 269 – Ogle – (SD45/HD90) – **Expiration 2022-23 school year / W-100-7169 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 66%.

The school board ended the services of the full-time superintendent employed for the 2021-22 school year as of December 2021, who was paid approximately half of the original contract salary and benefits. To fill out the remainder of the school year, the district employed a retired superintendent as the interim superintendent at a daily rate with no benefits. The district has employed a superintendent certificate candidate for the 2022-23 school year, who will receive a salary applicable to a full year as well as benefits. The district also continues to employ the interim superintendent to serve as a mentor. The interim superintendent will continue to be paid a daily rate with no benefits. The goal is for the superintendent certificate candidate to assume full responsibility as superintendent for the following school year. The FY 2022 part-year full-year superintendent and part-year interim superintendent combined for a total of $105,766 salary and $6,876 benefits. The FY 2023 full-year superintendent candidate and full-year interim combined for a total of $176,000 salary and $14,560 benefits. The administrative change resulted in $77,918 additional budgeted administrative expenditures in FY 2023.

The change from a part-year full-time superintendent and a part-year interim superintendent to a full-time superintendent candidate with the interim as mentor caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Eswood CCSD 269 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 1% increase.

Kings Consolidated SD 144 – Ogle – (SD45/HD90) – **Expiration 2022-23 school year / W-100-7149 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 21%.

The district superintendent's salary was lower than area districts. In order to make the compensation package more regionally competitive to allow the district to hire, find, and retain quality administration, the school board increased the superintendent's compensation package. The superintendent's raise resulted in $12,600 additional budgeted administrative expenditures for FY 2023.

During the budgeting process, the district accidentally counted the expense for the copier lease twice, in the Ed Fund and in the Tort Fund. This mistake can be cured through a budget amendment. However, due to the timing of the waiver request, a budget amendment has not yet been completed. The error resulted in $10,000 additional budgeted administrative expenditures for FY 2023.

The superintendent salary raise and the budget error caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Kings Consolidated SD 144 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 3% increase.

Warren CUSD 205 – Jo Daviess – (SD45/HD89) – **Expiration 2022-23 school year / W-100-7159 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 95%.

In previous school years, the superintendent also served as the elementary school principal. The combined superintendent/principal salary and benefits were divided between superintendent duties, an area reported on the Limitation of Administrative Costs Worksheet, and principal duties, an area not reported on the Limitation worksheet. An administrative change separated the combined role into a full-time superintendent and full-time principal. The superintendent concentrating on only superintendent duties resulted in all of the superintendent's salary and benefits being reported on the Limitation worksheet. The administrative change resulted in $63,033 additional salary and $21,685 additional benefits on the Limitation worksheet, a total of $84,718 additional budgeted administrative expenditures in FY 2023.

The change from a combined superintendent/principal to separate superintendent and principal positions caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Warren CUSD 205 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 5% increase.

Spoon River Valley CUSD 4 – Fulton – (SD46/HD91) – **Expiration 2022-23 school year / W-100-7209 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 15%.

The district administrator salaries were lower than area districts. In order to make the compensation packages more regionally competitive to allow the small district to retain quality staff, the school board increased the superintendent and other administrator compensation packages. The superintendent's raise resulted in $15,448 additional budgeted administrative expenditures for FY 2023. With this increase, the superintendent will be assisting more with teacher evaluations and other programs to help increase student achievement.

The superintendent salary raise caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Spoon River Valley CUSD 4 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 3% increase.

Dallas ESD 327 – Hancock – (SD47/HD94) – **Expiration 2022-23 school year / W-100-7184 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 83%.

During the 2021-22 school year, the district shared a superintendent with a neighboring elementary district, with both districts equally sharing the salary and benefits costs of the superintendent. In order to have a superintendent in the district every day, a superintendent was hired to work exclusively in the Dallas school district in the 2022-23 school year. This administrative change resulted in $48,016 additional salary and $9,689 additional benefits, for a total of $57,705 additional budgeted administrative expenditures in FY 2023.

The administrative change caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Dallas ESD 327 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 4% increase.

Liberty CUSD 2 – Adams – (SD47/HD94) – **Expiration 2022-23 school year / W-100-7179 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 27%.

Starting with the 2022-23 school year, the district added a dean of students/athletic director position. The dean portion of the new position will concentrate on student discipline, which will free time for the building principals to concentrate on the task of being the instructional leader for their teachers. In order to comply with the ISBE Accounting Rules, the costs for the dean portion of the position are paid through a cost function reported on the Limitation of Administrative Costs worksheet. The new position resulted in $43,225 additional salary and $5,436 additional benefits, for a total of $48,661 additional budgeted expenditures in FY 2023.

The district has historically paid the costs of its copier lease from the Internal Services account, an area reported on the Limitation worksheet. In order to comply with General Accepted Accounting Principles, the district auditor moved the FY 2022 copier lease spending to an area not reported on the Limitation worksheet. The district continued to budget the copier lease costs in Internal Services for FY 2023, based on past practice. The auditor will assist the district in amending the FY 2023 budget to properly account for the copier lease. However, due to the timing of the waiver request, a budget amendment has not yet been completed. The accounting change resulted in $12,500 additional budgeted administrative expenditures for FY 2023.

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The addition of a dean and a change in accounting for a copier lease caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Liberty CUSD 2 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 5% increase.

South Fork SD 14 – Christian – (SD48/HD96) – **Expiration 2022-23 school year / W-100-7165 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 12%.

During FY 2022, the district experienced a shortage of bus drivers. In order to ensure that students were provided with transportation to and from school, the district superintendent drove several bus routes. Since the superintendent was acting as a bus driver, $11,073 of the superintendent's salary was paid from the Transportation Fund, which is not reported on the Limitation worksheet. For FY 2023, the superintendent is not serving as a bus driver, resulting in all salary paid through Executive Administration Services, which is reported on the Limitation worksheet. The accounting change resulted in $11,073 additional budgeted administrative expenditures in FY 2023.

The accounting change moving a portion of the superintendent's salary from the Transportation Fund to the Education Fund caused the district to exceed the statutory allowable 5% increase. Without these additional costs, South Fork SD 14 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 5% increase.

Griggsville-Perry CUSD 4 – Pike – (SD50/HD100) – **Expiration 2021-22 school year / W-100-7152 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2022 Limitation of Administrative Costs. The district's FY 2022 budgeted administrative costs exceed the FY 2021 actual administrative costs by 13%.

The district superintendent retired as of June 30, 2022, after serving multiple years in that role. The board granted a retirement raise of $10,055 for the last year of employment with the district. The superintendent also had 11 unused vacation days upon retirement. In accordance with the negotiated contract between the superintendent and school board, the district was responsible to pay for those unused vacation days, amounting to $5,211. These two items resulted in $15,266 additional budgeted administrative expenditures in FY 2022.

The addition retirement salary and payment for unused vacation days caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Griggsville-Perry CUSD 4 would have been in compliance with the FY 2022 Limitation of Administrative Costs, experiencing a 3% increase.

Northwestern CUSD 2 – Macoupin – (SD50/HD100) – **Expiration 2022-23 school year / W-100-7234 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 76%.

During the 2021-22 school year, the district shared a superintendent with a neighboring school district, with both districts equally sharing the salary and benefits costs of the superintendent. In order to have a superintendent in the district every day, a superintendent was hired to work exclusively in the Northwestern school district for the 2022-23 school year. This administrative change resulted in $68,979 additional salary and $22,099 additional benefits, for a total of $91,078 additional budgeted administrative expenditures in FY 2023.

The district had a low hourly rate for non-certified staff, which caused challenges due to not being able to fill positions as well as losing existing employees due to the low pay. The district instituted a $4 per hour wage increase for all non-certified employees, including bus drivers, secretaries, paraprofessionals, cafeteria staff, and janitorial staff. Included in the non-certified employees receiving this raise is the Superintendent Administrative Assistant, who is paid out of the Superintendent account, an area reported on the Limitation worksheet. The raise for the administrative assistant resulted in $8,325 additional budgeted administrative expenditures in FY 2023.

The administrative change and administrative assistant raise caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Northwestern CUSD 2 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 3% increase.

Bement CUSD 5 – Piatt – (SD51/HD101) – **Expiration 2022-23 school year / W-100-7245 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 38%.

For the 2021-22 school year, the district employed an interim superintendent at a daily rate. Starting with the 2022-23 school year, the district has hired a full-time superintendent at a salary cost comparable to the full-time status, along with benefits. The administrative change resulted in $35,800 additional budgeted administrative expenditures in FY 2023.

The change from an interim superintendent to a full-time superintendent caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Bement CUSD 5 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a decrease in administrative costs.

Rantoul City Schools 137 – Champaign – (SD52/HD104) – **Expiration 2021-2022 school year / W-100-7163 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2022 Limitation of Administrative Costs. The district's FY 2022 budgeted administrative costs exceed the FY 2021 actual administrative costs by 22%.

Starting with the 2021-22 school year, the district hired an additional central office administrator. The new position will assist with managing COVID-related issues, including testing of staff and students, securing substitute staff, and COVID regulation compliance. The new position was budgeted at $145,164 salary and $18,354 benefits, for a total of $163,518 additional budgeted administrative expenditures in FY 2022.

During the 2021-22 school year, the district received funds from its Elementary and Secondary School Emergency Relief II funds that were used for online systems. These new online systems will document student and family communications, health records, emergency procedures, finance, and academics. The net cost for these new expenditures will be zero dollars, as the spending will be covered by the grant funds. However, the Limitation of Administrative Costs worksheet only reports expenditures. The new grant expenditures resulted in $129,365 additional budgeted administrative expenditures in FY 2022.

The new administrative position and additional administrative expenditures paid by grant funds caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Rantoul City Schools 137 would have been in compliance with the FY 2022 Limitation of Administrative Costs, experiencing a decrease in administrative costs.

Roanoke-Benson CUSD 60 – Woodford – (SD53/HD106) – **Expiration 2022-23 school year / W-100-7156 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 52%.

Starting with the 2022-23 school year, the district added an assistant superintendent position. The district added this position to increase student academic and behavior support by focusing on grade levels five through eight, the subgroup the district has determined to be underperforming. The position will also work to identify learning gaps as the result of COVID related absences due to quarantining. The addition of this position resulted in $92,980 addition additional budgeted administrative expenditures in FY 2023.

The addition of an assistant superintendent position caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Roanoke-Benson CUSD 60 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a decrease in administrative costs.

North Clay CUSD 25 – Clay – (SD55/HD109) – **Expiration 2021-2022 school year / W-100-7167 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2022 Limitation of Administrative Costs. The district's FY 2022 budgeted administrative costs exceed the FY 2021 actual administrative costs by 12%.

The district wanted to retain an experienced administrator for FY 2022. To accomplish this, the district provided a salary raise for its current superintendent, amounting to $6,800. The district also provided a travel allowance benefit of $1,750. The negotiated raise and new benefit resulted in a total of $8,550 additional budgeted administrative expenditures in FY 2022.

Two laptops were purchased for staff in the superintendent's office for use when remote work was required due to COVID. The new equipment resulted in $2,500 additional budgeted administrative expenditures in FY 2022.

The superintendent raise and new benefit, along with the new equipment purchase, caused the district to exceed the statutory allowable 5% increase. Without these additional costs, North Clay would have been in compliance with the FY 2022 Limitation of Administrative Costs, experiencing a 4% increase.

Wood River-Hartford ESD 15 – Madison – (SD56/HD111) – **Expiration 2022-23 school year / W-100-7218 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 14%.

During the 2021-22 school year, the district employed a part-time special education coordinator. In order to better serve their special education population, the district changed the special education coordinator to a full-time position starting with the 2022-23 school year. This administrative change resulted in $24,307 additional budgeted administrative expenditures in FY 2023.

The district experienced an increase in its overall health insurance costs in FY 2023. Due to a high number of catastrophic claims, the district was unable to obtain any bids for cheaper health insurance coverage. The increase in health insurance costs was districtwide, with the effect on the administrative costs being an additional $5,698 budgeted administrative costs for FY 2023. This is the second year the district has experienced an overall increase in health insurance costs; it was previously approved for a waiver of the FY 2022 Limitation for this reason.

The change from a part-time to a full-time special education coordinator and an overall increase in health insurance costs caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Wood River-Hartford ESD 15 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 4% increase.

Deland-Weldon CUSD 57 – Piatt – (SD57/HD101) – **Expiration 2022-23 school year / W-100-7171 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 20%.

In previous school years, the superintendent also served as the elementary school principal. The combined superintendent/principal salary and benefits were divided between superintendent duties, an area reported on the Limitation of Administrative Costs Worksheet, and principal duties, an area not reported on the Limitation worksheet. An administrative change separated the combined role into a full-time superintendent and full-time principal. For the 2022-23 school year, the district hired an interim for the superintendent position. The interim superintendent is only paid a daily salary, which saves benefits costs. However, the cost of an interim superintendent for a full year is greater than the prior year cost of the salary and benefits allocated to superintendent duties. The administrative change resulted in $24,899 additional salary with $11,004 less benefits costs, for a net total of $13,895 additional budgeted administrative expenditures in FY 2023.

The change from a combined superintendent/principal to a separate interim superintendent and building principal positions caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Deland-Weldon CUSD 57 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 1% increase.

Elverado CUSD 196 – Jackson – (SD58/HD115) – **Expiration 2022-23 school year / W-100-7178 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 12%.

Prior to the 2022-23 school year, a secretary served half time as district secretary and half time as elementary school secretary. The portion of the salary and benefits applicable to school-level responsibilities were paid out of the Office of Principal account, an area not reported on the Limitation of Administrative Costs Worksheet. Due to increasing responsibilities, additional time was needed for the secretary to complete districtwide tasks. Starting with the 2022-23 school year, the secretary's time for districtwide work was increased from 50% to 80%, with additional salary and benefits costs paid out of the Superintendent account, an area reported on the Limitation worksheet. The accounting change resulted in $12,192 additional salary and $4,646 additional benefits, for a total of $16,838 additional budgeted administrative expenditures in FY 2023.

The change in secretary duties resulting in additional salary and benefits charged to an area reported on the Limitation worksheet caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Elverado CUSD 196 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 1% increase.

Thompsonville CUSD 174 – Franklin – (SD59/HD117) – **Expiration 2022-23 school year / W-100-7164 – Waiver of School Code (Section 17-1.5)** requests a waiver of the FY 2023 Limitation of Administrative Costs. The district's FY 2023 budgeted administrative costs exceed the FY 2022 actual administrative costs by 91%.

During the 2021-22 school year, the district employed a combined superintendent/principal. The combined superintendent/principal salary and benefits were divided between superintendent duties, an area reported on the Limitation of Administrative Costs Worksheet, and principal duties, an area not reported on the Limitation worksheet. In order to provide more attention to financial operation of the district, staff development and evaluation, and community relations, the district decided to separate the positions. Starting with the 2022-23 school year, the district is employing an assistant superintendent. However, because the assistant superintendent still needs an additional year of general administration duties to qualify for superintendent licensure, the district is also employing an interim superintendent to serve as mentor and meet requirements for the district to have a superintendent. Costs for the assistant superintendent and interim superintendent are all reported on the Limitation worksheet. The goal is for the assistant superintendent to advance to the superintendent position next school year. The administrative change resulted in $73,854 additional salary and $5,868 additional benefits, for a total of $79,722 additional budgeted administrative expenditures in FY 2023.

The administrative change from a combined superintendent/principal to a full-time assistant superintendent and an interim superintendent as mentor caused the district to exceed the statutory allowable 5% increase. Without these additional costs, Thompsonville CUSD 174 would have been in compliance with the FY 2023 Limitation of Administrative Costs, experiencing a 4% increase.

Consolidation

St. Anne CCSD 256 – Kankakee – (SD40/HD79) – **Expiration 2027-28 school year / W-100-7192 – Waiver of School Code (various)** requests to consolidate with St. Anne CCSD 256 to form an Optional Elementary Unit District, commonly called a hybrid district.

St. Anne CCSD 256 – Kankakee – (SD40/HD79) – **Expiration 2027-28 school year / W-100-7204 – Waiver of School Code (various)** requests to allow St. Anne CCSD 256 and St. Anne CHSD 302 to file a petition to consolidate to form an Optional Elementary Unit District or hybrid district.

Driver Education

CHSD 94 – DuPage – (SD25/HD50) **Expiration 2027-28 school year / W-100-7183R2 – Waiver of School Code (27-24.2)** requests to utilize the use of simulators for 12 hours in lieu of three hours of behind-the-wheel instruction required to be conducted in a car with dual operating controls operated on public roadways.

Lake Zurich CUSD 95 – Lake – (SD26/HD51) – **Expiration 2027-28 school year / W-100-7208R6 – Waiver of School Code (27-24.2)** requests to raise the driver education fee to not exceed $450.

Hinsdale Twp HSD 86 – DuPage SD24/HD47) – **Expiration 2027-28 school year / W-100-7236 – Waiver of School Code (27-24.2)** requests to increase fee for driver education to $350 (from $50 or $250)

Oak Park – River Forest SD 200 – Cook – (SD39/HD78) – **Expiration 2027-28 school year / W-100-7198R4 – Waiver of School Code (27-24.2)** requests to allow 18 hours of practice driving in a simulator system in lieu of three hours of behind-the-wheel instruction in a dual controlled car.

Non-resident Tuition

Manteno CUSD 5 – Kankakee – (SD17/HD34) – **Expiration 2027-28 school year** – **W-100-7222** – **Waiver of School Code (10-20.12a)** requests to allow children of full-time staff members who reside outside of district boundaries to attend district schools free of charge.

Montmorency CCSD 145 – Whiteside – (SD36/HD71) – **Expiration 2027-28 school year** – **W-100-7221R2** – **Waiver of School Code (10-20.12a)** requests to allow non-resident children of full-time employees to attend Montmorency Community Consolidated School District 145 free of charge.

Bureau Valley CUSD 340 – Bureau – (SD37/HD74) – **Expiration 2027-28 school year** – **W-100-7153R3** – **Waiver of School Code (10-20.12a)** requests to allow non-resident students whose parents are full-time employees of the district to attend district schools and the district claims the average daily attendance of such students on the State Aid Claim.

R O W V A CUSD 208 – Knox – (SD37/HD74) – **Expiration 2025-26 school year** – **W-100-7187R4** – **Waiver of School Code (10-20.12a)** requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of the district.

Newark CCSD 66 – Kendall – (SD38/HD75) – **Expiration 2027-28 school year** – **W-100-7224R2** – **Waiver of School Code (10-20.12a)** requests to allow students of NCCSD 66 full-time and part-time certified staff members who live outside district boundaries to attend free of charge.

Putnam County CUSD 535 – Putnam – (SD38/HD73) – **Expiration 2027-28 school year** – **W-100-7174** – **Waiver of School Code (10-20.12a)** requests to allow full or part-time employees to enroll their children with no cost for tuition if they reside outside of the district's boundaries.

Central SD 51 – Tazewell – (SD44/HD88) – **Expiration 2026-27 school year** – **W-100-7158** – **Waiver of School Code (10-20.12a)** requests to not charge tuition for non-resident pupils who are children of full-time district employees.

Robein SD 85 – Tazewell – (SD44/HD88) – **Expiration 2027-28 school year** – **W-100-7233** – **Waiver of School Code (10-20.12a)** requests to allow district to set non-resident pupil tuition at a discounted rate.

Robein SD 85 – Tazewell – (SD44/HD88) – **Expiration 2028-29 school year** – **W-100-7228** – **Waiver of School Code (10-20.12a)** request to allow students whose parents are full-time staff members, full-time administrators, and full-time support staff of the district and who reside outside of the district boundaries to attend the district free of tuition.

New Holland-Middletown ED 88 – Logan – (SD44/HD87) – **Expiration 2027-28 school year** – **W-100-7226** – **Waiver of School Code (10-20.12a)** requests to enable the district to allow non-resident students whose parents are full-time employees of the district to attend its schools free of charge.

West Lincoln-Broadwell ESD 92 – Logan – (SD44/HD87) – **Expiration 2027-28 school year** – **W-100-7189** – **Waiver of School Code (10-20.12a)** requests to allow children of full-time employees to attend WLB free of tuition during the period of employment.

Byron CUSD 226 – Ogle – (SD 45/HD90) – **Expiration 2027-28 school year** – **W-100-7231** – **Waiver of School Code (10-20.12a)** requests to charge a reduced tuition for pupils of full-time employees who live outside the district boundaries by charging $3,000 for the first child and $500 for each child thereafter.

Chadwick-Milledgeville CUSD 399 – Carroll – (SD45/HD89) – **Expiration 2026-27 school year** – **W-100-7173** – **Waiver of School Code (10-20.12a)** requests to allow children of full-time district employees to attend the district tuition free.

Kings Consolidated SD 144 – Ogle – (SD45/HD90) – **Expiration 2026-27 school year** – **W-100-7150** – **Waiver of School Code (10-20.12a)** requests to charge less than 110% of the per capita tuition charge for non-resident students of administrators and teachers over a five-year period.

Meridian CUSD 223 – Ogle – (SD45/HD90) – **Expiration 2026-27 school year** – **W-100-7168** – **Waiver of School Code (10-20.12a)** requests to allow students of Meridian CUSD 223 employees currently working for the school district who do not live within the district boundaries to attend Meridian CUSD schools and not be required to pay the per capita tuition charge.

East Peoria CHSD 309 – Tazewell – (SD46/HD91) – **Expiration 2027-28 school year** – **W-100-7190R2** –**Waiver of School Code (10-20.12a)** requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of the district.

Oak Grove SD 68 Bartonville – Peoria – (SD46/HD91) – **Expiration 2027-28 school year W-100-7172 Waiver of School Code (10-20.12a)** requests to permit the school district to charge less than 110% of the per capita tuition charge (not less than $3,000 per year) for non-resident children to attend the Oak Grove School District.

Carthage ESD 317 – Hancock – (SD47/HD94) – **Expiration 2026-27 school year** – **W-100-7181** – **Waiver of School Code (10-20.12a)** requests to eliminate the tuition charge for non-resident children of employees of Carthage Elementary School District 317.

Illini Central CUSD 189 – Mason – (SD47/HD93) – **Expiration 2026-27 school year** – **W -100-7193** – **Waiver of School Code (10-20.12a)** requests to allow children of full-time teachers, administrators, and full -time (12 month) support staff, not residing in the boundaries of the school district to attend Illini Central CUSD 189 tuition free.

United CUSD 304 – Warren – (SD47/HD94) – **Expiration 2025-26 school year** – **W-100-7145 Waiver of School Code (10-20.12a)** requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of the district. The intent would be to allow students of full-time employees to attend free of charge.

Morrisonville CUSD 1 – Christian – (SD48/HD95) – **Expiration 2027-28 school year** – **W-100-7175** – **Waiver of School Code (10-20.12a)** requests to allow the district to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees.

Mount Olive CUSD 5 – Macoupin – (SD48/HD95) – **Expiration 2027-28 school year** – **W-100-7195R3** – **Waiver of School Code (10-20.12a)** requests to allow non-resident students whose parents are full-time and part-time, certified and non-certified employees of the school district who live outside district boundaries to attend school free of charge.

Staunton CUSD 6 – Macoupin – (SD48/HD95) – **Expiration 2027-28 school year** – **W-100-7203R2** – **Waiver of School Code (10-20.12a)** requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time certified employees of Staunton CUSD 6.

Taylorville CUSD 3 – Christian – (SD48/HD95) – **Expiration 2028-29 school year** – **W-100-7182R2 Waiver of School Code (10-20.12a)** requests to allow the district to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of Taylorville CUSD 3.

Calhoun CUSD 40 – Calhoun – (SD 50/HD100) – **Expiration 2025-26 school year** – **W-100-7225R2** – **Waiver of School Code (10-20.12a)** requests to allow students whose parents are full-time employees of the district to attend the schools without charge.

Heritage CUSD 8 – Champaign – (SD51/HD102) – **Expiration 2027-28 school year** – **W-100-7200R3** – **Waiver of School Code (10-20.12a)** requests to enable the district to allow non-resident students whose parents are full-time employees of the district to attend its schools free of charge.

Heyworth CUSD 4 – McLean – (SD51/HD101) – **Expiration 2027-28 school year** – **W-100-7223R2** – **Waiver of School Code (10-20.12a)** requests to charge less than 110% of the per capita tuition charge for children of full-time licensed employees who do not reside within the boundaries of the district but who intend to relocate to a residence within the boundaries of the district within two years.

Paris-Union SD 95 – Edgar – (SD51/HD102) – **Expiration 2027-28 school year** – **W-100-7229** – **Waiver of School Code (10-20.12a)** requests to allow children of full-time employees to attend the district free of tuition.

St. Joseph-Ogden CHSD 305 – Champaign – (SD51/HD102) – **Expiration 2027-28 school year** – **W-100-7201** – **Waiver of School Code (10-20.12a)** requests to allow the children of full-time employees who do not reside in the district to attend St. Joseph-Ogden CUSD 305 without the requirement to pay tuition.

Milford Area Public Schools District 124 – Iroquois – (SDS 53/HD106) – **Expiration 2027-28 school year** – **W-100-7237** – **Waiver of School Code (10-20.12a)** requests to allow children of full-time employees who do not live in the district to attend the district free of charge.

Tri Point CUSD 6J – Livingston – (SD53/HD106) – **Expiration 2026-27 school year** – **W-100-7160** – **Waiver of School Code (10-20.12a)** requests to allow school-aged children of staff who reside outside of district boundaries to attend Tri-Point tuition free.

Altamont CUSD 10 – Effingham – (SD54/HD107) – **Expiration 2027-28 school year** – **W-100-7186** – **Waiver of School Code (10-20.12a)** requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of Altamont CUSD 10. The district will claim Evidence-Based Funding of such students on the State Aid Claim.

Bond County CUSD 2 – Bond – (SD54/HD107) – **Expiration 2027-28 school year** – **W-100-7177R2** – **Waiver of School Code (10-20.12a)** requests to allow the district to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of Bond County CUSD 2.

Brownstown CUSD 201 – Fayette – (SD54/HD107) – **Expiration 2027-28 school year** – **W-100-7162R3** – **Waiver of School Code (10-20.12a)** requests to charge less than 110% (or zero) of the per capita tuition charge for all non-resident children of all employees.

North Wamac SD 186 – Clinton – (SD54/HD108) – **Expiration 2027-28 school year** – **W-100-7217R2** – **Waiver of School Code (10-20.12a)** requests to allow non-resident children of full-time employees to attend North Wamac GSD 186 free of charge.

Ramsey CUSD 204 – Fayette – (SD54/HD107) – **Expiration 2027-28 school year** – **W-100-7180R2** – **Waiver of School Code (10-20.12a)** requests to charge les than 110% of the per capital tuition charge for non-resident tuition of full-time employees of the Ramsey School District.

Vandalia CUSD 203 – Fayette – (SD54/HD107) – **Expiration 2027-28 school year** – **W-100-7199R3** – **Waiver of School Code (10-20.12a)** requests to not charge tuition for non-resident children of all employees.

Allendale CCSD 17 – Wabash – (SD55/HD109) – **Expiration 2027-28 school year** – **W-100-7202R4** – **Waiver of School Code (10-20.12a)** requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees to attend free of charge.

Grayville CUSD 1 – White – (SD55/HD109) – **Expiration 2027-28 school year** – **W-100-7230** – **Waiver of School Code (10-20.12a)** requests to allow children of full-time employees who do not reside in the district to attend the district free of tuition.

Hutsonville CUSD 1 – Crawford – (SD55/HD110) – **Expiration 2027-28 school year** – **W-100-7176R4** – **Waiver of School Code (10-20.12a)** requests to allow the children of full-stime employees who do not reside in the district to attend Hutsonville CUSD 1 without the requirement to pay tuition.

Norris City-Omaha-Enfield CUSD 3 – White – (SD55/HD109) – **Expiration 2026-27 school year – W-100-7144R3 – Waiver of School Code (10-20.12a)** requests to allow students of full-time employees to attend free of charge.

East Alton SD 13 – Madison – (SD56/HD111) – **Expiration 2027-28 school year** – **W-100-7212R2** – **Waiver of School Code (10-20.12a)** requests to allow non-resident students whose parents are staff members of the district to attend its schools free of charge.

Pinckneyville SD 50 – Perry – (SD58/HD116) – **Expiration 2027-28 school year** – **W-100-7196** – **Waiver of School Code (10-20.12a)** requests to allow students of employees who live outside district boundaries the opportunity to attend Pinckneyville District 50 schools free of charge.

Steeleville CUSD 138 – Randolph – (SD58/HD116) – **Expiration 2028-29 school year** – **W-100-7227R2** – **Waiver of School Code (10-20.12a)** requests to permit district to charge less than 110% of the per capita tuition charge for non-resident children of certified employees.

Cypress SD 64 – Johnson – (SD59/HD118) – **Expiration 2026-27 school year** – **W-100-7214** – **Waiver of School Code (10-20.12a)** requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of the district.

Lick Creek CCSD 16 – Union – (SD59/HD118) – **Expiration 2026-27 school year** – **W-100-7166** – **Waiver of School Code (10-20.12a)** requests to allow students of non-resident full-time employees to attend Lick Creek Elementary School District without charging a tuition fee.

Physical Education

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Naperville CUSD 203 – DuPage – (SD21/HD41) – **Expiration 2027-28 school year – W-100-7232R3 – Waiver of School Code (27-6)** requests to change the minimum three days per five-day week to two days per five-day week for kindergarten through fifth grade levels.

Lake Villa CCSD 41 – Lake – (SD32/HD64) – **Expiration 2027-28 school year – W-100-7244R2 – Waiver of School Code (27-6)** requests to waiver daily PE requirement for K-5 students. Change to 45 minutes every four days.

Rock Falls ESD 13 – Whiteside – (SD36/HD71) – **Expiration 2027-28 school year – W-100-7235R2 – Waiver of School Code (27-6)** requests to allow alternating physical education with music in grades K-5 every other day.

Elmwood Park CUSD 401– Cook – (SD39/HD78) – **Expiration 2027-28 school year – W-100-7243 – Waiver of School Code (27-6)** request to waive three-days a week PE requirement for students in grades K-5 to instead allow engagement in all specials (PE, music, art, and STEAM) for a 50-minute class period.

Oak Park ESD 97 – Cook – (SD39/HD78) – **Expiration 2023-24 school year – W-100-7157R3 – Waiver of School Code (27-6)** requests to limit physical education with a licensed physical education teacher to 60 minutes per week (once or twice a week depending upon school schedules) for students in K-5.

Quincy SD 172 – Adams – (SD47/HD94) – **Expiration 2027-28 school year – W-100-7210 – Waiver of School Code (27-6)** requests to waive physical education requirements.

Statement of Affairs

Huntley Community School District 158 – McHenry – (SD33/HD66) – **Expiration 2026-27 school year – W-100-7220R5 – Waiver of School Code (10-17)** requests to waive the requirement to publish the annual Statement of Affairs in the local newspaper in lieu of posting on its website to save $4,000, which will be reallocated to improve student performance.

Section II
Waiver and Modification Database

Requests received during this waiver cycle are presented numerically by Senate and House district and then alphabetically by school district or eligible applicant. The "action" to be taken for each request is noted; that is, request for waivers upon which the General Assembly must act are noted as "GA Action"; modifications already acted upon by the state superintendent of education in accordance with Section 1A-4 of the School Code are noted as "ISBE Approved" or "ISBE Denied"; and requests that were returned for one or more of the following reasons: "Returned," "Ineligible," "NWN" (no waiver needed), or "Withdrawn."

Legislative Districts	Number	School District	County	Code Citation*	Description	Action	Subject	Expiration Year**
17/34	7213	St. George CCSD 258	Kankakee	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
17/34	7222	Manteno CUSD 5	Kankakee	10-20.12a	Requests to allow children of full-time staff members who reside outside of district boundaries to attend district schools free of charge.	Transmit to GA	Non-Resident Tuition	2028
21/41	7147	Naperville CUSD 203	DuPage	8-2	Requests to modify the penalty percentage from 25% to at least 10% of all bonds, notes, mortgages, moneys, and effects under the treasurer's custody.	ISBE Denied	Bonds	2027
21/41	7232	Naperville CUSD 203	DuPage	27-6	Request to change the minimum three days per five-day week to two days per five-day week for kindergarten through fifth grade levels.	Transmit to GA	Physical Education	2028
24/47	7236	Hinsdale Twp HSD 86	DuPage	27-24.2	Request to increase fee for driver education to $350 (from $50 or $250).	Transmit to GA	Driver Education	2028
25/49	7183	CHSD 94	DuPage	27-24.2	Requests to utilize the use of simulators for 12 hours in lieu of three hours of behind-the-wheel	Transmit to GA	Driver Education	2028

					instruction required to be conducted in a car with dual operating controls operated on public roadways.			
26/51	7208	Lake Zurich CUSD 95	Lake	27-24.2	Requests to raise the driver education fee to not exceed $450.	Transmit to GA	Driver Education	2028
30/59	7188	Kildeer Countryside CCSD 96	Lake	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
32/64	7244	Lake Villa CCSD 41	Lake	27-6	Request to waiver daily PE requirement for K-5 students. Change to 45 minutes every four days.	Transmit to GA	Physical Education	2028
33/66	7220	Huntley Community School District 158	McHenry	10-17	Request to waive the requirement to publish the annual Statement of Affairs in the local newspaper in lieu of posting on its website to save $4,000, which will be reallocated to improve student performance.	Transmit to GA	Statement of Affairs	2027
35/70	7206	Hiawatha CUSD 426	DeKalb	17-1.5	Requests to waive the 5% administrative cost limitation.	Ineligible	Administrative Cost Limitation	2023
35/70	7211	Hinckley-Big Rock CUSD 429	DeKalb	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
36/71	7221	Montmorency CCSD 145	Whiteside	10-20.12a	Request to allow non-resident children of full-time employees to attend Montmorency Community Consolidated School District 145 free of charge.	Transmit to GA	Non-Resident Tuition	2028
36/71	7235	Rock Falls ESD 13	Whiteside	27-6	Request to allow alternating physical education with music in grades K-5 every other day.	Transmit to GA	Physical Education	2028
37/73	7191	Brimfield CUSD 309	Peoria	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023

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37/73	7239	Riverview CCSD 2	Woodford	10-20.12a	Request to allow district to charge less than 110% of the per capita tuition of non-resident children of the district (intent is free of charge).	Ineligible	Non-Resident Tuition	2028
37/74	7153	Bureau Valley CUSD 340	Bureau	10-20.12a	Requests to allow non-resident students whose parents are full-time employees of the district to attend district schools and the district claims the average daily attendance of such students on the State Aid Claim.	Transmit to GA	Non-Resident Tuition	2028
37/74	7187	ROWVA CUSD 208	Knox	10-20.12a	Requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of the district.	Transmit to GA	Non-Resident Tuition	2026
38/075	7224	Newark CCSD 66	Kendall	10-20.12a	Requests to allow students of NCCSD 66 full-time and part-time certified staff members who live outside district boundaries to attend free of charge.	Transmit to GA	Non-Resident Tuition	2028
38/73	7174	Putnam County CUSD 535	Putnam	10-20.12a	Requests to allow full- or part-time employees to enroll their children with no cost for tuition if they reside outside of the district's boundaries.	Transmit to GA	Non-Resident Tuition	2028
39/078	7157	Oak Park ESD 97	Cook	27-6	Requests to limit physical education with a licensed physical education teacher to 60 minutes per week (once or twice a week depending upon school schedules) for students in K-5.	Transmit to GA	Physical Education	2024
39/078	7198	Oak Park-River Forest SD 200	Cook	27-24.2, 24.3, rules	Requests to allow 18 hours of practice driving in a simulator system in lieu of three hours of behind-the-wheel instruction in a dual controlled car.	Transmit to GA	Driver Education	2028
39/077	7243	Elmwood Park CUSD 401	Cook	27-6	Request to waive three-days a week PE requirement for students in grades K-5 to instead allow engagement in all specials (PE, music, art, and STEAM) for a 50-minute class period.	Transmit to GA	Physical Education	2028

40/79	7192	St. Anne CHSD 302	Kankakee	Various	Requests to consolidate with St. Anne CCSD 256 to form an Optional Elementary Unit District, commonly called a hybrid district.	Transmit to GA	Consolidation	2027
40/79	7204	St. Anne CCSD 256	Kankakee	Various	Requests to allow St. Anne CCSD 256 and St. Anne CHSD 302 to file a petition to consolidate to form an Optional Elementary Unit District or hybrid district.	Transmit to GA	Consolidation	2028
42/84	7154	Indian Prairie CUSD 204	DuPage	8-2	Requests to reduce the penalty of the bond from 25% to 10% of all bonds, notes, mortgages, moneys, and effects of which he is to have custody.	ISBE Denied	Bonds	2027
44/87	7189	West Lincoln-Broadwell ESD 92	Logan	10-20.12a	Requests to allow children of full-time employees to attend WLB free of tuition during the period of employment.	Transmit to GA	Non-Resident Tuition	2028
44/87	7226	New Holland-Middletown ED 88	Logan	10-20.12a	Request to enable the district to allow non-resident students whose parents are full-time employees of the district to attend its schools free of charge.	Transmit to GA	Non-Resident Tuition	2028
44/88	7158	Central SD 51	Tazewell	10-20.12a	Requests to not charge tuition for non-resident pupils who are children of full-time district employees.	Transmit to GA	Non-Resident Tuition	2027
44/88	7228	Robein SD 85	Tazewell	10-20.12a	Request to allow students whose parents are full-time staff members, full-time administrators, and full-time support staff of the district and who reside outside of the district boundaries to attend the district free of tuition.	Transmit to GA	Non-Resident Tuition	2028
44/88	7233	Robein SD 85	Tazewell	10-20.12a	Request to allow district to set non-resident pupil tuition at a discounted rate.	Transmit to GA	Non-Resident Tuition	2028
45/89	7159	Warren CUSD 205	Jo Daviess	17-1.5	Requests to waive the 5% limitation of administrative costs due to hiring an elementary principal in lieu of the superintendent serving both roles.	Transmit to GA	Administrative Cost Limitation	2023

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45/89	7173	Chadwick-Milledgeville CUSD 399	Carroll	10-20.12a	Requests to allow children of full-time district employees to attend the district tuition free.	Transmit to GA	Non-Resident Tuition	2027
45/90	7149	Kings Cons SD 144	Ogle	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
45/90	7150	Kings Cons SD 144	Ogle	10-20.12a	Requests to charge less than 110% of the per capita tuition charge for non-resident students of administrators and teachers over a five-year period.	Transmit to GA	Non-Resident Tuition	2027
45/90	7155	Meridian CUSD 223	Ogle	10-20.12a	Requests to allow students of Meridian CUSD 223 employees currently working for the school district who do not live within the district boundaries to attend Meridian CUSD schools and not be required to pay the per capita tuition charge.	Ineligible	Non-Resident Tuition	2027
45/90	7168	Meridian CUSD 223	Ogle	10-20.12a	Requests to allow students of Meridian CUSD 223 employees currently working for the school district who do not live within the district boundaries to attend Meridian CUSD schools and not be required to pay the per capita tuition charge.	Transmit to GA	Non-Resident Tuition	2027
45/90	7169	Eswood CCSD 269	Ogle	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
45/90	7231	Byron CUSD 226	Ogle	10-20.12a	Request to charge a reduced tuition for pupils of full-time employees who live outside the district boundaries by charging $3,000 for the first child and $500 for each child thereafter.	Transmit to GA	Non-Resident Tuition	2028
46/91	7190	East Peoria CHSD 309	Tazewell	10-20.12a	Requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of the district.	Transmit to GA	Non-Resident Tuition	2028

46/91	7209	Spoon River Valley CUSD 4	Fulton	17-1.5	Requests to waiver the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
46/91	7172	Oak Grove SD 68 Bartonville	Peoria	10-20.12a	Requests to permit the school district to charge less than 110% of the per capita tuition charge (not less than $3,000 per year) for non-resident children to attend the Oak Grove School District.	Transmit to GA	Non-Resident Tuition	2028
47/93	7193	Illini Central CUSD 189	Mason	10-20.12a	Requests to allow children of full-time teachers, administrators, and full-time (12-month) support staff, not residing in the boundaries of the school district to attend Illini Central CUSD 189 tuition free.	Transmit to GA	Non-Resident Tuition	2027
47/94	7145	United CUSD 304	Warren	10-20.12a	Requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of the district. The intent would be to allow students of full-time employees to attend free of charge.	Transmit to GA	Non-Resident Tuition	2026
47/94	7179	Liberty CUSD 2	Adams	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
47/94	7181	Carthage ESD 317	Hancock	10-20.12a	Requests to eliminate the tuition charge for non-resident children of employees of Carthage Elementary School District 317.	Transmit to GA	Non-Resident Tuition	2028
47/94	7184	Dallas ESD 327	Hancock	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
47/94	7210	Quincy SD 172	Adams	27-6	Requests to waive PE requirements.	Transmit to GA	Physical Education	2028

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48/95	7175	Morrisonville CUSD 1	Christian	10-20.12a	Requests to allow the district to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees.	Transmit to GA	Non-Resident Tuition	2028
48/95	7182	Taylorville CUSD 3	Christian	10-20.12a	Requests to allow the district to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of Taylorville CUSD 3.	Transmit to GA	Non-Resident Tuition	2029
48/95	7195	Mount Olive CUSD 5	Macoupin	10-20.12a	Requests to allow non-resident students whose parents are full-time and part-time, certified and non-certified employees of the school district who live outside district boundaries to attend school free of charge.	Transmit to GA	Non-Resident Tuition	2028
48/95	7203	Staunton CUSD 6	Macoupin	10-20.12a	Requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time certified employees of Staunton CUSD 6.	Transmit to GA	Non-Resident Tuition	2028
48/96	7165	South Fork SD 14	Christian	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
50/100	7152	Griggsville-Perry CUSD 4	Pike	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2022
50/100	7225	Calhoun CUSD 40	Calhoun	10-20.12a	Request to allow students whose parents are full-time employees of the district to attend the schools without charge.	Transmit to GA	Non-Resident Tuition	2026
50/100	7234	Northwestern CUSD 2	Macoupin	17-1.5	Request to waive 105% cap.	Transmit to GA	Administrative Cost Limitation	2023
57/101	7171	Deland-Weldon CUSD 57	Piatt	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023

51/101	7215	Bement CUSD 5	Piatt	17-1.5	Requests to waive the 5% limitation of administrative costs.	Ineligible	Administrative Cost Limitation	2023
51/101	7223	Heyworth CUSD 4	McLean	10-20.12a	Requests to charge less than 110% ecent of the per capita tuition charge for children of full-time licensed employees who do not reside within the boundaries of the district.	Transmit to GA	Non-Resident Tuition	2028
51/101	7245	Bement CUSD 5	Piatt	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
51/102	7151	Tolono CUSD 7	Champaign	10-20.12a	Requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of the district. The actual intent would be to allow students of full-time employees to attend free of charge.	Ineligible	Non-Resident Tuition	2028
51/102	7200	Heritage CUSD 8	Champaign	10-20.12a	Requests to enable the district to allow non-resident students whose parents are full-time employees of the district to attend its schools free of charge.	Transmit to GA	Non-Resident Tuition	2028
51/102	7201	St. Joseph-Ogden CHSD 305	Champaign	10-20.12a	Requests to allow the children of full-time employees who do not reside in the district to attend St. Joseph-Ogden CUSD 305 without the requirement to pay tuition.	Transmit to GA	Non-Resident Tuition	2028
51/102	7229	Paris-Union SD 95	Edgar	10-20.12a	Request to allow children of full-time employees to attend the district free of tuition.	Transmit to GA	Non-Resident Tuition	2028
51/102	7238	Villa Grove CUSD 302	Douglas	10-20.12a	Request to allow children of full-time employees who do not live in the district to attend the district free of charge.	Ineligible	Non-Resident Tuition	2028
52/103	7197	Champaign CUSD 4	Champaign	10/19.05(d)	Requests to utilize six full days for school improvement in lieu of 12 half days while utilizing banked time.	ISBE Approved	School Improvement Days	2028

52/104	7163	Rantoul City SD 137	Champaign	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2022
52/104	7240	Rantoul City SD 137	Champaign	10/19.05(d)	Request to allow a school improvement day without students in attendance (four full-day improvement days in lieu of eight half-days).	Incomplete	School Improvement Days	2028
53/105	7219	Lexington CUSD 7	McLean	10-20.12a	Requests to charge less than 110% of the per capita tuition charge for children of full-time licensed employees who do not reside within the boundaries of the district.	Transmit to GA	Non-Resident Tuition	2028
53/106	7156	Roanoke-Benson CUSD 60	Woodford	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
53/106	7160	Tri-Point CUSD 6J	Livingston	10-20.12a	Requests to allow school-aged children of staff who reside outside of district boundaries to attend Tri-Point tuition free.	Transmit to GA	Non-Resident Tuition	2027
53/106	7161	Tri-Point CUSD 6J	Livingston	10/19.05(d)	Requests up to five full days for school improvement in lieu of 10 half days while utilizing banked time.	ISBE Approved	School Improvement Days	2027
53/106	7216	El Paso-Gridley CUSD 11	Woodford	10-20.12a	Requests to charge less than 100% of the per capita tuition charge for non-resident children of full-time teachers, administrators, and support staff not residing in the boundaries of the school district.	Ineligible	Non-Resident Tuition	2028
53/106	7237	Milford Area Public Schools District 124	Iroquois	10-20.12a	Request to allow children of full-time employees who do not live in the district to attend the district free of charge.	Transmit to GA	Non-Resident Tuition	2028
53/106	7241	Paxton-Buckley-Loda CUD 10	Ford	10-20.12a	Request to allow children of district employees who are non-resident pupils to attend the schools of the district tuition free.	Transmit to GA	Non-Resident Tuition	2026

54/107	7162	Brownstown CUSD 201	Fayette	10-20.12a	Requests to charge less than 110% (or zero) of the per capita tuition charge for all non-resident children of all employees.	Transmit to GA	Non-Resident Tuition	2028
54/107	7177	Bond County CUSD 2	Bond	10-20.12a	Requests to allow the district to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of Bond County CUSD 2.	Transmit to GA	Non-Resident Tuition	2028
54/107	7180	Ramsey CUSD 204	Fayette	10-20.12a	Requests to charge less than 110% of the per capital tuition charge for non-resident tuition of full-time employees of the Ramsey School District.	Transmit to GA	Non-Resident Tuition	2028
54/107	7186	Altamont CUSD 10	Effingham	10-20.12a	Requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of Altamont CUSD 10. The district will claim Evidence-Based Funding of such students on the State Aid Claim.	Transmit to GA	Non-Resident Tuition	2028
54/107	7199	Vandalia CUSD 203	Fayette	10-20.12a	Requests to not charge tuition for non-resident children of all employees.	Transmit to GA	Non-Resident Tuition	2028
51/101	7242	Kell Cons SD 2	Marion	17-1.5	Request to waive 5% limitation on administrative costs.	Ineligible	Administrative Cost Limitation	2024
54/108	7217	North Wamac SD 186	Clinton	10-20.12a	Requests to allow non-resident children of full-time employees to attend North Wamac GSD 186 free of charge.	Transmit to GA	Non-Resident Tuition	2028
55/109	7144	Norris City-Omaha-Enfield CUSD 3	White	10-20.12a	Requests to allow students of full-time employees to attend free of charge.	Transmit to GA	Non-Resident Tuition	2027
55/109	7167	North Clay CUSD 25	Clay	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2022

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55/109	7202	Allendale CCSD 17	Wabash	10-20.12a	Requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees to attend free of charge.	Transmit to GA	Non-Resident Tuition	2028
55/109	7230	Grayville CUSD 1	White	10-20.12a	Request to allow children of full-time employees who do not reside in the district to attend the district free of tuition.	Transmit to GA	Non-Resident Tuition	2028
55/110	7176	Hutsonville CUSD 1	Crawford	10-20.12a	Requests to allow the children of full-time employees who do not reside in the district to attend Hutsonville CUSD 1 without the requirement to pay tuition.	Transmit to GA	Non-Resident Tuition	2028
56/111	7212	East Alton SD 13	Madison	10-20.12a	Requests to allow non-resident students whose parents are staff members of the district to attend its schools free of charge.	Transmit to GA	Non-Resident Tuition	2028
56/111	7218	Wood River-Hartford ESD 15	Madison	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
57/114	7170	O'Fallon CCSD 90	Saint Clair	10-17	Requests to waive publishing the annual Statement of Affairs in the local newspaper in order to reallocate $1,200 to improve student performance. The Statement of Affairs will be posted on the district website by December 1.	Ineligible	Statement of Affairs	2028
57/114	7194	O'Fallon CCSD 90	Saint Clair	10-17	Requests to waive the requirement to post the annual Statement of Affairs in the local newspaper.	Ineligible	Statement of Affairs	2028
58/115	7178	Elverado CUSD 196	Jackson	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
58/116	7185	Community Unit School District No 196	Saint Clair	10-20.12a	Requests to charge less than 110% of the per capita tuition charge (zero charge) for non-resident children of full-time certified and non-certified	Ineligible	Non-Resident Tuition	2028

					district employees to attend Dupo CUSD 196.			
58/116	7196	Pinckneyville SD 50	Perry	10-20.12a	Requests to allow students of employees who live outside district boundaries the opportunity to attend Pinckneyville District 50 schools free of charge.	Transmit to GA	Non-Resident Tuition	2028
58/116	7207	Pinckneyville CHSD 101	Perry	10-20.12a	Requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time and part-time (or less than full-time) employees of PCHSD 101.	Ineligible	Non-Resident Tuition	2028
58/116	7227	Steeleville CUSD 138	Randolph	10-20.12a	Request to permit district to charge less than 110% of the per capita tuition charge for non-resident children of certified employees	Transmit to GA	Non-Resident Tuition	2029
59/117	7164	Thompsonville CUSD 174	Franklin	17-1.5	Requests to waive the 5% limitation of administrative costs.	Transmit to GA	Administrative Cost Limitation	2023
59/118	7166	Lick Creek CCSD 16	Union	10-20.12a	Requests to allow students of non-resident full-time employees to attend Lick Creek Elementary School District without charging a tuition fee.	Transmit to GA	Non-Resident Tuition	2027
59/118	7205	Cypress SD 64	Johnson	10-20.12a	Requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of the district.	Ineligible	Non-Resident Tuition	2027
59/118	7214	Cypress SD 64	Johnson	10-20.12a	Requests to charge less than 110% of the per capita tuition charge for non-resident children of full-time employees of the district.	Transmit to GA	Non-Resident Tuition	2027

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The foregoing report was placed before the Senate, ordered received and placed on file with the Secretary's Office.

At the hour of 6:59 o'clock p.m., the Chair announced that the Senate stands adjourned until Friday, March 31, 2023, at 9:00 o'clock a.m.