# SENATE JOURNAL

## STATE OF ILLINOIS

## ONE HUNDRED THIRD GENERAL ASSEMBLY

## 54TH LEGISLATIVE DAY

## FRIDAY, MAY 19, 2023

## 9:47 O'CLOCK A.M.

NO. 54
[May 19, 2023]

**SENATE**
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The Senate met pursuant to adjournment.
Senator Bill Cunningham, Chicago, Illinois, presiding.
Prayer by Pastor Paul Hemenway, Trinity Lutheran Church, Springfield, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Thursday, May 18, 2023, be postponed, pending arrival of the printed Journal.
The motion prevailed.

**LEGISLATIVE MEASURES FILED**

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

Amendment No. 1 to House Bill 1119
Amendment No. 1 to House Bill 2089
Amendment No. 1 to House Bill 2507
Amendment No. 1 to House Bill 2518
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Amendment No. 2 to House Bill 3811
Amendment No. 3 to House Bill 3811
Amendment No. 1 to House Bill 3903

**JOINT ACTION MOTIONS FILED**

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment No. 2 to Senate Bill 76
Motion to Concur in House Amendment No. 1 to Senate Bill 850
Motion to Concur in House Amendment No. 1 to Senate Bill 1463

**COMMUNICATION FROM THE MINORITY LEADER**

SPRINGFIELD OFFICE:
108 STATE HOUSE
SPRINGFIELD, ILLINOIS 62706
PHONE: 217/782-9407

DISTRICT OFFICE:
1011 STATE ST.
SUITE 205
LEMONT, ILLINOIS 62706
PHONE: 630.914.5733
SENATORCURRAN@GMAIL.COM

ILLINOIS STATE SENATE
**JOHN CURRAN**
SENATE REPUBLICAN LEADER
41ST SENATE DISTRICT

May 19, 2023

Mr. Tim Anderson
Secretary of the Senate
058 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-5 (c), I hereby temporarily appoint **Senator Terri Bryant** to replace **Senator Don DeWitte** as a member of the Senate State Government Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate State Government Committee on Friday, May 19, 2023.

Sincerely,
s/John F. Curran
John F. Curran
Illinois Senate Republican Leader
41st District

Cc: Senate President Don Harmon
Assistant Secretary of the Senate Scott Kaiser

**MESSAGES 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2219

A bill for AN ACT concerning local government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2219

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 2245

A bill for AN ACT concerning transportation.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2245

Senate Amendment No. 2 to HOUSE BILL NO. 2245

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2297

A bill for AN ACT concerning State government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2297

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2372

A bill for AN ACT concerning State government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2372

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 2412

A bill for AN ACT concerning the Illinois State Police.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2412

Senate Amendment No. 2 to HOUSE BILL NO. 2412

Senate Amendment No. 3 to HOUSE BILL NO. 2412

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2487

A bill for AN ACT concerning safety.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2487

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2719

A bill for AN ACT concerning regulation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2719

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3133

A bill for AN ACT concerning local government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3133

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3135

A bill for AN ACT concerning human rights.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3135

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 3233

A bill for AN ACT concerning regulation.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3233

Senate Amendment No. 2 to HOUSE BILL NO. 3233

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3370

A bill for AN ACT concerning employment.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3370

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3448

A bill for AN ACT concerning employment.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3448

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 3456

A bill for AN ACT concerning finance.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3456

Senate Amendment No. 2 to HOUSE BILL NO. 3456

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3516

A bill for AN ACT concerning employment.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3516
Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3522

A bill for AN ACT concerning education.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3522
Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 3563

A bill for AN ACT concerning State government.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3563
Senate Amendment No. 2 to HOUSE BILL NO. 3563
Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3631

A bill for AN ACT concerning regulation.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3631
Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3768

A bill for AN ACT concerning State government.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3768
Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3819

A bill for AN ACT concerning government.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3819
Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

**PRESENTATION OF CELEBRATION OF LIFE RESOLUTIONS**

**SENATE RESOLUTION NO. 320**

Offered by Senator Hunter and all Senators:
Mourns the passing of Robert Henry "Bob" Dixon.

**SENATE RESOLUTION NO. 321**

Offered by Senator Hunter and all Senators:
Mourns the passing of Loretta Cecelia (Wright) Johnson.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

**HOUSE BILL RECALLED**

On motion of Senator Plummer, **House Bill No. 1076** was recalled from the order of third reading to the order of second reading.

Senator Plummer offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO HOUSE BILL 1076**

AMENDMENT NO. 1 . Amend House Bill 1076 by replacing line 14 on page 1 through line 4 on page 2 with the following:

"ordinance passed by three-fourths of the full county board ~~members~~ then holding office, at any regular meeting or at any special meeting called for that purpose. ~~However, the county board may authorize any county officer to make leases for terms not exceeding 2 years in a manner determined by the Board.~~

(b) Notwithstanding subsection (a), upon three-fourths vote, by the full county board, the county board may lease farmland acquired or held by the county for any term not exceeding 5 years. Farmland may be leased to either public or private entities via a cash lease, crop-sharing arrangement, or custom farming arrangement. The bid process for a lease entered into under this subsection must be publicly advertised and sealed bids must be opened at a county board meeting for public review. Counties shall not acquire farmland for the sole purpose of entering into a cash lease, crop-sharing arrangement, or custom farming arrangement or other speculative purpose.".

The motion prevailed.
And the amendment was adopted and ordered printed.
There being no further amendments, the bill, as amended, was ordered to a third reading.

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Plummer, **House Bill No. 1076** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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; Present 1.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Anderson | 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, S. |
| Chesney | Harriss, E. | Murphy | Ventura |
| Cunningham | Holmes | Pacione-Zayas | Villa |
| Curran | Hunter | Peters | Villanueva |
| DeWitte | Johnson | Plummer | Villivalam |
| Edly-Allen | Jones, E. | Porfirio | Wilcox |
| Ellman | Joyce | Preston | Mr. President |
| Faraci | Koehler | Rezin | |
| Feigenholtz | Lewis | Rose | |

The following voted present:

Turner, D.

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 in the Senate Amendment adopted thereto.

On motion of Senator Cervantes, **House Bill No. 1367** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | 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.

On motion of Senator Preston, **House Bill No. 1399** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | 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.

On motion of Senator Peters, **House Bill No. 1612** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | 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 in the Senate Amendment adopted thereto.

**HOUSE BILL RECALLED**

On motion of Senator McClure, **House Bill No. 2077** was recalled from the order of third reading to the order of second reading.

Senator McClure offered the following amendment and moved its adoption:

**AMENDMENT NO. 4 TO HOUSE BILL 2077**

AMENDMENT NO. 4 . Amend House Bill 2077, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Dental Practice Act is amended by changing Sections 4, 11, 16.1, 17, 19, 23, and 50 and by adding Section 50.1 as follows:

(225 ILCS 25/4) (from Ch. 111, par. 2304)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4. Definitions. As used in this Act:

"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address and those changes must be made either through the Department's website or by contacting the Department.

"Department" means the Department of Financial and Professional Regulation.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Board" means the Board of Dentistry.

"Dentist" means a person who has received a general license pursuant to paragraph (a) of Section 11 of this Act and who may perform any intraoral and extraoral procedure required in the practice of dentistry and to whom is reserved the responsibilities specified in Section 17.

"Dental hygienist" means a person who holds a license under this Act to perform dental services as authorized by Section 18.

"Dental assistant" means an appropriately trained person who, under the supervision of a dentist, provides dental services as authorized by Section 17.

"Expanded function dental assistant" means a dental assistant who has completed the training required by Section 17.1 of this Act.

"Dental laboratory" means a person, firm, or corporation which:

(i) engages in making, providing, repairing, or altering dental prosthetic appliances and other artificial materials and devices which are returned to a dentist for insertion into the human oral cavity or which come in contact with its adjacent structures and tissues; and

(ii) utilizes or employs a dental technician to provide such services; and

(iii) performs such functions only for a dentist or dentists.

"Supervision" means supervision of a dental hygienist or a dental assistant requiring that a dentist authorize the procedure, remain in the dental facility while the procedure is performed, and approve the work performed by the dental hygienist or dental assistant before dismissal of the patient, but does not mean that the dentist must be present at all times in the treatment room.

"General supervision" means supervision of a dental hygienist requiring that the patient be a patient of record, that the dentist examine the patient in accordance with Section 18 prior to treatment by the dental hygienist, and that the dentist authorize the procedures which are being carried out by a notation in the patient's record, but not requiring that a dentist be present when the authorized procedures are being

performed. The issuance of a prescription to a dental laboratory by a dentist does not constitute general supervision.

"Public member" means a person who is not a health professional. For purposes of board membership, any person with a significant financial interest in a health service or profession is not a public member.

"Dentistry" means the healing art which is concerned with the examination, diagnosis, treatment planning, and care of conditions within the human oral cavity and its adjacent tissues and structures, as further specified in Section 17.

"Branches of dentistry" means the various specialties of dentistry which, for purposes of this Act, shall be limited to the following: endodontics, oral and maxillofacial surgery, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, prosthodontics, oral and maxillofacial radiology, and dental anesthesiology.

"Specialist" means a dentist who has received a specialty license pursuant to Section 11(b).

"Dental technician" means a person who owns, operates, or is employed by a dental laboratory and engages in making, providing, repairing, or altering dental prosthetic appliances and other artificial materials and devices which are returned to a dentist for insertion into the human oral cavity or which come in contact with its adjacent structures and tissues.

"Impaired dentist" or "impaired dental hygienist" means a dentist or dental hygienist who is unable to practice with reasonable skill and safety because of a physical or mental disability as evidenced by a written determination or written consent based on clinical evidence, including deterioration through the aging process, loss of motor skills, abuse of drugs or alcohol, or a psychiatric disorder, of sufficient degree to diminish the person's ability to deliver competent patient care.

"Nurse" means a registered professional nurse, a certified registered nurse anesthetist licensed as an advanced practice registered nurse, or a licensed practical nurse licensed under the Nurse Practice Act.

"Patient of record" means a patient for whom the patient's most recent dentist has obtained a relevant medical and dental history and on whom the dentist has performed an examination and evaluated the condition to be treated.

"Dental responder" means a dentist or dental hygienist who is appropriately certified in disaster preparedness, immunizations, and dental humanitarian medical response consistent with the Society of Disaster Medicine and Public Health and training certified by the National Incident Management System or the National Disaster Life Support Foundation.

"Mobile dental van or portable dental unit" means any self-contained or portable dental unit in which dentistry is practiced that can be moved, towed, or transported from one location to another in order to establish a location where dental services can be provided.

"Public health dental hygienist" means a hygienist who holds a valid license to practice in the State, has 2 years of full-time clinical experience or an equivalent of 4,000 hours of clinical experience, and has completed at least 42 clock hours of additional structured courses in dental education in advanced areas specific to public health dentistry.

"Public health setting" means a federally qualified health center; a federal, State, or local public health facility; Head Start; a special supplemental nutrition program for Women, Infants, and Children (WIC) facility; a certified school-based health center or school-based oral health program; a prison; or a long-term care facility.

"Public health supervision" means the supervision of a public health dental hygienist by a licensed dentist who has a written public health supervision agreement with that public health dental hygienist while working in an approved facility or program that allows the public health dental hygienist to treat patients, without a dentist first examining the patient and being present in the facility during treatment, (1) who are eligible for Medicaid or (2) who are uninsured and whose household income is not greater than 300% ~~200%~~ of the federal poverty level.

"Teledentistry" means the use of telehealth systems and methodologies in dentistry and includes patient care and education delivery using synchronous and asynchronous communications under a dentist's authority as provided under this Act.

(Source: P.A. 101-64, eff. 7-12-19; 101-162, eff. 7-26-19; 102-93, eff. 1-1-22; 102-588, eff. 8-20-21; 102-936, eff. 1-1-23.)

(225 ILCS 25/11) (from Ch. 111, par. 2311)

(Section scheduled to be repealed on January 1, 2026)

Sec. 11. Types of dental licenses. The Department shall have the authority to issue the following types of licenses:

(a) General licenses. The Department shall issue a license authorizing practice as a dentist to any person who qualifies for a license under this Act.

(b) Specialty licenses. The Department shall issue a license authorizing practice as a specialist in any particular branch of dentistry to any dentist who has complied with the requirements established for that particular branch of dentistry at the time of making application. The Department shall establish additional requirements of any dentist who announces or holds himself or herself out to the public as a specialist or as being specially qualified in any particular branch of dentistry.

No dentist shall announce or hold himself or herself out to the public as a specialist or as being specially qualified in any particular branch of dentistry unless he or she is licensed to practice in that specialty of dentistry.

The fact that any dentist shall announce by card, letterhead, or any other form of communication using terms as "Specialist", ," "Practice Limited To", or "Limited to Specialty of" with the name of the branch of dentistry practiced as a specialty, or shall use equivalent words or phrases to announce the same, shall be prima facie evidence that the dentist is holding himself or herself out to the public as a specialist.

(c) Temporary training licenses. Persons who wish to pursue specialty or other advanced clinical educational programs in an approved dental school or a hospital situated in this State, or persons who wish to pursue programs of specialty training in dental public health in public agencies in this State, may receive without examination, in the discretion of the Department, a temporary training license. In order to receive a temporary training license under this subsection, an applicant shall furnish satisfactory proof to the Department that:

(1) The applicant is at least 21 years of age and is of good moral character. In determining moral character under this Section, the Department may take into consideration any felony conviction of the applicant, but such a conviction shall not operate as bar to licensure;

(2) The applicant has been accepted or appointed for specialty or residency training by an approved hospital situated in this State, by an approved dental school situated in this State, or by a public health agency in this State the training programs of which are recognized and approved by the Department. The applicant shall indicate the beginning and ending dates of the period for which he or she has been accepted or appointed;

(3) The applicant is a graduate of a dental school or college approved and in good standing in the judgment of the Department. The Department may consider diplomas or certifications of education, or both, accompanied by transcripts of course work and credits awarded to determine if an applicant has graduated from a dental school or college approved and in good standing. The Department may also consider diplomas or certifications of education, or both, accompanied by transcripts of course work and credits awarded in determining whether a dental school or college is approved and in good standing.

Temporary training licenses issued under this Section shall be valid only for the duration of the period of residency or specialty training and may be extended or renewed as prescribed by rule. The holder of a valid temporary training license shall be entitled thereby to perform acts as may be prescribed by and incidental to his or her program of residency or specialty training; but he or she shall not be entitled to engage in the practice of dentistry in this State.

A temporary training license may be revoked by the Department upon proof that the holder has engaged in the practice of dentistry in this State outside of his or her program of residency or specialty training, or if the holder shall fail to supply the Department, within 10 days of its request, with information as to his or her current status and activities in his or her specialty training program.

(d) Faculty limited licenses. Persons who have received full-time appointments to teach dentistry at an approved dental school or hospital situated in this State may receive without examination, in the discretion of the Department, a faculty limited license. In order to receive a faculty limited license an applicant shall furnish satisfactory proof to the Department that:

(1) The applicant is at least 21 years of age, is of good moral character, and is licensed to practice dentistry in another state or country; and

(2) The applicant has a full-time appointment to teach dentistry at an approved dental school or hospital situated in this State.

Faculty limited licenses issued under this Section shall be valid for a period of 3 years and may be extended or renewed. The holder of a valid faculty limited license may perform acts as may be required by his or her teaching of dentistry. The ~~In addition, the~~ holder of a faculty limited license may practice general dentistry or in his or her area of specialty, but only in a clinic or office affiliated with the dental school. The

holder of a faculty limited license may advertise a specialty degree as part of the licensee's ability to practice in a faculty practice. Any faculty limited license issued to a faculty member under this Section shall terminate immediately and automatically, without any further action by the Department, if the holder ceases to be a faculty member at an approved dental school or hospital in this State.

The Department may revoke a faculty limited license for a violation of this Act or its rules, or if the holder fails to supply the Department, within 10 days of its request, with information as to his or her current status and activities in his or her teaching program.

(e) Inactive status. Any person who holds one of the licenses under subsection (a) or (b) of Section 11 or under Section 12 of this Act may elect, upon payment of the required fee, to place his or her license on an inactive status and shall, subject to the rules of the Department, be excused from the payment of renewal fees until he or she notifies the Department in writing of his or her desire to resume active status.

Any licensee requesting restoration from inactive status shall be required to pay the current renewal fee and upon payment the Department shall be required to restore his or her license, as provided in Section 16 of this Act.

Any licensee whose license is in an inactive status shall not practice in the State of Illinois.

(f) Certificates of Identification. In addition to the licenses authorized by this Section, the Department shall deliver to each dentist a certificate of identification in a form specified by the Department.

(Source: P.A. 100-976, eff. 1-1-19.)

(225 ILCS 25/16.1) (from Ch. 111, par. 2316.1)

(Section scheduled to be repealed on January 1, 2026)

Sec. 16.1. Continuing education. The Department shall promulgate rules of continuing education for persons licensed under this Act. In establishing rules, the Department shall require a minimum of 48 hours of study in approved courses for dentists during each 3-year licensing period and a minimum of 36 hours of study in approved courses for dental hygienists during each 3-year licensing period.

The Department shall approve only courses that are relevant to the treatment and care of patients, including, but not limited to, clinical courses in dentistry and dental hygiene and nonclinical courses such as patient management, legal and ethical responsibilities, and stress management. The Department shall allow up to 4 hours of continuing education credit hours per license renewal period for volunteer hours spent providing clinical services at, or sponsored by, a nonprofit community clinic, local or state health department, or a charity event. Courses shall not be approved in such subjects as estate and personal financial planning, personal investments, or personal health. Approved courses may include, but shall not be limited to, courses that are offered or sponsored by approved colleges, universities, and hospitals and by recognized national, State, and local dental and dental hygiene organizations. When offering a continuing education course, whether at no cost or for a fee, the course provider shall explicitly disclose that the course is an approved course for continuing education in the State of Illinois, as provided in this Section or by the rules adopted by the Department.

No license shall be renewed unless the renewal application is accompanied by an affidavit indicating that the applicant has completed the required minimum number of hours of continuing education in approved courses as required by this Section. The affidavit shall not require a listing of courses. The affidavit shall be a prima facie evidence that the applicant has obtained the minimum number of required continuing education hours in approved courses. The Department shall not be obligated to conduct random audits or otherwise independently verify that an applicant has met the continuing education requirement. The Department, however, may not conduct random audits of more than 10% of the licensed dentists and dental hygienists in any one licensing cycle to verify compliance with continuing education requirements. If the Department, however, receives a complaint that a licensee has not completed the required continuing education or if the Department is investigating another alleged violation of this Act by a licensee, the Department may demand and shall be entitled to receive evidence from any licensee of completion of required continuing education courses for the most recently completed 3-year licensing period. Evidence of continuing education may include, but is not limited to, canceled checks, official verification forms of attendance, and continuing education recording forms, that demonstrate a reasonable record of attendance. The Board shall determine, in accordance with rules adopted by the Department, whether a licensee or applicant has met the continuing education requirements. Any dentist who holds more than one license under this Act shall be required to complete only the minimum number of hours of continuing education required for renewal of a single license. The Department may provide exemptions from continuing education requirements.

(Source: P.A. 99-492, eff. 12-31-15.)

(225 ILCS 25/17) (from Ch. 111, par. 2317)

(Section scheduled to be repealed on January 1, 2026)

Sec. 17. Acts constituting the practice of dentistry. A person practices dentistry, within the meaning of this Act:

(1) Who represents himself or herself as being able to diagnose or diagnoses, treats, prescribes, or operates for any disease, pain, deformity, deficiency, injury, or physical condition of the human tooth, teeth, alveolar process, gums, or jaw; or

(2) Who is a manager, proprietor, operator, or conductor of a business where dental operations are performed; or

(3) Who performs dental operations of any kind; or

(4) Who uses an X-Ray machine or X-Ray films for dental diagnostic purposes; or

(5) Who extracts a human tooth or teeth, or corrects or attempts to correct malpositions of the human teeth or jaws; or

(6) Who offers or undertakes, by any means or method, to diagnose, treat, or remove stains, calculus, and bonding materials from human teeth or jaws; or

(7) Who uses or administers local or general anesthetics in the treatment of dental or oral diseases or in any preparation incident to a dental operation of any kind or character; or

(8) Who takes material or digital scans for final impressions of the human tooth, teeth, or jaws or performs any phase of any operation incident to the replacement of a part of a tooth, a tooth, teeth, or associated tissues by means of a filling, crown, a bridge, a denture, or other appliance; or

(9) Who offers to furnish, supply, construct, reproduce, or repair, or who furnishes, supplies, constructs, reproduces, or repairs, prosthetic dentures, bridges, or other substitutes for natural teeth, to the user or prospective user thereof; or

(10) Who instructs students on clinical matters or performs any clinical operation included in the curricula of recognized dental schools and colleges; or

(11) Who takes material or digital scans for final impressions of human teeth or places his or her hands in the mouth of any person for the purpose of applying teeth whitening materials, or who takes impressions of human teeth or places his or her hands in the mouth of any person for the purpose of assisting in the application of teeth whitening materials. A person does not practice dentistry when he or she discloses to the consumer that he or she is not licensed as a dentist under this Act and (i) discusses the use of teeth whitening materials with a consumer purchasing these materials; (ii) provides instruction on the use of teeth whitening materials with a consumer purchasing these materials; or (iii) provides appropriate equipment on-site to the consumer for the consumer to self-apply teeth whitening materials.

The fact that any person engages in or performs, or offers to engage in or perform, any of the practices, acts, or operations set forth in this Section, shall be prima facie evidence that such person is engaged in the practice of dentistry.

The following practices, acts, and operations, however, are exempt from the operation of this Act:

(a) The rendering of dental relief in emergency cases in the practice of his or her profession by a physician or surgeon, licensed as such under the laws of this State, unless he or she undertakes to reproduce or reproduces lost parts of the human teeth in the mouth or to restore or replace lost or missing teeth in the mouth; or

(b) The practice of dentistry in the discharge of their official duties by dentists in any branch of the Armed Services of the United States, the United States Public Health Service, or the United States Veterans Administration; or

(c) The practice of dentistry by students in their course of study in dental schools or colleges approved by the Department, when acting under the direction and supervision of dentists acting as instructors; or

(d) The practice of dentistry by clinical instructors in the course of their teaching duties in dental schools or colleges approved by the Department:

(i) when acting under the direction and supervision of dentists, provided that such clinical instructors have instructed continuously in this State since January 1, 1986; or

(ii) when holding the rank of full professor at such approved dental school or college and possessing a current valid license or authorization to practice dentistry in another country; or

(e) The practice of dentistry by licensed dentists of other states or countries at meetings of the Illinois State Dental Society or component parts thereof, alumni meetings of dental colleges, or any other like dental organizations, while appearing as clinicians; or

(f) The use of X-Ray machines for exposing X-Ray films of dental or oral tissues by dental hygienists or dental assistants; or

(g) The performance of any dental service by a dental assistant, if such service is performed under the supervision and full responsibility of a dentist. In addition, after being authorized by a dentist, a dental assistant may, for the purpose of eliminating pain or discomfort, remove loose, broken, or irritating orthodontic appliances on a patient of record.

For purposes of this paragraph (g), "dental service" is defined to mean any intraoral procedure or act which shall be prescribed by rule or regulation of the Department. "Dental service", however, shall not include:

(1) Any and all diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury, or physical condition of the human teeth or jaws, or adjacent structures.

(2) Removal of, ~~or~~ restoration of, or addition to the hard or soft tissues of the oral cavity, except for the placing, carving, and finishing of amalgam restorations and placing, packing, and finishing composite restorations by dental assistants who have had additional formal education and certification.

A dental assistant may place, carve, and finish amalgam restorations, place, pack, and finish composite restorations, and place interim restorations if he or she (A) has successfully completed a structured training program as described in item (2) of subsection (g) provided by an educational institution accredited by the Commission on Dental Accreditation, such as a dental school or dental hygiene or dental assistant program, or (B) has at least 4,000 hours of direct clinical patient care experience and has successfully completed a structured training program as described in item (2) of subsection (g) provided by a statewide dental association, approved by the Department to provide continuing education, that has developed and conducted training programs for expanded functions for dental assistants or hygienists. The training program must: (i) include a minimum of 16 hours of didactic study and 14 hours of clinical manikin instruction; all training programs shall include areas of study in nomenclature, caries classifications, oral anatomy, periodontium, basic occlusion, instrumentations, pulp protection liners and bases, dental materials, matrix and wedge techniques, amalgam placement and carving, rubber dam clamp placement, and rubber dam placement and removal; (ii) include an outcome assessment examination that demonstrates competency; (iii) require the supervising dentist to observe and approve the completion of 8 amalgam or composite restorations; and (iv) issue a certificate of completion of the training program, which must be kept on file at the dental office and be made available to the Department upon request. A dental assistant must have successfully completed an approved coronal polishing and dental sealant course prior to taking the amalgam and composite restoration course.

A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for placing, carving, and finishing of amalgam restorations or for placing, packing, and finishing composite restorations.

(3) Any and all correction of malformation of teeth or of the jaws.

(4) Administration of anesthetics, except for monitoring of nitrous oxide, conscious sedation, deep sedation, and general anesthetic as provided in Section 8.1 of this Act, that may be performed only after successful completion of a training program approved by the Department. A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for the monitoring of nitrous oxide.

(5) Removal of calculus from human teeth.

(6) Taking of material or digital scans for final impressions for the fabrication of prosthetic appliances, crowns, bridges, inlays, onlays, or other restorative or replacement dentistry.

(7) The operative procedure of dental hygiene consisting of oral prophylactic procedures, except for coronal polishing and pit and fissure sealants, which may be performed by a dental assistant who has successfully completed a training program approved by the Department. Dental assistants may perform coronal polishing under the following circumstances: (i) the coronal polishing shall be limited to polishing the clinical crown of the tooth and existing

restorations, supragingivally; (ii) the dental assistant performing the coronal polishing shall be limited to the use of rotary instruments using a rubber cup or brush polishing method (air polishing is not permitted); and (iii) the supervising dentist shall not supervise more than 4 dental assistants at any one time for the task of coronal polishing or pit and fissure sealants.

In addition to coronal polishing and pit and fissure sealants as described in this item (7), a dental assistant who has at least 2,000 hours of direct clinical patient care experience and who has successfully completed a structured training program provided by (1) an educational institution including, but not limited to, a dental school or dental hygiene or dental assistant program, or (2) a continuing education provider approved by the Department, or (3) a statewide dental or dental hygienist association~~, approved by the Department on or before January 1, 2017 (the effective date of Public Act 99-680),~~ that has developed and conducted a training program for expanded functions for dental assistants or hygienists may perform: (A) coronal scaling above the gum line, supragingivally, on the clinical crown of the tooth only on patients 17 years of age or younger who have an absence of periodontal disease and who are not medically compromised or individuals with special needs and (B) intracoronal temporization of a tooth. The training program must: (I) include a minimum of 32 hours of instruction in both didactic and clinical manikin or human subject instruction; all training programs shall include areas of study in dental anatomy, public health dentistry, medical history, dental emergencies, and managing the pediatric patient; (II) include an outcome assessment examination that demonstrates competency; (III) require the supervising dentist to observe and approve the completion of 6 full mouth supragingival scaling procedures unless the training was received as part of a Commission on Dental Accreditation approved dental assistant program; and (IV) issue a certificate of completion of the training program, which must be kept on file at the dental office and be made available to the Department upon request. A dental assistant must have successfully completed an approved coronal polishing course prior to taking the coronal scaling course. A dental assistant performing these functions shall be limited to the use of hand instruments only. In addition, coronal scaling as described in this paragraph shall only be utilized on patients who are eligible for Medicaid, who are uninsured, or whose household income is not greater than 300% of the federal poverty level. A dentist may not supervise more than 2 dental assistants at any one time for the task of coronal scaling. This paragraph is inoperative on and after January 1, 2026.

The limitations on the number of dental assistants a dentist may supervise contained in items (2), (4), and (7) of this paragraph (g) mean a limit of 4 total dental assistants or dental hygienists doing expanded functions covered by these Sections being supervised by one dentist; or

(h) The practice of dentistry by an individual who:

(i) has applied in writing to the Department, in form and substance satisfactory to the Department, for a general dental license and has complied with all provisions of Section 9 of this Act, except for the passage of the examination specified in subsection (e) of Section 9 of this Act; or

(ii) has applied in writing to the Department, in form and substance satisfactory to the Department, for a temporary dental license and has complied with all provisions of subsection (c) of Section 11 of this Act; and

(iii) has been accepted or appointed for specialty or residency training by a hospital situated in this State; or

(iv) has been accepted or appointed for specialty training in an approved dental program situated in this State; or

(v) has been accepted or appointed for specialty training in a dental public health agency situated in this State.

The applicant shall be permitted to practice dentistry for a period of 3 months from the starting date of the program, unless authorized in writing by the Department to continue such practice for a period specified in writing by the Department.

The applicant shall only be entitled to perform such acts as may be prescribed by and incidental to his or her program of residency or specialty training and shall not otherwise engage in the practice of dentistry in this State.

The authority to practice shall terminate immediately upon:

(1) the decision of the Department that the applicant has failed the examination; or

(2) denial of licensure by the Department; or

(3) withdrawal of the application.

(Source: P.A. 101-162, eff. 7-26-19; 102-558, eff. 8-20-21; 102-936, eff. 1-1-23.)

(225 ILCS 25/19) (from Ch. 111, par. 2319)

(Section scheduled to be repealed on January 1, 2026)

Sec. 19. Licensing applicants from other states. Any person who has been lawfully licensed to practice dentistry, including the practice of a licensed dental specialty, or dental hygiene in another state or territory or as a member of the military service which has and maintains a standard for the practice of dentistry, a dental specialty, or dental hygiene at least equal to that now maintained in this State, or if the requirements for licensure in such state or territory in which the applicant was licensed were, at the date of his or her licensure, substantially equivalent to the requirements then in force in this State, and who has been lawfully engaged in the practice of dentistry or dental hygiene for at least 2 ~~3 of the 5~~ years immediately preceding the filing of his or her application to practice in this State and who shall deposit with the Department a duly attested certificate from the Board of the state or territory in which he or she is licensed, certifying to the fact of his or her licensing and of his or her being a person of good moral character may, upon payment of the required fee, be granted a license to practice dentistry, a dental specialty, or dental hygiene in this State, as the case may be.

For the purposes of this Section, "substantially equivalent" means that the applicant has presented evidence of completion and graduation from an American Dental Association accredited dental college or school in the United States or Canada, presented evidence that the applicant has passed both parts of the National Board Dental Examination, and successfully completed an examination conducted by a regional testing service. ~~In computing 3 of the immediately preceding 5 years of practice in another state or territory, any person who left the practice of dentistry to enter the military service and who practiced dentistry while in the military service may count as a part of such period the time spent by him or her in such service.~~

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee forfeited and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 97-526, eff. 1-1-12; 97-1013, eff. 8-17-12.)

(225 ILCS 25/23) (from Ch. 111, par. 2323)

(Section scheduled to be repealed on January 1, 2026)

Sec. 23. Refusal, revocation or suspension of dental licenses. The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem proper, including imposing fines not to exceed $10,000 per violation, with regard to any license for any one or any combination of the following causes:

1. Fraud or misrepresentation in applying for or procuring a license under this Act, or in connection with applying for renewal of a license under this Act.

2. Inability to practice with reasonable judgment, skill, or safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug.

3. Willful or repeated violations of the rules of the Department of Public Health or Department of Nuclear Safety.

4. Acceptance of a fee for service as a witness, without the knowledge of the court, in addition to the fee allowed by the court.

5. Division of fees or agreeing to split or divide the fees received for dental services with any person for bringing or referring a patient, except in regard to referral services as provided for under Section 45, or assisting in the care or treatment of a patient, without the knowledge of the patient or his or her legal representative. Nothing in this item 5 affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this item 5 shall be construed to require an employment arrangement to receive professional fees for services rendered.

6. Employing, procuring, inducing, aiding or abetting a person not licensed or registered as a dentist or dental hygienist to engage in the practice of dentistry or dental hygiene. The person practiced upon is not an accomplice, employer, procurer, inducer, aider, or abetter within the meaning of this Act.

7. Making any misrepresentations or false promises, directly or indirectly, to influence, persuade or induce dental patronage.

8. Professional connection or association with or lending his or her name to another for the illegal practice of dentistry by another, or professional connection or association with any person, firm or corporation holding himself, herself, themselves, or itself out in any manner contrary to this Act.

9. Obtaining or seeking to obtain practice, money, or any other things of value by false or fraudulent representations, but not limited to, engaging in such fraudulent practice to defraud the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

10. Practicing under a false or, except as provided by law, an assumed name.

11. Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

12. Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing for any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States that (i) is a felony under the laws of this State or (ii) is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of dentistry.

13. Permitting a dental hygienist, dental assistant or other person under his or her supervision to perform any operation not authorized by this Act.

14. Permitting more than 4 dental hygienists to be employed under his or her supervision at any one time.

15. A violation of any provision of this Act or any rules promulgated under this Act.

16. Taking impressions for or using the services of any person, firm or corporation violating this Act.

17. Violating any provision of Section 45 relating to advertising.

18. Discipline by another U.S. jurisdiction or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth within this Act.

19. Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

20. Gross negligence in practice under this Act.

21. The use or prescription for use of narcotics or controlled substances or designated products as listed in the Illinois Controlled Substances Act, in any way other than for therapeutic purposes.

22. Willfully making or filing false records or reports in his or her practice as a dentist, including, but not limited to, false records to support claims against the dental assistance program of the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid).

23. Professional incompetence as manifested by poor standards of care.

24. Physical or mental illness, including, but not limited to, deterioration through the aging process, or loss of motor skills which results in a dentist's inability to practice dentistry with reasonable judgment, skill or safety. In enforcing this paragraph, the Department may compel a person licensed to practice under this Act to submit to a mental or physical examination pursuant to the terms and conditions of Section 23b.

25. Gross or repeated irregularities in billing for services rendered to a patient. For purposes of this paragraph 25, "irregularities in billing" shall include:

(a) Reporting excessive charges for the purpose of obtaining a total payment in excess of that usually received by the dentist for the services rendered.

(b) Reporting charges for services not rendered.

(c) Incorrectly reporting services rendered for the purpose of obtaining payment not earned.

26. Continuing the active practice of dentistry while knowingly having any infectious, communicable, or contagious disease proscribed by rule or regulation of the Department.

27. Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

28. Violating the Health Care Worker Self-Referral Act.

29. Abandonment of a patient.

30. Mental incompetency as declared by a court of competent jurisdiction.

31. A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

32. Material misstatement in furnishing information to the Department.

33. Failing, within 60 days, to provide information in response to a written request by the Department in the course of an investigation.

34. Immoral conduct in the commission of any act, including, but not limited to, commission of an act of sexual misconduct related to the licensee's practice.

35. Cheating on or attempting to subvert the licensing examination administered under this Act.

36. A pattern of practice or other behavior that demonstrates incapacity or incompetence to practice under this Act.

37. Failure to establish and maintain records of patient care and treatment as required under this Act.

38. Failure to provide copies of dental records as required by law.

39. Failure of a licensed dentist who owns or is employed at a dental office to give notice of an office closure to his or her patients at least 30 days prior to the office closure pursuant to Section 50.1.

40. Failure to maintain a sanitary work environment.

All proceedings to suspend, revoke, place on probationary status, or take any other disciplinary action as the Department may deem proper, with regard to a license on any of the foregoing grounds, must be commenced within 5 years after receipt by the Department of a complaint alleging the commission of or notice of the conviction order for any of the acts described herein. Except for fraud in procuring a license, no action shall be commenced more than 7 years after the date of the incident or act alleged to have violated this Section. The time during which the holder of the license was outside the State of Illinois shall not be included within any period of time limiting the commencement of disciplinary action by the Department.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

The Department may refuse to issue or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

Any dentist who has had his or her license suspended or revoked for more than 5 years must comply with the requirements for restoration set forth in Section 16 prior to being eligible for reinstatement from the suspension or revocation.

(Source: P.A. 99-492, eff. 12-31-15.)

(225 ILCS 25/50) (from Ch. 111, par. 2350)

(Section scheduled to be repealed on January 1, 2026)

Sec. 50. Patient records. Every dentist shall make a record of all dental work performed for each patient. The record shall be made in a manner and in sufficient detail that it may be used for identification purposes. Dental records are the property of the office in which dentistry is practiced.

Dental records required by this Section shall be maintained for 10 years. Dental records required to be maintained under this Section, or copies of those dental records, shall be made available upon request to the patient or the patient's guardian. A dentist shall be entitled to reasonable reimbursement for the cost of reproducing these records, which shall not exceed the cost allowed under Section 8-2001 of the Code of Civil Procedure. A dentist providing services through a mobile dental van or portable dental unit shall provide to the patient or the patient's parent or guardian, in writing, the dentist's name, license number, address, and information on how the patient or the patient's parent or guardian may obtain the patient's dental records, as provided by law.

(Source: P.A. 99-492, eff. 12-31-15.)

(225 ILCS 25/50.1 new)

Sec. 50.1. Closing a dental office. A dental office that is closing and will not continue to offer dentistry services must provide notice to its patients at least 30 days prior to the closure. The notice to patients shall include an explanation of how copies of the patient's records may be accessed or obtained by the patient. The notice may be given by publication in a newspaper of general circulation in the area in which the dental office is located or in an electronic format accessible by patients.

Section 10. The Illinois Controlled Substances Act is amended by changing Sections 309 and 311.6 as follows:

(720 ILCS 570/309) (from Ch. 56 1/2, par. 1309)

Sec. 309. On or after April 1, 2000, no person shall issue a prescription for a Schedule II controlled substance, which is a narcotic drug listed in Section 206 of this Act; or which contains any quantity of amphetamine or methamphetamine, their salts, optical isomers or salts of optical isomers; phenmetrazine and its salts; gluthethimide; and pentazocine, other than on a written prescription; provided that in the case of an emergency, epidemic or a sudden or unforeseen accident or calamity, the prescriber may issue a lawful oral prescription where failure to issue such a prescription might result in loss of life or intense suffering, but such oral prescription shall include a statement by the prescriber concerning the accident or calamity, or circumstances constituting the emergency, the cause for which an oral prescription was used. Within 7 days after issuing an emergency prescription, the prescriber shall cause a written prescription for the emergency quantity prescribed to be delivered to the dispensing pharmacist. The prescription shall have written on its face "Authorization for Emergency Dispensing", and the date of the emergency prescription. The written prescription may be delivered to the pharmacist in person, or by mail, but if delivered by mail it must be postmarked within the 7-day period. Upon receipt, the dispensing pharmacist shall attach this prescription to the emergency oral prescription earlier received and reduced to writing. The dispensing pharmacist shall notify the Department of Financial and Professional Regulation if the prescriber fails to deliver the authorization for emergency dispensing on the prescription to him or her. Failure of the dispensing pharmacist to do so shall void the authority conferred by this paragraph to dispense without a written prescription of a prescriber. All prescriptions issued for Schedule II controlled substances shall include the quantity prescribed. All nonelectronic prescriptions issued for Schedule II controlled substances shall include both a written and numerical notation of quantity on the face of the prescription. No prescription for a Schedule II controlled substance may be refilled. The Department shall provide, at no cost, audit reviews and necessary information to the Department of Financial and Professional Regulation in conjunction with ongoing investigations being conducted in whole or part by the Department of Financial and Professional Regulation.

(Source: P.A. 97-334, eff. 1-1-12.)

(720 ILCS 570/311.6)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 311.6. Opioid prescriptions.

(a) Notwithstanding any other provision of law, a prescription for a substance classified in Schedule II, III, IV, or V must be sent electronically, in accordance with Section 316. Prescriptions sent in accordance with this subsection (a) must be accepted by the dispenser in electronic format.

(b) Beginning on the effective date of this amendatory Act of the 103rd General Assembly until December 31, 2028, notwithstanding ~~Notwithstanding~~ any other provision of this Section or any other provision of law, a prescriber shall not be required to issue prescriptions electronically if he or she certifies to the Department of Financial and Professional Regulation that he or she will not issue more than 150 ~~25~~ prescriptions during a 12-month period. Prescriptions in both oral and written form for controlled substances shall be included in determining whether the prescriber will reach the limit of 150 ~~25~~ prescriptions. Beginning January 1, 2029, notwithstanding any other provision of this Section or any other provision of law, a prescriber shall not be required to issue prescriptions electronically if he or she certifies to the Department of Financial and Professional Regulation that he or she will not issue more than 50 prescriptions during a 12-month period. Prescriptions in both oral and written form for controlled substances shall be included in determining whether the prescriber will reach the limit of 50 prescriptions.

(b-5) Notwithstanding any other provision of this Section or any other provision of law, a prescriber shall not be required to issue prescriptions electronically under the following circumstances:

(1) prior to January 1, 2026, the prescriber demonstrates financial difficulties in buying or managing an electronic prescription option, whether it is an electronic health record or some other electronic prescribing product;

(2) on and after January 1, 2026, the prescriber provides proof of a waiver from the Centers for Medicare and Medicaid Services for the Electronic Prescribing for Controlled Substances Program due to demonstrated economic hardship for the previous compliance year;

(3) there is a temporary technological or electrical failure that prevents an electronic prescription from being issued;

(4) the prescription is for a drug that the practitioner reasonably determines would be impractical for the patient to obtain in a timely manner if prescribed by an electronic data transmission prescription and the delay would adversely impact the patient's medical condition;

(5) the prescription is for an individual who:

(A) resides in a nursing or assisted living facility;

(B) is receiving hospice or palliative care;

(C) is receiving care at an outpatient renal dialysis facility and the prescription is related to the care provided;

(D) is receiving care through the United States Department of Veterans Affairs; or

(E) is incarcerated in a state, detained, or confined in a correctional facility;

(6) the prescription prescribes a drug under a research protocol;

(7) the prescription is a non-patient specific prescription dispensed under a standing order, approved protocol for drug therapy, collaborative drug management, or comprehensive medication management, or in response to a public health emergency or other circumstance in which the practitioner may issue a non-patient specific prescription;

(8) the prescription is issued when the prescriber and dispenser are the same entity; or

(9) the prescription is issued for a compound prescription containing 2 or more compounds.

(c) The Department of Financial and Professional Regulation may ~~shall~~ adopt rules for the administration of this Section ~~. These rules shall provide for the implementation of any such exemption~~ to the requirements under this Section that the Department of Financial and Professional Regulation may deem appropriate~~, including the exemption provided for in subsection (b)~~.

(d) Any prescriber who makes a good faith effort to prescribe electronically, but for reasons not within the prescriber's control is unable to prescribe electronically, may be exempt from any disciplinary action.

(e) Any pharmacist who dispenses in good faith based upon a valid prescription that is not prescribed electronically may be exempt from any disciplinary action.

(f) It shall be a violation of this Section for any prescriber or dispenser to adopt a policy contrary to this Section.

(Source: P.A. 102-490, eff. 1-1-24 (See Section 55 of P.A. 102-1109 for effective date of P.A. 102-490).)".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator McClure offered the following amendment and moved its adoption:

**AMENDMENT NO. 5 TO HOUSE BILL 2077**

AMENDMENT NO. 5 . Amend House Bill 2077, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 4, on page 41, line 4, after "action.", by inserting "A pharmacist is not required to ensure or responsible for ensuring the prescriber's compliance under subsection (b), nor may any other entity or organization require a pharmacist to ensure the prescriber's compliance with that subsection.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator McClure, **House Bill No. 2077** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | 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 in the Senate Amendments adopted thereto.

**HOUSE BILL RECALLED**

On motion of Senator Martwick, **House Bill No. 2352** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 2 was postponed in the Senate Special Committee on Pensions.

Senator Martwick offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO HOUSE BILL 2352**

AMENDMENT NO. 3 . Amend House Bill 2352, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 1-160, 9-169, 9-179.1, 9-184, 9-185, 9-195, and 9-199 and by adding Sections 9-169.1, 9-169.2, and 9-240 as follows:

(40 ILCS 5/1-160)

(Text of Section from P.A. 102-719)

Sec. 1-160. Provisions applicable to new hires.

(a) The provisions of this Section apply to a person who, on or after January 1, 2011, first becomes a member or a participant under any reciprocal retirement system or pension fund established under this Code, other than a retirement system or pension fund established under Article 2, 3, 4, 5, 6, 7, 15, or 18 of this Code, notwithstanding any other provision of this Code to the contrary, but do not apply to any self-managed plan established under this Code or to any participant of the retirement plan established under Section 22-101; except that this Section applies to a person who elected to establish alternative credits by electing in writing after January 1, 2011, but before August 8, 2011, under Section 7-145.1 of this Code. Notwithstanding anything to the contrary in this Section, for purposes of this Section, a person who is a Tier 1 regular employee as defined in Section 7-109.4 of this Code or who participated in a retirement system under Article 15 prior to January 1, 2011 shall be deemed a person who first became a member or participant prior to January 1, 2011 under any retirement system or pension fund subject to this Section. The changes made to this Section by Public Act 98-596 are a clarification of existing law and are intended to be retroactive to January 1, 2011 (the effective date of Public Act 96-889), notwithstanding the provisions of Section 1-103.1 of this Code.

This Section does not apply to a person who first becomes a noncovered employee under Article 14 on or after the implementation date of the plan created under Section 1-161 for that Article, unless that

person elects under subsection (b) of Section 1-161 to instead receive the benefits provided under this Section and the applicable provisions of that Article.

This Section does not apply to a person who first becomes a member or participant under Article 16 on or after the implementation date of the plan created under Section 1-161 for that Article, unless that person elects under subsection (b) of Section 1-161 to instead receive the benefits provided under this Section and the applicable provisions of that Article.

This Section does not apply to a person who elects under subsection (c-5) of Section 1-161 to receive the benefits under Section 1-161.

This Section does not apply to a person who first becomes a member or participant of an affected pension fund on or after 6 months after the resolution or ordinance date, as defined in Section 1-162, unless that person elects under subsection (c) of Section 1-162 to receive the benefits provided under this Section and the applicable provisions of the Article under which he or she is a member or participant.

(b) "Final average salary" means, except as otherwise provided in this subsection, the average monthly (or annual) salary obtained by dividing the total salary or earnings calculated under the Article applicable to the member or participant during the 96 consecutive months (or 8 consecutive years) of service within the last 120 months (or 10 years) of service in which the total salary or earnings calculated under the applicable Article was the highest by the number of months (or years) of service in that period. For the purposes of a person who first becomes a member or participant of any retirement system or pension fund to which this Section applies on or after January 1, 2011, in this Code, "final average salary" shall be substituted for the following:

(1) (Blank).

(2) In Articles 8, 9, 10, 11, and 12, "highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal".

(3) In Article 13, "average final salary".

(4) In Article 14, "final average compensation".

(5) In Article 17, "average salary".

(6) In Section 22-207, "wages or salary received by him at the date of retirement or discharge".

A member of the Teachers' Retirement System of the State of Illinois who retires on or after June 1, 2021 and for whom the 2020-2021 school year is used in the calculation of the member's final average salary shall use the higher of the following for the purpose of determining the member's final average salary:

(A) the amount otherwise calculated under the first paragraph of this subsection; or

(B) an amount calculated by the Teachers' Retirement System of the State of Illinois using the average of the monthly (or annual) salary obtained by dividing the total salary or earnings calculated under Article 16 applicable to the member or participant during the 96 months (or 8 years) of service within the last 120 months (or 10 years) of service in which the total salary or earnings calculated under the Article was the highest by the number of months (or years) of service in that period.

(b-5) Beginning on January 1, 2011, for all purposes under this Code (including without limitation the calculation of benefits and employee contributions), the annual earnings, salary, or wages (based on the plan year) of a member or participant to whom this Section applies shall not exceed $106,800; however, that amount shall annually thereafter be increased by the lesser of (i) 3% of that amount, including all previous adjustments, or (ii) one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, including all previous adjustments.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the retirement systems and pension funds by November 1 of each year.

(b-10) Beginning on January 1, 2024, for all purposes under this Code (including, without limitation, the calculation of benefits and employee contributions), the annual earnings, salary, or wages (based on the plan year) of a member or participant under Article 9 to whom this Section applies shall include an annual earnings, salary, or wage cap that tracks the Social Security wage base. Maximum annual earnings, wages, or salary shall be the annual contribution and benefit base established for the applicable year by the Commissioner of the Social Security Administration under the federal Social Security Act.

However, in no event shall the annual earnings, salary, or wages for the purposes of this Article and Article 9 exceed any limitation imposed on annual earnings, salary, or wages under Section 1-117. Under no circumstances shall the maximum amount of annual earnings, salary, or wages be greater than the amount set forth in this subsection (b-10) as a result of reciprocal service or any provisions regarding reciprocal services, nor shall the Fund under Article 9 be required to pay any refund as a result of the application of this maximum annual earnings, salary, and wage cap.

Nothing in this subsection (b-10) shall cause or otherwise result in any retroactive adjustment of any employee contributions. Nothing in this subsection (b-10) shall cause or otherwise result in any retroactive adjustment of disability or other payments made between January 1, 2011 and January 1, 2024.

(c) A member or participant is entitled to a retirement annuity upon written application if he or she has attained age 67 (age 65, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15) of this Section) and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article.

A member or participant who has attained age 62 (age 60, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15) of this Section) and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article may elect to receive the lower retirement annuity provided in subsection (d) of this Section.

(c-5) A person who first becomes a member or a participant subject to this Section on or after July 6, 2017 (the effective date of Public Act 100-23), notwithstanding any other provision of this Code to the contrary, is entitled to a retirement annuity under Article 8 or Article 11 upon written application if he or she has attained age 65 and has at least 10 years of service credit and is otherwise eligible under the requirements of Article 8 or Article 11 of this Code, whichever is applicable.

(d) The retirement annuity of a member or participant who is retiring after attaining age 62 (age 60, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15) of this Section) with at least 10 years of service credit shall be reduced by one-half of 1% for each full month that the member's age is under age 67 (age 65, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15) of this Section).

(d-5) The retirement annuity payable under Article 8 or Article 11 to an eligible person subject to subsection (c-5) of this Section who is retiring at age 60 with at least 10 years of service credit shall be reduced by one-half of 1% for each full month that the member's age is under age 65.

(d-10) Each person who first became a member or participant under Article 8 or Article 11 of this Code on or after January 1, 2011 and prior to July 6, 2017 (the effective date of Public Act 100-23) shall make an irrevocable election either:

(i) to be eligible for the reduced retirement age provided in subsections (c-5) and (d-5) of this Section, the eligibility for which is conditioned upon the member or participant agreeing to the increases in employee contributions for age and service annuities provided in subsection (a-5) of Section 8-174 of this Code (for service under Article 8) or subsection (a-5) of Section 11-170 of this Code (for service under Article 11); or

(ii) to not agree to item (i) of this subsection (d-10), in which case the member or participant shall continue to be subject to the retirement age provisions in subsections (c) and (d) of this Section and the employee contributions for age and service annuity as provided in subsection (a) of Section 8-174 of this Code (for service under Article 8) or subsection (a) of Section 11-170 of this Code (for service under Article 11).

The election provided for in this subsection shall be made between October 1, 2017 and November 15, 2017. A person subject to this subsection who makes the required election shall remain bound by that election. A person subject to this subsection who fails for any reason to make the required election within the time specified in this subsection shall be deemed to have made the election under item (ii).

(d-15) Each person who first becomes a member or participant under Article 12 on or after January 1, 2011 and prior to January 1, 2022 shall make an irrevocable election either:

(i) to be eligible for the reduced retirement age specified in subsections (c) and (d) of this Section, the eligibility for which is conditioned upon the member or participant agreeing to the increase in employee contributions for service annuities specified in subsection (b) of Section 12-150; or

(ii) to not agree to item (i) of this subsection (d-15), in which case the member or participant shall not be eligible for the reduced retirement age specified in subsections (c) and (d) of this Section and shall not be subject to the increase in employee contributions for service annuities specified in subsection (b) of Section 12-150.

The election provided for in this subsection shall be made between January 1, 2022 and April 1, 2022. A person subject to this subsection who makes the required election shall remain bound by that election. A person subject to this subsection who fails for any reason to make the required election within the time specified in this subsection shall be deemed to have made the election under item (ii).

(e) Any retirement annuity or supplemental annuity shall be subject to annual increases on the January 1 occurring either on or after the attainment of age 67 (age 65, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15); and beginning on July 6, 2017 (the effective date of Public Act 100-23), age 65 with respect to service under Article 8 or Article 11 for eligible persons who: (i) are subject to subsection (c-5) of this Section; or (ii) made the election under item (i) of subsection (d-10) of this Section) or the first anniversary of the annuity start date, whichever is later. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted retirement annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

For the purposes of Section 1-103.1 of this Code, the changes made to this Section by Public Act 102-263 are applicable without regard to whether the employee was in active service on or after August 6, 2021 (the effective date of Public Act 102-263).

For the purposes of Section 1-103.1 of this Code, the changes made to this Section by Public Act 100-23 are applicable without regard to whether the employee was in active service on or after July 6, 2017 (the effective date of Public Act 100-23).

(f) The initial survivor's or widow's annuity of an otherwise eligible survivor or widow of a retired member or participant who first became a member or participant on or after January 1, 2011 shall be in the amount of 66 2/3% of the retired member's or participant's retirement annuity at the date of death. In the case of the death of a member or participant who has not retired and who first became a member or participant on or after January 1, 2011, eligibility for a survivor's or widow's annuity shall be determined by the applicable Article of this Code. The initial benefit shall be 66 2/3% of the earned annuity without a reduction due to age. A child's annuity of an otherwise eligible child shall be in the amount prescribed under each Article if applicable. Any survivor's or widow's annuity shall be increased (1) on each January 1 occurring on or after the commencement of the annuity if the deceased member died while receiving a retirement annuity or (2) in other cases, on each January 1 occurring after the first anniversary of the commencement of the annuity. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted survivor's annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(g) The benefits in Section 14-110 apply if the person is a fire fighter in the fire protection service of a department, a security employee of the Department of Corrections or the Department of Juvenile Justice, or a security employee of the Department of Innovation and Technology, as those terms are defined in subsection (b) and subsection (c) of Section 14-110. A person who meets the requirements of this Section is entitled to an annuity calculated under the provisions of Section 14-110, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 60, regardless of whether the attainment of age 60 occurs while the person is still in service.

(g-5) The benefits in Section 14-110 apply if the person is a State policeman, investigator for the Secretary of State, conservation police officer, investigator for the Department of Revenue or the Illinois Gaming Board, investigator for the Office of the Attorney General, Commerce Commission police officer, or arson investigator, as those terms are defined in subsection (b) and subsection (c) of Section 14-110. A person who meets the requirements of this Section is entitled to an annuity calculated under the provisions of Section 14-110, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 55, regardless of whether the attainment of age 55 occurs while the person is still in service.

(h) If a person who first becomes a member or a participant of a retirement system or pension fund subject to this Section on or after January 1, 2011 is receiving a retirement annuity or retirement pension under that system or fund and becomes a member or participant under any other system or fund created by this Code and is employed on a full-time basis, except for those members or participants exempted from the provisions of this Section under subsection (a) of this Section, then the person's retirement annuity or retirement pension under that system or fund shall be suspended during that employment. Upon termination of that employment, the person's retirement annuity or retirement pension payments shall resume and be recalculated if recalculation is provided for under the applicable Article of this Code.

If a person who first becomes a member of a retirement system or pension fund subject to this Section on or after January 1, 2012 and is receiving a retirement annuity or retirement pension under that system or fund and accepts on a contractual basis a position to provide services to a governmental entity from which he or she has retired, then that person's annuity or retirement pension earned as an active employee of the employer shall be suspended during that contractual service. A person receiving an annuity or retirement pension under this Code shall notify the pension fund or retirement system from which he or she is receiving an annuity or retirement pension, as well as his or her contractual employer, of his or her retirement status before accepting contractual employment. A person who fails to submit such notification shall be guilty of a Class A misdemeanor and required to pay a fine of $1,000. Upon termination of that contractual employment, the person's retirement annuity or retirement pension payments shall resume and, if appropriate, be recalculated under the applicable provisions of this Code.

(i) (Blank).

(j) In the case of a conflict between the provisions of this Section and any other provision of this Code, the provisions of this Section shall control.

(Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21; 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-719, eff. 5-6-22.)

(Text of Section from P.A. 102-813)

Sec. 1-160. Provisions applicable to new hires.

(a) The provisions of this Section apply to a person who, on or after January 1, 2011, first becomes a member or a participant under any reciprocal retirement system or pension fund established under this Code, other than a retirement system or pension fund established under Article 2, 3, 4, 5, 6, 7, 15, or 18 of this Code, notwithstanding any other provision of this Code to the contrary, but do not apply to any self-managed plan established under this Code or to any participant of the retirement plan established under Section 22-101; except that this Section applies to a person who elected to establish alternative credits by electing in writing after January 1, 2011, but before August 8, 2011, under Section 7-145.1 of this Code. Notwithstanding anything to the contrary in this Section, for purposes of this Section, a person who is a Tier 1 regular employee as defined in Section 7-109.4 of this Code or who participated in a retirement system under Article 15 prior to January 1, 2011 shall be deemed a person who first became a member or participant prior to January 1, 2011 under any retirement system or pension fund subject to this Section. The changes made to this Section by Public Act 98-596 are a clarification of existing law and are intended to be retroactive to January 1, 2011 (the effective date of Public Act 96-889), notwithstanding the provisions of Section 1-103.1 of this Code.

This Section does not apply to a person who first becomes a noncovered employee under Article 14 on or after the implementation date of the plan created under Section 1-161 for that Article, unless that person elects under subsection (b) of Section 1-161 to instead receive the benefits provided under this Section and the applicable provisions of that Article.

This Section does not apply to a person who first becomes a member or participant under Article 16 on or after the implementation date of the plan created under Section 1-161 for that Article, unless that

person elects under subsection (b) of Section 1-161 to instead receive the benefits provided under this Section and the applicable provisions of that Article.

This Section does not apply to a person who elects under subsection (c-5) of Section 1-161 to receive the benefits under Section 1-161.

This Section does not apply to a person who first becomes a member or participant of an affected pension fund on or after 6 months after the resolution or ordinance date, as defined in Section 1-162, unless that person elects under subsection (c) of Section 1-162 to receive the benefits provided under this Section and the applicable provisions of the Article under which he or she is a member or participant.

(b) "Final average salary" means, except as otherwise provided in this subsection, the average monthly (or annual) salary obtained by dividing the total salary or earnings calculated under the Article applicable to the member or participant during the 96 consecutive months (or 8 consecutive years) of service within the last 120 months (or 10 years) of service in which the total salary or earnings calculated under the applicable Article was the highest by the number of months (or years) of service in that period. For the purposes of a person who first becomes a member or participant of any retirement system or pension fund to which this Section applies on or after January 1, 2011, in this Code, "final average salary" shall be substituted for the following:

(1) (Blank).

(2) In Articles 8, 9, 10, 11, and 12, "highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal".

(3) In Article 13, "average final salary".

(4) In Article 14, "final average compensation".

(5) In Article 17, "average salary".

(6) In Section 22-207, "wages or salary received by him at the date of retirement or discharge".

A member of the Teachers' Retirement System of the State of Illinois who retires on or after June 1, 2021 and for whom the 2020-2021 school year is used in the calculation of the member's final average salary shall use the higher of the following for the purpose of determining the member's final average salary:

(A) the amount otherwise calculated under the first paragraph of this subsection; or

(B) an amount calculated by the Teachers' Retirement System of the State of Illinois using the average of the monthly (or annual) salary obtained by dividing the total salary or earnings calculated under Article 16 applicable to the member or participant during the 96 months (or 8 years) of service within the last 120 months (or 10 years) of service in which the total salary or earnings calculated under the Article was the highest by the number of months (or years) of service in that period.

(b-5) Beginning on January 1, 2011, for all purposes under this Code (including without limitation the calculation of benefits and employee contributions), the annual earnings, salary, or wages (based on the plan year) of a member or participant to whom this Section applies shall not exceed $106,800; however, that amount shall annually thereafter be increased by the lesser of (i) 3% of that amount, including all previous adjustments, or (ii) one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, including all previous adjustments.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the retirement systems and pension funds by November 1 of each year.

(b-10) Beginning on January 1, 2024, for all purposes under this Code (including, without limitation, the calculation of benefits and employee contributions), the annual earnings, salary, or wages (based on the plan year) of a member or participant under Article 9 to whom this Section applies shall include an annual earnings, salary, or wage cap that tracks the Social Security wage base. Maximum annual earnings, wages, or salary shall be the annual contribution and benefit base established for the applicable year by the Commissioner of the Social Security Administration under the federal Social Security Act.

However, in no event shall the annual earnings, salary, or wages for the purposes of this Article and Article 9 exceed any limitation imposed on annual earnings, salary, or wages under Section 1-117. Under no circumstances shall the maximum amount of annual earnings, salary, or wages be greater than the amount set forth in this subsection (b-10) as a result of reciprocal service or any provisions regarding reciprocal

services, nor shall the Fund under Article 9 be required to pay any refund as a result of the application of this maximum annual earnings, salary, and wage cap.

Nothing in this subsection (b-10) shall cause or otherwise result in any retroactive adjustment of any employee contributions. Nothing in this subsection (b-10) shall cause or otherwise result in any retroactive adjustment of disability or other payments made between January 1, 2011 and January 1, 2024.

(c) A member or participant is entitled to a retirement annuity upon written application if he or she has attained age 67 (age 65, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15) of this Section) and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article.

A member or participant who has attained age 62 (age 60, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15) of this Section) and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article may elect to receive the lower retirement annuity provided in subsection (d) of this Section.

(c-5) A person who first becomes a member or a participant subject to this Section on or after July 6, 2017 (the effective date of Public Act 100-23), notwithstanding any other provision of this Code to the contrary, is entitled to a retirement annuity under Article 8 or Article 11 upon written application if he or she has attained age 65 and has at least 10 years of service credit and is otherwise eligible under the requirements of Article 8 or Article 11 of this Code, whichever is applicable.

(d) The retirement annuity of a member or participant who is retiring after attaining age 62 (age 60, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15) of this Section) with at least 10 years of service credit shall be reduced by one-half of 1% for each full month that the member's age is under age 67 (age 65, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15) of this Section).

(d-5) The retirement annuity payable under Article 8 or Article 11 to an eligible person subject to subsection (c-5) of this Section who is retiring at age 60 with at least 10 years of service credit shall be reduced by one-half of 1% for each full month that the member's age is under age 65.

(d-10) Each person who first became a member or participant under Article 8 or Article 11 of this Code on or after January 1, 2011 and prior to July 6, 2017 (the effective date of Public Act 100-23) shall make an irrevocable election either:

(i) to be eligible for the reduced retirement age provided in subsections (c-5) and (d-5) of this Section, the eligibility for which is conditioned upon the member or participant agreeing to the increases in employee contributions for age and service annuities provided in subsection (a-5) of Section 8-174 of this Code (for service under Article 8) or subsection (a-5) of Section 11-170 of this Code (for service under Article 11); or

(ii) to not agree to item (i) of this subsection (d-10), in which case the member or participant shall continue to be subject to the retirement age provisions in subsections (c) and (d) of this Section and the employee contributions for age and service annuity as provided in subsection (a) of Section 8-174 of this Code (for service under Article 8) or subsection (a) of Section 11-170 of this Code (for service under Article 11).

The election provided for in this subsection shall be made between October 1, 2017 and November 15, 2017. A person subject to this subsection who makes the required election shall remain bound by that election. A person subject to this subsection who fails for any reason to make the required election within the time specified in this subsection shall be deemed to have made the election under item (ii).

(d-15) Each person who first becomes a member or participant under Article 12 on or after January 1, 2011 and prior to January 1, 2022 shall make an irrevocable election either:

(i) to be eligible for the reduced retirement age specified in subsections (c) and (d) of this Section, the eligibility for which is conditioned upon the member or participant agreeing to the increase in employee contributions for service annuities specified in subsection (b) of Section 12-150; or

(ii) to not agree to item (i) of this subsection (d-15), in which case the member or participant shall not be eligible for the reduced retirement age specified in subsections (c) and (d) of this Section and shall not be subject to the increase in employee contributions for service annuities specified in subsection (b) of Section 12-150.

The election provided for in this subsection shall be made between January 1, 2022 and April 1, 2022. A person subject to this subsection who makes the required election shall remain bound by that election. A person subject to this subsection who fails for any reason to make the required election within the time specified in this subsection shall be deemed to have made the election under item (ii).

(e) Any retirement annuity or supplemental annuity shall be subject to annual increases on the January 1 occurring either on or after the attainment of age 67 (age 65, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15); and beginning on July 6, 2017 (the effective date of Public Act 100-23), age 65 with respect to service under Article 8 or Article 11 for eligible persons who: (i) are subject to subsection (c-5) of this Section; or (ii) made the election under item (i) of subsection (d-10) of this Section) or the first anniversary of the annuity start date, whichever is later. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted retirement annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

For the purposes of Section 1-103.1 of this Code, the changes made to this Section by Public Act 102-263 are applicable without regard to whether the employee was in active service on or after August 6, 2021 (the effective date of Public Act 102-263).

For the purposes of Section 1-103.1 of this Code, the changes made to this Section by Public Act 100-23 are applicable without regard to whether the employee was in active service on or after July 6, 2017 (the effective date of Public Act 100-23).

(f) The initial survivor's or widow's annuity of an otherwise eligible survivor or widow of a retired member or participant who first became a member or participant on or after January 1, 2011 shall be in the amount of 66 2/3% of the retired member's or participant's retirement annuity at the date of death. In the case of the death of a member or participant who has not retired and who first became a member or participant on or after January 1, 2011, eligibility for a survivor's or widow's annuity shall be determined by the applicable Article of this Code. The initial benefit shall be 66 2/3% of the earned annuity without a reduction due to age. A child's annuity of an otherwise eligible child shall be in the amount prescribed under each Article if applicable. Any survivor's or widow's annuity shall be increased (1) on each January 1 occurring on or after the commencement of the annuity if the deceased member died while receiving a retirement annuity or (2) in other cases, on each January 1 occurring after the first anniversary of the commencement of the annuity. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted survivor's annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(g) The benefits in Section 14-110 apply only if the person is a State policeman, a fire fighter in the fire protection service of a department, a conservation police officer, an investigator for the Secretary of State, an arson investigator, a Commerce Commission police officer, investigator for the Department of Revenue or the Illinois Gaming Board, a security employee of the Department of Corrections or the Department of Juvenile Justice, or a security employee of the Department of Innovation and Technology, as those terms are defined in subsection (b) and subsection (c) of Section 14-110. A person who meets the requirements of this Section is entitled to an annuity calculated under the provisions of Section 14-110, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 60, regardless of whether the attainment of age 60 occurs while the person is still in service.

(h) If a person who first becomes a member or a participant of a retirement system or pension fund subject to this Section on or after January 1, 2011 is receiving a retirement annuity or retirement pension under that system or fund and becomes a member or participant under any other system or fund created by

this Code and is employed on a full-time basis, except for those members or participants exempted from the provisions of this Section under subsection (a) of this Section, then the person's retirement annuity or retirement pension under that system or fund shall be suspended during that employment. Upon termination of that employment, the person's retirement annuity or retirement pension payments shall resume and be recalculated if recalculation is provided for under the applicable Article of this Code.

If a person who first becomes a member of a retirement system or pension fund subject to this Section on or after January 1, 2012 and is receiving a retirement annuity or retirement pension under that system or fund and accepts on a contractual basis a position to provide services to a governmental entity from which he or she has retired, then that person's annuity or retirement pension earned as an active employee of the employer shall be suspended during that contractual service. A person receiving an annuity or retirement pension under this Code shall notify the pension fund or retirement system from which he or she is receiving an annuity or retirement pension, as well as his or her contractual employer, of his or her retirement status before accepting contractual employment. A person who fails to submit such notification shall be guilty of a Class A misdemeanor and required to pay a fine of $1,000. Upon termination of that contractual employment, the person's retirement annuity or retirement pension payments shall resume and, if appropriate, be recalculated under the applicable provisions of this Code.

(i) (Blank).

(j) In the case of a conflict between the provisions of this Section and any other provision of this Code, the provisions of this Section shall control.

(Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21; 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-813, eff. 5-13-22.)

(Text of Section from P.A. 102-956)

Sec. 1-160. Provisions applicable to new hires.

(a) The provisions of this Section apply to a person who, on or after January 1, 2011, first becomes a member or a participant under any reciprocal retirement system or pension fund established under this Code, other than a retirement system or pension fund established under Article 2, 3, 4, 5, 6, 7, 15, or 18 of this Code, notwithstanding any other provision of this Code to the contrary, but do not apply to any self-managed plan established under this Code or to any participant of the retirement plan established under Section 22-101; except that this Section applies to a person who elected to establish alternative credits by electing in writing after January 1, 2011, but before August 8, 2011, under Section 7-145.1 of this Code. Notwithstanding anything to the contrary in this Section, for purposes of this Section, a person who is a Tier 1 regular employee as defined in Section 7-109.4 of this Code or who participated in a retirement system under Article 15 prior to January 1, 2011 shall be deemed a person who first became a member or participant prior to January 1, 2011 under any retirement system or pension fund subject to this Section. The changes made to this Section by Public Act 98-596 are a clarification of existing law and are intended to be retroactive to January 1, 2011 (the effective date of Public Act 96-889), notwithstanding the provisions of Section 1-103.1 of this Code.

This Section does not apply to a person who first becomes a noncovered employee under Article 14 on or after the implementation date of the plan created under Section 1-161 for that Article, unless that person elects under subsection (b) of Section 1-161 to instead receive the benefits provided under this Section and the applicable provisions of that Article.

This Section does not apply to a person who first becomes a member or participant under Article 16 on or after the implementation date of the plan created under Section 1-161 for that Article, unless that person elects under subsection (b) of Section 1-161 to instead receive the benefits provided under this Section and the applicable provisions of that Article.

This Section does not apply to a person who elects under subsection (c-5) of Section 1-161 to receive the benefits under Section 1-161.

This Section does not apply to a person who first becomes a member or participant of an affected pension fund on or after 6 months after the resolution or ordinance date, as defined in Section 1-162, unless that person elects under subsection (c) of Section 1-162 to receive the benefits provided under this Section and the applicable provisions of the Article under which he or she is a member or participant.

(b) "Final average salary" means, except as otherwise provided in this subsection, the average monthly (or annual) salary obtained by dividing the total salary or earnings calculated under the Article applicable to the member or participant during the 96 consecutive months (or 8 consecutive years) of service within the last 120 months (or 10 years) of service in which the total salary or earnings calculated under the

applicable Article was the highest by the number of months (or years) of service in that period. For the purposes of a person who first becomes a member or participant of any retirement system or pension fund to which this Section applies on or after January 1, 2011, in this Code, "final average salary" shall be substituted for the following:

(1) (Blank).

(2) In Articles 8, 9, 10, 11, and 12, "highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal".

(3) In Article 13, "average final salary".

(4) In Article 14, "final average compensation".

(5) In Article 17, "average salary".

(6) In Section 22-207, "wages or salary received by him at the date of retirement or discharge".

A member of the Teachers' Retirement System of the State of Illinois who retires on or after June 1, 2021 and for whom the 2020-2021 school year is used in the calculation of the member's final average salary shall use the higher of the following for the purpose of determining the member's final average salary:

(A) the amount otherwise calculated under the first paragraph of this subsection; or

(B) an amount calculated by the Teachers' Retirement System of the State of Illinois using the average of the monthly (or annual) salary obtained by dividing the total salary or earnings calculated under Article 16 applicable to the member or participant during the 96 months (or 8 years) of service within the last 120 months (or 10 years) of service in which the total salary or earnings calculated under the Article was the highest by the number of months (or years) of service in that period.

(b-5) Beginning on January 1, 2011, for all purposes under this Code (including without limitation the calculation of benefits and employee contributions), the annual earnings, salary, or wages (based on the plan year) of a member or participant to whom this Section applies shall not exceed $106,800; however, that amount shall annually thereafter be increased by the lesser of (i) 3% of that amount, including all previous adjustments, or (ii) one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, including all previous adjustments.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the retirement systems and pension funds by November 1 of each year.

(b-10) Beginning on January 1, 2024, for all purposes under this Code (including, without limitation, the calculation of benefits and employee contributions), the annual earnings, salary, or wages (based on the plan year) of a member or participant under Article 9 to whom this Section applies shall include an annual earnings, salary, or wage cap that tracks the Social Security wage base. Maximum annual earnings, wages, or salary shall be the annual contribution and benefit base established for the applicable year by the Commissioner of the Social Security Administration under the federal Social Security Act.

However, in no event shall the annual earnings, salary, or wages for the purposes of this Article and Article 9 exceed any limitation imposed on annual earnings, salary, or wages under Section 1-117. Under no circumstances shall the maximum amount of annual earnings, salary, or wages be greater than the amount set forth in this subsection (b-10) as a result of reciprocal service or any provisions regarding reciprocal services, nor shall the Fund under Article 9 be required to pay any refund as a result of the application of this maximum annual earnings, salary, and wage cap.

Nothing in this subsection (b-10) shall cause or otherwise result in any retroactive adjustment of any employee contributions. Nothing in this subsection (b-10) shall cause or otherwise result in any retroactive adjustment of disability or other payments made between January 1, 2011 and January 1, 2024.

(c) A member or participant is entitled to a retirement annuity upon written application if he or she has attained age 67 (age 65, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15) of this Section) and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article.

A member or participant who has attained age 62 (age 60, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of

subsection (d-15) of this Section) and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article may elect to receive the lower retirement annuity provided in subsection (d) of this Section.

(c-5) A person who first becomes a member or a participant subject to this Section on or after July 6, 2017 (the effective date of Public Act 100-23), notwithstanding any other provision of this Code to the contrary, is entitled to a retirement annuity under Article 8 or Article 11 upon written application if he or she has attained age 65 and has at least 10 years of service credit and is otherwise eligible under the requirements of Article 8 or Article 11 of this Code, whichever is applicable.

(d) The retirement annuity of a member or participant who is retiring after attaining age 62 (age 60, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15) of this Section) with at least 10 years of service credit shall be reduced by one-half of 1% for each full month that the member's age is under age 67 (age 65, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15) of this Section).

(d-5) The retirement annuity payable under Article 8 or Article 11 to an eligible person subject to subsection (c-5) of this Section who is retiring at age 60 with at least 10 years of service credit shall be reduced by one-half of 1% for each full month that the member's age is under age 65.

(d-10) Each person who first became a member or participant under Article 8 or Article 11 of this Code on or after January 1, 2011 and prior to July 6, 2017 (the effective date of Public Act 100-23) shall make an irrevocable election either:

(i) to be eligible for the reduced retirement age provided in subsections (c-5) and (d-5) of this Section, the eligibility for which is conditioned upon the member or participant agreeing to the increases in employee contributions for age and service annuities provided in subsection (a-5) of Section 8-174 of this Code (for service under Article 8) or subsection (a-5) of Section 11-170 of this Code (for service under Article 11); or

(ii) to not agree to item (i) of this subsection (d-10), in which case the member or participant shall continue to be subject to the retirement age provisions in subsections (c) and (d) of this Section and the employee contributions for age and service annuity as provided in subsection (a) of Section 8-174 of this Code (for service under Article 8) or subsection (a) of Section 11-170 of this Code (for service under Article 11).

The election provided for in this subsection shall be made between October 1, 2017 and November 15, 2017. A person subject to this subsection who makes the required election shall remain bound by that election. A person subject to this subsection who fails for any reason to make the required election within the time specified in this subsection shall be deemed to have made the election under item (ii).

(d-15) Each person who first becomes a member or participant under Article 12 on or after January 1, 2011 and prior to January 1, 2022 shall make an irrevocable election either:

(i) to be eligible for the reduced retirement age specified in subsections (c) and (d) of this Section, the eligibility for which is conditioned upon the member or participant agreeing to the increase in employee contributions for service annuities specified in subsection (b) of Section 12-150; or

(ii) to not agree to item (i) of this subsection (d-15), in which case the member or participant shall not be eligible for the reduced retirement age specified in subsections (c) and (d) of this Section and shall not be subject to the increase in employee contributions for service annuities specified in subsection (b) of Section 12-150.

The election provided for in this subsection shall be made between January 1, 2022 and April 1, 2022. A person subject to this subsection who makes the required election shall remain bound by that election. A person subject to this subsection who fails for any reason to make the required election within the time specified in this subsection shall be deemed to have made the election under item (ii).

(e) Any retirement annuity or supplemental annuity shall be subject to annual increases on the January 1 occurring either on or after the attainment of age 67 (age 65, with respect to service under Article 12 that is subject to this Section, for a member or participant under Article 12 who first becomes a member or participant under Article 12 on or after January 1, 2022 or who makes the election under item (i) of subsection (d-15); and beginning on July 6, 2017 (the effective date of Public Act 100-23), age 65 with respect to service under Article 8 or Article 11 for eligible persons who: (i) are subject to subsection (c-5) of

this Section; or (ii) made the election under item (i) of subsection (d-10) of this Section) or the first anniversary of the annuity start date, whichever is later. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted retirement annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

For the purposes of Section 1-103.1 of this Code, the changes made to this Section by Public Act 102-263 are applicable without regard to whether the employee was in active service on or after August 6, 2021 (the effective date of Public Act 102-263).

For the purposes of Section 1-103.1 of this Code, the changes made to this Section by Public Act 100-23 are applicable without regard to whether the employee was in active service on or after July 6, 2017 (the effective date of Public Act 100-23).

(f) The initial survivor's or widow's annuity of an otherwise eligible survivor or widow of a retired member or participant who first became a member or participant on or after January 1, 2011 shall be in the amount of 66 2/3% of the retired member's or participant's retirement annuity at the date of death. In the case of the death of a member or participant who has not retired and who first became a member or participant on or after January 1, 2011, eligibility for a survivor's or widow's annuity shall be determined by the applicable Article of this Code. The initial benefit shall be 66 2/3% of the earned annuity without a reduction due to age. A child's annuity of an otherwise eligible child shall be in the amount prescribed under each Article if applicable. Any survivor's or widow's annuity shall be increased (1) on each January 1 occurring on or after the commencement of the annuity if the deceased member died while receiving a retirement annuity or (2) in other cases, on each January 1 occurring after the first anniversary of the commencement of the annuity. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted survivor's annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(g) The benefits in Section 14-110 apply only if the person is a State policeman, a fire fighter in the fire protection service of a department, a conservation police officer, an investigator for the Secretary of State, an investigator for the Office of the Attorney General, an arson investigator, a Commerce Commission police officer, investigator for the Department of Revenue or the Illinois Gaming Board, a security employee of the Department of Corrections or the Department of Juvenile Justice, or a security employee of the Department of Innovation and Technology, as those terms are defined in subsection (b) and subsection (c) of Section 14-110. A person who meets the requirements of this Section is entitled to an annuity calculated under the provisions of Section 14-110, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 60, regardless of whether the attainment of age 60 occurs while the person is still in service.

(h) If a person who first becomes a member or a participant of a retirement system or pension fund subject to this Section on or after January 1, 2011 is receiving a retirement annuity or retirement pension under that system or fund and becomes a member or participant under any other system or fund created by this Code and is employed on a full-time basis, except for those members or participants exempted from the provisions of this Section under subsection (a) of this Section, then the person's retirement annuity or retirement pension under that system or fund shall be suspended during that employment. Upon termination of that employment, the person's retirement annuity or retirement pension payments shall resume and be recalculated if recalculation is provided for under the applicable Article of this Code.

If a person who first becomes a member of a retirement system or pension fund subject to this Section on or after January 1, 2012 and is receiving a retirement annuity or retirement pension under that system or fund and accepts on a contractual basis a position to provide services to a governmental entity from which he or she has retired, then that person's annuity or retirement pension earned as an active employee of the employer shall be suspended during that contractual service. A person receiving an annuity or retirement pension under this Code shall notify the pension fund or retirement system from which he or she is receiving an annuity or retirement pension, as well as his or her contractual employer, of his or her retirement status before accepting contractual employment. A person who fails to submit such notification shall be guilty of a

Class A misdemeanor and required to pay a fine of $1,000. Upon termination of that contractual employment, the person's retirement annuity or retirement pension payments shall resume and, if appropriate, be recalculated under the applicable provisions of this Code.

(i) (Blank).

(j) In the case of a conflict between the provisions of this Section and any other provision of this Code, the provisions of this Section shall control.

(Source: P.A. 101-610, eff. 1-1-20; 102-16, eff. 6-17-21; 102-210, eff. 1-1-22; 102-263, eff. 8-6-21; 102-956, eff. 5-27-22.)

(40 ILCS 5/9-169) (from Ch. 108 1/2, par. 9-169)

Sec. 9-169. Financing; tax ~~Financing - Tax~~ levy and other funding sources.

(a) The county board shall levy a tax annually upon all taxable property in the county at the rate that will produce a sum which, when added to the amounts deducted from the salaries of the employees or otherwise contributed by them is sufficient for the requirements of this Article.

For the years before 1962 the tax rate shall be as provided in "The 1925 Act". For the years 1962 and 1963 the tax rate shall be not more than .0200 per cent; for the years 1964 and 1965 the tax rate shall be not more than .0202 per cent; for the years 1966 and 1967 the tax rate shall be not more than .0207 per cent; for the year 1968 the tax rate shall be not more than .0220 per cent; for the year 1969 the tax rate shall be not more than .0233 per cent; for the year 1970 the tax rate shall be not more than .0255 per cent; for the year 1971 the tax rate shall be not more than .0268 per cent of the value, as equalized or assessed by the Department of Revenue upon all taxable property in the county. Beginning with the year 1972 and for each year thereafter the county shall levy a tax annually at a rate on the dollar of the value, as equalized or assessed by the Department of Revenue of all taxable property within the county that will produce, when extended, not to exceed an amount equal to the total amount of contributions made by the employees to the fund in the calendar year 2 years prior to the year for which the annual applicable tax is levied multiplied by .8 for the years 1972 through 1976; by .8 for the year 1977; by .87 for the year 1978; by .94 for the year 1979; by 1.02 for the year 1980 and by 1.10 for the year 1981 and by 1.18 for the year 1982 and by 1.36 for the year 1983 and by 1.54 for the year 1984 and for each year thereafter.

This tax shall be levied and collected in like manner with the general taxes of the county, and shall be in addition to all other taxes which the county is authorized to levy upon the aggregate valuation of all taxable property within the county and shall be exclusive of and in addition to the amount of tax the county is authorized to levy for general purposes under any laws which may limit the amount of tax which the county may levy for general purposes. The county clerk, in reducing tax levies under any Act concerning the levy and extension of taxes, shall not consider this tax as a part of the general tax levy for county purposes, and shall not include it within any limitation of the per cent of the assessed valuation upon which taxes are required to be extended for the county. It is lawful to extend this tax in addition to the general county rate fixed by statute, without being authorized as additional by a vote of the people of the county.

Revenues derived from this tax shall be paid to the treasurer of the county and held by the treasurer ~~him~~ for the benefit of the fund.

If the payments on account of taxes are insufficient during any year to meet the requirements of this Article, the county may issue tax anticipation warrants against the current tax levy.

(b) By January 10, annually, the board shall notify the county board of the requirement of this Article that this tax shall be levied. The board shall make an annual determination of the required county contributions, and shall certify the results thereof to the county board.

(c) Beginning in the year 2024, the county's minimum required employer contribution as provided in Section 9-169.2 shall be paid with the portion of the tax levy as provided in subsection (a) of this Section and any other lawfully available funds of the county. The county shall disburse to and deposit with the county treasurer on a monthly basis beginning no later than the December 31 preceding the beginning of the Fund's fiscal year 1/12 of the balance of what is not paid under subsection (a), for the benefit of the Fund, to be held in accordance with this Article. This amount, together with such real estate taxes as are specifically levied under this Section for that year, shall not be less than the amount of the minimum required employer contribution for that year as certified by the Fund to the county board. The deposit may be derived from any source otherwise legally available to the county for that purpose, including, but not limited to, home rule taxes. The making of a deposit shall satisfy the requirements of this Section for that year to the extent of the amounts so deposited. Amounts deposited under this subsection may be used by the Fund for any of the purposes for which the proceeds of real estate taxes levied by the county under this Section may otherwise be used, including the payment of any amount that is otherwise required by this Article to be paid from the

proceeds of that tax. If the county, before the effective date of this amendatory Act of the 103rd General Assembly, made a contribution or agreed to make a contribution to the Fund from sources other than real estate taxes, this paragraph confirms the validity of or ratifies such contribution or agreement, and neither the county nor any of its officers or employees shall be required to answer for such contribution or agreement in any court. ~~The various sums to be contributed by the county board and allocated for the purposes of this Article and any interest to be contributed by the county shall be taken from the revenue derived from this tax and no money of the county derived from any source other than the levy and collection of this tax or the sale of tax anticipation warrants, except state or federal funds contributed for annuity and benefit purposes for employees of a county department of public aid under "The Illinois Public Aid Code", approved April 11, 1967, as now or hereafter amended, may be used to provide revenue for the fund.~~

If it is not possible or practicable for the county to make contributions for age and service annuity and widow's annuity concurrently with the employee contributions made for such purposes, such county shall make such contributions as soon as possible and practicable thereafter with interest thereon at the effective rate until the time it shall be made.

(d) With respect to employees whose wages are funded as participants under the Comprehensive Employment and Training Act of 1973, as amended (P.L. 93-203, 87 Stat. 839, P.L. 93-567, 88 Stat. 1845), hereinafter referred to as CETA, subsequent to October 1, 1978, and in instances where the board has elected to establish a manpower program reserve, the board shall compute the amounts necessary to be credited to the manpower program reserves established and maintained as herein provided, and shall make a periodic determination of the amount of required contributions from the County to the reserve to be reimbursed by the federal government in accordance with rules and regulations established by the Secretary of the United States Department of Labor or his designee, and certify the results thereof to the County Board. Any such amounts shall become a credit to the County and will be used to reduce the amount which the County would otherwise contribute during succeeding years for all employees.

(e) In lieu of establishing a manpower program reserve with respect to employees whose wages are funded as participants under the Comprehensive Employment and Training Act of 1973, as authorized by subsection (d), the board may elect to establish a special County contribution rate for all such employees. If this option is elected, the County shall contribute to the Fund from federal funds provided under the Comprehensive Employment and Training Act program at the special rate so established and such contributions shall become a credit to the County and be used to reduce the amount which the County would otherwise contribute during succeeding years for all employees.

(Source: P.A. 95-369, eff. 8-23-07.)

(40 ILCS 5/9-169.1 new)

Sec. 9-169.1. Annual actuarial report. The retirement board shall retain an actuary who is a member in good standing of the American Academy of Actuaries to produce an annual actuarial report of the Fund. The annual actuarial report shall include, but not be limited to: (1) a statement of the minimum required contribution, the actuarial value of the Fund's assets as projected over at least 30 years' time, and the actuarial value of the Fund's liabilities as projected over the same period of time; and (2) the minimum required employer contribution, as determined under Section 9-169.2, for the second year immediately following the year ending on the valuation date upon which the annual actuarial report is based.

The annual actuarial report may be prepared as part of the annual audit required under Section 9-195. The annual actuarial report shall be reviewed and formally adopted by the retirement board and shall be included in the annual report that is required to be submitted to the county in July of each year under Section 9-199.

In this Section, "valuation date" means the date that the value of the assets and liabilities of the Fund is based on in the annual actuarial report.

(40 ILCS 5/9-169.2 new)

Sec. 9-169.2. Minimum required employer contribution. The minimum required employer contribution for a specified year, as set forth in the annual actuarial report required under Section 9-169.1, shall be the amount determined by the Fund's actuary to be equal to the sum of: (i) the projected normal cost for pensions for that fiscal year based on the entry age actuarial cost method, plus (ii) a projected unfunded actuarial accrued liability amortization payment for pensions for the fiscal year, plus (iii) projected expenses for that fiscal year, plus (iv) interest to adjust for payment pattern during the fiscal year, less (v) projected employee contributions for that fiscal year.

The minimum required employer contribution for the next year shall be submitted annually by the county on or before June 14 of each year unless another time frame is agreed upon by the county and the Fund.

For the purposes of this Section:

"5-Year smoothed actuarial value of assets" means the value of assets as determined by a method that spreads the effect of each year's investment return in excess of or below the expected return.

"Entry age actuarial cost method" means a method of determining the normal cost and is determined as a level percentage of pay that, if paid from entry age to the assumed retirement age, assuming all the actuarial assumptions are exactly met by experience and no changes in assumptions or benefit provisions, would accumulate to a fund sufficient to pay all benefits provided by the Fund.

"Layered amortization" means a technique that separately layers the different components of the unfunded actuarial accrued liabilities to be amortized over a fixed period not to exceed 30 years.

"Projected expenses" means the projected administrative expenses for the cost of administrating the Fund.

"Projected normal costs for pensions" means the cost of the benefits that accrue during the year for active members under the entry age actuarial cost method.

"Unfunded actuarial accrued liability amortization payment" means the annual contribution equal to the difference between the values of assets and the accrued liabilities of the plan, calculated by an actuary, needed to amortize the Fund's liabilities over a period of 30 years starting in 2017, with layered amortization of the Fund's unexpected unfunded actuarial accrued liability amortization payment following 2017 in periods of 30 years, with amortization payments increasing 2% per year, and reflecting a discount rate for all liabilities consistent with the assumed investment rate of return on fund assets and a 5-year smoothed actuarial value of assets.

(40 ILCS 5/9-179.1) (from Ch. 108 1/2, par. 9-179.1)

Sec. 9-179.1. Military service. A contributing employee ~~as of January 1, 1993 with at least 25 years of service credit~~ may apply for creditable service for up to 2 years of military service whether or not the military service followed service as a county employee. The military service need not have been served in wartime, but the employee must not have been dishonorably discharged. To establish this creditable service the applicant must pay to the Fund, while in the service of the county, an amount determined by the Fund to represent the employee contributions for the creditable service established, based on the employee's rate of compensation on his or her last day as a contributor before the military service, or on his or her first day as a contributor after the military service, whichever is greater, plus interest at the effective rate from the date of discharge to the date of payment. If a person who has established any credit under this Section applies for or receives any early retirement incentive under Section 9-134.2, the credit under this Section shall be forfeited and the amount paid to the Fund under this Section shall be refunded.

(Source: P.A. 87-1265.)

(40 ILCS 5/9-184) (from Ch. 108 1/2, par. 9-184)

Sec. 9-184. Estimates of sums required for certain annuities and benefits. The board shall estimate and itemize the amounts required each year to pay for all annuities, each benefit category, ~~and benefits~~ and administrative expenses associated with this Article, by way of a written report and request to the County Board of Commissioners. The amounts shall be paid into the fund annually by the county as provided in Section 9-169 ~~from the prescribed tax levy~~.

(Source: Laws 1963, p. 161.)

(40 ILCS 5/9-185) (from Ch. 108 1/2, par. 9-185)

Sec. 9-185. Board created.

(a) A board of 9 members shall constitute the board of trustees authorized to carry out the provisions of this Article. The board of trustees shall be known as "The Retirement Board of the County Employees' Annuity and Benefit Fund of .... County". The board shall consist of 2 members appointed and 7 members elected as hereinafter prescribed.

(b) The appointed members shall be appointed as follows: One member shall be appointed by the comptroller of such county, who may be the comptroller or some person chosen by the comptroller ~~him~~ from among employees of the county, who are versed in the affairs of the comptroller's office; and one member shall be appointed by the treasurer of such county, who may be the treasurer or some person chosen by the treasurer ~~him~~ from among employees of the County who are versed in the affairs of the treasurer's office.

The member appointed by the comptroller shall hold office for a term ending on December 1st of the first year following the year of appointment. The member appointed by the county treasurer shall hold office for a term ending on December 1st of the second year following the year of appointment.

Thereafter, each appointed member shall be appointed by the officer that appointed the ~~his~~ predecessor for a term of 2 years.

(c) Three county employee members of the board shall be elected as follows: within 30 days from and after the date upon which this Article comes into effect in the county, the clerk of the county shall arrange for and hold an election. One employee shall be elected for a term ending on the first day in the month of December of the first year next following the effective date; one for a term ending on December 1st of the following year; and one for a term ending December 1st of the second following year.

(d) Beginning December 1, 1988, and every 3 years thereafter, an annuitant member of the board shall be elected as follows: the board shall arrange for and hold an election in which only those participants who are currently receiving retirement benefits under this Article shall be eligible to vote and be elected. Each such member shall be elected to a term ending on the first day in the month of December of the third following year.

(d-1) Beginning December 1, 2001, and every 3 years thereafter, an annuitant member of the board shall be elected as follows: the board shall arrange for and hold an election in which only those participants who are currently receiving retirement benefits under this Article shall be eligible to vote and be elected. Each such member shall be elected to a term ending on the first day in the month of December of the third following year. Until December 1, 2001, the position created under this subsection (d-1) may be filled by the board as in the case of a vacancy.

(e) Beginning December 1, 1988, if a Forest Preserve District Employees' Annuity and Benefit Fund shall be in force in such county and the board of this fund is charged with administering the affairs of such annuity and benefit fund for employees of such forest preserve district, a forest preserve district member of the board shall be elected as of December 1, 1988, and every 3 years thereafter as follows: the board shall arrange for and hold an election in which only those employees of such forest preserve district who are contributors to the annuity and benefit fund for employees of such forest preserve district shall be eligible to vote and be elected. Each such member shall be elected to a term ending on the first day in the month of December of the third following year.

(f) Beginning December 1, 2001, and every 3 years thereafter, if a Forest Preserve District Employees' Annuity and Benefit Fund is in force in the county and the board of this Fund is charged with administering the affairs of that annuity and benefit fund for employees of the forest preserve district, a forest preserve district annuitant member of the board shall be elected as follows: the board shall arrange for and hold an election in which only those participants who are currently receiving retirement benefits under Article 10 shall be eligible to vote and be elected. Each such member shall be elected to a term ending on the first day in the month of December of the third following year. Until December 1, 2001, the position created under this subsection (f) may be filled by the board as in the case of a vacancy.

(Source: P.A. 92-66, eff. 7-12-01.)

(40 ILCS 5/9-195) (from Ch. 108 1/2, par. 9-195)

Sec. 9-195. To have an audit. To have an audit of the accounts of the fund made at least once each year by certified public accountants. The audit may include the preparation of the annual actuarial report required under Section 9-169.1.

(Source: Laws 1963, p. 161.)

(40 ILCS 5/9-199) (from Ch. 108 1/2, par. 9-199)

Sec. 9-199. To submit an annual report. To submit a report in July of each year to the county board of the county as of the close of business on December 31st of the preceding year. The report shall contain a detailed statement of the affairs of the fund, its income and expenditures, and assets and liabilities, and it shall include the annual actuarial report required under Section 9-169.1. The county board shall have power to require and compel the retirement board to prepare and submit such reports.

(Source: P.A. 95-369, eff. 8-23-07.)

(40 ILCS 5/9-240 new)

Sec. 9-240. Group health benefit funding. Beginning on the effective date of this amendatory Act of the 103rd General Assembly, the county shall be notified by June 14 of each year of the proposed costs of any such payments allocated by the Fund for all or any portion of the total health premium paid by the Fund pursuant to Section 9-239.

Section 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. 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 bill, as amended, was ordered to a third reading.

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Martwick, **House Bill No. 2352** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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; Present 1.

The following voted in the affirmative:

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

The following voted present:

Curran

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 in the Senate Amendments adopted thereto.

On motion of Senator Loughran Cappel, **House Bill No. 2447** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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.

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 | Holmes | Pacione-Zayas | Ventura |
| Curran | Hunter | Peters | Villa |
| DeWitte | Johnson | Porfirio | Villanueva |
| Edly-Allen | Jones, E. | Preston | Villivalam |
| Ellman | Joyce | Rezin | Mr. President |
| Faraci | Koehler | Rose | |
| Feigenholtz | Lewis | Simmons | |

The following voted in the negative:

Chesney

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.

**HOUSE BILL RECALLED**

On motion of Senator Villivalam, **House Bill No. 2450** 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 HOUSE BILL 2450**

AMENDMENT NO. 3 . Amend House Bill 2450, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by adding Section 2105-370 and 2105-375 as follows:

(20 ILCS 2105/2105-370 new)

Sec. 2105-370. Continuing education; cultural competency.

(a) As used in this Section:

"Cultural competency" means a set of integrated attitudes, knowledge, and skills that enables a health care professional or organization to care effectively for patients from diverse cultures, groups, and communities.

"Health care professional" means a person licensed or registered by the Department under the following Acts: the Medical Practice Act of 1987, the Nurse Practice Act, the Clinical Psychologist Licensing Act, the Illinois Optometric Practice Act of 1987, the Illinois Physical Therapy Act, the Pharmacy Practice Act, the Physician Assistant Practice Act of 1987, the Clinical Social Work and Social Work Practice Act, the Nursing Home Administrators Licensing and Disciplinary Act, the Illinois Occupational Therapy Practice Act, the Podiatric Medical Practice Act of 1987, the Respiratory Care Practice Act, the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act, the Illinois Speech-Language Pathology and Audiology Practice Act, the Illinois Dental Practice Act, the Illinois Dental Practice Act, or the Behavior Analyst Licensing Act.

(b) For health care professional license or registration renewals occurring on or after January 1, 2025, a health care professional who has continuing education requirements must complete at least a one-hour course in training on cultural competency. A health care professional may count this one hour for completion of this course toward meeting the minimum credit hours required for continuing education.

(c) The Department may adopt rules for the implementation of this Section.

(20 ILCS 2105/2105-375 new)

Sec. 2105-375. Limitation on specific statutorily mandated training requirements.

(a) As used in this Section:

"Health care professional" means a person licensed or registered by the Department under the following Acts: the Medical Practice Act of 1987, the Nurse Practice Act, the Clinical Psychologist Licensing Act, the Illinois Optometric Practice Act of 1987, the Illinois Physical Therapy Act, the Pharmacy Practice Act, the Physician Assistant Practice Act of 1987, the Clinical Social Work and Social Work Practice Act, the Nursing Home Administrators Licensing and Disciplinary Act, the Illinois Occupational Therapy Practice Act, the Podiatric Medical Practice Act of 1987, the Respiratory Care Practice Act, the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act, the Illinois Speech-Language Pathology and Audiology Practice Act, the Illinois Dental Practice Act, the Illinois Dental Practice Act, or the Behavior Analyst Licensing Act.

"Statutorily mandated topics" means continuing education training as specified by statute, including, but not limited to, training required under Sections 2105-365 and 2105-370.

(b) Notwithstanding any other provision of law, for health care professional license or registration renewals occurring on or after January 1, 2025, a health care professional whose license or registration renewal occurs every 2 years must complete all statutorily mandated topics within 3 renewal periods. If any additional statutorily mandated topics are added by law after the effective date of this amendatory Act of the 103rd General Assembly, then a health care professional whose license or registration renewal occurs every 2 years must complete all statutorily mandated topics within 4 renewal periods.

(c) Notwithstanding any other provision of law, for health care professional license or registration renewals occurring on or after January 1, 2025, a health care professional whose license or registration renewal occurs every 3 years must complete all statutorily mandated topics within 2 renewal periods. If any additional statutorily mandated topics are added by law after the effective date of this amendatory Act of the 103rd General Assembly, then a health care professional whose license or registration renewal occurs every 3 years must complete all statutorily mandated topics within 3 renewal periods.

(d) Notwithstanding any other provision of this Section to the contrary, the implicit bias awareness training required under Section 2105-15.7 and the sexual harassment prevention training required under Section 2105-15.5 must be completed as provided by law.

(e) The Department shall maintain on its website information regarding the current requirements for the specific statutorily mandated topics.

(f) Each license or permit application or renewal form the Department provides to a health care professional must include a notification regarding the current specific statutorily mandated topics.

Section 10. The Illinois Controlled Substances Act is amended by changing Section 315.5 as follows:

(720 ILCS 570/315.5)

Sec. 315.5. Opioid education for prescribers. In accordance with the requirement for prescribers of controlled substances to undergo training under Section 1263 of the Consolidated Appropriations Act, 2023 (Public Law 117-328), every ~~Every~~ prescriber who is licensed to prescribe controlled substances shall, during the pre-renewal period, complete one hour ~~3 hours~~ of continuing education on safe opioid prescribing practices offered or accredited by a professional association, State government agency, or federal government agency. Notwithstanding any individual licensing Act or administrative rule, a prescriber may count this hour ~~these 3 hours~~ toward the total continuing education hours required for renewal of a professional license. Continuing education on safe opioid prescribing practices applied to meet any other State licensure requirement or professional accreditation or certification requirement may be used toward the requirement under this Section. The Department of Financial and Professional Regulation may adopt rules for the administration of this Section.

(Source: P.A. 100-1106, eff. 1-1-19.)

Section 99. Effective date. This Act takes effect January 1, 2025.".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Villivalam offered the following amendment and moved its adoption:

**AMENDMENT NO. 4 TO HOUSE BILL 2450**

AMENDMENT NO. 4 . Amend House Bill 2450, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3, on page 4, immediately below line 20, by inserting the following:

"(d-5) Notwithstanding any other provision of this Section to the contrary, the Alzheimer's disease and other dementias training required under Section 2105-365 must be completed prior to the end of the health care professional's first license renewal period, and thereafter in accordance with this Section.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Villivalam, **House Bill No. 2450** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

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

The following voted in the negative:

| | |
|---|---|
| Bennett | Harriss, E. |
| Bryant | 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 in the Senate Amendments adopted thereto.

On motion of Senator Peters, **House Bill No. 2493** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 43; NAYS 12.

The following voted in the affirmative:

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

The following voted in the negative:

| | | |
|---|---|---|
| Bennett | McConchie | Syverson |
| Bryant | 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.

On motion of Senator Harmon, **House Bill No. 2509** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

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

The following voted present:

Aquino

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.

**HOUSE BILL RECALLED**

On motion of Senator Loughran Cappel, **House Bill No. 2527** 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. 1 TO HOUSE BILL 2527**

AMENDMENT NO. 1 . Amend House Bill 2527 by replacing line 21 on page 1 through line 7 on page 2 with the following:

"(3) The Executive Director of the Illinois Finance Authority, or his or her designee.

(4) ~~(3)~~ One member appointed by the President of the Senate.

(5) ~~(4)~~ One member appointed by the Minority Leader of the Senate.

(6) ~~(5)~~ One member appointed by the Speaker of the House of Representatives.

(7) ~~(6)~~ One member appointed by the Minority Leader of the House of Representatives.

(8) ~~(7)~~ Members appointed by the Director of the Illinois Environmental Protection Agency as follows:"; and

on page 4, line 15, by replacing "September 30 ~~January 31~~, 2023" with "March 1, 2024 ~~January 31, 2023~~"; and

on page 4, line 18, by replacing "2024" with "2025 ~~2024~~".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Loughran Cappel, **House Bill No. 2527** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Jones, E. | 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 in the Senate Amendment adopted thereto.

**HOUSE BILL RECALLED**

On motion of Senator Tracy, **House Bill No. 2858** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 2 was withdrawn by the sponsor.

Senator Tracy offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO HOUSE BILL 2858**

AMENDMENT NO. 3 . Amend House Bill 2858, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Act on the Aging is amended by changing Section 4.04 as follows:

(20 ILCS 105/4.04) (from Ch. 23, par. 6104.04)

Sec. 4.04. Long Term Care Ombudsman Program. The purpose of the Long Term Care Ombudsman Program is to ensure that older persons and persons with disabilities receive quality services. This is accomplished by providing advocacy services for residents of long term care facilities and participants receiving home care and community-based care. Managed care is increasingly becoming the vehicle for delivering health and long-term services and supports to seniors and persons with disabilities, including dual eligible participants. The additional ombudsman authority will allow advocacy services to be provided to Illinois participants for the first time and will produce a cost savings for the State of Illinois by supporting the rebalancing efforts of the Patient Protection and Affordable Care Act.

(a) Long Term Care Ombudsman Program. The Department shall establish a Long Term Care Ombudsman Program, through the Office of State Long Term Care Ombudsman ("the Office"), in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended. The Long Term Care Ombudsman Program is authorized, subject to sufficient appropriations, to advocate on behalf of older persons and persons with disabilities residing in their own homes or community-based settings, relating to matters which may adversely affect the health, safety, welfare, or rights of such individuals.

(b) Definitions. As used in this Section, unless the context requires otherwise:

(1) "Access" means the right to:

(i) Enter any long term care facility or assisted living or shared housing establishment or supportive living facility;

(ii) Communicate privately and without restriction with any resident, regardless of age, who consents to the communication;

(iii) Seek consent to communicate privately and without restriction with any participant or resident, regardless of age;

(iv) Inspect and copy the clinical and other records of a participant or resident, regardless of age, with the express written consent of the participant or resident;

(v) Observe all areas of the long term care facility or supportive living facilities, assisted living or shared housing establishment except the living area of any resident who protests the observation; and

(vi) Subject to permission of the participant or resident requesting services or his or her representative, enter a home or community-based setting.

(2) "Long Term Care Facility" means (i) any facility as defined by Section 1-113 of the Nursing Home Care Act, as now or hereafter amended; (ii) any skilled nursing facility or a nursing facility which meets the requirements of Section 1819(a), (b), (c), and (d) or Section 1919(a), (b), (c), and (d) of the Social Security Act, as now or hereafter amended (42 U.S.C. 1395i-3(a), (b), (c), and (d) and 42 U.S.C. 1396r(a), (b), (c), and (d)); (iii) any facility as defined by Section 1-113 of the ID/DD Community Care Act, as now or hereafter amended; (iv) any facility as defined by Section 1-113 of MC/DD Act, as now or hereafter amended; and (v) any facility licensed under Section 4-105 or 4-201 of the Specialized Mental Health Rehabilitation Act of 2013, as now or hereafter amended.

(2.5) "Assisted living establishment" and "shared housing establishment" have the meanings given those terms in Section 10 of the Assisted Living and Shared Housing Act.

(2.7) "Supportive living facility" means a facility established under Section 5-5.01a of the Illinois Public Aid Code.

(2.8) "Community-based setting" means any place of abode other than an individual's private home.

(3) "State Long Term Care Ombudsman" means any person employed by the Department to fulfill the requirements of the Office of State Long Term Care Ombudsman as required under the Older Americans Act of 1965, as now or hereafter amended, and Departmental policy.

(3.1) "Ombudsman" means any designated representative of the State Long Term Care Ombudsman Program; provided that the representative, whether he is paid for or volunteers his ombudsman services, shall be qualified and designated by the Office to perform the duties of an ombudsman as specified by the Department in rules and in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended.

(4) "Participant" means an older person aged 60 or over or an adult with a disability aged 18 through 59 who is eligible for services under any of the following:

(i) A medical assistance waiver administered by the State.

(ii) A managed care organization providing care coordination and other services to seniors and persons with disabilities.

(5) "Resident" means an older person aged 60 or over or an adult with a disability aged 18 through 59 who resides in a long-term care facility.

(c) Ombudsman; rules. The Office of State Long Term Care Ombudsman shall be composed of at least one full-time ombudsman and shall include a system of designated regional long term care ombudsman programs. Each regional program shall be designated by the State Long Term Care Ombudsman as a subdivision of the Office and any representative of a regional program shall be treated as a representative of the Office.

The Department, in consultation with the Office, shall promulgate administrative rules in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended, to establish the responsibilities of the Department and the Office of State Long Term Care Ombudsman and the designated regional Ombudsman programs. The administrative rules shall include the responsibility of the Office and designated regional programs to investigate and resolve complaints made by or on behalf of residents of long term care facilities, supportive living facilities, and assisted living and shared housing establishments, and participants residing in their own homes or community-based settings, including the option to serve residents and participants under the age of 60, relating to actions, inaction, or decisions of providers, or their representatives, of such facilities and establishments, of public agencies, or of social services agencies, which may adversely affect the health, safety, welfare, or rights of such residents and participants. The Office and designated regional programs may represent all residents and participants, but are not required by this Act to represent persons under 60 years of age, except to the extent required by federal law. When necessary and appropriate, representatives of the Office shall refer complaints to the appropriate regulatory State agency. The Department, in consultation with the Office, shall cooperate with the Department of Human Services and other State agencies in providing information and training to designated regional long term care ombudsman programs about the appropriate assessment and treatment (including information about appropriate supportive services, treatment options, and assessment of rehabilitation potential) of the participants they serve.

The State Long Term Care Ombudsman and all other ombudsmen, as defined in paragraph (3.1) of subsection (b) must submit to background checks under the Health Care Worker Background Check Act and

receive training, as prescribed by the Illinois Department on Aging, before visiting facilities, private homes, or community-based settings. The training must include information specific to assisted living establishments, supportive living facilities, shared housing establishments, private homes, and community-based settings and to the rights of residents and participants guaranteed under the corresponding Acts and administrative rules.

(c-5) Consumer Choice Information Reports. The Office shall:

(1) In collaboration with the Attorney General, create a Consumer Choice Information Report form to be completed by all licensed long term care facilities to aid Illinoisans and their families in making informed choices about long term care. The Office shall create a Consumer Choice Information Report for each type of licensed long term care facility. The Office shall collaborate with the Attorney General and the Department of Human Services to create a Consumer Choice Information Report form for facilities licensed under the ID/DD Community Care Act or the MC/DD Act.

(2) Develop a database of Consumer Choice Information Reports completed by licensed long term care facilities that includes information in the following consumer categories:

(A) Medical Care, Services, and Treatment.

(B) Special Services and Amenities.

(C) Staffing.

(D) Facility Statistics and Resident Demographics.

(E) Ownership and Administration.

(F) Safety and Security.

(G) Meals and Nutrition.

(H) Rooms, Furnishings, and Equipment.

(I) Family, Volunteer, and Visitation Provisions.

(3) Make this information accessible to the public, including on the Internet by means of a hyperlink on the Office's World Wide Web home page. Information about facilities licensed under the ID/DD Community Care Act or the MC/DD Act shall be made accessible to the public by the Department of Human Services, including on the Internet by means of a hyperlink on the Department of Human Services' "For Customers" website.

(4) Have the authority, with the Attorney General, to verify that information provided by a facility is accurate.

(5) Request a new report from any licensed facility whenever it deems necessary.

(6) Include in the Office's Consumer Choice Information Report for each type of licensed long term care facility additional information on each licensed long term care facility in the State of Illinois, including information regarding each facility's compliance with the relevant State and federal statutes, rules, and standards; customer satisfaction surveys; and information generated from quality measures developed by the Centers for Medicare and Medicaid Services.

(d) Access and visitation rights.

(1) In accordance with subparagraphs (A) and (E) of paragraph (3) of subsection (c) of Section 1819 and subparagraphs (A) and (E) of paragraph (3) of subsection (c) of Section 1919 of the Social Security Act, as now or hereafter amended (42 U.S.C. 1395i-3 (c)(3)(A) and (E) and 42 U.S.C. 1396r (c)(3)(A) and (E)), and Section 712 of the Older Americans Act of 1965, as now or hereafter amended (42 U.S.C. 3058f), a long term care facility, supportive living facility, assisted living establishment, and shared housing establishment must:

(i) permit immediate access to any resident, regardless of age, by a designated ombudsman;

(ii) permit representatives of the Office, with the permission of the resident, the resident's legal representative, or the resident's legal guardian, to examine and copy a resident's clinical and other records, regardless of the age of the resident, and if a resident is unable to consent to such review, and has no legal guardian, permit representatives of the Office appropriate access, as defined by the Department, in consultation with the Office, in administrative rules, to the resident's records; and

(iii) permit a representative of the Program to communicate privately and without restriction with any participant who consents to the communication regardless of the consent of, or withholding of consent by, a legal guardian or an agent named in a power of attorney executed by the participant.

(2) Each long term care facility, supportive living facility, assisted living establishment, and shared housing establishment shall display, in multiple, conspicuous public places within the facility accessible to both visitors and residents and in an easily readable format, the address and phone number of the Office of the Long Term Care Ombudsman, in a manner prescribed by the Office.

(e) Immunity. An ombudsman or any representative of the Office participating in the good faith performance of his or her official duties shall have immunity from any liability (civil, criminal or otherwise) in any proceedings (civil, criminal or otherwise) brought as a consequence of the performance of his official duties.

(f) Business offenses.

(1) No person shall:

(i) Intentionally prevent, interfere with, or attempt to impede in any way any representative of the Office in the performance of his official duties under this Act and the Older Americans Act of 1965; or

(ii) Intentionally retaliate, discriminate against, or effect reprisals against any long term care facility resident or employee for contacting or providing information to any representative of the Office.

(2) A violation of this Section is a business offense, punishable by a fine not to exceed $501.

(3) The State Long Term Care Ombudsman shall notify the State's Attorney of the county in which the long term care facility, supportive living facility, or assisted living or shared housing establishment is located, or the Attorney General, of any violations of this Section.

(g) Confidentiality of records and identities. The Department shall establish procedures for the disclosure by the State Ombudsman or the regional ombudsmen entities of files maintained by the program. The procedures shall provide that the files and records may be disclosed only at the discretion of the State Long Term Care Ombudsman or the person designated by the State Ombudsman to disclose the files and records, and the procedures shall prohibit the disclosure of the identity of any complainant, resident, participant, witness, or employee of a long term care provider unless:

(1) the complainant, resident, participant, witness, or employee of a long term care provider or his or her legal representative consents to the disclosure and the consent is in writing;

(2) the complainant, resident, participant, witness, or employee of a long term care provider gives consent orally; and the consent is documented contemporaneously in writing in accordance with such requirements as the Department shall establish; or

(3) the disclosure is required by court order.

(h) Legal representation. The Attorney General shall provide legal representation to any representative of the Office against whom suit or other legal action is brought in connection with the performance of the representative's official duties, in accordance with the State Employee Indemnification Act.

(i) Treatment by prayer and spiritual means. Nothing in this Act shall be construed to authorize or require the medical supervision, regulation or control of remedial care or treatment of any resident in a long term care facility operated exclusively by and for members or adherents of any church or religious denomination the tenets and practices of which include reliance solely upon spiritual means through prayer for healing.

(j) The Long Term Care Ombudsman Fund is created as a special fund in the State treasury to receive moneys for the express purposes of this Section. All interest earned on moneys in the fund shall be credited to the fund. Moneys contained in the fund shall be used to support the purposes of this Section.

(k) Each Regional Ombudsman may, in accordance with rules promulgated by the Office, establish a multi-disciplinary team to act in an advisory role for the purpose of providing professional knowledge and expertise in handling complex abuse, neglect, and advocacy issues involving participants. Each multi-disciplinary team may consist of one or more volunteer representatives from any combination of at least 7 members from the following professions: banking or finance; disability care; health care; pharmacology; law; law enforcement; emergency responder; mental health care; clergy; coroner or medical examiner; substance abuse; domestic violence; sexual assault; or other related fields. To support multi-disciplinary teams in this role, law enforcement agencies and coroners or medical examiners shall supply records as may be requested in particular cases. The Regional Ombudsman, or his or her designee, of the area in which the multi-disciplinary team is created shall be the facilitator of the multi-disciplinary team. (Source: P.A. 102-1033, eff. 1-1-23.)

Section 10. The Adult Protective Services Act is amended by changing Sections 2, 4, 4.1, 4.2, 5, and 8 as follows:

(320 ILCS 20/2) (from Ch. 23, par. 6602)

Sec. 2. Definitions. As used in this Act, unless the context requires otherwise:

(a) "Abandonment" means the desertion or willful forsaking of an eligible adult by an individual responsible for the care and custody of that eligible adult under circumstances in which a reasonable person would continue to provide care and custody. Nothing in this Act shall be construed to mean that an eligible adult is a victim of abandonment because of health care services provided or not provided by licensed health care professionals.

(a-1) "Abuse" means causing any physical, mental or sexual injury to an eligible adult, including exploitation of such adult's financial resources, and abandonment.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse, abandonment, neglect, or self-neglect for the sole reason that he or she is being furnished with or relies upon treatment by spiritual means through prayer alone, in accordance with the tenets and practices of a recognized church or religious denomination.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse because of health care services provided or not provided by licensed health care professionals.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse in cases of criminal activity by strangers, telemarketing scams, consumer fraud, internet fraud, home repair disputes, complaints against a homeowners' association, or complaints between landlords and tenants.

(a-5) "Abuser" means a person who is a family member, caregiver, or another person who has a continuing relationship with the eligible adult and abuses, abandons, neglects, or financially exploits an eligible adult.

(a-6) "Adult with disabilities" means a person aged 18 through 59 who resides in a domestic living situation and whose disability as defined in subsection (c-5) impairs his or her ability to seek or obtain protection from abuse, abandonment, neglect, or exploitation.

(a-7) "Caregiver" means a person who either as a result of a family relationship, voluntarily, or in exchange for compensation has assumed responsibility for all or a portion of the care of an eligible adult who needs assistance with activities of daily living or instrumental activities of daily living.

(b) "Department" means the Department on Aging of the State of Illinois.

(c) "Director" means the Director of the Department.

(c-5) "Disability" means a physical or mental disability, including, but not limited to, a developmental disability, an intellectual disability, a mental illness as defined under the Mental Health and Developmental Disabilities Code, or dementia as defined under the Alzheimer's Disease Assistance Act.

(d) "Domestic living situation" means a residence where the eligible adult at the time of the report lives alone or with his or her family or a caregiver, or others, or other community-based unlicensed facility, but is not:

(1) A licensed facility as defined in Section 1-113 of the Nursing Home Care Act;

(1.5) A facility licensed under the ID/DD Community Care Act;

(1.6) A facility licensed under the MC/DD Act;

(1.7) A facility licensed under the Specialized Mental Health Rehabilitation Act of 2013;

(2) A "life care facility" as defined in the Life Care Facilities Act;

(3) A home, institution, or other place operated by the federal government or agency thereof or by the State of Illinois;

(4) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness through the maintenance and operation of organized facilities therefor, which is required to be licensed under the Hospital Licensing Act;

(5) A "community living facility" as defined in the Community Living Facilities Licensing Act;

(6) (Blank);

(7) A "community-integrated living arrangement" as defined in the Community-Integrated Living Arrangements Licensure and Certification Act or a "community residential alternative" as licensed under that Act;

(8) An assisted living or shared housing establishment as defined in the Assisted Living and Shared Housing Act; or

(9) A supportive living facility as described in Section 5-5.01a of the Illinois Public Aid Code.

(e) "Eligible adult" means either an adult with disabilities aged 18 through 59 or a person aged 60 or older who resides in a domestic living situation and is, or is alleged to be, abused, abandoned, neglected, or financially exploited by another individual or who neglects himself or herself. "Eligible adult" also includes an adult who resides in any of the facilities that are excluded from the definition of "domestic living situation" under paragraphs (1) through (9) of subsection (d), if either: (i) the alleged abuse, abandonment, or neglect occurs outside of the facility and not under facility supervision and the alleged abuser is a family member, caregiver, or another person who has a continuing relationship with the adult; or (ii) the alleged financial exploitation is perpetrated by a family member, caregiver, or another person who has a continuing relationship with the adult, but who is not an employee of the facility where the adult resides.

(f) "Emergency" means a situation in which an eligible adult is living in conditions presenting a risk of death or physical, mental or sexual injury and the provider agency has reason to believe the eligible adult is unable to consent to services which would alleviate that risk.

(f-1) "Financial exploitation" means the use of an eligible adult's resources by another to the disadvantage of that adult or the profit or advantage of a person other than that adult.

(f-3) "Investment advisor" means any person required to register as an investment adviser or investment adviser representative under Section 8 of the Illinois Securities Law of 1953, which for purposes of this Act excludes any bank, trust company, savings bank, or credit union, or their respective employees.

(f-5) "Mandated reporter" means any of the following persons while engaged in carrying out their professional duties:

(1) a professional or professional's delegate while engaged in: (i) social services, (ii) law enforcement, (iii) education, (iv) the care of an eligible adult or eligible adults, or (v) any of the occupations required to be licensed under the Behavior Analyst Licensing Act, the Clinical Psychologist Licensing Act, the Clinical Social Work and Social Work Practice Act, the Illinois Dental Practice Act, the Dietitian Nutritionist Practice Act, the Marriage and Family Therapy Licensing Act, the Medical Practice Act of 1987, the Naprapathic Practice Act, the Nurse Practice Act, the Nursing Home Administrators Licensing and Disciplinary Act, the Illinois Occupational Therapy Practice Act, the Illinois Optometric Practice Act of 1987, the Pharmacy Practice Act, the Illinois Physical Therapy Act, the Physician Assistant Practice Act of 1987, the Podiatric Medical Practice Act of 1987, the Respiratory Care Practice Act, the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act, the Illinois Speech-Language Pathology and Audiology Practice Act, the Veterinary Medicine and Surgery Practice Act of 2004, and the Illinois Public Accounting Act;

(1.5) an employee of an entity providing developmental disabilities services or service coordination funded by the Department of Human Services;

(2) an employee of a vocational rehabilitation facility prescribed or supervised by the Department of Human Services;

(3) an administrator, employee, or person providing services in or through an unlicensed community based facility;

(4) any religious practitioner who provides treatment by prayer or spiritual means alone in accordance with the tenets and practices of a recognized church or religious denomination, except as to information received in any confession or sacred communication enjoined by the discipline of the religious denomination to be held confidential;

(5) field personnel of the Department of Healthcare and Family Services, Department of Public Health, and Department of Human Services, and any county or municipal health department;

(6) personnel of the Department of Human Services, the Guardianship and Advocacy Commission, the State Fire Marshal, local fire departments, the Department on Aging and its subsidiary Area Agencies on Aging and provider agencies, except the State Long Term Care Ombudsman and any of his or her representatives or volunteers where prohibited from making such a report pursuant to 45 CFR 1324.11(e)(3)(iv); ~~and the Office of State Long Term Care Ombudsman;~~

(7) any employee of the State of Illinois not otherwise specified herein who is involved in providing services to eligible adults, including professionals providing medical or rehabilitation services and all other persons having direct contact with eligible adults;

(8) a person who performs the duties of a coroner or medical examiner; ~~or~~

(9) a person who performs the duties of a paramedic or an emergency medical technician; or ~~.~~

(10) a person who performs the duties of an investment advisor.

(g) "Neglect" means another individual's failure to provide an eligible adult with or willful withholding from an eligible adult the necessities of life including, but not limited to, food, clothing, shelter or health care. This subsection does not create any new affirmative duty to provide support to eligible adults. Nothing in this Act shall be construed to mean that an eligible adult is a victim of neglect because of health care services provided or not provided by licensed health care professionals.

(h) "Provider agency" means any public or nonprofit agency in a planning and service area that is selected by the Department or appointed by the regional administrative agency with prior approval by the Department on Aging to receive and assess reports of alleged or suspected abuse, abandonment, neglect, or financial exploitation. A provider agency is also referenced as a "designated agency" in this Act.

(i) "Regional administrative agency" means any public or nonprofit agency in a planning and service area that provides regional oversight and performs functions as set forth in subsection (b) of Section 3 of this Act. The Department shall designate an Area Agency on Aging as the regional administrative agency or, in the event the Area Agency on Aging in that planning and service area is deemed by the Department to be unwilling or unable to provide those functions, the Department may serve as the regional administrative agency or designate another qualified entity to serve as the regional administrative agency; any such designation shall be subject to terms set forth by the Department.

(i-5) "Self-neglect" means a condition that is the result of an eligible adult's inability, due to physical or mental impairments, or both, or a diminished capacity, to perform essential self-care tasks that substantially threaten his or her own health, including: providing essential food, clothing, shelter, and health care; and obtaining goods and services necessary to maintain physical health, mental health, emotional well-being, and general safety. The term includes compulsive hoarding, which is characterized by the acquisition and retention of large quantities of items and materials that produce an extensively cluttered living space, which significantly impairs the performance of essential self-care tasks or otherwise substantially threatens life or safety.

(j) "Substantiated case" means a reported case of alleged or suspected abuse, abandonment, neglect, financial exploitation, or self-neglect in which a provider agency, after assessment, determines that there is reason to believe abuse, abandonment, neglect, or financial exploitation has occurred.

(k) "Verified" means a determination that there is "clear and convincing evidence" that the specific injury or harm alleged was the result of abuse, abandonment, neglect, or financial exploitation.

(Source: P.A. 102-244, eff. 1-1-22; 102-953, eff. 5-27-22.)

(320 ILCS 20/4) (from Ch. 23, par. 6604)

Sec. 4. Reports of abuse, abandonment, or neglect.

(a) Any person who suspects the abuse, abandonment, neglect, financial exploitation, or self-neglect of an eligible adult may report this suspicion or information about the suspicious death of an eligible adult to an agency designated to receive such reports under this Act or to the Department.

(a-5) If any mandated reporter has reason to believe that an eligible adult, who because of a disability or other condition or impairment is unable to seek assistance for himself or herself, has, within the previous 12 months, been subjected to abuse, abandonment, neglect, or financial exploitation, the mandated reporter shall, within 24 hours after developing such belief, report this suspicion to an agency designated to receive such reports under this Act or to the Department. The agency designated to receive such reports under this Act or the Department may establish a manner in which a mandated reporter can make the required report through an Internet reporting tool. Information sent and received through the Internet reporting tool is subject to the same rules in this Act as other types of confidential reporting established by the designated agency or the Department. Whenever a mandated reporter is required to report under this Act in his or her capacity as a member of the staff of a medical or other public or private institution, facility, or agency, he or she shall make a report to an agency designated to receive such reports under this Act or to the Department in accordance with the provisions of this Act and may also notify the person in charge of the institution, facility, or agency or his or her designated agent that the report has been made. Under no circumstances shall any person in charge of such institution, facility, or agency, or his or her designated agent to whom the notification has been made, exercise any control, restraint, modification, or other change in the report or the forwarding of the report to an agency designated to receive such reports under this Act or to the Department. The privileged quality of communication between any professional person required to report and his or her patient or client shall not apply to situations involving abused, abandoned, neglected, or financially exploited eligible adults and shall not constitute grounds for failure to report as required by this Act.

(a-6) If a mandated reporter has reason to believe that the death of an eligible adult may be the result of abuse or neglect, the matter shall be reported to an agency designated to receive such reports under this

Act or to the Department for subsequent referral to the appropriate law enforcement agency and the coroner or medical examiner in accordance with subsection (c-5) of Section 3 of this Act.

(a-7) A person making a report under this Act in the belief that it is in the alleged victim's best interest shall be immune from criminal or civil liability or professional disciplinary action on account of making the report, notwithstanding any requirements concerning the confidentiality of information with respect to such eligible adult which might otherwise be applicable.

(a-9) Law enforcement officers shall continue to report incidents of alleged abuse pursuant to the Illinois Domestic Violence Act of 1986, notwithstanding any requirements under this Act.

(b) Any person, institution or agency participating in the making of a report, providing information or records related to a report, assessment, or services, or participating in the investigation of a report under this Act in good faith, or taking photographs or x-rays as a result of an authorized assessment, shall have immunity from any civil, criminal or other liability in any civil, criminal or other proceeding brought in consequence of making such report or assessment or on account of submitting or otherwise disclosing such photographs or x-rays to any agency designated to receive reports of alleged or suspected abuse, abandonment, or neglect. Any person, institution or agency authorized by the Department to provide assessment, intervention, or administrative services under this Act shall, in the good faith performance of those services, have immunity from any civil, criminal or other liability in any civil, criminal, or other proceeding brought as a consequence of the performance of those services. For the purposes of any civil, criminal, or other proceeding, the good faith of any person required to report, permitted to report, or participating in an investigation of a report of alleged or suspected abuse, abandonment, neglect, financial exploitation, or self-neglect shall be presumed.

(c) The identity of a person making a report of alleged or suspected abuse, abandonment, neglect, financial exploitation, or self-neglect or a report concerning information about the suspicious death of an eligible adult under this Act may be disclosed by the Department or other agency provided for in this Act only with such person's written consent or by court order, but is otherwise confidential.

(d) The Department shall by rule establish a system for filing and compiling reports made under this Act.

(e) Any physician who willfully fails to report as required by this Act shall be referred to the Illinois State Medical Disciplinary Board for action in accordance with subdivision (A)(22) of Section 22 of the Medical Practice Act of 1987. Any dentist or dental hygienist who willfully fails to report as required by this Act shall be referred to the Department of Professional Regulation for action in accordance with paragraph 19 of Section 23 of the Illinois Dental Practice Act. Any optometrist who willfully fails to report as required by this Act shall be referred to the Department of Financial and Professional Regulation for action in accordance with paragraph (15) of subsection (a) of Section 24 of the Illinois Optometric Practice Act of 1987. Any other mandated reporter required by this Act to report suspected abuse, abandonment, neglect, or financial exploitation who willfully fails to report the same is guilty of a Class A misdemeanor.

(Source: P.A. 102-244, eff. 1-1-22.)

(320 ILCS 20/4.1)

Sec. 4.1. Employer discrimination. No employer shall discharge, demote or suspend, or threaten to discharge, demote or suspend, or in any manner discriminate against any employee: (i) who makes any good faith oral or written report of suspected abuse, abandonment, neglect, or financial exploitation; (ii) who makes any good faith oral or written report concerning information about the suspicious death of an eligible adult; or (iii) who is or will be a witness or testify in any investigation or proceeding concerning a report of suspected abuse, abandonment, neglect, or financial exploitation.

(Source: P.A. 102-244, eff. 1-1-22.)

(320 ILCS 20/4.2)

Sec. 4.2. Testimony by mandated reporter and investigator. Any mandated reporter who makes a report or any person who investigates a report under this Act shall testify fully in any judicial proceeding resulting from such report, as to any evidence of abuse, abandonment, neglect, or financial exploitation or the cause thereof. Any mandated reporter who is required to report a suspected case of or a suspicious death due to abuse, abandonment, neglect, or financial exploitation under Section 4 of this Act shall testify fully in any administrative hearing resulting from such report, as to any evidence of abuse, abandonment, neglect, or financial exploitation or the cause thereof. No evidence shall be excluded by reason of any common law or statutory privilege relating to communications between the alleged abuser or the eligible adult subject of the report under this Act and the person making or investigating the report.

(Source: P.A. 102-244, eff. 1-1-22.)

(320 ILCS 20/5) (from Ch. 23, par. 6605)

Sec. 5. Procedure.

(a) A provider agency designated to receive reports of alleged or suspected abuse, abandonment, neglect, financial exploitation, or self-neglect under this Act shall, upon receiving such a report, conduct a face-to-face assessment with respect to such report, in accord with established law and Department protocols, procedures, and policies. Face-to-face assessments, casework, and follow-up of reports of self-neglect by the provider agencies designated to receive reports of self-neglect shall be subject to sufficient appropriation for statewide implementation of assessments, casework, and follow-up of reports of self-neglect. In the absence of sufficient appropriation for statewide implementation of assessments, casework, and follow-up of reports of self-neglect, the designated adult protective services provider agency shall refer all reports of self-neglect to the appropriate agency or agencies as designated by the Department for any follow-up. The assessment shall include, but not be limited to, a visit to the residence of the eligible adult who is the subject of the report and shall include interviews or consultations regarding the allegations with service agencies, immediate family members, and individuals who may have knowledge of the eligible adult's circumstances based on the consent of the eligible adult in all instances, except where the provider agency is acting in the best interest of an eligible adult who is unable to seek assistance for himself or herself and where there are allegations against a caregiver who has assumed responsibilities in exchange for compensation. If, after the assessment, the provider agency determines that the case is substantiated it shall develop a service care plan for the eligible adult and may report its findings at any time during the case to the appropriate law enforcement agency in accord with established law and Department protocols, procedures, and policies. In developing a case plan, the provider agency may consult with any other appropriate provider of services, and such providers shall be immune from civil or criminal liability on account of such acts. The plan shall include alternative suggested or recommended services which are appropriate to the needs of the eligible adult and which involve the least restriction of the eligible adult's activities commensurate with his or her needs. Only those services to which consent is provided in accordance with Section 9 of this Act shall be provided, contingent upon the availability of such services.

(b) A provider agency shall refer evidence of crimes against an eligible adult to the appropriate law enforcement agency according to Department policies. A referral to law enforcement may be made at intake, at ~~or~~ any time during the case, or after a report of a suspicious death, depending upon the circumstances. Where a provider agency has reason to believe the death of an eligible adult may be the result of abuse, abandonment, or neglect, the agency shall immediately report the matter to the coroner or medical examiner and shall cooperate fully with any subsequent investigation.

(c) If any person other than the alleged victim refuses to allow the provider agency to begin an investigation, interferes with the provider agency's ability to conduct an investigation, or refuses to give access to an eligible adult, the appropriate law enforcement agency must be consulted regarding the investigation.

(Source: P.A. 101-496, eff. 1-1-20; 102-244, eff. 1-1-22.)

(320 ILCS 20/8) (from Ch. 23, par. 6608)

Sec. 8. Access to records. All records concerning reports of abuse, abandonment, neglect, financial exploitation, or self-neglect or reports of suspicious deaths due to abuse, neglect, or financial exploitation and all records generated as a result of such reports shall be confidential and shall not be disclosed except as specifically authorized by this Act or other applicable law. In accord with established law and Department protocols, procedures, and policies, access to such records, but not access to the identity of the person or persons making a report of alleged abuse, abandonment, neglect, financial exploitation, or self-neglect as contained in such records, shall be provided, upon request, to the following persons and for the following persons:

(1) Department staff, provider agency staff, other aging network staff, and regional administrative agency staff, including staff of the Chicago Department on Aging while that agency is designated as a regional administrative agency, in the furtherance of their responsibilities under this Act;

(1.5) A representative of the public guardian acting in the course of investigating the appropriateness of guardianship for the eligible adult or while pursuing a petition for guardianship of the eligible adult pursuant to the Probate Act of 1975;

(2) A law enforcement agency or State's Attorney's office investigating known or suspected abuse, abandonment, neglect, financial exploitation, or self-neglect. Where a provider agency has reason to believe that the death of an eligible adult may be the result of abuse, abandonment, or

neglect, including any reports made after death, the agency shall immediately provide the appropriate law enforcement agency with all records pertaining to the eligible adult;

(2.5) A law enforcement agency, fire department agency, or fire protection district having proper jurisdiction pursuant to a written agreement between a provider agency and the law enforcement agency, fire department agency, or fire protection district under which the provider agency may furnish to the law enforcement agency, fire department agency, or fire protection district a list of all eligible adults who may be at imminent risk of abuse, abandonment, neglect, financial exploitation, or self-neglect;

(3) A physician who has before him or her or who is involved in the treatment of an eligible adult whom he or she reasonably suspects may be abused, abandoned, neglected, financially exploited, or self-neglected or who has been referred to the Adult Protective Services Program;

(4) An eligible adult reported to be abused, abandoned, neglected, financially exploited, or self-neglected, or such adult's authorized guardian or agent, unless such guardian or agent is the abuser or the alleged abuser;

(4.5) An executor or administrator of the estate of an eligible adult who is deceased;

(5) A probate court with jurisdiction over the guardianship of an alleged victim for an in camera inspection ~~In cases regarding abuse, abandonment, neglect, or financial exploitation, a court or a guardian ad litem, upon its or his or her finding that access to such records may be necessary for the determination of an issue before the court. However, such access shall be limited to an in camera inspection of the records, unless the court determines that disclosure of the information contained therein is necessary for the resolution of an issue then pending before it~~;

(5.5) A ~~In cases regarding self-neglect, a~~ guardian ad litem, unless such guardian ad litem is the abuser or alleged abuser;

(6) A grand jury, upon its determination that access to such records is necessary in the conduct of its official business;

(7) Any person authorized by the Director, in writing, for audit or bona fide research purposes;

(8) A coroner or medical examiner who has reason to believe that an eligible adult has died as the result of abuse, abandonment, neglect, financial exploitation, or self-neglect. The provider agency shall immediately provide the coroner or medical examiner with all records pertaining to the eligible adult;

(8.5) A coroner or medical examiner having proper jurisdiction, pursuant to a written agreement between a provider agency and the coroner or medical examiner, under which the provider agency may furnish to the office of the coroner or medical examiner a list of all eligible adults who may be at imminent risk of death as a result of abuse, abandonment, neglect, financial exploitation, or self-neglect;

(9) Department of Financial and Professional Regulation staff and members of the Illinois Medical Disciplinary Board or the Social Work Examining and Disciplinary Board in the course of investigating alleged violations of the Clinical Social Work and Social Work Practice Act by provider agency staff or other licensing bodies at the discretion of the Director of the Department on Aging;

(9-a) Department of Healthcare and Family Services staff and provider agency staff when that Department is funding services to the eligible adult, including access to the identity of the eligible adult;

(9-b) Department of Human Services staff and provider agency staff when that Department is funding services to the eligible adult or is providing reimbursement for services provided by the abuser or alleged abuser, including access to the identity of the eligible adult;

(10) Hearing officers in the course of conducting an administrative hearing under this Act; parties to such hearing shall be entitled to discovery as established by rule;

(11) A caregiver who challenges placement on the Registry shall be given the statement of allegations in the abuse report and the substantiation decision in the final investigative report; and

(12) The Illinois Guardianship and Advocacy Commission and the agency designated by the Governor under Section 1 of the Protection and Advocacy for Persons with Developmental Disabilities Act shall have access, through the Department, to records, including the findings, pertaining to a completed or closed investigation of a report of suspected abuse, abandonment, neglect, financial exploitation, or self-neglect of an eligible adult.

(Source: P.A. 102-244, eff. 1-1-22.)

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 bill, as amended, was ordered to a third reading.

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Tracy, **House Bill No. 2858** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Jones, E. | Rezin | Mr. President |
| Edly-Allen | Joyce | Rose | |
| Ellman | Koehler | Simmons | |
| Faraci | Lewis | 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 in the Senate Amendments adopted thereto.

On motion of Senator Holmes, **House Bill No. 3086** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 36; NAYS 18.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Aquino | Gillespie | Lightford | Sims |
| Belt | Glowiak Hilton | Loughran Cappel | Ventura |
| Castro | Halpin | Martwick | Villa |
| Cervantes | Harris, N. | Morrison | Villanueva |
| Cunningham | Holmes | Murphy | Villivalam |
| Edly-Allen | Hunter | Pacione-Zayas | Mr. President |
| Ellman | Johnson | Peters | |
| Faraci | Jones, E. | Porfirio | |

| | | | |
|---|---|---|---|
| Feigenholtz | Koehler | Preston | |
| Fine | Lewis | Simmons | |

The following voted in the negative:

| | | | |
|---|---|---|---|
| Anderson | DeWitte | Plummer | Tracy |
| Bennett | Fowler | Rezin | Turner, S. |
| Bryant | Harriss, E. | Rose | Wilcox |
| Chesney | McClure | Stoller | |
| Curran | McConchie | 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 in the Senate Amendment adopted thereto.

**HOUSE BILL RECALLED**

On motion of Senator Pacione-Zayas, **House Bill No. 3566** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 2 was held in the Committee on State Government.

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

**AMENDMENT NO. 3 TO HOUSE BILL 3566**

AMENDMENT NO. 3 . Amend House Bill 3566, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Administrative Procedure Act is amended by adding Section 5-45.35 as follows:

(5 ILCS 100/5-45.35 new)

Sec. 5-45.35. Emergency rulemaking; Department of Children and Family Services. To provide for the expeditious and timely implementation of this amendatory Act of the 103rd General Assembly, emergency rules implementing this amendatory Act of the 103rd General Assembly may be adopted in accordance with Section 5-45 by the Department of Children and Family Services. The adoption of emergency rules authorized by Section 5-45 and this Section is deemed to be necessary for the public interest, safety, and welfare.

This Section is repealed one year after the effective date of this amendatory Act of the 103rd General Assembly.

Section 10. The Child Care Act of 1969 is amended by changing Section 7 as follows:

(225 ILCS 10/7) (from Ch. 23, par. 2217)

Sec. 7. (a) The Department must prescribe and publish minimum standards for licensing that apply to the various types of facilities for child care defined in this Act and that are equally applicable to like institutions under the control of the Department and to foster family homes used by and under the direct supervision of the Department. The Department shall seek the advice and assistance of persons representative of the various types of child care facilities in establishing such standards. The standards prescribed and published under this Act take effect as provided in the Illinois Administrative Procedure Act, and are restricted to regulations pertaining to the following matters and to any rules and regulations required or permitted by any other Section of this Act:

(1) The operation and conduct of the facility and responsibility it assumes for child care;

(2) The character, suitability and qualifications of the applicant and other persons directly responsible for the care and welfare of children served. All child day care center licensees and employees who are required to report child abuse or neglect under the Abused and Neglected Child

Reporting Act shall be required to attend training on recognizing child abuse and neglect, as prescribed by Department rules;

(3) The general financial ability and competence of the applicant to provide necessary care for children and to maintain prescribed standards;

(4) The number of individuals or staff required to insure adequate supervision and care of the children received. The standards shall provide that each child care institution, maternity center, day care center, group home, day care home, and group day care home shall have on its premises during its hours of operation at least one staff member certified in first aid, in the Heimlich maneuver and in cardiopulmonary resuscitation by the American Red Cross or other organization approved by rule of the Department. Child welfare agencies shall not be subject to such a staffing requirement. The Department may offer, or arrange for the offering, on a periodic basis in each community in this State in cooperation with the American Red Cross, the American Heart Association or other appropriate organization, voluntary programs to train operators of foster family homes and day care homes in first aid and cardiopulmonary resuscitation;

(4.5) Provisions to allow for staffing flexibility of qualified early childhood assistants to enable the early childhood assistants to supervise a classroom outside of the core developmental hours of the day, which shall not exceed more than 3 hours in a single day and shall be documented in the program's Enhanced Staffing Plan. The Department shall adopt emergency rules to implement the changes made by this amendatory Act of the 103rd General Assembly;

(5) The appropriateness, safety, cleanliness, and general adequacy of the premises, including maintenance of adequate fire prevention and health standards conforming to State laws and municipal codes to provide for the physical comfort, care, and well-being of children received;

(6) Provisions for food, clothing, educational opportunities, program, equipment and individual supplies to assure the healthy physical, mental, and spiritual development of children served;

(7) Provisions to safeguard the legal rights of children served;

(8) Maintenance of records pertaining to the admission, progress, health, and discharge of children, including, for day care centers and day care homes, records indicating each child has been immunized as required by State regulations. The Department shall require proof that children enrolled in a facility have been immunized against Haemophilus Influenzae B (HIB);

(9) Filing of reports with the Department;

(10) Discipline of children;

(11) Protection and fostering of the particular religious faith of the children served;

(12) Provisions prohibiting firearms on day care center premises except in the possession of peace officers;

(13) Provisions prohibiting handguns on day care home premises except in the possession of peace officers or other adults who must possess a handgun as a condition of employment and who reside on the premises of a day care home;

(14) Provisions requiring that any firearm permitted on day care home premises, except handguns in the possession of peace officers, shall be kept in a disassembled state, without ammunition, in locked storage, inaccessible to children and that ammunition permitted on day care home premises shall be kept in locked storage separate from that of disassembled firearms, inaccessible to children;

(15) Provisions requiring notification of parents or guardians enrolling children at a day care home of the presence in the day care home of any firearms and ammunition and of the arrangements for the separate, locked storage of such firearms and ammunition;

(16) Provisions requiring all licensed child care facility employees who care for newborns and infants to complete training every 3 years on the nature of sudden unexpected infant death (SUID), sudden infant death syndrome (SIDS), and the safe sleep recommendations of the American Academy of Pediatrics; and

(17) With respect to foster family homes, provisions requiring the Department to review quality of care concerns and to consider those concerns in determining whether a foster family home is qualified to care for children.

By July 1, 2022, all licensed day care home providers, licensed group day care home providers, and licensed day care center directors and classroom staff shall participate in at least one training that includes the topics of early childhood social emotional learning, infant and early childhood mental health, early childhood trauma, or adverse childhood experiences. Current licensed providers, directors, and classroom

staff shall complete training by July 1, 2022 and shall participate in training that includes the above topics at least once every 3 years.

(b) If, in a facility for general child care, there are children diagnosed as mentally ill or children diagnosed as having an intellectual or physical disability, who are determined to be in need of special mental treatment or of nursing care, or both mental treatment and nursing care, the Department shall seek the advice and recommendation of the Department of Human Services, the Department of Public Health, or both Departments regarding the residential treatment and nursing care provided by the institution.

(c) The Department shall investigate any person applying to be licensed as a foster parent to determine whether there is any evidence of current drug or alcohol abuse in the prospective foster family. The Department shall not license a person as a foster parent if drug or alcohol abuse has been identified in the foster family or if a reasonable suspicion of such abuse exists, except that the Department may grant a foster parent license to an applicant identified with an alcohol or drug problem if the applicant has successfully participated in an alcohol or drug treatment program, self-help group, or other suitable activities and if the Department determines that the foster family home can provide a safe, appropriate environment and meet the physical and emotional needs of children.

(d) The Department, in applying standards prescribed and published, as herein provided, shall offer consultation through employed staff or other qualified persons to assist applicants and licensees in meeting and maintaining minimum requirements for a license and to help them otherwise to achieve programs of excellence related to the care of children served. Such consultation shall include providing information concerning education and training in early childhood development to providers of day care home services. The Department may provide or arrange for such education and training for those providers who request such assistance.

(e) The Department shall distribute copies of licensing standards to all licensees and applicants for a license. Each licensee or holder of a permit shall distribute copies of the appropriate licensing standards and any other information required by the Department to child care facilities under its supervision. Each licensee or holder of a permit shall maintain appropriate documentation of the distribution of the standards. Such documentation shall be part of the records of the facility and subject to inspection by authorized representatives of the Department.

(f) The Department shall prepare summaries of day care licensing standards. Each licensee or holder of a permit for a day care facility shall distribute a copy of the appropriate summary and any other information required by the Department, to the legal guardian of each child cared for in that facility at the time when the child is enrolled or initially placed in the facility. The licensee or holder of a permit for a day care facility shall secure appropriate documentation of the distribution of the summary and brochure. Such documentation shall be a part of the records of the facility and subject to inspection by an authorized representative of the Department.

(g) The Department shall distribute to each licensee and holder of a permit copies of the licensing or permit standards applicable to such person's facility. Each licensee or holder of a permit shall make available by posting at all times in a common or otherwise accessible area a complete and current set of licensing standards in order that all employees of the facility may have unrestricted access to such standards. All employees of the facility shall have reviewed the standards and any subsequent changes. Each licensee or holder of a permit shall maintain appropriate documentation of the current review of licensing standards by all employees. Such records shall be part of the records of the facility and subject to inspection by authorized representatives of the Department.

(h) Any standards involving physical examinations, immunization, or medical treatment shall include appropriate exemptions for children whose parents object thereto on the grounds that they conflict with the tenets and practices of a recognized church or religious organization, of which the parent is an adherent or member, and for children who should not be subjected to immunization for clinical reasons.

(i) The Department, in cooperation with the Department of Public Health, shall work to increase immunization awareness and participation among parents of children enrolled in day care centers and day care homes by publishing on the Department's website information about the benefits of immunization against vaccine preventable diseases, including influenza and pertussis. The information for vaccine preventable diseases shall include the incidence and severity of the diseases, the availability of vaccines, and the importance of immunizing children and persons who frequently have close contact with children. The website content shall be reviewed annually in collaboration with the Department of Public Health to reflect the most current recommendations of the Advisory Committee on Immunization Practices (ACIP). The

Department shall work with day care centers and day care homes licensed under this Act to ensure that the information is annually distributed to parents in August or September.

(j) Any standard adopted by the Department that requires an applicant for a license to operate a day care home to include a copy of a high school diploma or equivalent certificate with his or her application shall be deemed to be satisfied if the applicant includes a copy of a high school diploma or equivalent certificate or a copy of a degree from an accredited institution of higher education or vocational institution or equivalent certificate.

(Source: P.A. 102-4, eff. 4-27-21.)

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 bill, as amended, was ordered to a third reading.

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Pacione-Zayas, **House Bill No. 3566** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Holmes | Peters | Villa |
| Chesney | Hunter | Plummer | Villanueva |
| Cunningham | Johnson | Porfirio | Villivalam |
| Curran | Jones, E. | 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 in the Senate Amendments adopted thereto.

On motion of Senator Johnson, **House Bill No. 3592** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | 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.

On motion of Senator Stadelman, **House Bill No. 3792** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 14.

The following voted in the affirmative:

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

The following voted in the negative:

| | | | |
|---|---|---|---|
| Anderson | DeWitte | Plummer | Turner, S. |
| Bennett | Fowler | Rose | Wilcox |
| Bryant | Harriss, E. | Stoller | |
| Chesney | 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.

On motion of Senator Lightford, **House Bill No. 342** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 14.

The following voted in the affirmative:

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

The following voted in the negative:

| | | | |
|---|---|---|---|
| Anderson | Fowler | Rose | Turner, S. |
| Bennett | Harriss, E. | Stoller | Wilcox |
| Bryant | McConchie | Syverson | |
| Chesney | 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.

At the hour of 11:01 o'clock a.m., Senator Koehler, presiding.

On motion of Senator Cunningham, **House Bill No. 1595** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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, S. |
| Castro | Harris, N. | Murphy | Ventura |
| Cervantes | Harriss, E. | Pacione-Zayas | Villa |
| Chesney | Holmes | Peters | Villanueva |
| Cunningham | Hunter | Plummer | Villivalam |
| Curran | Johnson | Porfirio | Wilcox |
| DeWitte | Jones, E. | 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.

On motion of Senator Cunningham, **House Bill No. 3808** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | 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.

At the hour of 11:07 o'clock a.m., Senator Cunningham, presiding.

## CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator Fine, **Senate Bill No. 58**, with House Amendments numbered 1, 2 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Fine moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 36; NAYS 20.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Aquino | Glowiak Hilton | Martwick | Turner, D. |
| Belt | Halpin | Morrison | Ventura |
| Castro | Harris, N. | Murphy | Villa |

| | | | |
|---|---|---|---|
| Cervantes | Holmes | Pacione-Zayas | Villanueva |
| Cunningham | Hunter | Peters | Villivalam |
| Edly-Allen | Johnson | Porfirio | Mr. President |
| Ellman | Jones, E. | Preston | |
| Feigenholtz | Koehler | Simmons | |
| Fine | Lightford | Sims | |
| Gillespie | Loughran Cappel | Stadelman | |

The following voted in the negative:

| | | | |
|---|---|---|---|
| Anderson | Fowler | Plummer | Turner, S. |
| Bennett | Harriss, E. | Rezin | Wilcox |
| Bryant | Joyce | Rose | |
| Chesney | Lewis | Stoller | |
| Curran | McClure | Syverson | |
| DeWitte | McConchie | Tracy | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1, 2 and 3 to **Senate Bill No. 58**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Peters, **Senate Bill No. 74**, with House Amendments numbered 1, 2 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Peters moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Chesney

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1, 2 and 3 to **Senate Bill No. 74**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Murphy, **Senate Bill No. 183**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Murphy moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 183**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator McClure, **Senate Bill No. 188**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator McClure moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |

| | | | |
|---|---|---|---|
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 188**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villanueva, **Senate Bill No. 195**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Villanueva moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 195**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **Senate Bill No. 380**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Koehler moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 51; NAYS None; Present 3.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Aquino | Fine | Lewis | Simmons |
| Belt | Fowler | Lightford | Sims |
| Bennett | Gillespie | Loughran Cappel | Stadelman |
| Bryant | Glowiak Hilton | Martwick | Stoller |
| Castro | Halpin | McClure | Syverson |
| Cervantes | Harris, N. | Morrison | Tracy |
| Cunningham | Harriss, E. | Murphy | Turner, D. |
| Curran | Holmes | Pacione-Zayas | Ventura |

| | | | |
|---|---|---|---|
| DeWitte | Hunter | Peters | Villa |
| Edly-Allen | Johnson | Plummer | Villanueva |
| Ellman | Jones, E. | Porfirio | Villivalam |
| Faraci | Joyce | Preston | Mr. President |
| Feigenholtz | Koehler | Rezin | |

The following voted present:

Chesney
McConchie
Turner, S.

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 380**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **Senate Bill No. 684**, with House Amendment No. 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Koehler moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 37; NAYS 18.

The following voted in the affirmative:

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

The following voted in the negative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 3 to **Senate Bill No. 684**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Lightford, **Senate Bill No. 1570**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Lightford moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1570**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Feigenholtz, **Senate Bill No. 724**, with House Amendments numbered 4 and 5 on the Secretary's Desk, was taken up for immediate consideration.

Senator Feigenholtz moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 4 and 5 to **Senate Bill No. 724**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Lightford, **Senate Bill No. 761**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Lightford moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 761**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Holmes, **Senate Bill No. 836**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Holmes moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Anderson | Fine | 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 | Holmes | Peters | Villa |
| Chesney | Hunter | Plummer | Villanueva |
| Cunningham | Johnson | Porfirio | Villivalam |
| Curran | Jones, E. | Preston | Wilcox |
| DeWitte | Joyce | Rezin | Mr. President |
| Edly-Allen | Koehler | Rose | |
| Ellman | Lewis | Simmons | |
| Faraci | Lightford | Sims | |

| | | | |
|---|---|---|---|
| Feigenholtz | Loughran Cappel | Stadelman | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 836**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator D. Turner, **Senate Bill No. 896**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator D. Turner moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 896**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Martwick, **Senate Bill No. 1235**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Martwick moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 55; 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 | Tracy |
| Castro | Harris, N. | Morrison | Turner, D. |
| Cervantes | Harriss, E. | Murphy | Turner, S. |
| Cunningham | Holmes | Pacione-Zayas | Ventura |

| | | | |
|---|---|---|---|
| Curran | Hunter | Peters | Villa |
| DeWitte | Johnson | Plummer | Villanueva |
| Edly-Allen | Jones, E. | Porfirio | Villivalam |
| Ellman | Joyce | Preston | Wilcox |
| Faraci | Koehler | Rezin | Mr. President |
| Feigenholtz | Lewis | Rose | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1235**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator D. Turner, **Senate Bill No. 1250**, with House Amendments numbered 2 and 4 on the Secretary's Desk, was taken up for immediate consideration.

Senator D. Turner moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 2 and 4 to **Senate Bill No. 1250**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Lightford, **Senate Bill No. 1352**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Lightford moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAY 1.

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

The following voted in the negative:

Chesney

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1352**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bennett, **Senate Bill No. 1488**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Bennett moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS 2.

The following voted in the affirmative:

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

The following voted in the negative:

Bryant
Chesney

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1488**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villa, **Senate Bill No. 1497**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Villa moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1497**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villa, **Senate Bill No. 1499**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Villa moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |

| | | |
|---|---|---|
| Feigenholtz | Lightford | Sims |
| Fine | Loughran Cappel | Stadelman |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1499**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **Senate Bill No. 1555**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Koehler moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1555**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Martwick, **Senate Bill No. 1646**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Martwick moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |

| | | | |
|---|---|---|---|
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1646**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Martwick, **Senate Bill No. 1648**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Martwick moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1648**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Pacione-Zayas, **Senate Bill No. 1665**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Pacione-Zayas moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 38; NAYS 18.

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 | Holmes | Murphy | Villa |
| Edly-Allen | Hunter | Pacione-Zayas | Villanueva |
| Ellman | Johnson | Peters | Villivalam |
| Faraci | Jones, E. | Porfirio | Mr. President |
| Feigenholtz | Joyce | Preston | |
| Fine | Koehler | Simmons | |

The following voted in the negative:

| | | | |
|---|---|---|---|
| Anderson | DeWitte | Plummer | Tracy |
| Bennett | Fowler | Rezin | Turner, S. |
| Bryant | Harriss, E. | Rose | Wilcox |
| Chesney | Lewis | Stoller | |
| Curran | McClure | Syverson | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1665**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Feigenholtz, **Senate Bill No. 1670**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Feigenholtz moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1670**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Fine, **Senate Bill No. 1674**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Fine moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1674**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villivalam, **Senate Bill No. 1701**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Villivalam moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1701**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Simmons, **Senate Bill No. 1710**, with House Amendment No. 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Simmons moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 50; NAYS 7.

The following voted in the affirmative:

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

The following voted in the negative:

| | | | |
|---|---|---|---|
| Anderson | Chesney | Rose | Wilcox |
| Bryant | Plummer | Syverson | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 3 to **Senate Bill No. 1710**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Glowiak Hilton, **Senate Bill No. 1716**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Glowiak Hilton moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |

| | | | |
|---|---|---|---|
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1716**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Fine, **Senate Bill No. 1721**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Fine moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1721**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Halpin, **Senate Bill No. 1748**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Halpin moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 36; NAYS 19; Present 1.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Aquino | Gillespie | Martwick | Turner, D. |
| Belt | Halpin | Morrison | Ventura |

| | | | |
|---|---|---|---|
| Castro | Harris, N. | Murphy | Villa |
| Cervantes | Holmes | Pacione-Zayas | Villanueva |
| Cunningham | Hunter | Peters | Villivalam |
| Edly-Allen | Johnson | Porfirio | Mr. President |
| Ellman | Joyce | Preston | |
| Faraci | Koehler | Simmons | |
| Feigenholtz | Lightford | Sims | |
| Fine | Loughran Cappel | Stadelman | |

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 | |

The following voted present:

Glowiak Hilton

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1748**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Belt, **Senate Bill No. 1754**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Belt moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1754**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **Senate Bill No. 1782**, with House Amendments numbered 2 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Koehler moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 2 and 3 to **Senate Bill No. 1782**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **Senate Bill No. 1787**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Koehler moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |

| | | |
|---|---|---|
| Faraci | Lewis | Simmons |
| Feigenholtz | Lightford | Sims |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1787**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Murphy, **Senate Bill No. 1803**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Murphy moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1803**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Lightford, **Senate Bill No. 1872**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Lightford moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 46; NAYS 9.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Aquino | Fine | Lightford | Simmons |
| Belt | Gillespie | Loughran Cappel | Sims |
| Bennett | Glowiak Hilton | Martwick | Stadelman |
| Bryant | Halpin | McClure | Tracy |
| Castro | Harris, N. | Morrison | Turner, D. |
| Cervantes | Harriss, E. | Murphy | Ventura |
| Cunningham | Holmes | Pacione-Zayas | Villa |

| | | | |
|---|---|---|---|
| Curran | Hunter | Peters | Villanueva |
| Edly-Allen | Johnson | Porfirio | Villivalam |
| Ellman | Jones, E. | Preston | Mr. President |
| Faraci | Joyce | Rezin | |
| Feigenholtz | Koehler | Rose | |

The following voted in the negative:

| | | |
|---|---|---|
| Chesney | McConchie | Syverson |
| DeWitte | Plummer | Turner, S. |
| Lewis | Stoller | Wilcox |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1872**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator S. Turner asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 1872**.

On motion of Senator Lightford, **Senate Bill No. 2243**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Lightford moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2243**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Peters, **Senate Bill No. 2260**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Peters moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2260**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Peters, **Senate Bill No. 1886**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Peters moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 31; NAYS 18.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Aquino | Faraci | Johnson | Preston |
| Belt | Feigenholtz | Jones, E. | Simmons |
| Castro | Fine | Koehler | Sims |
| Cervantes | Gillespie | Lightford | Ventura |
| Cunningham | Halpin | Martwick | Villa |
| Curran | Harris, N. | Pacione-Zayas | Villivalam |
| Edly-Allen | Holmes | Peters | Mr. President |
| Ellman | Hunter | Porfirio | |

The following voted in the negative:

| | | | |
|---|---|---|---|
| Anderson | Fowler | Plummer | Tracy |
| Bennett | Harriss, E. | Rezin | Turner, S. |
| Bryant | Lewis | Rose | Wilcox |
| Chesney | McClure | Stoller | |
| DeWitte | McConchie | Syverson | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1886**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Loughran Cappel, **Senate Bill No. 1993**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Loughran Cappel moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1993**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Loughran Cappel, **Senate Bill No. 1994**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Loughran Cappel moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Cunningham | Hunter | Plummer | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| DeWitte | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |

| | | |
|---|---|---|
| Faraci | Lewis | Simmons |
| Feigenholtz | Lightford | Sims |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1994**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Feigenholtz, **Senate Bill No. 1999**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Feigenholtz moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1999**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Fine asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 1999**.

On motion of Senator Simmons, **Senate Bill No. 2014**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Simmons moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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. |
| Chesney | Holmes | Pacione-Zayas | Ventura |
| Cunningham | Hunter | Peters | Villa |
| Curran | Johnson | Porfirio | Villanueva |
| DeWitte | Jones, E. | Preston | Villivalam |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 2014**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Holmes, **Senate Bill No. 2017**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Holmes moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 53; NAYS 4.

The following voted in the affirmative:

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

The following voted in the negative:

| | |
|---|---|
| Bryant | Plummer |
| Chesney | Wilcox |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 2017**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Lightford, **Senate Bill No. 2031**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Lightford moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAY 1.

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

The following voted in the negative:

Chesney

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2031**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villa, **Senate Bill No. 2034**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Villa moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 42; NAYS 10.

The following voted in the affirmative:

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

The following voted in the negative:

| | | | |
|---|---|---|---|
| Anderson | Curran | Stoller | Wilcox |
| Bryant | Fowler | Syverson | |

| | | |
|---|---|---|
| Chesney | Plummer | Tracy |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2034**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator S. Turner asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the negative on **Senate Bill No. 2034**.

On motion of Senator Pacione-Zayas, **Senate Bill No. 2039**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Pacione-Zayas moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2039**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Belt, **Senate Bill No. 2059**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Belt moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Anderson | Fine | Loughran Cappel | Sims |
| Aquino | Fowler | Martwick | Stadelman |
| Belt | Gillespie | McClure | Stoller |
| Bennett | Glowiak Hilton | McConchie | Syverson |
| Bryant | Harris, N. | Morrison | Tracy |
| Castro | Harriss, E. | Murphy | Turner, D. |

| | | | |
|---|---|---|---|
| Cervantes | Holmes | Pacione-Zayas | Turner, S. |
| Chesney | Hunter | Peters | Ventura |
| Cunningham | Johnson | Plummer | Villa |
| Curran | Jones, E. | Porfirio | Villanueva |
| Edly-Allen | Joyce | Preston | Villivalam |
| Ellman | Koehler | Rezin | Wilcox |
| Faraci | Lewis | Rose | Mr. President |
| Feigenholtz | Lightford | Simmons | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2059**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villivalam, **Senate Bill No. 2192**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Villivalam moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2192**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villa, **Senate Bill No. 2197**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Villa moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2197**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Holmes, **Senate Bill No. 2227**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Holmes moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2227**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Holmes, **Senate Bill No. 2228**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Holmes moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2228**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Johnson, **Senate Bill No. 2240**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Johnson moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2240**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Gillespie, **Senate Bill No. 1476**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Gillespie moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 39; NAYS 17.

The following voted in the affirmative:

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

The following voted in the negative:

| | | | |
|---|---|---|---|
| Anderson | Fowler | Rezin | Turner, S. |
| Bennett | Harriss, E. | Rose | Wilcox |
| Bryant | McClure | Stoller | |
| Chesney | McConchie | Syverson | |
| Curran | Plummer | Tracy | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1476**.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 1:32 o'clock p.m., Senator Koehler, presiding.

On motion of Senator Cunningham, **Senate Bill No. 1875**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Cunningham moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Chesney | Hunter | Plummer | Villanueva |
| Cunningham | Johnson | Porfirio | Villivalam |

| | | | |
|---|---|---|---|
| Curran | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |
| Fine | Loughran Cappel | Stadelman | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1875**.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 1:38 o'clock p.m., Senator Cunningham, presiding.

Senator Murphy, Chair of the Committee on Executive Appointments, moved that the Senate resolve itself into Executive Session to consider the report of that Committee relative to the appointment messages.

The motion prevailed.

**EXECUTIVE SESSION**

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020405, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1020405**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member of the State Panel

Agency or Other Body: Illinois Labor Relations Board

Start Date: April 21, 2022

End Date: January 24, 2026

Name: Jeffrey Mears

Residence: 350 Gage Ln., P.O. Box 623, Vienna, IL 62995

Annual Compensation: $97,815

Per diem: Not Applicable

Nominee's Senator: Senator Dale Fowler

Most Recent Holder of Office: Jose Gudino

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.

And on that motion, a call of the roll was had resulting as follows:

YEAS 52; 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 | Holmes | Pacione-Zayas | Villa |
| Cunningham | Hunter | Peters | Villanueva |
| Curran | Johnson | Porfirio | Villivalam |
| Edly-Allen | Jones, E. | Preston | Mr. President |
| Ellman | Joyce | Rezin | |
| Faraci | Koehler | Rose | |
| Feigenholtz | Lewis | Simmons | |
| Fine | Lightford | Sims | |

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020430, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1020430**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Southern Illinois University Board of Trustees

Start Date: June 16, 2022

End Date: January 18, 2027

Name: Sara Salger

Residence: 9 Grandview Bluff Dr., Columbia, IL 62236

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Terri Bryant

Most Recent Holder of Office: Tonya Genovese

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

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. |
| Chesney | Holmes | Pacione-Zayas | Ventura |
| Cunningham | Hunter | Peters | Villa |
| Curran | Johnson | Porfirio | Villanueva |
| Edly-Allen | Jones, E. | Preston | Villivalam |
| Ellman | Joyce | Rezin | Mr. President |
| Faraci | Koehler | Rose | |
| Feigenholtz | Lewis | Simmons | |

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1020450, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1020450**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Educational Labor Relations Board

Start Date: July 29, 2022

End Date: June 1, 2028

Name: Michelle Ishmael

Residence: 653 W. Woodland Ave., Springfield, IL 62704

Annual Compensation: $100,945 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: Michelle Ishmael

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

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. | Pacione-Zayas | Turner, S. |
| Chesney | Holmes | Peters | Ventura |
| Cunningham | Hunter | Plummer | Villa |
| Curran | Johnson | Porfirio | Villanueva |
| Edly-Allen | Jones, E. | Preston | Villivalam |
| Ellman | Joyce | Rezin | Wilcox |
| Faraci | Koehler | Rose | Mr. President |
| Feigenholtz | Lewis | Simmons | |

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030084, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030084**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member (State Panel)

Agency or Other Body: Illinois Labor Relations Board

Start Date: March 1, 2023

End Date: January 22, 2024

Name: Frances Ann Hurley

Residence: 11311 S. Hamlin Ave., Chicago, IL 60655

Annual Compensation: $100,945

Per diem: Not Applicable

Nominee's Senator: Senator Bill Cunningham

Most Recent Holder of Office: Tom Willis

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030088, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030088**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Director and Chair

Agency or Other Body: Illinois State Toll Highway Authority

Start Date: February 17, 2023

End Date: March 1, 2025

Name: Arnaldo Rivera

Residence: 4423 N. Kostner Ave., Chicago, IL 60630

Annual Compensation: $36,077

Per diem: Not Applicable

Nominee's Senator: Senator Ram Villivalam

Most Recent Holder of Office: Dorothy Abreu

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030093, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030093**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, Attorney General Kwame Raoul, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Executive Inspector General for the Office of the Attorney General

Agency or Other Body: Executive Inspector General for the Office of the Attorney General

Start Date: July 1, 2023

End Date: June 30, 2028

Name: Diane L. Saltoun

Residence: 1459 W. Belle Plaine Ave., Chicago, IL 60613

Annual Compensation: $150,000

Per diem: Not Applicable

Nominee's Senator: Senator Mike Simmons

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030100, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030100**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Western Illinois University Board of Trustees

Start Date: March 6, 2023

End Date: January 15, 2029

Name: Derek L. Wise

Residence: 627 Jefferson Ave., Venice, IL 62090

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Christopher Belt

Most Recent Holder of Office: Erik Dolieslager

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030108, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030108**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Prisoner Review Board

Start Date: March 13, 2023

End Date: January 15, 2029

Name: Donald Shelton

Residence: 2061 Stonehenge Rd., Springfield, IL 62702

Annual Compensation: $92,305 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: Donald Shelton

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030109, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030109**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Prisoner Review Board

Start Date: March 13, 2023

End Date: January 15, 2029

Name: Kenneth Tupy

Residence: 2032 Stockton Dr., Springfield, IL 62703

Annual Compensation: $92,305

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: Kenneth Tupy

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030115, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030115**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Commissioner

Agency or Other Body: Workers' Compensation Commission

Start Date: March 13, 2023

End Date: January 18, 2027

Name: Michael Joseph Brennan

Residence: 10421 Palos West Dr., Palos Park, IL 60464

Annual Compensation: $156,253 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Bill Cunningham

Most Recent Holder of Office: Michael Joseph Brennan

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030116, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030116**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Commissioner

Agency or Other Body: Workers' Compensation Commission

Start Date: March 13, 2023

End Date: January 18, 2027

Name: Kathryn A. Doerries

Residence: 505 W. Harrison Ave., Wheaton, IL 60187

Annual Compensation: $156,253 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Seth Lewis

Most Recent Holder of Office: Kathryn A. Doerries

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030117, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030117**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Commissioner

Agency or Other Body: Workers' Compensation Commission

Start Date: March 13, 2023

End Date: January 18, 2027

Name: Marc Parker

Residence: 116 Timberwood Ln., Collinsville, IL 62234

Annual Compensation: $156,253 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Erica Harriss

Most Recent Holder of Office: Marc Parker

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAY 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 |
| Chesney | Holmes | Pacione-Zayas | Villa |
| Cunningham | Hunter | Peters | Villanueva |
| Curran | Johnson | Plummer | Villivalam |

| | | | |
|---|---|---|---|
| Edly-Allen | Jones, E. | Porfirio | Wilcox |
| Ellman | Joyce | Preston | Mr. President |
| Faraci | Koehler | Rezin | |
| Feigenholtz | Lewis | Simmons | |

The following voted in the negative:

Rose

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030118, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030118**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Commissioner

Agency or Other Body: Workers' Compensation Commission

Start Date: March 13, 2023

End Date: January 18, 2027

Name: Maria Elena Portela

Residence: 1440 N. Lake Shore Dr., Apt. 14C, Chicago, IL 60610

Annual Compensation: $156,253 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Sara Feigenholtz

Most Recent Holder of Office: Maria Elena Portela

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030151, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030151**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, Michael Frerichs, Treasurer, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Executive Inspector General

Agency or Other Body: Office of the Illinois Treasurer

Start Date: July 1, 2023

End Date: June 30, 2028

Name: Heather Stone

Residence: 1420 Cherry Rd., Springfield, IL 62704

Annual Compensation: $135,000

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: Heather Stone

Superseded Appointment Message: AM 102-383

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030153, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030153**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Board of Elections

Start Date: July 1, 2023

End Date: June 30, 2027

Name: Laura Kent Donahue

Residence: 3808 Dulaney Pl., Quincy, IL 62305

Annual Compensation: $40,379

Per diem: Not Applicable

Nominee's Senator: Senator Jil Tracy

Most Recent Holder of Office: Laura Kent Donahue

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030154, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030154**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Board of Elections

Start Date: July 1, 2023

End Date: June 30, 2027

Name: Tonya Genovese

Residence: 137 Ellington Ct., Glen Carbon, Illinois 62034

Annual Compensation: $40,379

Per diem: Not Applicable

Nominee's Senator: Senator Erica Harriss

Most Recent Holder of Office: Tonya Genovese

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030160, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030160**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Southern Illinois University Board of Trustees

Start Date: March 31, 2023

End Date: January 15, 2029

Name: John Simmons

Residence: 12 Danforth Rd., Alton, IL 62002

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Erica Harriss

Most Recent Holder of Office: John Simmons

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030161, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030161**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Southern Illinois University Board of Trustees

Start Date: March 31, 2023

End Date: January 15, 2029

Name: Roger Brent Tedrick

Residence: 8388 N. Goshen Ln., Mount Vernon, IL 62864

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Terri Bryant

Most Recent Holder of Office: Roger Brent Tedrick

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 53; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030162, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030162**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Western Illinois University Board of Trustees

Start Date: March 31, 2023

End Date: January 15, 2029

Name: Kirk W. Dillard

Residence: 501 Wedgewood Ct., Hinsdale, IL 60521

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Suzy Glowiak Hilton

Most Recent Holder of Office: Patrick Twomey

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 55; 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 | Tracy |
| Cervantes | Harriss, E. | Murphy | Turner, D. |
| Chesney | Holmes | Pacione-Zayas | Turner, S. |
| Cunningham | Hunter | Peters | Ventura |
| Curran | Johnson | Plummer | Villa |
| Edly-Allen | Jones, E. | Porfirio | Villanueva |
| Ellman | Joyce | Preston | Villivalam |
| Faraci | Koehler | Rezin | Mr. President |
| Feigenholtz | Lewis | Rose | |

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030163, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030163**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Western Illinois University Board of Trustees

Start Date: March 31, 2023

End Date: January 15, 2029

Name: Carin Stutz

Residence: 65 E. Monroe St., Unit 4705, Chicago, Illinois 60603

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Mattie Hunter

Most Recent Holder of Office: Carin Stutz

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030174, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030174**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Human Rights Commission

Start Date: April 10, 2023

End Date: January 16, 2027

Name: Jacqueline Y. Collins

Residence: 7600 S. Loomis Blvd., Chicago, IL 60620

Annual Compensation: $127,894

Per diem: Not Applicable

Nominee's Senator: Senator Willie Preston

Most Recent Holder of Office: Bob Cantone

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 53; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030195, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030195**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workers' Compensation Commission

Start Date: April 21, 2023

End Date: January 18, 2027

Name: Amylee Hogan Simonvich

Residence: 33 S. Wilmette Ave., Westmont, IL 60559

Annual Compensation: $156,253 plus expenses

Per diem: Not Applicable

Nominee's Senator: Senator Suzy Glowiak Hilton

Most Recent Holder of Office: Thomas Tyrrell

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 53; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030199, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030199**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Board of Elections

Start Date: April 24, 2023

End Date: June 30, 2025

Name: Cristina Cray

Residence: 2236 Greenbriar Rd., Springfield, IL 62704

Annual Compensation: $40,379 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: Ian Linnabary

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030211, reported the same back with the recommendation that the Senate

consent to the following appointment:

**Appointment Message No. 1030211**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Toll Highway Authority

Start Date: May 1, 2023

End Date: March 1, 2027

Name: James P. Connolly

Residence: 12615 S. 104th Ave., Palos Park, IL 60464

Annual Compensation: $31,427 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Bill Cunningham

Most Recent Holder of Office: James P. Connolly

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 48; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030212, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030212**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Toll Highway Authority

Start Date: May 1, 2023

End Date: March 1, 2027

Name: Jacqueline Gomez

Residence: 4108 N. Lawndale Ave., Chicago, IL 60618

Annual Compensation: $31,427 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Cristina H. Pacione-Zayas

Most Recent Holder of Office: Jacqueline Gomez

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030213, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030213**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Toll Highway Authority

Start Date: May 1, 2023

End Date: March 1, 2027

Name: James M. Sweeney

Residence: 8801 S. Newcastle Ave., Chicago, IL 60638

Annual Compensation: $31,427 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Mike Porfirio

Most Recent Holder of Office: James M. Sweeney

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Anderson | Fowler | Loughran Cappel | Sims |
| Aquino | Gillespie | Martwick | Stadelman |
| Belt | Glowiak Hilton | McClure | Stoller |
| Bennett | Halpin | McConchie | Syverson |
| Bryant | Harris, N. | Morrison | Tracy |
| Castro | Harriss, E. | Murphy | Turner, D. |
| Cervantes | Holmes | Pacione-Zayas | Turner, S. |
| Cunningham | Hunter | Peters | Ventura |
| Curran | Johnson | Plummer | Villa |
| Edly-Allen | Jones, E. | Porfirio | Villanueva |

| | | | |
|---|---|---|---|
| Ellman | Joyce | Preston | Villivalam |
| Faraci | Koehler | Rezin | Mr. President |
| Feigenholtz | Lewis | Rose | |
| Fine | Lightford | Simmons | |

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030214, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030214**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Prisoner Review Board

Start Date: May 15, 2023

End Date: January 20, 2025

Name: Darryldean M. Goff

Residence: 2407 State St., Lawrenceville, IL 62439

Annual Compensation: $92,305 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Chapin Rose

Most Recent Holder of Office: Eleanor Wilson

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.

And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAY 1.

The following voted in the affirmative:

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

| | | | |
|---|---|---|---|
| Cunningham | Hunter | Peters | Villa |
| Curran | Johnson | Porfirio | Villanueva |
| Edly-Allen | Jones, E. | Preston | Villivalam |
| Ellman | Joyce | Rezin | Wilcox |
| Faraci | Koehler | Rose | Mr. President |
| Feigenholtz | Lewis | Simmons | |
| Fine | Lightford | Sims | |

The following voted in the negative:

Plummer

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030215, reported the same back with the recommendation that the Senate consent to the following appointment:

**Appointment Message No. 1030215**

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Prisoner Review Board

Start Date: May 15, 2023

End Date: January 15, 2029

Name: Krystal Tison

Residence: 1506 Barnett Rd., Harrisburg, IL 62946

Annual Compensation: $92,305 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Dale Fowler

Most Recent Holder of Office: Lisa Daniels

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

On motion of Senator Murphy, the Executive Session arose and the Senate resumed consideration of business.

Senator Cunningham, presiding.

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Sims, **House Bill No. 2098** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Holmes | Peters | Villa |
| Chesney | Hunter | Plummer | Villanueva |
| Cunningham | Johnson | Porfirio | Villivalam |
| Curran | Jones, E. | 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.

On motion of Senator Sims, **House Bill No. 3055** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

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

## MESSAGES 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 64

A bill for AN ACT concerning regulation.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 64

Passed the House, as amended, May 19, 2023.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 64**

AMENDMENT NO. 1 . Amend Senate Bill 64 on page 1, line 6, by replacing "Section" with "Sections"; and

on page 1, line 6, after "3.21", by inserting "and 14.2"; and

by replacing line 20 on page 2 through line 10 on page 3 with "more valuable. "Erect" does not include the attachment of a vinyl substrate to a sign that was permitted or registered to display, in another medium, advertising or other information and such attachment does not cause a substantial change or modification that would terminate nonconforming rights. The changes made to this Section by this amendatory Act of the 103rd General Assembly are intended to be retroactive and apply to any permitted or registered sign in operation on or after January 1, 1999, and in operation as of the effective date of this amendatory Act of the 103rd General Assembly that attached a vinyl substrate to a sign that was permitted or registered to display, in another medium, advertising or other information. The changes made to this Section by this amendatory Act of the 103rd General Assembly constitute a determination under State law with respect to customary use and maintenance of signs under 23 U.S.C. 131(d) and 23 CFR 750.707(d)(5).”; and

on page 6, immediately below line 10, by inserting the following:

"(225 ILCS 440/14.2 new)

Sec. 14.2. Validation. A previously registered sign that was a painted display on a wall or wall surface (but not a separate wall structure) of a building and that lost its lawful status because an Illinois court of competent jurisdiction determined through a final and non-appealable order that the attachment of a vinyl substrate to the wall or wall surface constituted the erection of a new sign and not normal maintenance and repair under this Act is hereby validated as a lawful registered sign under this Act, including all rights regarding size, spacing, illumination, and alienability. The Department must accord lawful status to the registered sign pursuant to this Section and must allow for the continued operation of that sign by the owner of the sign or its successor in interest without requiring a new registration or permit.

This Section is intended to be retroactive to effectuate the purposes of this Section and apply as of January 1, 1999. The addition of this Section by this amendatory Act of the 103rd General Assembly constitutes a determination under State law with respect to customary use and maintenance of signs under 23 U.S.C. 131(d) and 23 CFR 750.707(d)(5).".

Under the rules, the foregoing **Senate Bill No. 64**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 90

A bill for AN ACT concerning education.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 90

Passed the House, as amended, May 19, 2023.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 90**

AMENDMENT NO. 2 . Amend Senate Bill 90 on page 14, line 5, by replacing "or" with "and"; and

on page 14, line 9, by replacing "or" with "and"; and

on page 14, line 16, by replacing "or" with "and"; and

on page 16, line 25, by replacing "or" with "and"; and

on page 44, lines 14 and 15, by deleting "against students" each time it appears; and

on page 44, line 23, by deleting "student"; and

on page 44, line 24, by replacing "or" with "and"; and

on page 54, line 5, by replacing "or" with "and"; and

on page 54, line 22, by replacing "or" with "and"; and

on page 54, line 25, by replacing "or" with "and"; and

on page 55, line 1, by replacing "or" with "and".

Under the rules, the foregoing **Senate Bill No. 90**, with House Amendment No. 2, was referred to the Secretary's Desk.

## JOINT ACTION MOTION FILED

The following Joint Action Motion to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment No. 2 to Senate Bill 90

## PRESENTATION OF CONGRATULATORY RESOLUTION

### SENATE RESOLUTION NO. 322

Offered by Senator Simmons:

Thanks Alderperson Harry Osterman of the Chicago City Council for his dedicated service to the constituents of the 48th Ward and for his significant contributions to the City of Chicago and State of Illinois.

Under the Rules, the foregoing resolution was referred to the Committee on Assignments.

## PRESENTATION OF RESOLUTION

Senator Preston offered the following Senate Resolution, which was referred to the Committee on Assignments:

### SENATE RESOLUTION NO. 323

WHEREAS, Vehicular hijackings are a particularly dangerous crime that is now at historic levels in numerous cities across the country, leaving untold numbers of residents frightened that they could become the next victim, even in their own driveways; and

WHEREAS, Vehicular hijackings too frequently leave victims severely injured or dead, and the vehicles are often used to commit additional violent acts throughout communities; and

WHEREAS, Generally, vehicular hijackings are hard to solve because offenders ditch the vehicles or change vehicles frequently to avoid capture and detection; and

WHEREAS, Many vehicles made after 2015 have location technology that would enable law enforcement to quickly locate a vehicle after a hijacking incident, but automakers, car dealers, and third party providers have not created an efficient system to quickly convey this location information to law enforcement; and

WHEREAS, Some auto manufacturers or third party data providers are not available after-hours or on weekends to provide location information to law enforcement, and some refuse to provide the information even if legally able to do so or require vehicle owners to pay a fee to access the information; and

WHEREAS, A 24-hour hotline for law enforcement to access location information, when available, will allow law enforcement to more quickly locate hijacked vehicles, increasing the chance of catching and prosecuting offenders and reducing subsequent violent crimes; and

WHEREAS, Consumer privacy can be protected under such a system by requiring an owner's consent absent extenuating circumstances in which there is a clear and present danger of bodily harm or death; and

WHEREAS, The Illinois General Assembly has approved such a system for auto manufacturers that sell vehicles in Illinois, that included a unanimous vote in the Senate; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge members of the Illinois Congressional Delegation and all members of the U.S. House of Representatives and Senate to prioritize working with law enforcement, auto manufacturers, and consumer advocates to establish national tools for addressing and responding to the alarming growth in vehicular hijackings, including the creation of a national hotline for providing efficient access to vehicle location information to law enforcement in vehicular hijacking incidents; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the U.S. Senate Majority Leader, the U.S. Senate Minority Leader, the U.S. Speaker of the House, the U.S. House of Representatives Minority Leader, all members of the Illinois Congressional Delegation, the Alliance for Automotive Innovation, and the National Automobile Dealers Association.

## PRESENTATION OF CELEBRATION OF LIFE RESOLUTION

### SENATE RESOLUTION NO. 324

Offered by Senator McClure and all Senators:
Mourns the passing of Diann Marie Bennett of Petersburg.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

## CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Fine moved that **Senate Resolution No. 7**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Fine moved that Senate Resolution No. 7 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Anderson moved that **Senate Resolution No. 11**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Anderson moved that Senate Resolution No. 11 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Johnson moved that **Senate Resolution No. 18**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Johnson moved that Senate Resolution No. 18 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Johnson moved that **Senate Resolution No. 19**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Johnson moved that Senate Resolution No. 19 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Villa moved that **Senate Resolution No. 22**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Villa moved that Senate Resolution No. 22 be adopted.
The motion prevailed.

And the resolution was adopted.

Senator D. Turner moved that **Senate Resolution No. 36**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator D. Turner moved that Senate Resolution No. 36 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Stoller moved that **Senate Resolution No. 50**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Stoller moved that Senate Resolution No. 50 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Bennett moved that **Senate Resolution No. 66**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Bennett moved that Senate Resolution No. 66 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Johnson moved that **Senate Resolution No. 93**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Johnson moved that Senate Resolution No. 93 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Bennett moved that **Senate Resolution No. 129**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Bennett moved that Senate Resolution No. 129 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Feigenholtz moved that **Senate Resolution No. 136**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Feigenholtz moved that Senate Resolution No. 136 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Murphy moved that **Senate Resolution No. 142**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Murphy moved that Senate Resolution No. 142 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Halpin moved that **Senate Resolution No. 147**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Halpin moved that Senate Resolution No. 147 be adopted.
The motion prevailed.

And the resolution was adopted.

Senator Halpin moved that **Senate Resolution No. 152**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Halpin moved that Senate Resolution No. 152 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Faraci moved that **Senate Resolution No. 161**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Faraci moved that Senate Resolution No. 161 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Fine moved that **Senate Resolution No. 172**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Fine moved that Senate Resolution No. 172 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Villivalam moved that **Senate Resolution No. 193**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Villivalam moved that Senate Resolution No. 193 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Lewis moved that **Senate Resolution No. 212**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Lewis moved that Senate Resolution No. 212 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Harmon moved that **Senate Resolution No. 217**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Harmon moved that Senate Resolution No. 217 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Halpin moved that **Senate Resolution No. 241**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Halpin moved that Senate Resolution No. 241 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Feigenholtz moved that **Senate Resolution No. 244**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Feigenholtz moved that Senate Resolution No. 244 be adopted.
The motion prevailed.

And the resolution was adopted.

Senator Rezin moved that **Senate Resolution No. 249**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Rezin moved that Senate Resolution No. 249 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Hunter moved that **Senate Resolution No. 250**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Hunter moved that Senate Resolution No. 250 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator D. Turner moved that **Senate Resolution No. 266**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator D. Turner moved that Senate Resolution No. 266 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Tracy moved that **Senate Resolution No. 268**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Tracy moved that Senate Resolution No. 268 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Villivalam moved that **Senate Resolution No. 278**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Villivalam moved that Senate Resolution No. 278 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Simmons moved that **Senate Resolution No. 294**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Simmons moved that Senate Resolution No. 294 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Aquino moved that **Senate Resolution No. 304**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Aquino moved that Senate Resolution No. 304 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Rose moved that **Senate Joint Resolution No. 39**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Rose moved that Senate Joint Resolution No. 39 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the resolution was adopted.

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

Senator Anderson moved that **Senate Joint Resolution No. 4**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Anderson moved that Senate Joint Resolution No. 4 be adopted.

And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

And the resolution was adopted.

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

Senator Halpin moved that **House Joint Resolution No. 17**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Halpin moved that House Joint Resolution No. 17 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 55; 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 | Tracy |
| Castro | Harris, N. | Morrison | Turner, D. |
| Cervantes | Harriss, E. | Murphy | Turner, S. |
| Chesney | Holmes | Pacione-Zayas | Ventura |
| Cunningham | Hunter | Peters | Villa |
| Curran | Johnson | Plummer | Villanueva |
| Edly-Allen | Jones, E. | Porfirio | Villivalam |
| Ellman | Joyce | Preston | Wilcox |
| Faraci | Koehler | Rezin | Mr. President |
| Feigenholtz | Lewis | Rose | |

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

Senator McClure moved that **Senate Joint Resolution No. 28**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator McClure moved that Senate Joint Resolution No. 28 be adopted.

And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

And the resolution was adopted.

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

Senator McClure moved that **Senate Joint Resolution No. 29**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator McClure moved that Senate Joint Resolution No. 29 be adopted.

And on that motion, a call of the roll was had resulting as follows:

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

The motion prevailed.

And the resolution was adopted.

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

Senator Fowler moved that **Senate Joint Resolution No. 31**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Fowler moved that Senate Joint Resolution No. 31 be adopted.

And on that motion, a call of the roll was had resulting as follows:

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 | Holmes | Peters | Villa |
| Chesney | Hunter | Plummer | Villanueva |
| Cunningham | Johnson | Porfirio | Villivalam |

| | | | |
|---|---|---|---|
| Curran | Jones, E. | Preston | Wilcox |
| Edly-Allen | Joyce | Rezin | Mr. President |
| Ellman | Koehler | Rose | |
| Faraci | Lewis | Simmons | |
| Feigenholtz | Lightford | Sims | |
| Fine | Loughran Cappel | Stadelman | |

The motion prevailed.

And the resolution was adopted.

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

Senator Joyce moved that **House Joint Resolution No. 15**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Joyce moved that House Joint Resolution No. 15 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 56; 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 |
| Chesney | Holmes | Peters | Villanueva |
| Cunningham | Hunter | Plummer | Villivalam |
| Curran | Johnson | Porfirio | Wilcox |
| Edly-Allen | Jones, E. | Preston | Mr. President |
| Ellman | Joyce | Rezin | |
| Faraci | Koehler | Simmons | |
| Feigenholtz | Lewis | Sims | |
| Fine | Lightford | Stadelman | |

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

Senator D. Turner moved that **House Joint Resolution No. 6**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator D. Turner moved that House Joint Resolution No. 6 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 46; NAYS None.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Aquino | Fowler | Koehler | Sims |
| Belt | Gillespie | Lewis | Stadelman |
| Bryant | Glowiak Hilton | Lightford | Tracy |
| Castro | Halpin | Loughran Cappel | Turner, D. |

| | | | |
|---|---|---|---|
| Cervantes | Harris, N. | Martwick | Turner, S. |
| Cunningham | Harriss, E. | McClure | Ventura |
| Curran | Hastings | Morrison | Villa |
| Edly-Allen | Holmes | Murphy | Villanueva |
| Ellman | Hunter | Peters | Villivalam |
| Faraci | Johnson | Porfirio | Mr. President |
| Feigenholtz | Jones, E. | Preston | |
| Fine | Joyce | Simmons | |

The motion prevailed.
And the resolution was adopted.
Ordered that the Secretary inform the House of Representatives thereof.

Senator Stadelman moved that **House Joint Resolution No. 13**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Stadelman moved that House Joint Resolution No. 13 be adopted.
And on that motion, a call of the roll was had resulting as follows:

YEAS 53; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
And the resolution was adopted.
Ordered that the Secretary inform the House of Representatives thereof.

Senator Hunter moved that **House Joint Resolution No. 18**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Hunter moved that House Joint Resolution No. 18 be adopted.
And on that motion, a call of the roll was had resulting as follows:

YEAS 46; NAYS None.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Aquino | Fowler | Lewis | Simmons |
| Belt | Gillespie | Lightford | Sims |
| Bennett | Glowiak Hilton | Loughran Cappel | Stadelman |
| Castro | Halpin | McClure | Turner, D. |

| | | | |
|---|---|---|---|
| Cervantes | Harris, N. | McConchie | Turner, S. |
| Cunningham | Hastings | Morrison | Ventura |
| Curran | Holmes | Murphy | Villa |
| Edly-Allen | Hunter | Pacione-Zayas | Villanueva |
| Ellman | Johnson | Peters | Villivalam |
| Faraci | Jones, E. | Porfirio | Mr. President |
| Feigenholtz | Joyce | Preston | |
| Fine | Koehler | Rezin | |

The motion prevailed.
And the resolution was adopted.
Ordered that the Secretary inform the House of Representatives thereof.

Senator Fine moved that **House Joint Resolution No. 20**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator Fine moved that House Joint Resolution No. 20 be adopted.
The motion prevailed.
And the resolution was adopted.
Ordered that the Secretary inform the House of Representatives thereof.

Senator D. Turner moved that **House Joint Resolution No. 22**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator D. Turner moved that House Joint Resolution No. 22 be adopted.
And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
And the resolution was adopted.
Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 3:45 o'clock p.m., the Chair announced that the Senate stands at ease.

**AT EASE**

At the hour of 3:56 o'clock p.m., the Senate resumed consideration of business.

Senator Cunningham, presiding.

**REPORT FROM COMMITTEE ON ASSIGNMENTS**

Senator Lightford, Chair of the Committee on Assignments, during its May 19, 2023 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Energy and Public Utilities: **Senate Bill No. 1587**.

Executive: **Floor Amendment No. 1 to House Bill 1199; Floor Amendment No. 1 to House Bill 2089; Floor Amendment No. 1 to House Bill 2507; Floor Amendment No. 1 to House Bill 2518; Floor Amendment No. 2 to House Bill 2878; Floor Amendment No. 2 to House Bill 3811; Floor Amendment No. 3 to House Bill 3811; Floor Amendment No. 1 to House Bill 3903; Motion to Concur in House Amendment No. 2 to Senate Bill 76, Motion to Concur in House Amendment No. 2 to Senate Bill 90, Motion to Concur in House Amendment No. 1 to Senate Bill 1463, Motion to Concur in House Amendment No. 1 to Senate Bill 1675 and Motion to Concur in House Amendment No. 2 to Senate Bill 1675**.

State Government: **Motion to Concur in House Amendment No. 1 to Senate Bill 850 and Motion to Concur in House Amendment No. 2 to Senate Bill 1291**.

Senator Lightford, Chair of the Committee on Assignments, during its May 19, 2023 meeting, to which was referred **Senate Bill No. 2357** on May 11, 2023, pursuant to Rule 3-9(a), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 2357** was returned to the order of second reading.

Senator Lightford, Chair of the Committee on Assignments, during its May 19, 2023 meeting, reported that the following Legislative Measures have been approved for consideration:

**Senate Resolutions Numbered 291 and 319; Senate Joint Resolution No. 40**

The foregoing resolutions were placed on the Senate Calendar.

Senator Lightford, Chair of the Committee on Assignments, during its May 19, 2023 meeting, reported that the following Legislative Measures have been approved for consideration:

**Floor Amendment No. 3 to Senate Bill 376**

The foregoing floor amendment was placed on the Secretary's Desk.

Senator Lightford, Chair of the Committee on Assignments, during its May 19, 2023 meeting, reported that the following Legislative Measures have been approved for consideration:

**Floor Amendment No. 1 to House Bill 1119**
**Floor Amendment No. 6 to House Bill 1497**
**Floor Amendment No. 3 to House Bill 3062**

The foregoing floor amendments were placed on the Secretary's Desk.

Pursuant to Senate Rule 3-8 (b-1), the following amendment will remain in the Committee on Assignments: **Committee Amendment No. 1 to House Bill 2875**.

## PRESENTATION OF CELEBRATION OF LIFE RESOLUTIONS

### SENATE RESOLUTION NO. 325

Offered by Senator McClure and all Senators:
Mourns the passing of Hazel (Boesdorfer) Golden of Petersburg.

### SENATE RESOLUTION NO. 326

Offered by Senator McClure and all Senators:
Mourns the passing of Warren Eugene "Gene" Miles of Nokomis.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

Senator Aquino asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

Senator McClure asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 4:00 o'clock p.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

## AFTER RECESS

At the hour of 7:33 o'clock p.m., the Senate resumed consideration of business.
Senator Koehler, presiding.

## LEGISLATIVE MEASURES FILED

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

Amendment No. 2 to House Bill 2518
Amendment No. 3 to House Bill 2518
Amendment No. 3 to House Bill 2878

## REPORTS FROM STANDING COMMITTEES

Senator Joyce, Chair of the Committee on State Government, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 850; Motion to Concur in House Amendment No. 2 to Senate Bill 1291

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Castro, Chair of the Committee on Executive, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 2 to Senate Bill 76; Motion to Concur in House Amendment No. 2 to Senate Bill 90; Motion to Concur in House Amendment No. 1 to Senate Bill 1463; Motion to Concur in House Amendment No. 1 to Senate Bill 1675; Motion to Concur in House Amendment No. 2 to Senate Bill 1675

Under the rules, the foregoing motions are eligible for consideration by the Senate.

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 House Bill 2089
Senate Amendment No. 1 to House Bill 2507
Senate Amendment No. 2 to House Bill 2878
Senate Amendment No. 1 to House Bill 3903

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

## INTRODUCTION OF BILL

**SENATE BILL NO. 2585.** Introduced by Senator Porfirio, a bill for AN ACT concerning criminal law.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

## HOUSE BILL RECALLED

On motion of Senator Pacione-Zayas, **House Bill No. 1119** 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 HOUSE BILL 1119

AMENDMENT NO. 1 . Amend House Bill 1119 on page 2, line 2, by replacing "3" with "2"; and

on page 2, line 3, by replacing "3" with "4".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

## READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Pacione-Zayas, **House Bill No. 1119** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 35; NAYS 18.

The following voted in the affirmative:

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

| | | |
|---|---|---|
| Fine | Koehler | Simmons |

The following voted in the negative:

| | | | |
|---|---|---|---|
| Anderson | Fowler | McClure | Tracy |
| Bennett | Glowiak Hilton | McConchie | Turner, S. |
| Bryant | Harriss, E. | Rezin | Wilcox |
| Chesney | Joyce | Stoller | |
| Curran | 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 in the Senate Amendment adopted thereto.

## HOUSE BILL RECALLED

On motion of Senator Belt, **House Bill No. 1497** 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. 6 TO HOUSE BILL 1497

AMENDMENT NO. 6 . Amend House Bill 1497, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Automobile Renting Occupation and Use Tax Act is amended by changing Section 2 and adding Section 6 as follows:

(35 ILCS 155/2) (from Ch. 120, par. 1702)

Sec. 2. Definitions. "Renting" means any transfer of the possession or right to possession of an automobile to a user for a valuable consideration for a period of one year or less.

"Renting" does not include making a charge for the use of an automobile where the rentor, either himself or through an agent, furnishes a service of operating an automobile so that the rentor remains in possession of the automobile, because this does not constitute a transfer of possession or right to possession of the automobile.

"Renting" does not include the making of a charge by an automobile dealer for the use of an automobile as a demonstrator in connection with the dealer's business of selling, where the charge is merely made to recover the costs of operating the automobile as a demonstrator and is not intended as a rental or leasing charge in the ordinary sense.

"Renting" does not include peer-to-peer car sharing, as defined in Section 5 of the Car-Sharing Program Act, if tax due on the automobile under the Retailers' Occupation Tax Act or Use Tax Act was paid upon the purchase of the automobile or when the automobile was brought into Illinois. The car-sharing program shall ask a shared vehicle owner if the shared vehicle owner paid applicable taxes at the time of purchase. Notwithstanding any law to the contrary, the car-sharing program shall have the right to rely on the shared vehicle owner's response and to be held legally harmless for such reliance.

"Automobile" means (1) any motor vehicle of the first division, or (2) a motor vehicle of the second division which: (A) is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping or travel use, with direct walk through access to the living quarters from the driver's seat; (B) is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code; or (C) has a Gross Vehicle Weight Rating, as defined in Section 1-124.5 of the Illinois Vehicle Code, of 8,000 pounds or less.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, conservator or other representative appointed by order of any court.

"Rentor" means any person, firm, corporation or association engaged in the business of renting or leasing automobiles to users. For this purpose, the objective of making a profit is not necessary to make the renting activity a business.

"Rentor" does not include a car-sharing program or a shared-vehicle owner, as defined in Section 5 of the Car-Sharing Program Act, if tax due on the automobile under the Retailers' Occupation Tax Act or Use Tax Act was paid upon the purchase of the automobile or when the automobile was brought into Illinois. The car-sharing program shall ask a shared vehicle owner if the shared vehicle owner paid applicable taxes at the time of purchase. Notwithstanding any law to the contrary, the car-sharing program shall have the right to rely on the shared vehicle owner's response and to be held legally harmless for such reliance.

"Rentee" means any user to whom the possession, or the right to possession, of an automobile is transferred for a valuable consideration for a period of one year or less, whether paid for by the "rentee" or by someone else.

"Rentee" does not include a shared-vehicle driver, as defined in Section 5 of the Car-Sharing Program Act, if tax due on the automobile under the Retailers' Occupation Tax Act or Use Tax Act was paid upon the purchase of the automobile or when the automobile was brought into Illinois. The car-sharing program shall ask a shared vehicle owner if the shared vehicle owner paid applicable taxes at the time of purchase. Notwithstanding any law to the contrary, the car-sharing program shall have the right to rely on the shared vehicle owner's response and to be held legally harmless for such reliance.

"Gross receipts" from the renting of tangible personal property or "rent" means the total rental price or leasing price. In the case of rental transactions in which the consideration is paid to the rentor on an installment basis, the amounts of such payments shall be included by the rentor in gross receipts or rent only as and when payments are received by the rentor.

"Gross receipts" does not include receipts received by an automobile dealer from a manufacturer or service contract provider for the use of an automobile by a person while that person's automobile is being repaired by that automobile dealer and the repair is made pursuant to a manufacturer's warranty or a service contract where a manufacturer or service contract provider reimburses that automobile dealer pursuant to a manufacturer's warranty or a service contract and the reimbursement is merely made to recover the costs of operating the automobile as a loaner vehicle.

"Rental price" means the consideration for renting or leasing an automobile valued in money, whether received in money or otherwise, including cash credits, property and services, and shall be determined without any deduction on account of the cost of the property rented, the cost of materials used, labor or service cost, or any other expense whatsoever, but does not include charges that are added by a rentor on account of the rentor's tax liability under this Act or on account of the rentor's duty to collect, from the rentee, the tax that is imposed by Section 4 of this Act. The phrase "rental price" does not include compensation paid to a rentor by a rentee in consideration of the waiver by the rentor of any right of action or claim against the rentee for loss or damage to the automobile rented and also does not include a separately stated charge for insurance or recovery of refueling costs or other separately stated charges that are not for the use of tangible personal property.

"Rental price" does not include consideration paid for peer-to-peer car sharing to a shared-vehicle owner or a car-sharing program, as those terms are defined in Section 5 of the Car-Sharing Program Act, if tax due on the automobile under the Retailers' Occupation Tax Act or Use Tax Act was paid upon the purchase of the automobile or when the automobile was brought into Illinois. The car-sharing program shall ask a shared vehicle owner if the shared vehicle owner paid applicable taxes at the time of purchase. Notwithstanding any law to the contrary, the car-sharing program shall have the right to rely on the shared vehicle owner's response and to be held legally harmless for such reliance.

(Source: P.A. 98-574, eff. 1-1-14.)

(35 ILCS 155/6 new)

Sec. 6. Applicability. The taxes imposed by Sections 3 and 4 of this Act do not apply to any amounts paid or received for peer-to-peer car sharing, as defined in Section 5 of the Car-Sharing Program Act, or the privilege of sharing a shared vehicle through a car-sharing program, as defined in Section 5 of the Car-Sharing Program Act, if the shared vehicle owner paid applicable taxes upon the purchase of the automobile.

As used in this Section, "applicable taxes" means, with respect to vehicles purchased in Illinois, the retailers' occupation tax levied under the Retailers' Occupation Tax Act or the use tax levied under the Use Tax Act. "Applicable taxes", with respect to vehicles not purchased in Illinois, refers to the sales, use,

excise, or other generally applicable tax that is due upon the purchase of a vehicle in the jurisdiction in which the vehicle was purchased.

Notwithstanding any law to the contrary, the car-sharing program shall have the right to rely on the shared vehicle owner's response and to be held legally harmless for such reliance.

Section 10. The Illinois Vehicle Code is amended by changing Section 6-305.2 as follows:

(625 ILCS 5/6-305.2)

Sec. 6-305.2. Limited liability for damage.

(a) Damage to private passenger vehicle. A person who rents a motor vehicle to another may hold the renter liable ~~to the extent permitted under subsections (b) through (d)~~ for physical or mechanical damage to the rented motor vehicle that occurs during the time the motor vehicle is under the rental agreement.

(b) Limits on liability due to theft for a ~~:~~ vehicle having an MSRP of $50,000 or less. The total liability of a renter who rents from another a motor vehicle that has an MSRP of $50,000 or less and that is stolen shall be the actual and reasonable costs incurred by the loss due to theft of the rental motor vehicle up to $5,000; provided, however, that if it is established that the renter or authorized driver failed to exercise ordinary care while in possession of the vehicle or that the renter or authorized driver committed or aided and abetted the commission of a theft, then the damages shall be the actual and reasonable costs of the rental vehicle up to its fair market value, as determined by the customary market for the sale of the vehicle. ~~renter under subsection (a) for damage to a motor vehicle with a Manufacturer's Suggested Retail Price (MSRP) of $50,000 or less may not exceed all of the following:~~

~~(1) The lesser of:~~

~~(A) Actual and reasonable costs that the person who rents a motor vehicle to another incurred to repair the motor vehicle or that the rental company would have incurred if the motor vehicle had been repaired, which shall reflect any discounts, price reductions, or adjustments available to the rental company; or~~

~~(B) The fair market value of that motor vehicle immediately before the damage occurred, as determined in the customary market for the retail sale of that motor vehicle; and~~

~~(2) Actual and reasonable costs incurred by the loss due to theft of the rental motor vehicle up to $2,000; provided, however, that if it is established that the renter or an authorized driver failed to exercise ordinary care while in possession of the vehicle or that the renter or an authorized driver committed or aided and abetted the commission of the theft, then the damages shall be the actual and reasonable costs of the rental vehicle up to its fair market value, as determined by the customary market for the sale of that vehicle.~~

~~For purposes of this subsection (b), for the period prior to June 1, 1998, the maximum amount that may be recovered from an authorized driver shall not exceed $6,000; for the period beginning June 1, 1998 through May 31, 1999, the maximum recovery shall not exceed $7,500; and for the period beginning June 1, 1999 through May 31, 2000, the maximum recovery shall not exceed $9,000.~~ Beginning June 1, 2000, and annually each June 1 thereafter, the maximum amount that may be recovered from an authorized driver under this subsection (b) shall be increased by $500 above the maximum recovery allowed immediately prior to June 1 of that year.

(b-5) Limits on liability due to theft for a ~~:~~ vehicle having an MSRP of more than $50,000. The total liability of a renter who rents from another a motor vehicle that has an MSRP of more than $50,000 and that is stolen shall be the actual and reasonable cost incurred by the loss due to theft of the rental motor vehicle up to $40,000; provided, however that if it is established that the renter or authorized driver failed to exercise ordinary care while in possession of the vehicle or that the renter or authorized driver committed or aided and abetted the commission of a theft, then the damages shall be the actual and reasonable costs of the rental vehicle up to its fair market value, as determined by the customary market for the sale of the vehicle. ~~renter under subsection (a) for damage to a motor vehicle with a Manufacturer's Suggested Retail Price (MSRP) of more than $50,000 may not exceed all of the following:~~

~~(1) the lesser of:~~

~~(A) actual and reasonable costs that the person who rents a motor vehicle to another incurred to repair the motor vehicle or that the rental company would have incurred if the motor vehicle had been repaired, which shall reflect any discounts, price reductions, or adjustments available to the rental company; or~~

~~(B) the fair market value of that motor vehicle immediately before the damage occurred, as determined in the customary market for the retail sale of that motor vehicle; and~~

~~(2) the actual and reasonable costs incurred by the loss due to theft of the rental motor vehicle up to $40,000.~~

The maximum recovery for a motor vehicle with a Manufacturer's Suggested Retail Price (MSRP) of more than $50,000 under this subsection (b-5) shall not exceed $40,000 on the effective date of this amendatory Act of the 99th General Assembly. On October 1, 2016, and for the next 3 years thereafter, the maximum amount that may be recovered from an authorized driver under this subsection (b-5) shall be increased by $2,500 above the prior year's maximum recovery. On October 1, 2020, and for each year thereafter, the maximum amount that may be recovered from an authorized driver under this subsection (b-5) shall be increased by $1,000 above the prior year's maximum recovery.

(b-10) Beginning on the effective date of this amendatory Act of the 103rd General Assembly and for 6 months after, a person who rents a motor vehicle to another shall provide notice to the renter of the motor vehicle of the changes reflected in this amendatory Act of the 103rd General Assembly. The notice shall be posted in a conspicuous and unobscured place that is separate and apart from any other information.

(c) Multiple recoveries prohibited. Any person who rents a motor vehicle to another may not hold the renter liable for any amounts that the rental company recovers from any other party.

(d) Repair estimates. A person who rents a motor vehicle to another may not collect or attempt to collect the amount described in subsection (b) or (b-5) unless the rental company obtains an estimate from a repair company or an appraiser in the business of providing such appraisals on the costs of repairing the motor vehicle, makes a copy of the estimate available upon request to the renter who may be liable under subsection (a), or the insurer of the renter, and submits a copy of the estimate with any claim to collect the amount described in subsection (b) or (b-5). In order to collect the amount described in subsection (b-5), a person renting a motor vehicle to another must also provide the renter's personal insurance company with reasonable notice and an opportunity to inspect damages.

(d-5) In the event of loss due to theft of the rental motor vehicle with a MSRP more than $50,000, the rental company shall provide reasonable notice of the theft to the renter's personal insurance company.

(e) Duty to mitigate. A claim against a renter resulting from damage or loss to a rental vehicle must be reasonably and rationally related to the actual loss incurred. A rental company shall mitigate damages where possible and shall not assert or collect any claim for physical damage which exceeds the actual costs of the repair, including all discounts or price reductions.

(f) No rental company shall require a deposit or an advance charge against the credit card of a renter, in any form, for damages to a vehicle which is in the renter's possession, custody, or control. No rental company shall require any payment for damage to the rental vehicle, upon the renter's return of the vehicle in a damaged condition, until after the cost of the damage to the vehicle and liability therefor is agreed to between the rental company and renter or is determined pursuant to law.

(g) If insurance coverage exists under the renter's personal insurance policy and the coverage is confirmed during regular business hours, the renter may require that the rental company must submit any claims to the renter's personal insurance carrier as the renter's agent. The rental company shall not make any written or oral representations that it will not present claims or negotiate with the renter's insurance carrier. For purposes of this Section, confirmation of coverage includes telephone confirmation from insurance company representatives during regular business hours. After confirmation of coverage, the amount of claim shall be resolved between the insurance carrier and the rental company.

(Source: P.A. 99-201, eff. 10-1-15.)

Section 99. Effective date. This Act takes upon becoming law, except that Section 10 takes effect on January 1, 2024.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Belt, **House Bill No. 1497** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Lewis | Sims |
| Aquino | Fowler | Lightford | Stadelman |
| Belt | Gillespie | Loughran Cappel | Stoller |
| Bennett | Glowiak Hilton | Martwick | Syverson |
| Bryant | Halpin | McClure | Tracy |
| Castro | Harris, N. | McConchie | Turner, D. |
| Cervantes | Harriss, E. | Morrison | Turner, S. |
| Chesney | Hastings | Murphy | Ventura |
| Cunningham | Holmes | Pacione-Zayas | Villa |
| Curran | Hunter | Peters | Villanueva |
| Edly-Allen | Johnson | Plummer | Villivalam |
| Ellman | Jones, E. | Porfirio | Wilcox |
| Faraci | Joyce | Preston | Mr. President |
| Feigenholtz | Koehler | Rezin | |

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 in the Senate Amendments adopted thereto.

**HOUSE BILL RECALLED**

On motion of Senator N. Harris, **House Bill No. 2089** was recalled from the order of third reading to the order of second reading.

Senator N. Harris offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO HOUSE BILL 2089**

AMENDMENT NO. 1 . Amend House Bill 2089 on page 60, line 3, immediately after "155.36", by inserting "155.49"; and

on page 66, immediately below line 8, by inserting the following:

"(215 ILCS 5/155.49 new)

Sec. 155.49. Insurance company supplier diversity report.

(a) Every company authorized to do business in this State or accredited by this State with assets of at least $50,000,000 shall submit a 2-page report on its voluntary supplier diversity program, or the company's procurement program if there is no supplier diversity program, to the Department. The report shall set forth all of the following:

(1) The name, address, phone number, and email address of the point of contact for the supplier diversity program for vendors to register with the program.

(2) Local and State certifications the company accepts or recognizes for minority-owned, women-owned, LGBT-owned, or veteran-owned business status.

(3) On the second page, a narrative explaining the results of the program and the tactics to be employed to achieve the goals of its voluntary supplier diversity program.

(4) The voluntary goals for the calendar year for which the report is made in each category for the entire budget of the company and the commodity codes or a description of particular goods and services for the area of procurement in which the company expects most of those goals to focus on in that year.

Each company is required to submit a searchable report, in Portable Document Format (PDF), to the Department on or before April 1, 2024 and on or before April 1 every year thereafter.

(b) For each report submitted under subsection (a), the Department shall publish the results on its Internet website for 5 years after submission. The Department is not responsible for collecting the reports or for the content of the reports.

(c) The Department shall hold an annual insurance company supplier diversity workshop in July of 2024 and every July thereafter to discuss the reports with representatives of the companies and vendors.

(d) The Department shall prepare a one-page template, not including the narrative section, for the voluntary supplier diversity reports.

(e) The Department may adopt such rules as it deems necessary to implement this Section."; and

on page 112, immediately below line 23, by inserting the following:

"Section 22. The Dental Service Plan Act is amended by changing Section 25 as follows:

(215 ILCS 110/25) (from Ch. 32, par. 690.25)

Sec. 25. Application of Insurance Code provisions. Dental service plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA, XI, and XII 1/2 and Sections 3.1, 133, 136, 139, 140, 143, 143c, 149, 155.49, 355.2, 355.3, 367.2, 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and subsection (15) of Section 367 of the Illinois Insurance Code.

(Source: P.A. 99-151, eff. 7-28-15.)"; and

on page 113, line 8, immediately after "155.22a" by inserting "155.49,"; and

on page 118, immediately below line 17, by inserting the following:

"Section 27. The Limited Health Service Organization Act is amended by changing Section 4003 as follows:

(215 ILCS 130/4003) (from Ch. 73, par. 1504-3)

Sec. 4003. Illinois Insurance Code provisions. Limited health service organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.37, 155.49, 355.2, 355.3, 355b, 356q, 356v, 356z.10, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.57, 356z.59, 364.3, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1 and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code. For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, limited health service organizations in the following categories are deemed to be domestic companies:

(1) a corporation under the laws of this State; or

(2) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a domestic company under Article VIII 1/2 of the Illinois Insurance Code.

(Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-731, eff. 1-1-23; 102-775, eff. 5-13-22; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; revised 12-13-22.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator N. Harris, **House Bill No. 2089** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | 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 |
| Chesney | Holmes | Peters | Villanueva |
| Cunningham | Hunter | Plummer | Villivalam |
| Curran | Johnson | Porfirio | Wilcox |
| Edly-Allen | Jones, E. | Preston | Mr. President |
| Ellman | Joyce | Rezin | |
| Faraci | Koehler | Simmons | |
| Feigenholtz | Lewis | Sims | |
| Fine | 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 in the Senate Amendment adopted thereto.

**HOUSE BILL RECALLED**

On motion of Senator D. Turner, **House Bill No. 2518** 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.

Pursuant to Senate Rule 3-8 (d-10), the Senate Parliamentarian has determined **Floor Amendment No. 2 to House Bill 2518** is technical in nature and is approved for consideration by the Senate without referral to the Committee on Assignments.

Senator D. Turner offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO HOUSE BILL 2518**

AMENDMENT NO. 2 . Amend House Bill 2518 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:

(65 ILCS 5/11-74.4-3.5)

Sec. 11-74.4-3.5. Completion dates for redevelopment projects.

(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with

respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(a-5) If the redevelopment project area is located within a transit facility improvement area established pursuant to Section 11-74.4-3, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted.

(a-7) A municipality may adopt tax increment financing for a redevelopment project area located in a transit facility improvement area that also includes real property located within an existing redevelopment project area established prior to August 12, 2016 (the effective date of Public Act 99-792). In such case: (i) the provisions of this Division shall apply with respect to the previously established redevelopment project area until the municipality adopts, as required in accordance with applicable provisions of this Division, an ordinance dissolving the special tax allocation fund for such redevelopment project area and terminating the designation of such redevelopment project area as a redevelopment project area; and (ii) after the effective date of the ordinance described in (i), the provisions of this Division shall apply with respect to the subsequently established redevelopment project area located in a transit facility improvement area.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

(1) If the ordinance was adopted before January 15, 1981.

(2) If the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989.

(3) If the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport.

(4) If the ordinance was adopted before January 1, 1987 by a municipality in Mason County.

(5) If the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law.

(6) If the ordinance was adopted in December 1984 by the Village of Rosemont.

(7) If the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997.

(8) If the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis.

(9) If the ordinance was adopted on November 12, 1991 by the Village of Sauget.

(10) If the ordinance was adopted on February 11, 1985 by the City of Rock Island.

(11) If the ordinance was adopted before December 18, 1986 by the City of Moline.

(12) If the ordinance was adopted in September 1988 by Sauk Village.

(13) If the ordinance was adopted in October 1993 by Sauk Village.

(14) If the ordinance was adopted on December 29, 1986 by the City of Galva.

(15) If the ordinance was adopted in March 1991 by the City of Centreville.

(16) If the ordinance was adopted on January 23, 1991 by the City of East St. Louis.

(17) If the ordinance was adopted on December 22, 1986 by the City of Aledo.

(18) If the ordinance was adopted on February 5, 1990 by the City of Clinton.

(19) If the ordinance was adopted on September 6, 1994 by the City of Freeport.

(20) If the ordinance was adopted on December 22, 1986 by the City of Tuscola.

(21) If the ordinance was adopted on December 23, 1986 by the City of Sparta.

(22) If the ordinance was adopted on December 23, 1986 by the City of Beardstown.

(23) If the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville.

(24) If the ordinance was adopted on December 29, 1986 by the City of Collinsville.

(25) If the ordinance was adopted on September 14, 1994 by the City of Alton.

(26) If the ordinance was adopted on November 11, 1996 by the City of Lexington.

(27) If the ordinance was adopted on November 5, 1984 by the City of LeRoy.

(28) If the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham.

(29) If the ordinance was adopted on November 11, 1986 by the City of Pekin.

(30) If the ordinance was adopted on December 15, 1981 by the City of Champaign.

(31) If the ordinance was adopted on December 15, 1986 by the City of Urbana.

(32) If the ordinance was adopted on December 15, 1986 by the Village of Heyworth.

(33) If the ordinance was adopted on February 24, 1992 by the Village of Heyworth.

(34) If the ordinance was adopted on March 16, 1995 by the Village of Heyworth.

(35) If the ordinance was adopted on December 23, 1986 by the Town of Cicero.

(36) If the ordinance was adopted on December 30, 1986 by the City of Effingham.

(37) If the ordinance was adopted on May 9, 1991 by the Village of Tilton.

(38) If the ordinance was adopted on October 20, 1986 by the City of Elmhurst.

(39) If the ordinance was adopted on January 19, 1988 by the City of Waukegan.

(40) If the ordinance was adopted on September 21, 1998 by the City of Waukegan.

(41) If the ordinance was adopted on December 31, 1986 by the City of Sullivan.

(42) If the ordinance was adopted on December 23, 1991 by the City of Sullivan.

(43) If the ordinance was adopted on December 31, 1986 by the City of Oglesby.

(44) If the ordinance was adopted on July 28, 1987 by the City of Marion.

(45) If the ordinance was adopted on April 23, 1990 by the City of Marion.

(46) If the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect.

(47) If the ordinance was adopted on February 2, 1998 by the Village of Woodhull.

(48) If the ordinance was adopted on April 20, 1993 by the Village of Princeville.

(49) If the ordinance was adopted on July 1, 1986 by the City of Granite City.

(50) If the ordinance was adopted on February 2, 1989 by the Village of Lombard.

(51) If the ordinance was adopted on December 29, 1986 by the Village of Gardner.

(52) If the ordinance was adopted on July 14, 1999 by the Village of Paw Paw.

(53) If the ordinance was adopted on November 17, 1986 by the Village of Franklin Park.

(54) If the ordinance was adopted on November 20, 1989 by the Village of South Holland.

(55) If the ordinance was adopted on July 14, 1992 by the Village of Riverdale.

(56) If the ordinance was adopted on December 29, 1986 by the City of Galesburg.

(57) If the ordinance was adopted on April 1, 1985 by the City of Galesburg.

(58) If the ordinance was adopted on May 21, 1990 by the City of West Chicago.

(59) If the ordinance was adopted on December 16, 1986 by the City of Oak Forest.

(60) If the ordinance was adopted in 1999 by the City of Villa Grove.

(61) If the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion.

(62) If the ordinance was adopted on December 30, 1986 by the Village of Manteno.

(63) If the ordinance was adopted on April 3, 1989 by the City of Chicago Heights.

(64) If the ordinance was adopted on January 6, 1999 by the Village of Rosemont.

(65) If the ordinance was adopted on December 19, 2000 by the Village of Stone Park.

(66) If the ordinance was adopted on December 22, 1986 by the City of DeKalb.

(67) If the ordinance was adopted on December 2, 1986 by the City of Aurora.

(68) If the ordinance was adopted on December 31, 1986 by the Village of Milan.

(69) If the ordinance was adopted on September 8, 1994 by the City of West Frankfort.

(70) If the ordinance was adopted on December 23, 1986 by the Village of Libertyville.

(71) If the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates.

(72) If the ordinance was adopted on September 17, 1986 by the Village of Sherman.

(73) If the ordinance was adopted on December 16, 1986 by the City of Macomb.

(74) If the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF.

(75) If the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF.

(76) If the ordinance was adopted on August 7, 2000 by the City of Des Plaines.

(77) If the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2.

(78) If the ordinance was adopted on December 29, 1986 by the City of Morris.

(79) If the ordinance was adopted on July 6, 1998 by the Village of Steeleville.

(80) If the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF).

(81) If the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF).

(82) If the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District.

(83) If the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District.

(84) If the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District.

(85) If the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District.

(86) If the ordinance was adopted on December 27, 1986 by the City of Mendota.

(87) If the ordinance was adopted on December 31, 1986 by the Village of Cahokia.

(88) If the ordinance was adopted on September 20, 1999 by the City of Belleville.

(89) If the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1.

(90) If the ordinance was adopted on December 13, 1993 by the Village of Crete.

(91) If the ordinance was adopted on February 12, 2001 by the Village of Crete.

(92) If the ordinance was adopted on April 23, 2001 by the Village of Crete.

(93) If the ordinance was adopted on December 16, 1986 by the City of Champaign.

(94) If the ordinance was adopted on December 20, 1986 by the City of Charleston.

(95) If the ordinance was adopted on June 6, 1989 by the Village of Romeoville.

(96) If the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice.

(97) If the ordinance was adopted on June 1, 1994 by the City of Markham.

(98) If the ordinance was adopted on May 19, 1998 by the Village of Bensenville.

(99) If the ordinance was adopted on November 12, 1987 by the City of Dixon.

(100) If the ordinance was adopted on December 20, 1988 by the Village of Lansing.

(101) If the ordinance was adopted on October 27, 1998 by the City of Moline.

(102) If the ordinance was adopted on May 21, 1991 by the Village of Glenwood.

(103) If the ordinance was adopted on January 28, 1992 by the City of East Peoria.

(104) If the ordinance was adopted on December 14, 1998 by the City of Carlyle.

(105) If the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District.

(106) If the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District.

(107) If the ordinance was adopted on March 30, 1992 by the Village of Ohio.

(108) If the ordinance was adopted on July 6, 1998 by the Village of Orangeville.

(109) If the ordinance was adopted on December 16, 1997 by the Village of Germantown.

(110) If the ordinance was adopted on April 28, 2003 by Gibson City.

(111) If the ordinance was adopted on December 18, 1990 by the Village of Washington Park, but only after the Village of Washington Park becomes compliant with the reporting requirements under subsection (d) of Section 11-74.4-5, and after the State Comptroller's certification of such compliance.

(112) If the ordinance was adopted on February 28, 2000 by the City of Harvey.

(113) If the ordinance was adopted on January 11, 1991 by the City of Chicago to create the Read/Dunning TIF District.

(114) If the ordinance was adopted on July 24, 1991 by the City of Chicago to create the Sanitary and Ship Canal TIF District.

(115) If the ordinance was adopted on December 4, 2007 by the City of Naperville.

(116) If the ordinance was adopted on July 1, 2002 by the Village of Arlington Heights.

(117) If the ordinance was adopted on February 11, 1991 by the Village of Machesney Park.

(118) If the ordinance was adopted on December 29, 1993 by the City of Ottawa.

(119) If the ordinance was adopted on June 4, 1991 by the Village of Lansing.

(120) If the ordinance was adopted on February 10, 2004 by the Village of Fox Lake.

(121) If the ordinance was adopted on December 22, 1992 by the City of Fairfield.

(122) If the ordinance was adopted on February 10, 1992 by the City of Mt. Sterling.

(123) If the ordinance was adopted on March 15, 2004 by the City of Batavia.

(124) If the ordinance was adopted on March 18, 2002 by the Village of Lake Zurich.

(125) If the ordinance was adopted on September 23, 1997 by the City of Granite City.

(126) If the ordinance was adopted on May 8, 2013 by the Village of Rosemont to create the Higgins Road/River Road TIF District No. 6.

(127) If the ordinance was adopted on November 22, 1993 by the City of Arcola.

(128) If the ordinance was adopted on September 7, 2004 by the City of Arcola.

(129) If the ordinance was adopted on November 29, 1999 by the City of Paris.

(130) If the ordinance was adopted on September 20, 1994 by the City of Ottawa to create the U.S. Route 6 East Ottawa TIF.

(131) If the ordinance was adopted on May 2, 2002 by the Village of Crestwood.

(132) If the ordinance was adopted on October 27, 1992 by the City of Blue Island.

(133) If the ordinance was adopted on December 23, 1993 by the City of Lacon.

(134) If the ordinance was adopted on May 4, 1998 by the Village of Bradford.

(135) If the ordinance was adopted on June 11, 2002 by the City of Oak Forest.

(136) If the ordinance was adopted on November 16, 1992 by the City of Pinckneyville.

(137) If the ordinance was adopted on March 1, 2001 by the Village of South Jacksonville.

(138) If the ordinance was adopted on February 26, 1992 by the City of Chicago to create the Stockyards Southeast Quadrant TIF District.

(139) If the ordinance was adopted on January 25, 1993 by the City of LaSalle.

(140) If the ordinance was adopted on December 23, 1997 by the Village of Dieterich.

(141) If the ordinance was adopted on February 10, 2016 by the Village of Rosemont to create the Balmoral/Pearl TIF No. 8 Tax Increment Financing Redevelopment Project Area.

(142) If the ordinance was adopted on June 11, 2002 by the City of Oak Forest.

(143) If the ordinance was adopted on January 31, 1995 by the Village of Milledgeville.

(144) If the ordinance was adopted on February 5, 1996 by the Village of Pearl City.

(145) If the ordinance was adopted on December 21, 1994 by the City of Calumet City.

(146) If the ordinance was adopted on May 5, 2003 by the Town of Normal.

(147) If the ordinance was adopted on June 2, 1998 by the City of Litchfield.

(148) If the ordinance was adopted on October 23, 1995 by the City of Marion.

(149) If the ordinance was adopted on May 24, 2001 by the Village of Hanover Park.

(150) If the ordinance was adopted on May 30, 1995 by the Village of Dalzell.

(151) If the ordinance was adopted on April 15, 1997 by the City of Edwardsville.

(152) If the ordinance was adopted on September 5, 1995 by the City of Granite City.

(153) If the ordinance was adopted on June 21, 1999 by the Village of Table Grove.

(154) If the ordinance was adopted on February 23, 1995 by the City of Springfield.

(155) If the ordinance was adopted on August 11, 1999 by the City of Monmouth.

(156) If the ordinance was adopted on December 26, 1995 by the Village of Posen.

(157) If the ordinance was adopted on July 1, 1995 by the Village of Caseyville.

(158) If the ordinance was adopted on January 30, 1996 by the City of Madison.

(159) If the ordinance was adopted on February 2, 1996 by the Village of Hartford.

(160) If the ordinance was adopted on July 2, 1996 by the Village of Manlius.

(161) If the ordinance was adopted on March 21, 2000 by the City of Hoopeston.

(162) If the ordinance was adopted on March 22, 2005 by the City of Hoopeston.

(163) If the ordinance was adopted on July 10, 1996 by the City of Chicago to create the Goose Island TIF District.

(164) If the ordinance was adopted on December 11, 1996 by the City of Chicago to create the Bryn Mawr/Broadway TIF District.

(165) If the ordinance was adopted on December 31, 1995 by the City of Chicago to create the 95th/Western TIF District.

(166) If the ordinance was adopted on October 7, 1998 by the City of Chicago to create the 71st and Stony Island TIF District.

(167) If the ordinance was adopted on April 19, 1995 by the Village of North Utica.

(168) If the ordinance was adopted on April 22, 1996 by the City of LaSalle.

(169) If the ordinance was adopted on June 9, 2008 by the City of Country Club Hills.

(170) If the ordinance was adopted on July 3, 1996 by the Village of Phoenix.

(171) If the ordinance was adopted on May 19, 1997 by the Village of Swansea.

(172) If the ordinance was adopted on August 13, 2001 by the Village of Saunemin.

(173) If the ordinance was adopted on January 10, 2005 by the Village of Romeoville.

(174) If the ordinance was adopted on January 28, 1997 by the City of Berwyn for the South Berwyn Corridor Tax Increment Financing District.

(175) If the ordinance was adopted on January 28, 1997 by the City of Berwyn for the Roosevelt Road Tax Increment Financing District.

(176) If the ordinance was adopted on May 3, 2001 by the Village of Hanover Park for the Village Center Tax Increment Financing Redevelopment Project Area (TIF # 3).

(177) If the ordinance was adopted on January 1, 1996 by the City of Savanna.

(178) If the ordinance was adopted on January 28, 2002 by the Village of Okawville.

(179) If the ordinance was adopted on October 4, 1999 by the City of Vandalia.

(180) If the ordinance was adopted on June 16, 2003 by the City of Rushville.

(181) If the ordinance was adopted on December 7, 1998 by the City of Quincy for the Central Business District West Tax Increment Redevelopment Project Area.

(182) If the ordinance was adopted on March 27, 1997 by the Village of Maywood approving the Roosevelt Road TIF District.

(183) If the ordinance was adopted on March 27, 1997 by the Village of Maywood approving the Madison Street/Fifth Avenue TIF District.

(184) If the ordinance was adopted on November 10, 1997 by the Village of Park Forest.

(185) If the ordinance was adopted on July 30, 1997 by the City of Chicago to create the Near North TIF district.

(186) If the ordinance was adopted on December 1, 2000 by the Village of Mahomet.

(187) If the ordinance was adopted on June 16, 1999 by the Village of Washburn.

(188) If the ordinance was adopted on August 19, 1998 by the Village of New Berlin.

(189) If the ordinance was adopted on February 5, 2002 by the City of Highwood.

(190) If the ordinance was adopted on June 1, 1997 by the City of Flora.

(191) If the ordinance was adopted on August 17, 1999 by the City of Ottawa.

(192) If the ordinance was adopted on June 13, 2005 by the City of Mount Carroll.

(193) If the ordinance was adopted on March 25, 2008 by the Village of Elizabeth.

(194) If the ordinance was adopted on February 22, 2000 by the City of Mount Pulaski.

(195) If the ordinance was adopted on November 21, 2000 by the City of Effingham.

(196) If the ordinance was adopted on January 28, 2003 by the City of Effingham.

(197) If the ordinance was adopted on February 4, 2008 by the City of Polo.

(198) If the ordinance was adopted on August 17, 2005 by the Village of Bellwood to create the Park Place TIF.

(199) If the ordinance was adopted on July 16, 2014 by the Village of Bellwood to create the North-2014 TIF.

(200) If the ordinance was adopted on July 16, 2014 by the Village of Bellwood to create the South-2014 TIF.

(201) If the ordinance was adopted on July 16, 2014 by the Village of Bellwood to create the Central Metro-2014 TIF.

(202) If the ordinance was adopted on September 17, 2014 by the Village of Bellwood to create the Addison Creek "A" (Southwest)-2014 TIF.

(203) If the ordinance was adopted on September 17, 2014 by the Village of Bellwood to create the Addison Creek "B" (Northwest)-2014 TIF.

(204) If the ordinance was adopted on September 17, 2014 by the Village of Bellwood to create the Addison Creek "C" (Northeast)-2014 TIF.

(205) If the ordinance was adopted on September 17, 2014 by the Village of Bellwood to create the Addison Creek "D" (Southeast)-2014 TIF.

(206) If the ordinance was adopted on June 26, 2007 by the City of Peoria.

(207) If the ordinance was adopted on October 28, 2008 by the City of Peoria.

(208) If the ordinance was adopted on April 4, 2000 by the City of Joliet to create the Joliet City Center TIF District.

(209) If the ordinance was adopted on July 8, 1998 by the City of Chicago to create the 43rd/Cottage Grove TIF district.

(210) If the ordinance was adopted on July 8, 1998 by the City of Chicago to create the 79th Street Corridor TIF district.

(211) If the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Bronzeville TIF district.

(212) If the ordinance was adopted on February 5, 1998 by the City of Chicago to create the Homan/Arthington TIF district.

(213) If the ordinance was adopted on December 8, 1998 by the Village of Plainfield.

(214) If the ordinance was adopted on July 17, 2000 by the Village of Homer.

(215) If the ordinance was adopted on December 27, 2006 by the City of Greenville.

(216) If the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Kinzie Industrial TIF district.

(217) If the ordinance was adopted on December 2, 1998 by the City of Chicago to create the Northwest Industrial TIF district.

(218) If the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Pilsen Industrial TIF district.

(219) If the ordinance was adopted on January 14, 1997 by the City of Chicago to create the 35th/Halsted TIF district.

(220) If the ordinance was adopted on June 9, 1999 by the City of Chicago to create the Pulaski Corridor TIF district.

(221) If the ordinance was adopted on December 16, 1997 by the City of Springfield to create the Enos Park Neighborhood TIF District.

(222) If the ordinance was adopted on February 5, 1998 by the City of Chicago to create the Roosevelt/Cicero redevelopment project area.

(223) If the ordinance was adopted on February 5, 1998 by the City of Chicago to create the Western/Ogden redevelopment project area.

(224) If the ordinance was adopted on July 21, 1999 by the City of Chicago to create the 24th/Michigan Avenue redevelopment project area.

(225) If the ordinance was adopted on January 20, 1999 by the City of Chicago to create the Woodlawn redevelopment project area.

(226) If the ordinance was adopted on July 7, 1999 by the City of Chicago to create the Clark/Montrose redevelopment project area.

(227) If the ordinance was adopted on November 4, 2003 by the City of Madison to create the Rivers Edge redevelopment project area.

(228) If the ordinance was adopted on August 12, 2003 by the City of Madison to create the Caine Street redevelopment project area.

(229) If the ordinance was adopted on March 7, 2000 by the City of Madison to create the East Madison TIF.

(230) If the ordinance was adopted on August 3, 2001 by the Village of Aviston.

(231) If the ordinance was adopted on August 22, 2011 by the Village of Warren.

(232) If the ordinance was adopted on April 8, 1999 by the City of Farmer City.

(233) If the ordinance was adopted on August 4, 1999 by the Village of Fairmont City.

(234) If the ordinance was adopted on October 2, 1999 by the Village of Fairmont City.

(235) If the ordinance was adopted December 16, 1999 by the City of Springfield.

(236) If the ordinance was adopted on December 13, 1999 by the Village of Palatine to create the Village of Palatine Downtown Area TIF District.

(237) If the ordinance was adopted on September 29, 1999 by the City of Chicago to create the 111th/Kedzie redevelopment project area.

(238) If the ordinance was adopted on November 12, 1998 by the City of Chicago to create the Canal/Congress redevelopment project area.

(239) If the ordinance was adopted on July 7, 1999 by the City of Chicago to create the Galewood/Armitage Industrial redevelopment project area.

(240) If the ordinance was adopted on September 29, 1999 by the City of Chicago to create the Madison/Austin Corridor redevelopment project area.

(241) If the ordinance was adopted on April 12, 2000 by the City of Chicago to create the South Chicago redevelopment project area.

(242) If the ordinance was adopted on January 9, 2002 by the Village of Elkhart.

(243) If the ordinance was adopted on May 23, 2000 by the City of Robinson to create the West Robinson Industrial redevelopment project area.

(244) If the ordinance was adopted on October 9, 2001 by the City of Robinson to create the Downtown Robinson redevelopment project area.

(245) If the ordinance was adopted on September 19, 2000 by the Village of Valmeyer.

(246) If the ordinance was adopted on April 15, 2002 by the City of McHenry to create the Downtown TIF district.

(247) If the ordinance was adopted on February 15, 1999 by the Village of Channahon.

(248) If the ordinance was adopted on December 19, 2000 by the City of Peoria.

(249) If the ordinance was adopted on July 24, 2000 by the City of Rock Island to create the North 11th Street redevelopment project area.

(250) If the ordinance was adopted on February 5, 2002 by the City of Champaign to create the North Campustown TIF.

(251) If the ordinance was adopted on November 20, 2000 by the Village of Evergreen Park.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the

municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f-1) (Blank).

(f-2) (Blank).

(f-3) (Blank).

(f-5) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 47 years for redevelopment project areas listed in this subsection; provided that (i) the municipality adopts an ordinance extending the life of the redevelopment project area to 47 years and (ii) the municipality provides notice to the taxing bodies that would otherwise constitute the joint review board for the redevelopment project area not more than 30 and not less than 14 days prior to the adoption of that ordinance:

(1) If the redevelopment project area was established on December 29, 1981 by the City of Springfield.

(2) If the redevelopment project area was established on December 29, 1986 by the City of Morris and that is known as the Morris TIF District 1.

(3) If the redevelopment project area was established on December 31, 1986 by the Village of Cahokia.

(4) If the redevelopment project area was established on December 20, 1986 by the City of Charleston.

(5) If the redevelopment project area was established on December 23, 1986 by the City of Beardstown.

(6) If the redevelopment project area was established on December 23, 1986 by the Town of Cicero.

(7) If the redevelopment project area was established on December 29, 1986 by the City of East St. Louis.

(8) If the redevelopment project area was established on January 23, 1991 by the City of East St. Louis.

(9) If the redevelopment project area was established on December 29, 1986 by the Village of Gardner.

(10) If the redevelopment project area was established on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF.

(11) If the redevelopment project area was established on December 22, 1986 by the City of Washington creating the Washington Square TIF #2.

(12) If the redevelopment project area was established on November 11, 1986 by the City of Pekin.

(13) If the redevelopment project area was established on December 30, 1986 by the City of Belleville.

(14) If the ordinance was adopted on April 3, 1989 by the City of Chicago Heights.

(15) If the redevelopment project area was established on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF).

(16) If the redevelopment project area was established on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF).

(17) If the redevelopment project area was established on December 23, 1986 by the City of Sparta to create TIF #1. Any termination procedures provided for in Section 11-74.4-8 are not required for this redevelopment project area prior to the 47th calendar year after the year in which the ordinance approving the redevelopment project year was adopted.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 101-274, eff. 8-9-19; 101-618, eff. 12-20-19; 101-647, eff. 6-26-20; 101-662, eff. 4-2-21; 102-117, eff. 7-23-21; 102-424, eff. 8-20-21; 102-425, eff. 8-20-21; 102-446, eff. 8-20-21; 102-473, eff.

8-20-21; 102-627, eff. 8-27-21; 102-675, eff. 11-30-21; 102-745, eff. 5-6-22; 102-818, eff. 5-13-22; 102-1113, eff. 12-21-22.)

Section 10. The Tourism Preservation and Sustainability District Act is amended by adding Section 31 as follows:

(70 ILCS 3455/31 new)

Sec. 31. Sangamon County; Bank of Springfield Center. Notwithstanding any other provision of this Act, a petition, resolution of intent, district plan, and ordinance to create a tourism preservation and sustainability district may include an initial term of up to 20 years if the ordinance is adopted on or after July 1, 2023 and on or before December 31, 2023 by the Sangamon County Board for improvements to the Bank of Springfield Center.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Pursuant to Senate Rule 3-8 (d-10), the Senate Parliamentarian has determined **Floor Amendment No. 3 to House Bill 2518** is technical in nature and is approved for consideration by the Senate without referral to the Committee on Assignments.

Senator D. Turner offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO HOUSE BILL 2518**

AMENDMENT NO. 3 . Amend House Bill 2518, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, as follows:

on page 26, immediately below line 24, by inserting the following:

"(252) If the ordinance was adopted on February 16, 2000 by the City of Chicago to create the Fullerton/Milwaukee redevelopment project area.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator D. Turner, **House Bill No. 2518** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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; NAY 1.

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 | Harris, N. | McConchie | Turner, D. |
| Castro | Harriss, E. | Morrison | Turner, S. |
| Cervantes | Hastings | Murphy | Ventura |
| Cunningham | Holmes | Pacione-Zayas | Villa |
| Curran | Hunter | Peters | Villanueva |

| | | | |
|---|---|---|---|
| Edly-Allen | Johnson | Plummer | Villivalam |
| Ellman | Joyce | Porfirio | Wilcox |
| Faraci | Koehler | Preston | Mr. President |
| Feigenholtz | Lewis | Rezin | |

The following voted in the negative:

Halpin

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 in the Senate Amendments adopted thereto.

**HOUSE BILL RECALLED**

On motion of Senator Castro, **House Bill No. 2878** 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. 2 TO HOUSE BILL 2878**

AMENDMENT NO. 2 . Amend House Bill 2878, AS AMENDED, by replacing everything after the enacting clause with the following:

"ARTICLE 5. FORMER COAL MINE EMPLOYEE PREFERENCE

Section 5-5. The Illinois Procurement Code is amended by adding Section 45-110 as follows:
(30 ILCS 500/45-110 new)

Sec. 45-110. Former coal mining employees.

(a) In this Section:

"Abandoned mined land reclamation project" means construction or construction-related professional services that are used for reclamation projects awarded by the Department of Natural Resources under the Abandoned Mined Lands and Water Reclamation Act.

"Former coal mine employee" means an individual previously employed in any capacity by a coal mining company that engaged in the extraction of coal deposits or an individual previously employed in any capacity by a coal-fired power plant.

(b) In awarding contracts for Abandoned Mined Land Reclamation Projects with a total value of more than $100,000, preference shall be given to an otherwise qualified bidder who:

(1) provides proof that at least 2 current employees of the bidder are former coal mine employees and that all such declared former coal mine employees in the bid shall be used in the fulfillment of an awarded Abandoned Mined Land Reclamation Project; or

(2) commits to employing at least 2 former coal mine employees hired out of a union hall in the fulfillment of the Abandoned Mined Land Reclamation Project. Under this paragraph (2), the bidder shall provide proof that at least 2 former coal mine employees have been hired out of a union hall within 60 days after the start of construction, and the bidder shall declare that the former coal mine employees, after being hired, shall be used in the fulfillment of an awarded Abandoned Mined Land Reclamation Project.

When the Department of Natural Resources is to award a contract to the lowest responsible bidder, an otherwise qualified bidder who will fulfill the contract through the use of former coal mine employees may be given preference over other bidders unable to do so, if the bid is not more than 2% greater than the low bid.

(c) This Section does not apply to any contract for any project for which federal funds are available for expenditure when its provisions may be in conflict with federal law or federal regulation.

ARTICLE 10. SINGLE PRIME PROCUREMENT

Section 10-5. The Illinois Procurement Code is amended by changing Sections 1-15.93, 30-30, 33-5, and 45-105 as follows:

(30 ILCS 500/1-15.93)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1-15.93. Single prime. "Single prime" means the design-bid-build procurement delivery method for a building construction project in which the Capital Development Board or a public institution of higher education, as defined in Section 1-13 of this Code, is the construction agency procuring 2 or more subdivisions of work enumerated in paragraphs (1) through (5) of subsection (a) of Section 30-30 of this Code under a single contract. The provisions of this Section are inoperative for public institutions of higher education on and after January 1, 2026. ~~This Section is repealed on January 1, 2026.~~

(Source: P.A. 101-369, eff. 12-15-19; 101-645, eff. 6-26-20; 102-671, eff. 11-30-21; 102-1119, eff. 1-23-23.)

(30 ILCS 500/30-30)

Sec. 30-30. Design-bid-build construction.

(a) ~~The provisions of this subsection are operative through December 31, 2025.~~

Except as provided in subsection (a-5), for building construction contracts in excess of $250,000, separate specifications may be prepared for all equipment, labor, and materials in connection with the following 5 subdivisions of the work to be performed:

(1) plumbing;

(2) heating, piping, refrigeration, and automatic temperature control systems, including the testing and balancing of those systems;

(3) ventilating and distribution systems for conditioned air, including the testing and balancing of those systems;

(4) electric wiring; and

(5) general contract work.

Except as provided in subsection (a-5), the specifications may be so drawn as to permit separate and independent bidding upon each of the 5 subdivisions of work. All contracts awarded for any part thereof may award the 5 subdivisions of work separately to responsible and reliable persons, firms, or corporations engaged in these classes of work. The contracts, at the discretion of the construction agency, may be assigned to the successful bidder on the general contract work or to the successful bidder on the subdivision of work designated by the construction agency before the bidding as the prime subdivision of work, provided that all payments will be made directly to the contractors for the 5 subdivisions of work upon compliance with the conditions of the contract.

For ~~Beginning on the effective date of this amendatory Act of the 101st General Assembly and through December 31, 2025, for~~ single prime projects: (i) the bid of the successful low bidder shall identify the name of the subcontractor, if any, and the bid proposal costs for each of the 5 subdivisions of work set forth in this Section; (ii) the contract entered into with the successful bidder shall provide that no identified subcontractor may be terminated without the written consent of the Capital Development Board; (iii) the contract shall comply with the disadvantaged business practices of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and the equal employment practices of Section 2-105 of the Illinois Human Rights Act; and (iv) the Capital Development Board shall submit an annual report to the General Assembly and Governor on the bidding, award, and performance of all single prime projects.

Until December 31, 2023, for ~~For~~ building construction projects with a total construction cost valued at $5,000,000 or less, the Capital Development Board shall not use the single prime procurement delivery method for more than 50% of the total number of projects bid for each fiscal year. Until December 31, 2023, any ~~Any~~ project with a total construction cost valued greater than $5,000,000 may be bid using single prime at the discretion of the Executive Director of the Capital Development Board.

For contracts entered into on or after January 1, 2024, the Capital Development Board shall determine whether the single prime procurement delivery method is to be pursued. Before electing to use single prime on a project, the Capital Development Board must make a written determination that must include a description as to the particular advantages of the single prime procurement method for that project and an evaluation of the items in paragraphs (1) through (4). The chief procurement officer must review the Capital Development Board's determination and consider the adequacy of information in paragraphs (1) through (4) to determine whether the Capital Development Board may proceed with single prime. Approval by the chief

procurement officer shall not be unreasonably withheld. The following factors must be considered by the chief procurement officer in any determination:

(1) The benefit that using the single prime procurement method will have on the Capital Development Board's ability to increase participation of minority-owned firms, woman-owned firms, firms owned by persons with a disability, and veteran-owned firms.

(2) The likelihood that single prime will be in the best interest of the State by providing a material savings of time or cost over the multiple prime delivery system. The best interest of the State justification must show the specific benefits of using the single prime method, including documentation of the estimates or scheduling impacts of any of the following: project complexity and trade coordination required, length of project, availability of skilled workforce, geographic area, project timelines, project budget, ability to secure minority, women, persons with disabilities and veteran participation, or other information.

(3) The type and size of the project and its suitability to the single prime procurement method.

(4) Whether the project will comply with the underrepresented business and equal employment practices of the State, as established in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, Section 45-57 of this Code, and Section 2-105 of the Illinois Human Rights Act.

If the chief procurement officer finds that the Capital Development Board's written determination is insufficient, the Capital Development Board shall have the opportunity to cure its determination. Within 15 days of receiving approval from the chief procurement officer, the Capital Development Board shall provide an advisory copy of the written determination to the Procurement Policy Board and the Commission on Equity and Inclusion. The Capital Development Board must maintain the full record of determination for 5 years.

(a-5) Beginning on the effective date of this amendatory Act of the 102nd General Assembly and through December 31, 2025, for single prime projects in which a public institution of higher education is a construction agency awarding building construction contracts in excess of $250,000, separate specifications may be prepared for all equipment, labor, and materials in connection with the 5 subdivisions of work enumerated in subsection (a). Any public institution of higher education contract awarded for any part thereof may award 2 or more of the 5 subdivisions of work together or separately to responsible and reliable persons, firms, or corporations engaged in these classes of work if: (i) the public institution of higher education has submitted to the Procurement Policy Board and the Commission on Equity and Inclusion a written notice that includes the reasons for using the single prime method and an explanation of why the use of that method is in the best interest of the State and arranges to have the notice posted on the institution's online procurement webpage and its online procurement bulletin at least 3 business days following submission to the Procurement Policy Board and the Commission on Equity and Inclusion; (ii) the successful low bidder has prequalified with the public institution of higher education; (iii) the bid of the successful low bidder identifies the name of the subcontractor, if any, and the bid proposal costs for each of the 5 subdivisions of work set forth in subsection (a); (iv) the contract entered into with the successful bidder provides that no identified subcontractor may be terminated without the written consent of the public institution of higher education; and (v) the successful low bidder has prequalified with the University of Illinois or with the Capital Development Board.

For building construction projects with a total construction cost valued at $20,000,000 or less, public institutions of higher education shall not use the single prime delivery method for more than 50% of the total number of projects bid for each fiscal year. Projects with a total construction cost valued at $20,000,000 or more may be bid using the single prime delivery method at the discretion of the public institution of higher education. With respect to any construction project described in this subsection (a-5), the public institution of higher education shall: (i) specify in writing as a public record that the project shall comply with the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and the equal employment practices of Section 2-105 of the Illinois Human Rights Act; and (ii) report annually to the Governor, General Assembly, Procurement Policy Board, and Auditor General on the bidding, award, and performance of all single prime projects. On and after the effective date of this amendatory Act of the 102nd General Assembly, the public institution of higher education may award in each fiscal year single prime contracts with an aggregate total value of no more than $100,000,000. The Board of Trustees of the University of Illinois may award in each fiscal year single prime contracts with an aggregate total value of not more than $300,000,000.

(b) For public institutions of higher education, the ~~The~~ provisions of this subsection are operative on and after January 1, 2026. For building construction contracts in excess of $250,000, separate specifications

shall be prepared for all equipment, labor, and materials in connection with the following 5 subdivisions of the work to be performed:

(1) plumbing;

(2) heating, piping, refrigeration, and automatic temperature control systems, including the testing and balancing of those systems;

(3) ventilating and distribution systems for conditioned air, including the testing and balancing of those systems;

(4) electric wiring; and

(5) general contract work.

The specifications must be so drawn as to permit separate and independent bidding upon each of the 5 subdivisions of work. All contracts awarded for any part thereof shall award the 5 subdivisions of work separately to responsible and reliable persons, firms, or corporations engaged in these classes of work. The contracts, at the discretion of the construction agency, may be assigned to the successful bidder on the general contract work or to the successful bidder on the subdivision of work designated by the construction agency before the bidding as the prime subdivision of work, provided that all payments will be made directly to the contractors for the 5 subdivisions of work upon compliance with the conditions of the contract.

(Source: P.A. 101-369, eff. 12-15-19; 101-645, eff. 6-26-20; 102-671, eff. 11-30-21; 102-1119, eff. 1-23-23.)

(30 ILCS 500/33-5)

Sec. 33-5. Definitions. In this Article:

"Construction management services" includes:

(1) services provided in the planning and pre-construction phases of a construction project including, but not limited to, consulting with, advising, assisting, and making recommendations to the Board and architect, engineer, or licensed land surveyor on all aspects of planning for project construction; reviewing all plans and specifications as they are being developed and making recommendations with respect to construction feasibility, availability of material and labor, time requirements for procurement and construction, and projected costs; making, reviewing, and refining budget estimates based on the Board's program and other available information; making recommendations to the Board and the architect or engineer regarding the division of work in the plans and specifications to facilitate the bidding and awarding of contracts; soliciting the interest of capable contractors and taking bids on the project; analyzing the bids received; and preparing and maintaining a progress schedule during the design phase of the project and preparation of a proposed construction schedule; and

(2) services provided in the construction phase of the project including, but not limited to, maintaining competent supervisory staff to coordinate and provide general direction of the work and progress of the contractors on the project; directing the work as it is being performed for general conformance with working drawings and specifications; establishing procedures for coordinating among the Board, architect or engineer, contractors, and construction manager with respect to all aspects of the project and implementing those procedures; maintaining job site records and making appropriate progress reports; implementing labor policy in conformance with the requirements of the public owner; reviewing the safety and equal opportunity programs of each contractor for conformance with the public owner's policy and making recommendations; reviewing and processing all applications for payment by involved contractors and material suppliers in accordance with the terms of the contract; making recommendations and processing requests for changes in the work and maintaining records of change orders; scheduling and conducting job meetings to ensure orderly progress of the work; developing and monitoring a project progress schedule, coordinating and expediting the work of all contractors and providing periodic status reports to the owner and the architect or engineer; and establishing and maintaining a cost control system and conducting meetings to review costs.

"Construction manager" means any individual, sole proprietorship, firm, partnership, corporation, or other legal entity providing construction management services for the Board and prequalified by the State in accordance with 30 ILCS 500/33-10.

"Board" means the Capital Development Board or, to the extent that the services are to be procured by ~~for~~ a public institution of higher education, the public institution of higher education.

(Source: P.A. 102-1119, eff. 1-23-23.)

(30 ILCS 500/45-105)

Sec. 45-105. Bid preference for Illinois businesses.

(a) (Blank). ~~For the purposes of this Section:~~

~~"Illinois business" means a contractor that: (i) is headquartered in Illinois and providing, at the time that an invitation for a bid or notice of contract opportunity is first advertised, construction or construction-related professional services for Illinois-based projects; (ii) conducts meaningful day-to-day business operations at a facility in Illinois that is the place of employment for the majority of its regular, full-time workforce; (iii) holds all appropriate State licenses; and (iv) is subject to applicable State taxes. "Illinois business" does not include any subcontractors.~~

~~"Illinois based project" means an individual project of construction and other construction-related services for a construction agency that will result in the conduct of business within the State or the employment of individuals within the State.~~

(b) It is hereby declared to be the public policy of the State of Illinois to promote the economy of Illinois through the use of Illinois businesses for all State construction contracts.

(c) Construction agencies procuring construction and construction-related professional services shall make reasonable efforts to contract with Illinois businesses.

(d) Beginning in 2022, each construction agency shall submit a report to the Governor and the General Assembly by September 1 of each year that identifies the Illinois businesses procured by the construction agency, the primary location of the construction project, the percentage of the construction agency's utilization of Illinois businesses on the project as a whole, and the actions that the construction agency has undertaken to increase the use of Illinois businesses.

(e) In procuring construction and construction-related professional services for projects with a total value that exceeds the small purchase maximum established by Section 20-20 of this Code ~~with a total construction cost of more than $100,000~~, construction agencies shall provide a bid preference to a responsive and responsible bidder that is an Illinois business as defined in this Section. The construction agency shall allocate to the lowest bid by an Illinois business that is responsible and responsive ~~any responsible bidder that is an Illinois business~~ a bid preference of 4% of the contract base bid. This subsection applies only to projects where a business that is not an Illinois business submits a bid.

(f) This Section does not apply to any contract for any project for which federal funds are available for expenditure when its provisions may be in conflict with federal law or federal regulation.

(g) As used in this Section, "Illinois business" means a contractor that is operating and headquartered in Illinois and providing, at the time that an invitation for a bid or notice of contract opportunity is first advertised, construction or construction-related professional services, and is operating as:

(1) a sole proprietor whose primary residence is in Illinois;

(2) a business incorporated or organized as a domestic corporation under the Business Corporation Act of 1983;

(3) a business organized as a domestic partnership under the Uniform Partnership Act of 1997;

(4) a business organized as a domestic limited partnership under the Uniform Limited Partnership Act of 2001;

(5) a business organized under the Limited Liability Company Act; or

(6) a business organized under the Professional Limited Liability Company Act.

"Illinois business" does not include any subcontractors.

(Source: P.A. 102-721, eff. 1-1-23.)

ARTICLE 15. AWARD TO NOT-FOR-PROFIT AGENCY FOR PERSONS WITH SIGNIFICANT DISABILITIES

Section 15-5. The Governmental Joint Purchasing Act is amended by changing Section 4.05 as follows:

(30 ILCS 525/4.05)

Sec. 4.05. Other methods of joint purchases.

(a) It may be determined that it is impractical to obtain competition because ~~either~~ (i) there is only one economically-feasible source for the item, ~~or~~ (ii) there is a threat to public health or public safety~~,~~ or ~~when~~ immediate expenditure is necessary either to prevent or minimize serious disruption in critical State services that affect health, safety, or collection of substantial State revenues~~,~~ or to ensure the integrity of State records, or (iii) it is in the best interest of the State to award a contract to a qualified not-for-profit agency for persons with significant disabilities under Section 45-35 of the Illinois Procurement Code.

(b) When the State of Illinois is a party to the joint purchase agreement, the applicable chief procurement officer shall make a determination regarding ~~whether~~ (i) whether there is only one economically feasible source for the item, ~~or~~ (ii) whether ~~that~~ there exists a threat to public health or public safety or ~~that~~ immediate expenditure is necessary to prevent or minimize serious disruption in critical State services, or (iii) whether the contract is eligible to be awarded to a not-for-profit agency for persons with significant disabilities under Section 45-35 of the Illinois Procurement Code.

(c) When there is only one economically feasible source for the item, the chief procurement officer may authorize a sole economically-feasible source contract. When there exists a threat to public health or public safety or when immediate expenditure is necessary to prevent or minimize serious disruption in critical State services, the chief procurement officer may authorize an emergency procurement without competitive sealed bidding or competitive sealed proposals or prior notice. When an agency requests to award a contract to a not-for-profit agency for persons with significant disabilities under Section 45-35 of the Illinois Procurement Code, the chief procurement officer may authorize the award.

(d) All joint purchases made pursuant to this Section shall follow the same procedures for sole source contracts in the Illinois Procurement Code when the chief procurement officer determines there is only one economically-feasible source for the item. All joint purchases made pursuant to this Section shall follow the same procedures for emergency purchases in the Illinois Procurement Code when the chief procurement officer determines immediate expenditure is necessary to prevent or minimize serious disruption in critical State services that affect health, safety, or collection of substantial State revenues, or to ensure the integrity of State records. All joint purchases made under this Section shall follow the same procedures for not-for-profit agencies for persons with significant disabilities under Section 45-35 of the Illinois Procurement Code when the chief procurement officer determines that it is in the best interest of the State.

(e) Each chief procurement officer shall submit to the General Assembly by November 1 of each year a report of procurements made under this Section.

(Source: P.A. 100-43, eff. 8-9-17.)

ARTICLE 20. VETERANS PREFERENCES

Section 20-5. The Illinois Procurement Code is amended by changing Section 45-57 as follows:

(30 ILCS 500/45-57)

Sec. 45-57. Veterans.

(a) Set-aside goal. It is the goal of the State to promote and encourage the continued economic development of small businesses owned and controlled by qualified veterans and that qualified service-disabled veteran-owned small businesses (referred to as SDVOSB) and veteran-owned small businesses (referred to as VOSB) participate in the State's procurement process as both prime contractors and subcontractors. Not less than 3% of the total dollar amount of State contracts, as defined by the Commission on Equity and Inclusion, shall be established as a goal to be awarded to SDVOSB and VOSB. That portion of a contract under which the contractor subcontracts with a SDVOSB or VOSB may be counted toward the goal of this subsection. The Commission on Equity and Inclusion shall adopt rules to implement compliance with this subsection by all State agencies.

(b) Fiscal year reports. By each November 1, each chief procurement officer shall report to the Commission on Equity and Inclusion on all of the following for the immediately preceding fiscal year, and by each March 1 the Commission on Equity and Inclusion shall compile and report that information to the General Assembly:

(1) The total number of VOSB, and the number of SDVOSB, who submitted bids for contracts under this Code.

(2) The total number of VOSB, and the number of SDVOSB, who entered into contracts with the State under this Code and the total value of those contracts.

(b-5) The Commission on Equity and Inclusion shall submit an annual report to the Governor and the General Assembly that shall include the following:

(1) a year-by-year comparison of the number of certifications the State has issued to veteran-owned small businesses and service-disabled veteran-owned small businesses;

(2) the obstacles, if any, the Commission on Equity and Inclusion faces when certifying veteran-owned businesses and possible rules or changes to rules to address those issues;

(3) a year-by-year comparison of awarded contracts to certified veteran-owned small businesses and service-disabled veteran-owned small businesses; and

(4) any other information that the Commission on Equity and Inclusion deems necessary to assist veteran-owned small businesses and service-disabled veteran-owned small businesses to become certified with the State.

The Commission on Equity and Inclusion shall conduct a minimum of 2 outreach events per year to ensure that veteran-owned small businesses and service-disabled veteran-owned small businesses know about the procurement opportunities and certification requirements with the State. The Commission on Equity and Inclusion may receive appropriations for outreach.

(c) Yearly review and recommendations. Each year, each chief procurement officer shall review the progress of all State agencies under its jurisdiction in meeting the goal described in subsection (a), with input from statewide veterans' service organizations and from the business community, including businesses owned by qualified veterans, and shall make recommendations to be included in the Commission on Equity and Inclusion's report to the General Assembly regarding continuation, increases, or decreases of the percentage goal. The recommendations shall be based upon the number of businesses that are owned by qualified veterans and on the continued need to encourage and promote businesses owned by qualified veterans.

(d) Governor's recommendations. To assist the State in reaching the goal described in subsection (a), the Governor shall recommend to the General Assembly changes in programs to assist businesses owned by qualified veterans.

(e) Definitions. As used in this Section:

"Armed forces of the United States" means the United States Army, Navy, Air Force, Marine Corps, Coast Guard, or service in active duty as defined under 38 U.S.C. Section 101. Service in the Merchant Marine that constitutes active duty under Section 401 of federal Public Act 95-202 shall also be considered service in the armed forces for purposes of this Section.

"Certification" means a determination made by the Illinois Department of Veterans' Affairs and the Commission on Equity and Inclusion that a business entity is a qualified service-disabled veteran-owned small business or a qualified veteran-owned small business for whatever purpose. A SDVOSB or VOSB owned and controlled by women, minorities, or persons with disabilities, as those terms are defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, may also select and designate whether that business is to be certified as a "women-owned business", "minority-owned business", or "business owned by a person with a disability", as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act.

"Control" means the exclusive, ultimate, majority, or sole control of the business, including but not limited to capital investment and all other financial matters, property, acquisitions, contract negotiations, legal matters, officer-director-employee selection and comprehensive hiring, operation responsibilities, cost-control matters, income and dividend matters, financial transactions, and rights of other shareholders or joint partners. Control shall be real, substantial, and continuing, not pro forma. Control shall include the power to direct or cause the direction of the management and policies of the business and to make the day-to-day as well as major decisions in matters of policy, management, and operations. Control shall be exemplified by possessing the requisite knowledge and expertise to run the particular business, and control shall not include simple majority or absentee ownership.

"Qualified service-disabled veteran" means a veteran who has been found to have 10% or more service-connected disability by the United States Department of Veterans Affairs or the United States Department of Defense.

"Qualified service-disabled veteran-owned small business" or "SDVOSB" means a small business (i) that is at least 51% owned by one or more qualified service-disabled veterans living in Illinois or, in the case of a corporation, at least 51% of the stock of which is owned by one or more qualified service-disabled veterans living in Illinois; (ii) that has its home office in Illinois; and (iii) for which items (i) and (ii) are factually verified annually by the Commission on Equity and Inclusion.

"Qualified veteran-owned small business" or "VOSB" means a small business (i) that is at least 51% owned by one or more qualified veterans living in Illinois or, in the case of a corporation, at least 51% of the stock of which is owned by one or more qualified veterans living in Illinois; (ii) that has its home office in Illinois; and (iii) for which items (i) and (ii) are factually verified annually by the Commission on Equity and Inclusion.

"Service-connected disability" means a disability incurred in the line of duty in the active military, naval, or air service as described in 38 U.S.C. 101(16).

"Small business" means a business that has annual gross sales of less than $150,000,000 ~~$75,000,000~~ as evidenced by the federal income tax return of the business. A firm with gross sales in excess of this cap may apply to the Commission on Equity and Inclusion for certification for a particular contract if the firm can demonstrate that the contract would have significant impact on SDVOSB or VOSB as suppliers or subcontractors or in employment of veterans or service-disabled veterans.

"State agency" has the meaning provided in Section 1-15.100 of this Code.

"Time of hostilities with a foreign country" means any period of time in the past, present, or future during which a declaration of war by the United States Congress has been or is in effect or during which an emergency condition has been or is in effect that is recognized by the issuance of a Presidential proclamation or a Presidential executive order and in which the armed forces expeditionary medal or other campaign service medals are awarded according to Presidential executive order.

"Veteran" means a person who (i) has been a member of the armed forces of the United States or, while a citizen of the United States, was a member of the armed forces of allies of the United States in time of hostilities with a foreign country and (ii) has served under one or more of the following conditions: (a) the veteran served a total of at least 6 months; (b) the veteran served for the duration of hostilities regardless of the length of the engagement; (c) the veteran was discharged on the basis of hardship; or (d) the veteran was released from active duty because of a service connected disability and was discharged under honorable conditions.

(f) Certification program. The Illinois Department of Veterans' Affairs and the Commission on Equity and Inclusion shall work together to devise a certification procedure to assure that businesses taking advantage of this Section are legitimately classified as qualified service-disabled veteran-owned small businesses or qualified veteran-owned small businesses.

The Commission on Equity and Inclusion shall:

(1) compile and maintain a comprehensive list of certified veteran-owned small businesses and service-disabled veteran-owned small businesses;

(2) assist veteran-owned small businesses and service-disabled veteran-owned small businesses in complying with the procedures for bidding on State contracts;

(3) provide training for State agencies regarding the goal setting process and compliance with veteran-owned small business and service-disabled veteran-owned small business goals; and

(4) implement and maintain an electronic portal on the Commission on Equity and Inclusion's website for the purpose of completing and submitting veteran-owned small business and service-disabled veteran-owned small business certificates.

The Commission on Equity and Inclusion, in consultation with the Department of Veterans' Affairs, may develop programs and agreements to encourage cities, counties, towns, townships, and other certifying entities to adopt uniform certification procedures and certification recognition programs.

(f-5) A business shall be certified by the Commission on Equity and Inclusion as a service-disabled veteran-owned small business or a veteran-owned small business for purposes of this Section if the Commission on Equity and Inclusion determines that the business has been certified as a service-disabled veteran-owned small business or a veteran-owned small business by the Vets First Verification Program of the United States Department of Veterans Affairs, and the business has provided to the Commission on Equity and Inclusion the following:

(1) documentation showing certification as a service-disabled veteran-owned small business or a veteran-owned small business by the Vets First Verification Program of the United States Department of Veterans Affairs;

(2) proof that the business has its home office in Illinois; and

(3) proof that the qualified veterans or qualified service-disabled veterans live in the State of Illinois.

The policies of the Commission on Equity and Inclusion regarding recognition of the Vets First Verification Program of the United States Department of Veterans Affairs shall be reviewed annually by the Commission on Equity and Inclusion, and recognition of service-disabled veteran-owned small businesses and veteran-owned small businesses certified by the Vets First Verification Program of the United States Department of Veterans Affairs may be discontinued by the Commission on Equity and Inclusion by rule upon a finding that the certification standards of the Vets First Verification Program of the United States Department of Veterans Affairs do not meet the certification requirements established by the Commission on Equity and Inclusion.

(g) Penalties.

(1) Administrative penalties. The chief procurement officers appointed pursuant to Section 10-20 shall suspend any person who commits a violation of Section 17-10.3 or subsection (d) of Section 33E-6 of the Criminal Code of 2012 relating to this Section from bidding on, or participating as a contractor, subcontractor, or supplier in, any State contract or project for a period of not less than 3 years, and, if the person is certified as a service-disabled veteran-owned small business or a veteran-owned small business, then the Commission on Equity and Inclusion shall revoke the business's certification for a period of not less than 3 years. An additional or subsequent violation shall extend the periods of suspension and revocation for a period of not less than 5 years. The suspension and revocation shall apply to the principals of the business and any subsequent business formed or financed by, or affiliated with, those principals.

(2) Reports of violations. Each State agency shall report any alleged violation of Section 17-10.3 or subsection (d) of Section 33E-6 of the Criminal Code of 2012 relating to this Section to the chief procurement officers appointed pursuant to Section 10-20. The chief procurement officers appointed pursuant to Section 10-20 shall subsequently report all such alleged violations to the Attorney General, who shall determine whether to bring a civil action against any person for the violation.

(3) List of suspended persons. The chief procurement officers appointed pursuant to Section 10-20 shall monitor the status of all reported violations of Section 17-10.3 or subsection (d) of Section 33E-6 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to this Section and shall maintain and make available to all State agencies a central listing of all persons that committed violations resulting in suspension.

(4) Use of suspended persons. During the period of a person's suspension under paragraph (1) of this subsection, a State agency shall not enter into any contract with that person or with any contractor using the services of that person as a subcontractor.

(5) Duty to check list. Each State agency shall check the central listing provided by the chief procurement officers appointed pursuant to Section 10-20 under paragraph (3) of this subsection to verify that a person being awarded a contract by that State agency, or to be used as a subcontractor or supplier on a contract being awarded by that State agency, is not under suspension pursuant to paragraph (1) of this subsection.

(h) On and after the effective date of this amendatory Act of the 102nd General Assembly, all powers, duties, rights, and responsibilities of the Department of Central Management Services with respect to the requirements of this Section are transferred to the Commission on Equity and Inclusion.

All books, records, papers, documents, property (real and personal), contracts, causes of action, and pending business pertaining to the powers, duties, rights, and responsibilities transferred by this amendatory Act from the Department of Central Management Services to the Commission on Equity and Inclusion, including, but not limited to, material in electronic or magnetic format and necessary computer hardware and software, shall be transferred to the Commission on Equity and Inclusion.

The powers, duties, rights, and responsibilities transferred from the Department of Central Management Services by this amendatory Act shall be vested in and shall be exercised by the Commission on Equity and Inclusion.

Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person to or upon the Department of Central Management Services in connection with any of the powers, duties, rights, and responsibilities transferred by this amendatory Act, the same shall be made, given, furnished, or served in the same manner to or upon the Commission on Equity and Inclusion.

This amendatory Act of the 102nd General Assembly does not affect any act done, ratified, or canceled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil, or criminal cause by the Department of Central Management Services before this amendatory Act takes effect; such actions or proceedings may be prosecuted and continued by the Commission on Equity and Inclusion.

Any rules of the Department of Central Management Services that relate to its powers, duties, rights, and responsibilities under this Section and are in full force on the effective date of this amendatory Act of the 102nd General Assembly shall become the rules of the Commission on Equity and Inclusion. This amendatory Act does not affect the legality of any such rules in the Illinois Administrative Code. Any proposed rules filed with the Secretary of State by the Department of Central Management Services that are pending in the rulemaking process on the effective date of this amendatory Act and pertain to the powers, duties, rights, and responsibilities transferred, shall be deemed to have been filed by the Commission on

Equity and Inclusion. As soon as practicable hereafter, the Commission on Equity and Inclusion shall revise and clarify the rules transferred to it under this amendatory Act to reflect the reorganization of powers, duties, rights, and responsibilities affected by this amendatory Act, using the procedures for recodification of rules available under the Illinois Administrative Procedure Act, except that existing title, part, and section numbering for the affected rules may be retained. The Commission on Equity and Inclusion may propose and adopt under the Illinois Administrative Procedure Act such other rules of the Department of Central Management Services that will now be administered by the Commission on Equity and Inclusion.
(Source: P.A. 102-166, eff. 7-26-21; 102-671, eff. 11-30-21.)

ARTICLE 25. SMALL BUSINESS SET-ASIDE REPORTING

Section 25-5. The Illinois Procurement Code is amended by changing Section 45-45 as follows:
(30 ILCS 500/45-45)

Sec. 45-45. Small businesses.

(a) Set-asides. Each chief procurement officer has authority to designate as small business set-asides a fair proportion of construction, supply, and service contracts for award to small businesses in Illinois. Advertisements for bids or offers for those contracts shall specify designation as small business set-asides. In awarding the contracts, only bids or offers from qualified small businesses shall be considered.

(b) Small business. "Small business" means a business that is independently owned and operated and that is not dominant in its field of operation. The chief procurement officer shall establish a detailed definition by rule, using in addition to the foregoing criteria other criteria, including the number of employees and the dollar volume of business. When computing the size status of a potential contractor, annual sales and receipts of the potential contractor and all of its affiliates shall be included. The maximum number of employees and the maximum dollar volume that a small business may have under the rules promulgated by the chief procurement officer may vary from industry to industry to the extent necessary to reflect differing characteristics of those industries, subject to the following limitations:

(1) No wholesale business is a small business if its annual sales for its most recently completed fiscal year exceed $13,000,000.

(2) No retail business or business selling services is a small business if its annual sales and receipts exceed $8,000,000.

(3) No manufacturing business is a small business if it employs more than 250 persons.

(4) No construction business is a small business if its annual sales and receipts exceed $14,000,000.

(c) Fair proportion. For the purpose of subsection (a), for State agencies of the executive branch, a fair proportion of construction contracts shall be no less than 25% nor more than 40% of the annual total contracts for construction.

(d) Withdrawal of designation. A small business set-aside designation may be withdrawn by the purchasing agency when deemed in the best interests of the State. Upon withdrawal, all bids or offers shall be rejected, and the bidders or offerors shall be notified of the reason for rejection. The contract shall then be awarded in accordance with this Code without the designation of small business set-aside. Each chief procurement officer shall make the annual report available on his or her official website. Each chief procurement officer shall also issue a press release in conjunction with the small business annual report that includes an executive summary of the annual report and a link to the annual report on the chief procurement officer's website.

(e) Small business specialist. Each chief procurement officer shall designate one or more individuals to serve as its small business specialist. The small business specialists shall collectively work together to accomplish the following duties:

(1) Compiling and maintaining a comprehensive list of potential small contractors. In this duty, he or she shall cooperate with the Federal Small Business Administration in locating potential sources for various products and services.

(2) Assisting small businesses in complying with the procedures for bidding on State contracts.

(3) Examining requests from State agencies for the purchase of property or services to help determine which invitations to bid are to be designated small business set-asides.

(4) Making recommendations to the chief procurement officer for the simplification of specifications and terms in order to increase the opportunities for small business participation.

(5) Assisting in investigations by purchasing agencies to determine the responsibility of bidders or offerors on small business set-asides.

(f) Small business annual report. Each small business specialist designated under subsection (e) shall annually before November 1 report in writing to the General Assembly concerning the awarding of contracts to small businesses. The report shall include the total value of awards made in the preceding fiscal year under the designation of small business set-aside. The report shall also include the total value of awards made to businesses owned by minorities, women, and persons with disabilities, as defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, in the preceding fiscal year under the designation of small business set-aside.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report as required by Section 3.1 of the General Assembly Organization Act.

(Source: P.A. 100-43, eff. 8-9-17; 100-391, eff. 8-25-17; 100-863, eff. 8-14-18.)

Section 25-10. The Business Enterprise for Minorities, Women, and Persons with Disabilities Act is amended by changing Section 8f as follows:

(30 ILCS 575/8f)

(Section scheduled to be repealed on June 30, 2024)

Sec. 8f. Annual report. The Council shall file no later than March 1 of each year, an annual report that shall detail the level of achievement toward the goals specified in this Act over the 3 most recent fiscal years. The annual report shall include, but need not be limited to the following:

(1) a summary detailing expenditures subject to the goals, the actual goals specified, and the goals attained by each State agency and public institution of higher education;

(2) a summary of the number of contracts awarded and the average contract amount by each State agency and public institution of higher education;

(3) an analysis of the level of overall goal achievement concerning purchases from minority-owned businesses, women-owned businesses, and businesses owned by persons with disabilities;

(4) an analysis of the number of businesses owned by minorities, women, and persons with disabilities that are certified under the program as well as the number of those businesses that received State procurement contracts; and

(5) a summary of the number of contracts awarded to businesses with annual gross sales of less than $1,000,000; of $1,000,000 or more, but less than $5,000,000; of $5,000,000 or more, but less than $10,000,000; and of $10,000,000 or more.

The Council shall make the annual report available on its official website. The Council shall also issue a press release in conjunction with the annual report that includes an executive summary of the annual report and a link to the annual report on its official website.

(Source: P.A. 99-462, eff. 8-25-15; 100-391, eff. 8-25-17.)

ARTICLE 35. CMS FACILITY LEASES

Section 35-5. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Section 405-300 as follows:

(20 ILCS 405/405-300) (was 20 ILCS 405/67.02)

Sec. 405-300. Lease or purchase of facilities; training programs.

(a) To lease or purchase office and storage space, buildings, land, and other facilities for all State agencies, authorities, boards, commissions, departments, institutions, and bodies politic and all other administrative units or outgrowths of the executive branch of State government except the Constitutional officers, the State Board of Education and the State colleges and universities and their governing bodies. However, before leasing or purchasing any office or storage space, buildings, land or other facilities in any municipality the Department shall survey the existing State-owned and State-leased property to make a determination of need.

The leases shall be for a term not to exceed 5 years, except that the leases may contain a renewal clause subject to acceptance by the State after that date or an option to purchase. The purchases shall be made through contracts that (i) may provide for the title to the property to transfer immediately to the State or a trustee or nominee for the benefit of the State, (ii) shall provide for the consideration to be paid in installments to be made at stated intervals during a certain term not to exceed 30 years from the date of the

contract, and (iii) may provide for the payment of interest on the unpaid balance at a rate that does not exceed a rate determined by adding 3 percentage points to the annual yield on United States Treasury obligations of comparable maturity as most recently published in the Wall Street Journal at the time such contract is signed. The leases and purchase contracts shall be and shall recite that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to pay the rent or purchase installments payable under the terms of the lease or purchase contract. Additionally, the purchase contract shall specify that title to the office and storage space, buildings, land, and other facilities being acquired under the contract shall revert to the Seller in the event of the failure of the General Assembly to appropriate suitable funds. However, this limitation on the term of the leases does not apply to leases to and with the Illinois Building Authority, as provided for in the Building Authority Act. Leases to and with that Authority may be entered into for a term not to exceed 30 years and shall be and shall recite that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to pay the rent payable under the terms of the lease. These limitations do not apply if the lease or purchase contract contains a provision limiting the liability for the payment of the rentals or installments thereof solely to funds received from the Federal government.

(b) To lease from an airport authority office, aircraft hangar, and service buildings constructed upon a public airport under the Airport Authorities Act for the use and occupancy of the State Department of Transportation. The lease may be entered into for a term not to exceed 30 years.

(c) To establish training programs for teaching State leasing procedures and practices to new employees of the Department and to keep all employees of the Department informed about current leasing practices and developments in the real estate industry.

(d) To enter into an agreement with a municipality or county to construct, remodel, or convert a structure for the purposes of its serving as a correctional institution or facility pursuant to paragraph (c) of Section 3-2-2 of the Unified Code of Corrections.

(e) To enter into an agreement with a private individual, trust, partnership, or corporation or a municipality or other unit of local government, when authorized to do so by the Department of Corrections, whereby that individual, trust, partnership, or corporation or municipality or other unit of local government will construct, remodel, or convert a structure for the purposes of its serving as a correctional institution or facility and then lease the structure to the Department for the use of the Department of Corrections. A lease entered into pursuant to the authority granted in this subsection shall be for a term not to exceed 30 years but may grant to the State the option to purchase the structure outright.

The leases shall be and shall recite that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to pay the rent payable under the terms of the lease.

(f) On and after September 17, 1983, the powers granted to the Department under this Section shall be exercised exclusively by the Department, and no other State agency may concurrently exercise any such power unless specifically authorized otherwise by a later enacted law. This subsection is not intended to impair any contract existing as of September 17, 1983.

~~However, no lease for more than 10,000 square feet of space shall be executed unless the Director, in consultation with the Executive Director of the Capital Development Board, has certified that leasing is in the best interest of the State, considering programmatic requirements, availability of vacant State-owned space, the cost benefits of purchasing or constructing new space, and other criteria as he or she shall determine. The Director shall not permit multiple leases for less than 10,000 square feet to be executed in order to evade this provision.~~

(g) To develop and implement, in cooperation with the Interagency Energy Conservation Committee, a system for evaluating energy consumption in facilities leased by the Department, and to develop energy consumption standards for use in evaluating prospective lease sites.

(h) (1) After June 1, 1998 (the effective date of Public Act 90-520), the Department shall not enter into an agreement for the installment purchase or lease purchase of buildings, land, or facilities unless:

(A) the using agency certifies to the Department that the agency reasonably expects that the building, land, or facilities being considered for purchase will meet a permanent space need;

(B) the building or facilities will be substantially occupied by State agencies after purchase (or after acceptance in the case of a build to suit);

(C) the building or facilities shall be in new or like new condition and have a remaining economic life exceeding the term of the contract;

(D) no structural or other major building component or system has a remaining economic life of less than 10 years;

(E) the building, land, or facilities:

(i) is free of any identifiable environmental hazard or

(ii) is subject to a management plan, provided by the seller and acceptable to the State, to address the known environmental hazard;

(F) the building, land, or facilities satisfy applicable accessibility and applicable building codes; and

(G) the State's cost to lease purchase or installment purchase the building, land, or facilities is less than the cost to lease space of comparable quality, size, and location over the lease purchase or installment purchase term.

(2) The Department shall establish the methodology for comparing lease costs to the costs of installment or lease purchases. The cost comparison shall take into account all relevant cost factors, including, but not limited to, debt service, operating and maintenance costs, insurance and risk costs, real estate taxes, reserves for replacement and repairs, security costs, and utilities. The methodology shall also provide:

(A) that the comparison will be made using level payment plans; and

(B) that a purchase price must not exceed the fair market value of the buildings, land, or facilities and that the purchase price must be substantiated by an appraisal or by a competitive selection process.

(3) If the Department intends to enter into an installment purchase or lease purchase agreement for buildings, land, or facilities under circumstances that do not satisfy the conditions specified by this Section, it must issue a notice to the Secretary of the Senate and the Clerk of the House. The notice shall contain (i) specific details of the State's proposed purchase, including the amounts, purposes, and financing terms; (ii) a specific description of how the proposed purchase varies from the procedures set forth in this Section; and (iii) a specific justification, signed by the Director, stating why it is in the State's best interests to proceed with the purchase. The Department may not proceed with such an installment purchase or lease purchase agreement if, within 60 calendar days after delivery of the notice, the General Assembly, by joint resolution, disapproves the transaction. Delivery may take place on a day and at an hour when the Senate and House are not in session so long as the offices of Secretary and Clerk are open to receive the notice. In determining the 60-day period within which the General Assembly must act, the day on which delivery is made to the Senate and House shall not be counted. If delivery of the notice to the 2 houses occurs on different days, the 60-day period shall begin on the day following the later delivery.

(4) On or before February 15 of each year, the Department shall submit an annual report to the Director of the Governor's Office of Management and Budget and the General Assembly regarding installment purchases or lease purchases of buildings, land, or facilities that were entered into during the preceding calendar year. The report shall include a summary statement of the aggregate amount of the State's obligations under those purchases; specific details pertaining to each purchase, including the amounts, purposes, and financing terms and payment schedule for each purchase; and any other matter that the Department deems advisable. The report shall also contain an analysis of all leases that meet both of the following criteria: (1) the lease contains a purchase option clause; and (2) the third full year of the lease has been completed. That analysis shall include, without limitation, a recommendation of whether it is in the State's best interest to exercise the purchase option or to seek to renew the lease without exercising the clause.

The requirement for reporting shall be satisfied by filing copies of the report with each of the following: (1) the Auditor General; (2) the Chairs of the Appropriations Committees; (3) the General Assembly and the Commission on Government Forecasting and Accountability as required by Section 3.1 of the General Assembly Organizations Act; and (4) the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

(Source: P.A. 99-143, eff. 7-27-15; 100-1109, eff. 1-1-19; 100-1148, eff. 12-10-18.)

ARTICLE 40. DISABILITY-SERVICE ORGANIZATIONS

Section 40-5. The Illinois Procurement Code is amended by changing Section 45-35 as follows:

(30 ILCS 500/45-35)

Sec. 45-35. Not-for-profit agencies for persons with significant disabilities.

(a) Qualification. Supplies and services may be procured without advertising or calling for bids from any qualified not-for-profit agency for persons with significant disabilities that:

(1) complies with Illinois laws governing private not-for-profit organizations;

(2) provides for payment of a wage for contractual services under this Section that is no less than the applicable local or Illinois minimum wage, whichever is higher, for all employees performing work on the contract, including subcontractors performing work on the contract; ~~is certified as a work center by the Wage and Hour Division of the United States Department of Labor or is an accredited vocational program that provides transition services to youth between the ages of 14 1/2 and 22 in accordance with individualized education plans under Section 14-8.03 of the School Code and that provides residential services at a child care institution, as defined under Section 2.06 of the Child Care Act of 1969, or at a group home, as defined under Section 2.16 of the Child Care Act of 1969;~~ and

(3) is (A) a disability-serving organization that is accredited by a nationally-recognized accrediting organization or licensed by the Department of Human Services or (B) a Center for Independent Living. ~~certified as a developmental training provider by the Department of Human Services.~~

(b) Participation. To participate, the not-for-profit agency must have indicated an interest in providing the supplies and services, must meet the specifications and needs of the using agency, and must set a fair and reasonable price.

(c) Committee. There is created within the Department of Central Management Services a committee to facilitate the purchase of products and services from not-for-profit agencies that provide employment opportunities to persons with physical disabilities, intellectual or developmental disabilities, mental illnesses, or any combination thereof. This committee is called the State Use Committee. The State Use Committee shall consist of the Director of the Department of Central Management Services or his or her designee, the Secretary of the Department of Human Services or his or her designee, the Director of Commerce and Economic Opportunity or his or her designee, one public member representing private business who is knowledgeable of the employment needs and concerns of persons with developmental disabilities, one public member representing private business who is knowledgeable of the needs and concerns of rehabilitation facilities, one public member who is knowledgeable of the employment needs and concerns of persons with developmental disabilities, one public member who is knowledgeable of the needs and concerns of rehabilitation facilities, 2 members who have a disability, 2 public members from a statewide association that represents community-based rehabilitation facilities serving or supporting individuals with intellectual or developmental disabilities, and one public member from a disability-focused statewide advocacy group, all appointed by the Governor. The public members shall serve 2 year terms, commencing upon appointment and every 2 years thereafter. A public member may be reappointed, and vacancies shall be filled by appointment for the completion of the term. In the event there is a vacancy on the State Use Committee, the Governor must make an appointment to fill that vacancy within 30 calendar days after the notice of vacancy. The members shall serve without compensation but shall be reimbursed for expenses at a rate equal to that of State employees on a per diem basis by the Department of Central Management Services. All members shall be entitled to vote on issues before the State Use Committee.

The State Use Committee shall have the following powers and duties:

(1) To request from any State agency information as to product specification and service requirements in order to carry out its purpose.

(2) To meet quarterly or more often as necessary to carry out its purposes.

(3) To request a quarterly report from each participating qualified not-for-profit agency for persons with significant disabilities describing the volume of sales for each product or service sold under this Section.

(4) To prepare a report for the Governor and General Assembly no later than December 31 of each year. The requirement for reporting to the General Assembly shall be satisfied by following the procedures set forth in Section 3.1 of the General Assembly Organization Act.

(5) To prepare a publication that lists all supplies and services currently available from any qualified not-for-profit agency for persons with significant disabilities. This list and any revisions shall be distributed to all purchasing agencies.

(6) To encourage diversity in supplies and services provided by qualified not-for-profit agencies for persons with significant disabilities and discourage unnecessary duplication or competition among not-for-profit agencies.

(7) To develop guidelines to be followed by qualifying agencies for participation under the provisions of this Section. Guidelines shall include a list of national accrediting organizations which satisfy the requirements of item (3) of subsection (a) of this Section. The guidelines shall be developed within 6 months after the effective date of this Code and made available on a nondiscriminatory basis to all qualifying agencies. The new guidelines required under this item (7) by Public Act 100-203 shall be developed within 6 months after August 18, 2017 (the effective date of Public Act 100-203) and made available on a non-discriminatory basis to all qualifying not-for-profit agencies.

(8) To review all pricing submitted under the provisions of this Section and may approve a proposed agreement for supplies or services where the price submitted is fair and reasonable. Review of pricing under this paragraph may include, but is not limited to:

(A) Amounts private businesses would pay for similar products or services.

(B) Amounts the federal government would pay contractors for similar products or services.

(C) The amount paid by the State for similar products or services.

(D) The actual cost of manufacturing the product or performing a service at a community rehabilitation program offering employment services on or off premises to persons with disabilities or mental illnesses, with adequate consideration given to legal and moral imperatives to pay workers with disabilities equitable wages.

(E) The usual, customary, and reasonable costs of manufacturing, marketing, and distribution.

(9) To, not less than every 3 years, adopt a strategic plan for increasing the number of products and services purchased from qualified not-for-profit agencies for persons with disabilities or mental illnesses, including the feasibility of developing mandatory set-aside contracts.

(c-5) Conditions for Use. Each chief procurement officer shall, in consultation with the State Use Committee, determine which articles, materials, services, food stuffs, and supplies that are produced, manufactured, or provided by persons with significant disabilities in qualified not-for-profit agencies shall be given preference by purchasing agencies procuring those items.

(d) (Blank).

(e) Subcontracts. Subcontracts shall be permitted for agreements authorized under this Section. For the purposes of this subsection (e), "subcontract" means any acquisition from another source of supplies, not including raw materials, or services required by a qualified not-for-profit agency to provide the supplies or services that are the subject of the contract between the State and the qualified not-for-profit agency.

The State Use Committee shall develop guidelines to be followed by qualified not-for-profit agencies when seeking and establishing subcontracts with other persons or not-for-profit agencies in order to fulfill State contract requirements. These guidelines shall include the following:

(i) The State Use Committee must approve all subcontracts and substantive amendments to subcontracts prior to execution or amendment of the subcontract.

(ii) A qualified not-for-profit agency shall not enter into a subcontract, or any combination of subcontracts, to fulfill an entire requirement, contract, or order without written State Use Committee approval.

(iii) A qualified not-for-profit agency shall make reasonable efforts to utilize subcontracts with other not-for-profit agencies for persons with significant disabilities.

(iv) For any subcontract not currently performed by a qualified not-for-profit agency, the primary qualified not-for-profit agency must provide to the State Use Committee the following: (A) a written explanation as to why the subcontract is not performed by a qualified not-for-profit agency, and (B) a written plan to transfer the subcontract to a qualified not-for-profit agency, as reasonable.

(Source: P.A. 102-343, eff. 8-13-21; 102-558, eff. 8-20-21.)

ARTICLE 45. REIMAGINING HOTEL FLORENCE ACT

Section 45-1. Short title. This Act may be cited as the Reimagining Hotel Florence Act. References in this Article to "this Act" mean this Article.

Section 45-5. Legislative intent. Originally built in 1881, the Hotel Florence is located within the Pullman Historic District and was placed on the National Register of Historic Places in 1969 and was designated a National Historic Landmark on December 30, 1970. To save it from demolition the Historic Pullman Foundation purchased the hotel in 1975 and maintained ownership until 1991 when the State of Illinois took title of the building. The Hotel Florence is continually closed for renovations and is a semi-closed public space.

The hotel sits next to the Pullman National Historic Landmark District, which was designated as a National Monument in 2015 and recently redesignated as Illinois's first National Park on December 29, 2022 and is operated by the U.S. National Park Service. This redesignation allows for the National Park Service to enter into cooperative agreements with outside parties for interpretive and educational programs at nonfederal historic properties within the boundaries of the park and to provide assistance for the preservation of nonfederal land within the boundaries of the historical park and at sites in close proximity to it, which may include the Hotel Florence.

The General Assembly has allocated $21,000,000 in capital infrastructure funds to aid in the redevelopment of the Hotel Florence.

The General Assembly finds that allowing for the Department of Natural Resources to enter into a public-private partnership that will allow the Hotel Florence to become a fully reactivated space in a timely manner that is in the public benefit of the State and the local Pullman community.

Section 45-10. Definitions. In this Act:

"Agreement" means a public-private agreement.

"Contractor" means a person that has been selected to enter or has entered into a public-private agreement with the Department on behalf of the State for the development, financing, construction, management, or operation of the Hotel Florence pursuant to this Act.

"Department" means the Department of Natural Resources.

"Hotel Florence" means real property in City of Chicago located within the Pullman Historic District that is owned by the Illinois Department of Natural Resources and was acquired in 1991, at the address of 11111 S. Forrestville Avenue, Chicago, Illinois, as well as the adjacent Hotel Florence Annex building located at 537 East 111th Street, Chicago, Illinois 60628 and any associated grounds connected to either property.

"Maintain" or "maintenance" includes ordinary maintenance, repair, rehabilitation, capital maintenance, maintenance replacement, and any other categories of maintenance that may be designated by the Department.

"Offeror" means a person that responds to a request for proposals under this Act.

"Operate" or "operation" means to do one or more of the following: maintain, improve, equip, modify, or otherwise operate.

"Person" means any individual, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, or any other legal entity, group, or combination thereof.

"Public-private agreement" means an agreement or contract between the Department on behalf of the State and all schedules, exhibits, and attachments thereto, entered into pursuant to a competitive request for proposals process governed by this Act, for the development, financing, construction, management, or operation of the Hotel Florence under this Act.

"Revenues" means all revenues, including, but not limited to, income, user fees, earnings, interest, lease payments, allocations, moneys from the federal government, the State, and units of local government, including, but not limited to, federal, State, and local appropriations, grants, loans, lines of credit, and credit guarantees; bond proceeds; equity investments; service payments; or other receipts arising out of or in connection with the financing, development, construction, management, or operation of the Hotel Florence.

"State" means the State of Illinois.

Section 45-15. Authority to enter public-private agreement.

(a) Notwithstanding any provision of law to the contrary, the Department on behalf of the State may, pursuant to a competitive request for proposals process governed by the Illinois Procurement Code, rules adopted under that Code, and this Act, enter into a public-private agreement to develop, finance, construct, lease, manage, or operate the Hotel Florence on behalf of the State, pursuant to which the contractors may

receive certain revenues, including management or user fees in consideration of the payment of moneys to the State for that right.

(b) The term of a public-private agreement shall be no less than 25 years and no more than 75 years.

(c) The term of a public-private agreement may be extended, but only if the extension is specifically authorized by the General Assembly by law.

Section 45-20. Procurement; prequalification. The Department may establish a process for prequalification of offerors. If the Department does create such a process, it shall:

(1) provide a public notice of the prequalification at least 30 days prior to the date on which applications are due;

(2) set forth requirements and evaluation criteria in order to become prequalified;

(3) determine which offerors that have submitted prequalification applications, if any, meet the requirements and evaluation criteria; and

(4) allow only those offerors that have been prequalified to respond to the request for proposals.

Section 45-25. Request for proposals process to enter into public-private agreement.

(a) Notwithstanding any provision of law to the contrary, the Department on behalf of the State shall select a contractor through a competitive request for proposals process governed by the Illinois Procurement Code and rules adopted under that Code and this Act.

(b) The competitive request for proposals process shall, at a minimum, solicit statements of qualification and proposals from offerors.

(c) The competitive request for proposals process shall, at a minimum, take into account the following criteria:

(1) the offeror's plans for the Hotel Florence project;

(2) the offeror's current and past business practices;

(3) the offeror's poor or inadequate past performance in developing, financing, constructing, managing, or operating historic landmark properties or other public assets;

(4) the offeror's ability to meet and past performance in meeting or exhausting good faith efforts to meet the utilization goals for business enterprises established in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act;

(5) the offeror's ability to comply with and past performance in complying with Section 2-105 of the Illinois Human Rights Act; and

(6) the offeror's plans to comply with the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and Section 2-105 of the Illinois Human Rights Act.

(d) The Department shall not include terms in the request for proposals that provide an advantage, whether directly or indirectly, to any contractor presently providing goods, services, or equipment to the Department.

(e) The Department shall select one or more offerors as finalists.

(f) After the procedures required in this Section have been completed, the Department shall make a determination as to whether the offeror should be designated as the contractor for the Hotel Florence project and shall submit the decision to the Governor and to the Governor's Office of Management and Budget. After review of the Department's determination, the Governor may accept or reject the determination. If the Governor accepts the determination of the Department, the Governor shall designate the offeror for the Hotel Florence project.

Section 45-30. Provisions of the public-private agreement.

(a) The public-private agreement shall include all of the following:

(1) the term of the public-private agreement that is consistent with Section 45-40;

(2) the powers, duties, responsibilities, obligations, and functions of the Department and the contractor;

(3) compensation or payments to the Department, if applicable;

(4) compensation or payments to the contractor, if applicable;

(5) a provision specifying that the Department:

(A) has ready access to information regarding the contractor's powers, duties, responsibilities, obligations, and functions under the public-private agreement;

(B) has the right to demand and receive information from the contractor concerning any aspect of the contractor's powers, duties, responsibilities, obligations, and functions under the public-private agreement; and

(C) has the authority to direct or countermand decisions by the contractor at any time;

(6) a provision imposing an affirmative duty on the contractor to provide the Department with any information the contractor reasonably believes the Department would want to know or would need to know to enable the Department to exercise its powers, carry out its duties, responsibilities, and obligations, and perform its functions under this Act or the public-private agreement or as otherwise required by law;

(7) the authority of the Department to enter into contracts with third parties pursuant to Section 45-40;

(8) the authority of the Department to request that the contractor reimburse the Department for third party consultants related to the monitoring the project;

(9) a provision governing the contractor's authority to negotiate and execute subcontracts with third parties;

(10) the authority of the contractor to impose user fees and the amounts of those fees;

(11) a provision governing the deposit and allocation of revenues including user fees;

(12) a provision governing rights to real and personal property of the State, the Department, the contractor, and other third parties;

(13) grounds for termination of the agreement by the Department or the contractor and a restatement of the Department's rights under this Act;

(14) a requirement that the contractor enter into a project labor agreement;

(15) a provision stating that construction contractors shall comply with the requirements of Section 30-22 of the Illinois Procurement Code;

(16) rights and remedies of the Department if the contractor defaults or otherwise fails to comply with the terms of the agreement;

(17) procedures for amendment to the agreement; and

(18) all other terms, conditions, and provisions acceptable to the Department that the Department deems necessary and proper and in the public interest.

Section 45-35. Time limitations. The Department shall issue a request for proposals within 6 months after the effective date of this Act. The Department shall have 6 months from the date of issuance of the request for proposals to select a contractor.

Section 45-40. Term of agreement; reversion of property to the Department.

(a) The Department may terminate the contractor's authority and duties under the public-private agreement on the date set forth in the public-private agreement.

(b) Upon termination of the public-private agreement, the authority and duties of the contractor under this Act cease, except for those duties and obligations that extend beyond the termination, as set forth in the public-private agreement, and all interests in the Hotel Florence shall revert to the Department.

Section 45-45. Prohibited local action; home rule. A unit of local government, including a home rule unit, may not take any action that would have the effect of impairing the public-private agreement under this Act. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

Section 45-50. Powers liberally construed. The powers conferred by this Act shall be liberally construed in order to accomplish their purposes and shall be in addition and supplemental to the powers conferred by any other law. If any other law or rule is inconsistent with this Act, this Act is controlling as to any public-private agreement entered into under this Act.

Section 45-55. Full and complete authority. This Act contains full and complete authority for agreements and leases with private entities to carry out the activities described in this Act. Except as otherwise required by law, no procedure, proceedings, publications, notices, consents, approvals, orders, or acts by the Department or any other State or local agency or official are required to enter into an agreement or lease.

ARTICLE 50. DURATION OF CONTRACTS

Section 50-5. The Illinois Procurement Code is amended by changing Section 20-60 as follows:
(30 ILCS 500/20-60)

Sec. 20-60. Duration of contracts.

(a) Maximum duration. A contract may be entered into for any period of time deemed to be in the best interests of the State but not exceeding 10 years inclusive, beginning January 1, 2010, of proposed contract renewals; provided, however, in connection with the issuance of certificates of participation or bonds, the governing board of a public institution of higher education may enter into contracts in excess of 10 years but not to exceed 30 years for the purpose of financing or refinancing real or personal property. Third parties may lease State-owned dark fiber networks for any period of time deemed to be in the best interest of the State, but not exceeding 20 years. The length of a lease for real property or capital improvements shall be in accordance with the provisions of Section 40-25. The length of energy conservation program contracts or energy savings contracts or leases shall be in accordance with the provisions of Section 25-45. A contract for bond or mortgage insurance awarded by the Illinois Housing Development Authority, however, may be entered into for any period of time less than or equal to the maximum period of time that the subject bond or mortgage may remain outstanding.

(b) Subject to appropriation. All contracts made or entered into shall recite that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to make payments under the terms of the contract.

(c) The chief procurement officer shall file a proposed extension or renewal of a contract with the Procurement Policy Board and the Commission on Equity and Inclusion prior to entering into any extension or renewal if the cost associated with the extension or renewal exceeds $249,999. The Procurement Policy Board or the Commission on Equity and Inclusion may object to the proposed extension or renewal within 14 calendar days and require a hearing before the Board or the Commission on Equity and Inclusion prior to entering into the extension or renewal. If the Procurement Policy Board or the Commission on Equity and Inclusion does not object within 14 calendar days or takes affirmative action to recommend the extension or renewal, the chief procurement officer may enter into the extension or renewal of a contract. This subsection does not apply to any emergency procurement, any procurement under Article 40, or any procurement exempted by Section 1-10(b) of this Code. If any State agency contract is paid for in whole or in part with federal-aid funds, grants, or loans and the provisions of this subsection would result in the loss of those federal-aid funds, grants, or loans, then the contract is exempt from the provisions of this subsection in order to remain eligible for those federal-aid funds, grants, or loans, and the State agency shall file notice of this exemption with the Procurement Policy Board or the Commission on Equity and Inclusion prior to entering into the proposed extension or renewal. Nothing in this subsection permits a chief procurement officer to enter into an extension or renewal in violation of subsection (a). By August 1 each year, the Procurement Policy Board and the Commission on Equity and Inclusion shall each file a report with the General Assembly identifying for the previous fiscal year (i) the proposed extensions or renewals that were filed and whether such extensions and renewals were objected to and (ii) the contracts exempt from this subsection.

(d) Notwithstanding the provisions of subsection (a) of this Section, the Department of Innovation and Technology may enter into leases for dark fiber networks for any period of time deemed to be in the best interests of the State but not exceeding 20 years inclusive. The Department of Innovation and Technology may lease dark fiber networks from third parties only for the primary purpose of providing services (i) to the offices of Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, or Treasurer and State agencies, as defined under Section 5-15 of the Civil Administrative Code of Illinois or (ii) for anchor institutions, as defined in Section 7 of the Illinois Century Network Act. Dark fiber network lease contracts shall be subject to all other provisions of this Code and any applicable rules or requirements, including, but not limited to, publication of lease solicitations, use of standard State contracting terms and conditions, and approval of vendor certifications and financial disclosures.

(e) As used in this Section, "dark fiber network" means a network of fiber optic cables laid but currently unused by a third party that the third party is leasing for use as network infrastructure.

(f) No vendor shall be eligible for renewal of a contract when that vendor has failed to meet the goals agreed to in the vendor's utilization plan, as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, unless the State agency or public institution of higher education has determined that the vendor made good faith efforts toward meeting the contract goals. If the State

agency or public institution of higher education determines that the vendor made good faith efforts, the agency or public institution of higher education may issue a waiver after concurrence by the chief procurement officer, which shall not be unreasonably withheld or impair a State agency determination to execute the renewal. The form and content of the waiver shall be prescribed by each chief procurement officer, but shall not impair a State agency or public institution of higher education determination to execute the renewal. The chief procurement officer shall post the completed form on his or her official website within 5 business days after receipt from the State agency or public institution of higher education. The chief procurement officer shall maintain on his or her official website a database of waivers granted under this Section with respect to contracts under his or her jurisdiction. The database shall be updated periodically and shall be searchable by contractor name and by contracting State agency or public institution of higher education.

(Source: P.A. 101-81, eff. 7-12-19; 101-657, Article 5, Section 5-5, eff. 7-1-21 (See Section 25 of P.A. 102-29 for effective date of P.A. 101-657, Article 5, Section 5-5); 101-657, Article 40, Section 40-125, eff. 1-1-22; 102-29, eff. 6-25-21; 102-721, eff. 1-1-23.)

ARTICLE 55. PUBLIC EDUCATION PROGRAMMING

Section 55-5. The Illinois Procurement Code is amended by changing Section 1-10 as follows:

(30 ILCS 500/1-10)

Sec. 1-10. Application.

(a) This Code applies only to procurements for which bidders, offerors, potential contractors, or contractors were first solicited on or after July 1, 1998. This Code shall not be construed to affect or impair any contract, or any provision of a contract, entered into based on a solicitation prior to the implementation date of this Code as described in Article 99, including, but not limited to, any covenant entered into with respect to any revenue bonds or similar instruments. All procurements for which contracts are solicited between the effective date of Articles 50 and 99 and July 1, 1998 shall be substantially in accordance with this Code and its intent.

(b) This Code shall apply regardless of the source of the funds with which the contracts are paid, including federal assistance moneys. This Code shall not apply to:

(1) Contracts between the State and its political subdivisions or other governments, or between State governmental bodies, except as specifically provided in this Code.

(2) Grants, except for the filing requirements of Section 20-80.

(3) Purchase of care, except as provided in Section 5-30.6 of the Illinois Public Aid Code and this Section.

(4) Hiring of an individual as an employee and not as an independent contractor, whether pursuant to an employment code or policy or by contract directly with that individual.

(5) Collective bargaining contracts.

(6) Purchase of real estate, except that notice of this type of contract with a value of more than $25,000 must be published in the Procurement Bulletin within 10 calendar days after the deed is recorded in the county of jurisdiction. The notice shall identify the real estate purchased, the names of all parties to the contract, the value of the contract, and the effective date of the contract.

(7) Contracts necessary to prepare for anticipated litigation, enforcement actions, or investigations, provided that the chief legal counsel to the Governor shall give his or her prior approval when the procuring agency is one subject to the jurisdiction of the Governor, and provided that the chief legal counsel of any other procuring entity subject to this Code shall give his or her prior approval when the procuring entity is not one subject to the jurisdiction of the Governor.

(8) (Blank).

(9) Procurement expenditures by the Illinois Conservation Foundation when only private funds are used.

(10) (Blank).

(11) Public-private agreements entered into according to the procurement requirements of Section 20 of the Public-Private Partnerships for Transportation Act and design-build agreements entered into according to the procurement requirements of Section 25 of the Public-Private Partnerships for Transportation Act.

(12) (A) Contracts for legal, financial, and other professional and artistic services entered into by the Illinois Finance Authority in which the State of Illinois is not obligated. Such contracts shall be

awarded through a competitive process authorized by the members of the Illinois Finance Authority and are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code, as well as the final approval by the members of the Illinois Finance Authority of the terms of the contract.

(B) Contracts for legal and financial services entered into by the Illinois Housing Development Authority in connection with the issuance of bonds in which the State of Illinois is not obligated. Such contracts shall be awarded through a competitive process authorized by the members of the Illinois Housing Development Authority and are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code, as well as the final approval by the members of the Illinois Housing Development Authority of the terms of the contract.

(13) Contracts for services, commodities, and equipment to support the delivery of timely forensic science services in consultation with and subject to the approval of the Chief Procurement Officer as provided in subsection (d) of Section 5-4-3a of the Unified Code of Corrections, except for the requirements of Sections 20-60, 20-65, 20-70, and 20-160 and Article 50 of this Code; however, the Chief Procurement Officer may, in writing with justification, waive any certification required under Article 50 of this Code. For any contracts for services which are currently provided by members of a collective bargaining agreement, the applicable terms of the collective bargaining agreement concerning subcontracting shall be followed.

On and after January 1, 2019, this paragraph (13), except for this sentence, is inoperative.

(14) Contracts for participation expenditures required by a domestic or international trade show or exhibition of an exhibitor, member, or sponsor.

(15) Contracts with a railroad or utility that requires the State to reimburse the railroad or utilities for the relocation of utilities for construction or other public purpose. Contracts included within this paragraph (15) shall include, but not be limited to, those associated with: relocations, crossings, installations, and maintenance. For the purposes of this paragraph (15), "railroad" means any form of non-highway ground transportation that runs on rails or electromagnetic guideways and "utility" means: (1) public utilities as defined in Section 3-105 of the Public Utilities Act, (2) telecommunications carriers as defined in Section 13-202 of the Public Utilities Act, (3) electric cooperatives as defined in Section 3.4 of the Electric Supplier Act, (4) telephone or telecommunications cooperatives as defined in Section 13-212 of the Public Utilities Act, (5) rural water or waste water systems with 10,000 connections or less, (6) a holder as defined in Section 21-201 of the Public Utilities Act, and (7) municipalities owning or operating utility systems consisting of public utilities as that term is defined in Section 11-117-2 of the Illinois Municipal Code.

(16) Procurement expenditures necessary for the Department of Public Health to provide the delivery of timely newborn screening services in accordance with the Newborn Metabolic Screening Act.

(17) Procurement expenditures necessary for the Department of Agriculture, the Department of Financial and Professional Regulation, the Department of Human Services, and the Department of Public Health to implement the Compassionate Use of Medical Cannabis Program and Opioid Alternative Pilot Program requirements and ensure access to medical cannabis for patients with debilitating medical conditions in accordance with the Compassionate Use of Medical Cannabis Program Act.

(18) This Code does not apply to any procurements necessary for the Department of Agriculture, the Department of Financial and Professional Regulation, the Department of Human Services, the Department of Commerce and Economic Opportunity, and the Department of Public Health to implement the Cannabis Regulation and Tax Act if the applicable agency has made a good faith determination that it is necessary and appropriate for the expenditure to fall within this exemption and if the process is conducted in a manner substantially in accordance with the requirements of Sections 20-160, 25-60, 30-22, 50-5, 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35, 50-36, 50-37, 50-38, and 50-50 of this Code; however, for Section 50-35, compliance applies only to contracts or subcontracts over $100,000. Notice of each contract entered into under this paragraph (18) that is related to the procurement of goods and services identified in paragraph (1) through (9) of this subsection shall be published in the Procurement Bulletin within 14 calendar days after contract execution. The Chief Procurement Officer shall prescribe the form and content of the notice. Each agency shall provide the Chief Procurement Officer, on a monthly basis, in the form and content prescribed by the Chief Procurement Officer, a report of contracts that are related to the procurement of goods and services identified in this subsection. At a minimum, this report shall

include the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and the exception to this Code utilized. A copy of any or all of these contracts shall be made available to the Chief Procurement Officer immediately upon request. The Chief Procurement Officer shall submit a report to the Governor and General Assembly no later than November 1 of each year that includes, at a minimum, an annual summary of the monthly information reported to the Chief Procurement Officer. This exemption becomes inoperative 5 years after June 25, 2019 (the effective date of Public Act 101-27).

(19) Acquisition of modifications or adjustments, limited to assistive technology devices and assistive technology services, adaptive equipment, repairs, and replacement parts to provide reasonable accommodations (i) that enable a qualified applicant with a disability to complete the job application process and be considered for the position such qualified applicant desires, (ii) that modify or adjust the work environment to enable a qualified current employee with a disability to perform the essential functions of the position held by that employee, (iii) to enable a qualified current employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated employees without disabilities, and (iv) that allow a customer, client, claimant, or member of the public seeking State services full use and enjoyment of and access to its programs, services, or benefits.

For purposes of this paragraph (19):

"Assistive technology devices" means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

"Assistive technology services" means any service that directly assists an individual with a disability in selection, acquisition, or use of an assistive technology device.

"Qualified" has the same meaning and use as provided under the federal Americans with Disabilities Act when describing an individual with a disability.

(20) Procurement expenditures necessary for the Illinois Commerce Commission to hire third-party facilitators pursuant to Sections 16-105.17 and 16-108.18 of the Public Utilities Act or an ombudsman pursuant to Section 16-107.5 of the Public Utilities Act, a facilitator pursuant to Section 16-105.17 of the Public Utilities Act, or a grid auditor pursuant to Section 16-105.10 of the Public Utilities Act.

(21) Procurement expenditures for the purchase, renewal, and expansion of software, software licenses, or software maintenance agreements that support the efforts of the Illinois State Police to enforce, regulate, and administer the Firearm Owners Identification Card Act, the Firearm Concealed Carry Act, the Firearms Restraining Order Act, the Firearm Dealer License Certification Act, the Law Enforcement Agencies Data System (LEADS), the Uniform Crime Reporting Act, the Criminal Identification Act, the Uniform Conviction Information Act, and the Gun Trafficking Information Act, or establish or maintain record management systems necessary to conduct human trafficking investigations or gun trafficking or other stolen firearm investigations. This paragraph (21) applies to contracts entered into on or after the effective date of this amendatory Act of the 102nd General Assembly and the renewal of contracts that are in effect on the effective date of this amendatory Act of the 102nd General Assembly.

(22) Contracts for public education programming, noncommercial sustaining announcements, public service announcements, and public awareness and education messaging with the nonprofit trade associations of the providers of those services that inform the public on immediate and ongoing health and safety risks and hazards.

Notwithstanding any other provision of law, for contracts with an annual value of more than $100,000 entered into on or after October 1, 2017 under an exemption provided in any paragraph of this subsection (b), except paragraph (1), (2), or (5), each State agency shall post to the appropriate procurement bulletin the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and the exception to the Code utilized. The chief procurement officer shall submit a report to the Governor and General Assembly no later than November 1 of each year that shall include, at a minimum, an annual summary of the monthly information reported to the chief procurement officer.

(c) This Code does not apply to the electric power procurement process provided for under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act.

(d) Except for Section 20-160 and Article 50 of this Code, and as expressly required by Section 9.1 of the Illinois Lottery Law, the provisions of this Code do not apply to the procurement process provided for under Section 9.1 of the Illinois Lottery Law.

(e) This Code does not apply to the process used by the Capital Development Board to retain a person or entity to assist the Capital Development Board with its duties related to the determination of costs of a clean coal SNG brownfield facility, as defined by Section 1-10 of the Illinois Power Agency Act, as required in subsection (h-3) of Section 9-220 of the Public Utilities Act, including calculating the range of capital costs, the range of operating and maintenance costs, or the sequestration costs or monitoring the construction of clean coal SNG brownfield facility for the full duration of construction.

(f) (Blank).

(g) (Blank).

(h) This Code does not apply to the process to procure or contracts entered into in accordance with Sections 11-5.2 and 11-5.3 of the Illinois Public Aid Code.

(i) Each chief procurement officer may access records necessary to review whether a contract, purchase, or other expenditure is or is not subject to the provisions of this Code, unless such records would be subject to attorney-client privilege.

(j) This Code does not apply to the process used by the Capital Development Board to retain an artist or work or works of art as required in Section 14 of the Capital Development Board Act.

(k) This Code does not apply to the process to procure contracts, or contracts entered into, by the State Board of Elections or the State Electoral Board for hearing officers appointed pursuant to the Election Code.

(l) This Code does not apply to the processes used by the Illinois Student Assistance Commission to procure supplies and services paid for from the private funds of the Illinois Prepaid Tuition Fund. As used in this subsection (l), "private funds" means funds derived from deposits paid into the Illinois Prepaid Tuition Trust Fund and the earnings thereon.

(m) This Code shall apply regardless of the source of funds with which contracts are paid, including federal assistance moneys. Except as specifically provided in this Code, this Code shall not apply to procurement expenditures necessary for the Department of Public Health to conduct the Healthy Illinois Survey in accordance with Section 2310-431 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois.

(Source: P.A. 101-27, eff. 6-25-19; 101-81, eff. 7-12-19; 101-363, eff. 8-9-19; 102-175, eff. 7-29-21; 102-483, eff 1-1-22; 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662, eff. 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22; 102-1116, eff. 1-10-23.)

ARTICLE 60. CONTRACTOR DIVERSITY REPORTING

Section 60-5. The Business Corporation Act of 1983 is amended by adding Section 14.40 as follows:

(805 ILCS 5/14.40 new)

Sec. 14.40. State contractors reporting.

(a) Except as provided in subsection (b), by June 1, 2024, and each June 1 thereafter, a corporation that has contracts with this State shall provide to the Commission on Equity and Inclusion a list of its professional services suppliers by category, including, but not limited to, legal services, accounting services, media placement, technology services, asset management, and consulting services. The list shall include the percentage of owners and employees in each category that are women or minority persons. The list required under this subsection (a) shall provide the required information for each of the classes of minority persons identified in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act.

(b) Corporations that submit annual supplier diversity reports to the Illinois Commerce Commission in accordance with Section 8h of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act are exempt from the requirements of this Section.

(c) This Section is repealed on July 1, 2028.

ARTICLE 65. REQUESTS FOR WAIVER OF ASPIRATIONAL GOALS

Section 5. The Business Enterprise for Minorities, Women, and Persons with Disabilities Act is amended by changing Sections 2 and 7 as follows:

(30 ILCS 575/2)

(Section scheduled to be repealed on June 30, 2024)

Sec. 2. Definitions.

(A) For the purpose of this Act, the following terms shall have the following definitions:

(1) "Minority person" shall mean a person who is a citizen or lawful permanent resident of the United States and who is any of the following:

(a) American Indian or Alaska Native (a person having origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment).

(b) Asian (a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam).

(c) Black or African American (a person having origins in any of the black racial groups of Africa).

(d) Hispanic or Latino (a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race).

(e) Native Hawaiian or Other Pacific Islander (a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands).

(2) "Woman" shall mean a person who is a citizen or lawful permanent resident of the United States and who is of the female gender.

(2.05) "Person with a disability" means a person who is a citizen or lawful resident of the United States and is a person qualifying as a person with a disability under subdivision (2.1) of this subsection (A).

(2.1) "Person with a disability" means a person with a severe physical or mental disability that:

(a) results from:
amputation,
arthritis,
autism,
blindness,
burn injury,
cancer,
cerebral palsy,
Crohn's disease,
cystic fibrosis,
deafness,
head injury,
heart disease,
hemiplegia,
hemophilia,
respiratory or pulmonary dysfunction,
an intellectual disability,
mental illness,
multiple sclerosis,
muscular dystrophy,
musculoskeletal disorders,
neurological disorders, including stroke and epilepsy,
paraplegia,
quadriplegia and other spinal cord conditions,
sickle cell anemia,
ulcerative colitis,
specific learning disabilities, or
end stage renal failure disease; and

(b) substantially limits one or more of the person's major life activities.

Another disability or combination of disabilities may also be considered as a severe disability for the purposes of item (a) of this subdivision (2.1) if it is determined by an evaluation of rehabilitation potential to cause a comparable degree of substantial functional limitation similar to the specific list of disabilities listed in item (a) of this subdivision (2.1).

(3) "Minority-owned business" means a business which is at least 51% owned by one or more minority persons, or in the case of a corporation, at least 51% of the stock in which is owned by one or more minority persons; and the management and daily business operations of which are controlled by one or more of the minority individuals who own it.

(4) "Women-owned business" means a business which is at least 51% owned by one or more women, or, in the case of a corporation, at least 51% of the stock in which is owned by one or more women; and the management and daily business operations of which are controlled by one or more of the women who own it.

(4.1) "Business owned by a person with a disability" means a business that is at least 51% owned by one or more persons with a disability and the management and daily business operations of which are controlled by one or more of the persons with disabilities who own it. A not-for-profit agency for persons with disabilities that is exempt from taxation under Section 501 of the Internal Revenue Code of 1986 is also considered a "business owned by a person with a disability".

(4.2) "Council" means the Business Enterprise Council for Minorities, Women, and Persons with Disabilities created under Section 5 of this Act.

(4.3) "Commission" means, unless the context clearly indicates otherwise, the Commission on Equity and Inclusion created under the Commission on Equity and Inclusion Act.

(4.4) "Certified vendor" means a minority-owned business, women-owned business, or business owned by a person with a disability that is certified by the Business Enterprise Program.

(4.5) "Subcontractor" means a person or entity that enters into a contractual agreement with a prime vendor to provide, on behalf of the prime vendor, goods, services, real property, or remuneration or other monetary consideration that is the subject of the primary State contract. "Subcontractor" includes a sublessee under a State contract.

(4.6) "Prime vendor" means any person or entity having a contract that is subject to this Act with a State agency or public institution of higher education.

(5) "State contracts" means all contracts entered into by the State, any agency or department thereof, or any public institution of higher education, including community college districts, regardless of the source of the funds with which the contracts are paid, which are not subject to federal reimbursement. "State contracts" does not include contracts awarded by a retirement system, pension fund, or investment board subject to Section 1-109.1 of the Illinois Pension Code. This definition shall control over any existing definition under this Act or applicable administrative rule.

"State construction contracts" means all State contracts entered into by a State agency or public institution of higher education for the repair, remodeling, renovation or construction of a building or structure, or for the construction or maintenance of a highway defined in Article 2 of the Illinois Highway Code.

(6) "State agencies" shall mean all departments, officers, boards, commissions, institutions and bodies politic and corporate of the State, but does not include the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, municipalities or other local governmental units, or other State constitutional officers.

(7) "Public institutions of higher education" means the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the public community colleges of the State, and any other public universities, colleges, and community colleges now or hereafter established or authorized by the General Assembly.

(8) "Certification" means a determination made by the Council or by one delegated authority from the Council to make certifications, or by a State agency with statutory authority to make such a certification, that a business entity is a business owned by a minority, woman, or person with a disability for whatever purpose. A business owned and controlled by women shall be certified as a "woman-owned business". A business owned and controlled by women who are also minorities shall be certified as both a "women-owned business" and a "minority-owned business".

(9) "Control" means the exclusive or ultimate and sole control of the business including, but not limited to, capital investment and all other financial matters, property, acquisitions, contract

negotiations, legal matters, officer-director-employee selection and comprehensive hiring, operating responsibilities, cost-control matters, income and dividend matters, financial transactions and rights of other shareholders or joint partners. Control shall be real, substantial and continuing, not pro forma. Control shall include the power to direct or cause the direction of the management and policies of the business and to make the day-to-day as well as major decisions in matters of policy, management and operations. Control shall be exemplified by possessing the requisite knowledge and expertise to run the particular business and control shall not include simple majority or absentee ownership.

(10) "Business" means a business that has annual gross sales of less than $150,000,000 as evidenced by the federal income tax return of the business. A certified vendor ~~firm~~ with gross sales in excess of this cap may apply to the Council for certification for a particular contract if the vendor ~~firm~~ can demonstrate that the contract would have significant impact on businesses owned by minorities, women, or persons with disabilities as suppliers or subcontractors or in employment of minorities, women, or persons with disabilities. Firms with gross sales in excess of this cap that are granted certification by the Council shall be granted certification for the life of the contract, including available renewals.

(11) "Utilization plan" means an attachment that is made to ~~a form and additional documentations included in~~ all bids or proposals and that demonstrates the bidder's or offeror's efforts to meet the contract-specific Business Enterprise Program goal. The utilization plan shall indicate whether the prime vendor intends to meet the Business Enterprise Program goal through its own performance, if it is a certified vendor, or through the use of subcontractors that are certified vendors ~~a vendor's proposed utilization of vendors certified by the Business Enterprise Program to meet the targeted goal~~. The utilization plan shall demonstrate that the Vendor has either: (1) met the entire contract goal or (2) requested a full or partial waiver of the contract goal. If the prime vendor intends to use a subcontractor that is a certified vendor to fulfill the contract goal, a participation agreement executed between the prime vendor and the certified subcontractor must be included with the utilization plan ~~and made good faith efforts towards meeting the goal~~.

(12) "Business Enterprise Program" means the Business Enterprise Program of the Commission on Equity and Inclusion.

(13) "Good faith effort" means actions undertaken by a vendor to achieve a contract specific Business Enterprise Program goal that, by scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program's requirements.

(B) When a business is owned at least 51% by any combination of minority persons, women, or persons with disabilities, even though none of the 3 classes alone holds at least a 51% interest, the ownership requirement for purposes of this Act is considered to be met. The certification category for the business is that of the class holding the largest ownership interest in the business. If 2 or more classes have equal ownership interests, the certification category shall be determined by the business.

(Source: P.A. 101-601, eff. 1-1-20; 101-657, eff. 1-1-22; 102-29, eff. 6-25-21; 102-1119, eff. 1-23-23.)

(30 ILCS 575/7) (from Ch. 127, par. 132.607)

(Section scheduled to be repealed on June 30, 2024)

Sec. 7. Exemptions; waivers; publication of data.

(1) Individual contract exemptions. The Council, at the written request of the affected agency, public institution of higher education, or recipient of a grant or loan of State funds of $250,000 or more complying with Section 45 of the State Finance Act, may permit an individual contract or contract package, (related contracts being bid or awarded simultaneously for the same project or improvements) be made wholly or partially exempt from State contracting goals for businesses owned by minorities, women, and persons with disabilities prior to the advertisement for bids or solicitation of proposals whenever there has been a determination, reduced to writing and based on the best information available at the time of the determination, that there is an insufficient number of businesses owned by minorities, women, and persons with disabilities to ensure adequate competition and an expectation of reasonable prices on bids or proposals solicited for the individual contract or contract package in question. Any such exemptions shall be given by the Council to the Bureau on Apprenticeship Programs and Clean Energy Jobs.

(a) Written request for contract exemption. A written request for an individual contract exemption must include, but is not limited to, the following:

(i) a list of eligible businesses owned by minorities, women, and persons with disabilities;

(ii) a clear demonstration that the number of eligible businesses identified in subparagraph (i) above is insufficient to ensure adequate competition;

(iii) the difference in cost between the contract proposals being offered by businesses owned by minorities, women, and persons with disabilities and the agency or public institution of higher education's expectations of reasonable prices on bids or proposals within that class; and

(iv) a list of eligible businesses owned by minorities, women, and persons with disabilities that the contractor has used in the current and prior fiscal years.

(b) Determination. The Council's determination concerning an individual contract exemption must consider, at a minimum, the following:

(i) the justification for the requested exemption, including whether diligent efforts were undertaken to identify and solicit eligible businesses owned by minorities, women, and persons with disabilities;

(ii) the total number of exemptions granted to the affected agency, public institution of higher education, or recipient of a grant or loan of State funds of $250,000 or more complying with Section 45 of the State Finance Act that have been granted by the Council in the current and prior fiscal years; and

(iii) the percentage of contracts awarded by the agency or public institution of higher education to eligible businesses owned by minorities, women, and persons with disabilities in the current and prior fiscal years.

(2) Class exemptions.

(a) Creation. The Council, at the written request of the affected agency or public institution of higher education, may permit an entire class of contracts be made exempt from State contracting goals for businesses owned by minorities, women, and persons with disabilities whenever there has been a determination, reduced to writing and based on the best information available at the time of the determination, that there is an insufficient number of qualified businesses owned by minorities, women, and persons with disabilities to ensure adequate competition and an expectation of reasonable prices on bids or proposals within that class. Any such exemption shall be given by the Council to the Bureau on Apprenticeship Programs and Clean Energy Jobs.

(a-1) Written request for class exemption. A written request for a class exemption must include, but is not limited to, the following:

(i) a list of eligible businesses owned by minorities, women, and persons with disabilities;

(ii) a clear demonstration that the number of eligible businesses identified in subparagraph (i) above is insufficient to ensure adequate competition;

(iii) the difference in cost between the contract proposals being offered by eligible businesses owned by minorities, women, and persons with disabilities and the agency or public institution of higher education's expectations of reasonable prices on bids or proposals within that class; and

(iv) the number of class exemptions the affected agency or public institution of higher education requested in the current and prior fiscal years.

(a-2) Determination. The Council's determination concerning class exemptions must consider, at a minimum, the following:

(i) the justification for the requested exemption, including whether diligent efforts were undertaken to identify and solicit eligible businesses owned by minorities, women, and persons with disabilities;

(ii) the total number of class exemptions granted to the requesting agency or public institution of higher education that have been granted by the Council in the current and prior fiscal years; and

(iii) the percentage of contracts awarded by the agency or public institution of higher education to eligible businesses owned by minorities, women, and persons with disabilities the current and prior fiscal years.

(b) Limitation. Any such class exemption shall not be permitted for a period of more than one year at a time.

(3) Waivers. Where a particular contract requires a vendor ~~contractor~~ to meet a goal established pursuant to this Act, the vendor ~~contractor~~ shall have the right to request a waiver from such requirements prior to the contract award. The Business Enterprise Program shall evaluate a vendor's request for a waiver based on the vendor's documented good faith efforts to meet the contract-specific Business Enterprise Program goal. The Council shall grant the waiver when the contractor demonstrates that there has been

made a good faith effort to comply with the goals for participation by businesses owned by minorities, women, and persons with disabilities. Any such waiver shall also be transmitted in writing to the Bureau on Apprenticeship Programs and Clean Energy Jobs.

(a) Request for waiver. A vendor's ~~contractor's~~ request for a waiver under this subsection (3) must include, but is not limited to, the following~~, if available~~:

(i) a list of eligible businesses owned by minorities, women, and persons with disabilities that pertain to the the class of contracts in the requested waiver that were contacted by the vendor ~~scope of work of the contract~~. Eligible businesses are only eligible if the business is certified for the products or work advertised in the solicitation or bid;

(ii) (blank);

(iia) a clear demonstration that the vendor ~~contractor~~ selected portions of the work to be performed by certified vendors to facilitate meeting the contract specific goal, and that certified vendors that have the capability to perform the work of the contract were ~~eligible businesses owned by minorities, women, and persons with disabilities,~~ solicited through all reasonable and available means ~~eligible businesses, and negotiated in good faith with interested eligible businesses~~;

(iib) documentation demonstrating that certified vendors ~~businesses owned by minorities, women, and persons with disabilities~~ are not rejected as being unqualified without sound reasons based on a thorough investigation of their capabilities. The certified vendor's standing within its industry, membership in specific groups, organizations, or associations, and political or social affiliations are not legitimate causes for rejecting or not contacting or negotiating with a certified vendor;

(iic) proof that the prime vendor solicited eligible certified vendors with: (1) sufficient time to respond; (2) adequate information about the scope, specifications, and requirements of the solicitation or bid, including plans, drawings, and addenda, to allow eligible businesses an opportunity to respond to the solicitation or bid; and (3) sufficient follow up with certified vendors;

(iid) a clear demonstration that the prime vendor communicated with certified vendors;

(iie) evidence that the prime vendor negotiated with certified vendors to enter into subcontracts to provide a commercially useful function of the contract for a reasonable cost;

(iii) documentation demonstrating that the difference in cost between the contract proposals being offered by certified vendors is ~~contract proposals being offered by businesses owned by minorities, women, and persons with disabilities are~~ excessive or unreasonable; ~~and~~

(iv) a list of certified vendors ~~businesses~~ owned by minorities, women, and persons with disabilities that the contractor has used in the current and prior fiscal years; ~~.~~

(v) documentation demonstrating that the vendor made efforts to utilize certified vendors despite the ability or desire of a vendor to perform the work with its own operations by selecting portions of the work to be performed by certified vendors, which may, when appropriate, include breaking out portions of the work to be performed into economically feasible units to facilitate certified vendor participation; and

(vi) documentation that the vendor used the services of: (1) the State; (2) organizations or contractors' groups representing or composed of minorities, women, or persons with disabilities; (3) local, State, or federal assistance offices representing or assisting minorities, women, or persons with disabilities; and (4) other organizations that provide assistance in the recruitment and engagement of certified vendors.

If any of the information required under this subdivision (a) is not available to the vendor, despite the vendor's good faith efforts to obtain the information, the vendor's request for a waiver must contain a written explanation of why that information is not included.

(b) Determination. The Council's determination concerning waivers must include following:

(i) the justification for the requested waiver, including whether the requesting vendor ~~contractor~~ made a good faith effort to identify and solicit certified vendors based on the criteria set forth in this Section ~~eligible businesses owned by minorities, women, and persons with disabilities~~;

(ii) the total number of waivers the vendor ~~contractor~~ has been granted by the Council in the current and prior fiscal years;

(iii) (blank); and

(iv) the vendor's ~~contractor's~~ use of businesses owned by minorities, women, and persons with disabilities in the current and prior fiscal years.

(3.5) (Blank).

(4) Conflict with other laws. In the event that any State contract, which otherwise would be subject to the provisions of this Act, is or becomes subject to federal laws or regulations which conflict with the provisions of this Act or actions of the State taken pursuant hereto, the provisions of the federal laws or regulations shall apply and the contract shall be interpreted and enforced accordingly.

(5) Each chief procurement officer, as defined in the Illinois Procurement Code, shall maintain on his or her official Internet website a database of the following: (i) waivers granted under this Section with respect to contracts under his or her jurisdiction; (ii) a State agency or public institution of higher education's written request for an exemption of an individual contract or an entire class of contracts; and (iii) the Council's written determination granting or denying a request for an exemption of an individual contract or an entire class of contracts. The database, which shall be updated periodically as necessary, shall be searchable by contractor name and by contracting State agency.

(6) Each chief procurement officer, as defined by the Illinois Procurement Code, shall maintain on its website a list of all vendors ~~firms~~ that have been prohibited from bidding, offering, or entering into a contract with the State of Illinois as a result of violations of this Act.

Each public notice required by law of the award of a State contract shall include for each bid or offer submitted for that contract the following: (i) the bidder's or offeror's name, (ii) the bid amount, (iii) the name or names of the certified vendors ~~firms~~ identified in the bidder's or offeror's submitted utilization plan, and (iv) the ~~bid's amount and~~ percentage of the contract awarded to each certified vendor that is a business ~~businesses~~ owned by minorities, women, and persons with disabilities identified in the utilization plan.

(Source: P.A. 101-170, eff. 1-1-20; 101-601, eff. 1-1-20; 101-657, eff. 1-1-22; 102-29, eff. 6-25-21; 102-662, eff. 9-15-21.)

ARTICLE 75. PUBLIC INSTITUTIONS OF HIGHER EDUCATION

Section 75-5. The Illinois Procurement Code is amended by changing Section 1-13 as follows:

(30 ILCS 500/1-13)

Sec. 1-13. Applicability to public institutions of higher education.

(a) This Code shall apply to public institutions of higher education, regardless of the source of the funds with which contracts are paid, except as provided in this Section.

(b) Except as provided in this Section, this Code shall not apply to procurements made by or on behalf of public institutions of higher education for any of the following:

(1) Memberships in professional, academic, research, or athletic organizations on behalf of a public institution of higher education, an employee of a public institution of higher education, or a student at a public institution of higher education.

(2) Procurement expenditures for events or activities paid for exclusively by revenues generated by the event or activity, gifts or donations for the event or activity, private grants, or any combination thereof.

(3) Procurement expenditures for events or activities for which the use of specific potential contractors is mandated or identified by the sponsor of the event or activity, provided that the sponsor is providing a majority of the funding for the event or activity.

(4) Procurement expenditures necessary to provide athletic, artistic or musical services, performances, events, or productions by or for a public institution of higher education.

(5) Procurement expenditures for periodicals, books, subscriptions, database licenses, and other publications procured for use by a university library or academic department, except for expenditures related to procuring textbooks for student use or materials for resale or rental.

(6) Procurement expenditures for placement of students in externships, practicums, field experiences, and for medical residencies and rotations.

(7) Contracts for programming and broadcast license rights for university-operated radio and television stations.

(8) Procurement expenditures necessary to perform sponsored research and other sponsored activities under grants and contracts funded by the sponsor or by sources other than State appropriations.

(9) Contracts with a foreign entity for research or educational activities, provided that the foreign entity either does not maintain an office in the United States or is the sole source of the service or product.

(10) Procurement expenditures for any ongoing software license or maintenance agreement or competitively solicited software purchase, when the software, license, or maintenance agreement is available through only the software creator or its manufacturer and not a reseller.

(11) Procurement expenditures incurred outside of the United States for the recruitment of international students.

(12) Procurement expenditures for contracts entered into under the Public University Energy Conservation Act.

(13) Procurement expenditures for advertising purchased directly from a media station or the owner of the station for distribution of advertising.

Notice of each contract with an annual value of more than $100,000 entered into by a public institution of higher education that is related to the procurement of goods and services identified in items (1) through (13) ~~(11)~~ of this subsection shall be published in the Procurement Bulletin within 14 calendar days after contract execution. The Chief Procurement Officer shall prescribe the form and content of the notice. Each public institution of higher education shall provide the Chief Procurement Officer, on a monthly basis, in the form and content prescribed by the Chief Procurement Officer, a report of contracts that are related to the procurement of goods and services identified in this subsection. At a minimum, this report shall include the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and the exception to the Code utilized. A copy of any or all of these contracts shall be made available to the Chief Procurement Officer immediately upon request. The Chief Procurement Officer shall submit a report to the Governor and General Assembly no later than November 1 of each year that shall include, at a minimum, an annual summary of the monthly information reported to the Chief Procurement Officer.

(b-5) Except as provided in this subsection, the provisions of this Code shall not apply to contracts for medical supplies or to contracts for medical services necessary for the delivery of care and treatment at medical, dental, or veterinary teaching facilities used by Southern Illinois University or the University of Illinois or at any university-operated health care center or dispensary that provides care, treatment, and medications for students, faculty, and staff. Furthermore, the provisions of this Code do not apply to the procurement by such a facility of any additional supplies or services that the operator of the facility deems necessary for the effective use and functioning of the medical supplies or services that are otherwise exempt from this Code under this subsection (b-5). However, other supplies and services needed for these teaching facilities shall be subject to the jurisdiction of the Chief Procurement Officer for Public Institutions of Higher Education who may establish expedited procurement procedures and may waive or modify certification, contract, hearing, process and registration requirements required by the Code. All procurements made under this subsection shall be documented and may require publication in the Illinois Procurement Bulletin.

(b-10) Procurements made by or on behalf of the University of Illinois for investment services may be entered into or renewed without being subject to the requirements of this Code. Notice of intent to renew a contract shall be published in the Illinois Public Higher Education Procurement Bulletin at least 14 days prior to the execution of a renewal, and the University of Illinois shall hold a public hearing for interested parties to provide public comment. Any contract extended, renewed, or entered pursuant to this exception shall be published in the Illinois Public Higher Education Procurement Bulletin within 5 days of contract execution.

(c) Procurements made by or on behalf of public institutions of higher education for the fulfillment of a grant shall be made in accordance with the requirements of this Code to the extent practical.

Upon the written request of a public institution of higher education, the Chief Procurement Officer may waive contract, registration, certification, and hearing requirements of this Code if, based on the item to be procured or the terms of a grant, compliance is impractical. The public institution of higher education shall provide the Chief Procurement Officer with specific reasons for the waiver, including the necessity of contracting with a particular potential contractor, and shall certify that an effort was made in good faith to comply with the provisions of this Code. The Chief Procurement Officer shall provide written justification for any waivers. By November 1 of each year, the Chief Procurement Officer shall file a report with the General Assembly identifying each contract approved with waivers and providing the justification given for any waivers for each of those contracts. Notice of each waiver made under this subsection shall be published

in the Procurement Bulletin within 14 calendar days after contract execution. The Chief Procurement Officer shall prescribe the form and content of the notice.

(d) Notwithstanding this Section, a waiver of the registration requirements of Section 20-160 does not permit a business entity and any affiliated entities or affiliated persons to make campaign contributions if otherwise prohibited by Section 50-37. The total amount of contracts awarded in accordance with this Section shall be included in determining the aggregate amount of contracts or pending bids of a business entity and any affiliated entities or affiliated persons.

(e) Notwithstanding subsection (e) of Section 50-10.5 of this Code, the Chief Procurement Officer, with the approval of the Executive Ethics Commission, may permit a public institution of higher education to accept a bid or enter into a contract with a business that assisted the public institution of higher education in determining whether there is a need for a contract or assisted in reviewing, drafting, or preparing documents related to a bid or contract, provided that the bid or contract is essential to research administered by the public institution of higher education and it is in the best interest of the public institution of higher education to accept the bid or contract. For purposes of this subsection, "business" includes all individuals with whom a business is affiliated, including, but not limited to, any officer, agent, employee, consultant, independent contractor, director, partner, manager, or shareholder of a business. The Executive Ethics Commission may promulgate rules and regulations for the implementation and administration of the provisions of this subsection (e).

(f) As used in this Section:

"Grant" means non-appropriated funding provided by a federal or private entity to support a project or program administered by a public institution of higher education and any non-appropriated funding provided to a sub-recipient of the grant.

"Public institution of higher education" means Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Southern Illinois University, University of Illinois, Western Illinois University, and, for purposes of this Code only, the Illinois Mathematics and Science Academy.

(g) (Blank).

(h) The General Assembly finds and declares that:

(1) Public Act 98-1076, which took effect on January 1, 2015, changed the repeal date set for this Section from December 31, 2014 to December 31, 2016.

(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 100th General Assembly manifests the intention of the General Assembly to remove the repeal of this Section.

(4) This Section was originally enacted to protect, promote, and preserve the general welfare. Any construction of this Section that results in the repeal of this Section on December 31, 2014 would be inconsistent with the manifest intent of the General Assembly and repugnant to the context of this Code.

It is hereby declared to have been the intent of the General Assembly that this Section not be subject to repeal on December 31, 2014.

This Section shall be deemed to have been in continuous effect since December 20, 2011 (the effective date of Public Act 97-643), and it shall continue to be in effect henceforward until it is otherwise lawfully repealed. All previously enacted amendments to this Section taking effect on or after December 31, 2014, are hereby validated.

All actions taken in reliance on or pursuant to this Section by any public institution of higher education, person, or entity are hereby validated.

In order to ensure the continuing effectiveness of this Section, it is set forth in full and re-enacted by this amendatory Act of the 100th General Assembly. This re-enactment is intended as a continuation of this Section. It is not intended to supersede any amendment to this Section that is enacted by the 100th General Assembly.

In this amendatory Act of the 100th General Assembly, the base text of the reenacted Section is set forth as amended by Public Act 98-1076. Striking and underscoring is used only to show changes being made to the base text.

This Section applies to all procurements made on or before the effective date of this amendatory Act of the 100th General Assembly.
(Source: P.A. 101-640, eff. 6-12-20; 102-16, eff. 6-17-21; 102-721, eff. 5-6-22; 102-1119, eff. 1-23-23.)

ARTICLE 80. STATE FAIRGROUNDS

Section 80-5. The State Fair Act is amended by adding Section 7.1 as follows:
(20 ILCS 210/7.1 new)
Sec. 7.1. Procurement for artistic or musical services, performances, events, or productions on the State Fairgrounds.
(a) Procurement expenditures necessary to provide artistic or musical services, performances, events, or productions under this Act at the State Fairgrounds in Springfield and DuQuoin are exempt from the requirements of the Illinois Procurement Code. The expenditures may include, but are not limited to, entertainment, advertising, concessions, space rentals, sponsorships, and other services necessary to provide such events.
(b) Notice of each contract with an annual value of more than $100,000 entered into by the Department that is related to the procurement of goods and services identified in this Section shall be published in the Illinois Procurement Bulletin within 30 calendar days after contract execution. The Department shall provide the chief procurement officer, on a monthly basis, a report of contracts that are related to the procurement of supplies and services identified in this Section. At a minimum, this report shall include the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and reference to the exception in this Section. A copy of any or all of these contracts shall be made available to the chief procurement officer immediately upon request.
(c) This Section is repealed on July 1, 2028.

ARTICLE 85. TRANSPORTATION SUSTAINABILITY PROCUREMENT PROGRAM

Section 85-5. The Transportation Sustainability Procurement Program Act is amended by changing Section 10 as follows:
(30 ILCS 530/10)
Sec. 10. Contracts for the procurement of freight, small package delivery, and other cargo shipping and transportation services.
(a) The State's Chief Procurement Officers shall, in consultation with the Illinois Environmental Protection Agency, develop a sustainability program for the State's procurement of shipping and transportation services for freight, small package delivery, and other forms of cargo.
(b) State contracts for the procurement of freight, small package delivery, and other cargo shipping and transportation services shall require providers to report, using generally accepted reporting protocols adopted by the Agency for that purpose:
(1) the amount of energy the service provider consumed to provide those services to the State and the amount of associated greenhouse gas emissions, including energy use and greenhouse gases emitted as a result of the provider's use of electricity in its facilities;
(2) the energy use and greenhouse gas emissions by the service provider's subcontractors in the performance of those services.
(c) The State's solicitation for the procurement of freight, small package delivery, and other cargo shipping and transportation services shall be subject to the Illinois Procurement Code or the Governmental Joint Purchasing Act and shall:
(1) specify how the bidder will report its energy use and associated greenhouse gas emissions under the contract; and
(2) call for bidders to disclose in their responses to the solicitation:
(A) measures they use to reduce vehicle engine idling;
(B) their use of multi-modal transportation, such as rail, trucks, or air transport, and how the use of those types of transportation is anticipated to reduce costs for the State;
(C) the extent of their use of (i) cleaner, less expensive fuels as an alternative to petroleum or (ii) more efficient vehicle propulsion systems;
(D) the level of transparency of the provider's reporting under subsection (b), and what independent verification and assurance measures exist for this reporting;

(E) their use of speed governors on heavy trucks;

(F) their use of recyclable packaging;

(G) measures of their network efficiency, including the in-vehicle use of telematics or other related technologies that provide for improved vehicle and network optimization and efficiencies;

(H) their energy intensity per unit of output delivered;

(I) how they will advance the environmental goals of the State; and

(J) opportunities to effectively neutralize the greenhouse gas emissions reported under subsection (b).

(d) In selecting providers for such services, the State, as part of a best value analysis of the responses to the State's solicitation:

(1) shall give appropriate weight to the disclosures in subdivision (c)(2) of this Section;

(2) shall give appropriate weight to the price and quality of the services being offered; and

(3) may accept from the service provider an optional offer at a reasonable cost of carbon neutral shipping in which the provider calculates the direct and indirect greenhouse gas emissions of the provider that are specified under subsection (b) above, and obtains independently verified carbon credits to offset those emissions and then retires the carbon credits.

(e) The Chief Procurement Officer identified under item (5) of Section 1-15.15 of the Illinois Procurement Code shall adopt rules to encourage all State agencies to use the least costly level of service or mode of transport (while distinguishing between express or air versus ground delivery) that can achieve on-time delivery for the product being transported and delivered.

(Source: P.A. 98-348, eff. 8-14-13.)

ARTICLE 90. PUBLIC-PRIVATE PARTNERSHIP FOR TRANSPORTATION ACT

Section 90-5. The Public-Private Partnerships for Transportation Act is amended by changing Sections 5, 10, 15, 20, 30, 35, 40, 45, 50, 55, 65, 70, 80, and 85 and by adding Section 19 as follows:

(630 ILCS 5/5)

Sec. 5. Public policy and legislative intent.

(a) It is the public policy of the State of Illinois to promote the design, development, construction, financing, and operation of transportation facilities that serve the needs of the public.

(b) Existing methods of procurement and financing of transportation facilities by responsible public entities ~~transportation agencies~~ impose limitations on the methods by which transportation facilities may be developed and operated within the State.

(c) Authorizing responsible public entities ~~transportation agencies~~ to enter into public-private partnerships, whereby private entities may develop, operate, and finance transportation facilities, has the potential to promote the development of transportation facilities in the State as well as investment in the State.

(d) It is the intent of this Act to promote public-private partnerships for transportation by authorizing responsible public entities ~~transportation agencies~~ to enter into public-private agreements related to the design, development, construction, operation, and financing of transportation facilities.

(e) It is the intent of this Act to encourage the practice of congestion pricing in connection with toll highways, pursuant to which higher toll rates are charged during times or in locations of most congestion.

(f) It is the intent of this Act to use Illinois design professionals, construction companies, and workers to the greatest extent possible by offering them the right to compete for this work.

(Source: P.A. 97-502, eff. 8-23-11.)

(630 ILCS 5/10)

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

"Approved proposal" means the proposal that is approved by the responsible public entity ~~transportation agency~~ pursuant to subsection (j) of Section 20 of this Act.

"Approved proposer" means the private entity whose proposal is the approved proposal.

"Authority" means the Illinois State Toll Highway Authority.

"Contractor" means a private entity that has entered into a public-private agreement with the responsible public entity ~~transportation agency~~ to provide services to or on behalf of the responsible public entity ~~transportation agency~~.

"Department" means the Illinois Department of Transportation.

"Design-build agreement" means the agreement between the selected private entity and the responsible public entity ~~transportation agency~~ under which the selected private entity agrees to furnish design, construction, and related services for a transportation facility under this Act.

"Develop" or "development" means to do one or more of the following: plan, design, develop, lease, acquire, install, construct, reconstruct, rehabilitate, extend, or expand.

"Maintain" or "maintenance" includes ordinary maintenance, repair, rehabilitation, capital maintenance, maintenance replacement, and any other categories of maintenance that may be designated by the responsible public entity ~~transportation agency~~.

~~"Metropolitan planning organization" means a metropolitan planning organization designated under 23 U.S.C. Section 134 whose metropolitan planning area boundaries are partially or completely within the State.~~

"Operate" or "operation" means to do one or more of the following: maintain, improve, equip, modify, or otherwise operate.

"Private entity" means any combination of one or more individuals, corporations, general partnerships, limited liability companies, limited partnerships, joint ventures, business trusts, nonprofit entities, or other business entities that are parties to a proposal for a transportation project or an agreement related to a transportation project. A public agency may provide services to a contractor as a subcontractor or subconsultant without affecting the private status of the private entity and the ability to enter into a public-private agreement. A transportation agency is not a private entity.

"Proposal" means all materials and documents prepared by or on behalf of a private entity relating to the proposed development, financing, or operation of a transportation facility as a transportation project.

"Proposer" means a private entity that has submitted an unsolicited proposal for a public-private agreement to a responsible public entity under this Act or a proposal or statement of qualifications for a public-private agreement in response to a request for proposals or a request for qualifications issued by a responsible public entity ~~transportation agency~~ under this Act.

"Public-private agreement" means the public-private agreement between the contractor and the responsible public entity ~~transportation agency~~ relating to one or more of the development, financing, or operation of a transportation project that is entered into under this Act.

"Request for information" means all materials and documents prepared by or on behalf of the responsible public entity ~~transportation agency~~ to solicit information from private entities with respect to transportation projects.

"Request for proposals" means all materials and documents prepared by or on behalf of the responsible public entity ~~transportation agency~~ to solicit proposals from private entities to enter into a public-private agreement.

"Request for qualifications" means all materials and documents prepared by or on behalf of the responsible public entity ~~transportation agency~~ to solicit statements of qualification from private entities to enter into a public-private agreement.

"Responsible public entity" means the Department of Transportation, the Illinois State Toll Highway Authority, and any county, municipality, or other unit of local government.

"Revenues" means all revenues, including any combination of: income; earnings and interest; user fees; lease payments; allocations; federal, State, and local appropriations, grants, loans, lines of credit, and credit guarantees; bond proceeds; equity investments; service payments; or other receipts; arising out of or in connection with a transportation project, including the development, financing, and operation of a transportation project. The term includes money received as grants, loans, lines of credit, credit guarantees, or otherwise in aid of a transportation project from the federal government, the State, a unit of local government, or any agency or instrumentality of the federal government, the State, or a unit of local government.

"Shortlist" means the process by which a responsible public entity ~~transportation agency~~ will review, evaluate, and rank statements of qualifications submitted in response to a request for qualifications and then identify the proposers who are eligible to submit a detailed proposal in response to a request for proposals. The identified proposers constitute the shortlist for the transportation project to which the request for proposals relates.

"Transportation agency" means (i) the Department or (ii) the Authority.

"Transportation facility" means any new or existing road, highway, toll highway, bridge, tunnel, intermodal facility, intercity or high-speed passenger rail, or other transportation facility or infrastructure, excluding airports, under the jurisdiction of a responsible public entity ~~the Department or the Authority~~,

except those facilities for the Illiana Expressway. The term "transportation facility" may refer to one or more transportation facilities that are proposed to be developed or operated as part of a single transportation project.

"Transportation project" or "project" means any or the combination of the design, development, construction, financing, or operation with respect to all or a portion of any transportation facility under the jurisdiction of the responsible public entity ~~transportation agency~~, except those facilities for the Illiana Expressway, undertaken pursuant to this Act.

"Unit of local government" has the meaning ascribed to that term in Article VII, Section 1 of the Constitution of the State of Illinois and also means any unit designated as a municipal corporation.

"Unsolicited proposal" means a written proposal that is submitted to a responsible public entity on the initiative of the private sector entity or entities for the purpose of developing a partnership, and that is not in response to a formal or informal request issued by a responsible public entity.

"User fees" or "tolls" means the rates, tolls, fees, or other charges imposed by the contractor for use of all or a portion of a transportation project under a public-private agreement.

(Source: P.A. 97-502, eff. 8-23-11; 97-858, eff. 7-27-12.)

(630 ILCS 5/15)

Sec. 15. Formation of public-private agreements; project planning.

(a) Each responsible public entity ~~transportation agency~~ may exercise the powers granted by this Act to do some or all to design, develop, construct, finance, and operate any part of one or more transportation projects through public-private agreements with one or more private entities, except for transportation projects for the Illiana Expressway as defined in the Public Private Agreements for the Illiana Expressway Act. The net proceeds, if any, arising out of a transportation project or public-private agreement undertaken by the Department pursuant to this Act shall be deposited into the Public-Private Partnerships for Transportation Fund. The net proceeds arising out of a transportation project or public-private agreement undertaken by the Authority pursuant to this Act shall be deposited into the Illinois State Toll Highway Authority Fund and shall be used only as authorized by Section 23 of the Toll Highway Act.

(b) ~~The Authority shall not enter into a public-private agreement involving a lease or other transfer of any toll highway, or portions thereof, under the Authority's jurisdiction which were open to vehicular traffic on the effective date of this Act. The Authority shall not enter into a public-private agreement for the purpose of making roadway improvements, including but not limited to reconstruction, adding lanes, and adding ramps, to any toll highway, or portions thereof, under the Authority's jurisdiction which were open to vehicular traffic on the effective date of this Act. The Authority shall not use any revenue generated by any toll highway, or portions thereof, under the Authority's jurisdiction which were open to vehicular traffic on the effective date of this Act to enter into or provide funding for a public-private agreement. The Authority shall not use any asset, or the proceeds from the sale or lease of any such asset, which was owned by the Authority on the effective date of this Act to enter into or provide funding for a public-private agreement.~~ The Authority may enter into a public-private partnership to design, develop, construct, finance, and operate new toll highways authorized by the Governor and the General Assembly pursuant to Section 14.1 of the Toll Highway Act, non-highway transportation projects on the toll highway system such as commuter rail or high-speed rail lines, and intelligent transportation infrastructure that will enhance the safety, efficiency, and environmental quality of the toll highway system. The Authority may operate or provide operational services such as toll collection on highways which are developed or financed, or both, through a public-private agreement entered into by another public entity, under an agreement with the public entity or contractor responsible for the transportation project.

(c) A contractor has:

(1) all powers allowed by law generally to a private entity having the same form of organization as the contractor; and

(2) the power to develop, finance, and operate the transportation facility and to impose user fees in connection with the use of the transportation facility, subject to the terms of the public-private agreement.

No tolls or user fees may be imposed by the contractor except as set forth in a public-private agreement.

(d) ~~Each year, at least 30 days prior to the beginning of the transportation agency's fiscal year, and at other times the transportation agency deems necessary, the Department and the Authority shall submit for review to the General Assembly a description of potential projects that the transportation agency is considering undertaking under this Act. Any submission from the Authority shall indicate which of its~~

~~potential projects, if any, will involve the proposer operating the transportation facility for a period of one year or more.~~ Prior to commencing the procurement process under an unsolicited proposal or the issuance of any request for qualifications or request for proposals with respect to any potential project undertaken by a responsible public entity ~~the Department or the Authority~~ pursuant to Section 19 or 20 of this Act, the commencement of a procurement process for that particular potential project shall be authorized by joint resolution of the General Assembly.

(e) (Blank). ~~Each year, at least 30 days prior to the beginning of the transportation agency's fiscal year, the transportation agency shall submit a description of potential projects that the transportation agency is considering undertaking under this Act to each county, municipality, and metropolitan planning organization, with respect to each project located within its boundaries.~~

(f) Any project undertaken under this Act shall be subject to all applicable planning requirements otherwise required by law, including land use planning, regional planning, transportation planning, and environmental compliance requirements.

(g) (Blank). ~~Any new transportation facility developed as a project under this Act must be consistent with the regional plan then in existence of any metropolitan planning organization in whose boundaries the project is located.~~

(h) The responsible public entity ~~transportation agency~~ shall hold one or more public hearings following ~~within 30 days of each of~~ its submittals to the General Assembly under subsection (d) of this Section. These public hearings shall address any potential project ~~projects~~ that the responsible public entity ~~transportation agency~~ submitted to the General Assembly for review under subsection (d). The responsible public entity ~~transportation agency~~ shall publish a notice of the hearing or hearings at least 7 days before a hearing takes place, and shall include the following in the notice: (i) the date, time, and place of the hearing and the address of the responsible public entity ~~transportation agency~~; (ii) a brief description of the potential projects that the responsible public entity ~~transportation agency~~ is considering undertaking; and (iii) a statement that the public may comment on the potential projects.

(Source: P.A. 97-502, eff. 8-23-11; 97-858, eff. 7-27-12.)

(630 ILCS 5/19 new)

Sec. 19. Unsolicited proposals.

(a) A responsible public entity may receive unsolicited proposals for a project and may thereafter enter into a public-private agreement with a private entity, or a consortium of private entities, for the design, construction, upgrading, operating, ownership, or financing of facilities.

(b) A responsible public entity may consider, evaluate, and accept an unsolicited proposal for a public-private partnership project from a private entity if the proposal:

(1) is independently developed and drafted by the proposer without responsible public entity supervision;

(2) shows that the proposed project could benefit the transportation system;

(3) includes a financing plan to allow the project to move forward pursuant to the applicable responsible public entity's budget and finance requirements; and

(4) includes sufficient detail and information for the responsible public entity to evaluate the proposal in an objective and timely manner and permit a determination that the project would be worthwhile.

(c) The unsolicited proposal shall include the following:

(1) an executive summary covering the major elements of the proposal;

(2) qualifications concerning the experience, expertise, technical competence, and qualifications of the private entity and of each member of its management team and of other key employees, consultants, and subcontractors, including the name, address, and professional designation;

(3) a project description, including, when applicable:

(A) the limits, scope, and location of the proposed project;

(B) right-of-way requirements;

(C) connections with other facilities and improvements to those facilities necessary if the project is developed;

(D) a conceptual project design; and

(E) a statement of the project's relationship to and impact upon relevant existing plans of the responsible public entity;

(4) a facilities project schedule, including when applicable, estimates of:

(A) dates of contract award;

(B) start of construction;

(C) completion of construction;

(D) start of operations; and

(E) major maintenance or reconstruction activities during the life of the proposed project agreement;

(5) an operating plan describing the operation of the completed facility if operation of a facility is part of the proposal, describing the management structure and approach, the proposed period of operations, enforcement, emergency response, and other relevant information;

(6) a finance plan describing the proposed financing of the project, identifying the source of funds to, where applicable, design, construct, maintain, and manage the project during the term of the proposed contract; and

(7) the legal basis for the project and licenses and certifications; the private entity must demonstrate that it has all licenses and certificates necessary to complete the project.

(d) Within 120 days after receiving an unsolicited proposal, the responsible public entity shall complete a preliminary evaluation of the unsolicited proposal and shall either:

(1) if the preliminary evaluation is unfavorable, return the proposal without further action;

(2) if the preliminary evaluation is favorable, notify the proposer that the responsible public entity will further evaluate the proposal; or

(3) request amendments, clarification, or modification of the unsolicited proposal.

(e) The procurement process for unsolicited proposals shall be as follows:

(1) If the responsible public entity chooses to further evaluate an unsolicited proposal with the intent to enter into a public-private agreement for the proposed project, then the responsible public entity shall publish notice in the Illinois Procurement Bulletin or in a newspaper of general circulation covering the location of the project at least once a week for 2 weeks stating that the responsible public entity has received a proposal and will accept other proposals for the same project. The time frame within which the responsible public entity may accept other proposals shall be determined by the responsible public entity on a project-by-project basis based upon the complexity of the transportation project and the public benefit to be gained by allowing a longer or shorter period of time within which other proposals may be received; however, the time frame for allowing other proposals must be at least 21 days, but no more than 120 days, after the initial date of publication.

(2) A copy of the notice must be mailed to each local government directly affected by the transportation project.

(3) The responsible public entity shall provide reasonably sufficient information, including the identity of its contact person, to enable other private entities to make proposals.

(4) If, after no less than 120 days, no counterproposal is received, or if the counterproposals are evaluated and found to be equal to or inferior to the original unsolicited proposal, the responsible public entity may proceed to negotiate a contract with the original proposer.

(5) If, after no less than 120 days, one or more counterproposals meeting unsolicited proposal standards are received, and if, in the opinion of the responsible public entity, the counterproposals are evaluated and found to be superior to the original unsolicited proposal, the responsible public entity shall proceed to determine the successful participant through a final procurement phase known as "Best and Final Offer" (BAFO). The BAFO is a process whereby a responsible public entity shall invite the original private sector party and the proponent submitting the superior counterproposal to engage in a BAFO phase. The invitation to participate in the BAFO phase will provide to each participating proposer:

(A) the general concepts that were considered superior to the original proposal, while keeping proprietary information contained in the proposals confidential to the extent possible; and

(B) the preestablished evaluation criteria or the "basis of award" to be used to determine the successful proponent.

(6) Offers received in response to the BAFO invitation will be reviewed by the responsible public entity and scored in accordance with a preestablished criteria, or alternatively, in accordance with the basis of award provision identified through the BAFO process. The successful proponent will be the proponent offering "best value" to the responsible public entity.

(7) In all cases, the basis of award will be the best value to the responsible public entity, as determined by the responsible public entity.

(f) After a comprehensive evaluation and acceptance of an unsolicited proposal and any alternatives, the responsible public entity may commence negotiations with a proposer, considering:

(1) the proposal has received a favorable comprehensive evaluation;

(2) the proposal is not duplicative of existing infrastructure project;

(3) the alternative proposal does not closely resemble a pending competitive proposal for a public-private private partnership or other procurement;

(4) the proposal demonstrates a unique method, approach, or concept;

(5) facts and circumstances that preclude or warrant additional competition;

(6) the availability of any funds, debts, or assets that the State will contribute to the project;

(7) facts and circumstances demonstrating that the project will likely have a significant adverse impact on on State bond ratings; and

(8) indemnifications included in the proposal.

(630 ILCS 5/20)

Sec. 20. Competitive procurement ~~Procurement~~ process.

(a) A responsible public entity may solicit proposals for a transportation project from private entities. The responsible public entity ~~transportation agency seeking to enter into a public private partnership with a private entity for the development, finance, and operation of a transportation facility as a transportation project~~ shall determine and set forth the criteria for the selection process. The responsible public entity ~~transportation agency~~ shall use (i) a competitive sealed bidding process, (ii) a competitive sealed proposal process, or (iii) a design-build procurement process in accordance with Section 25 of this Act. Before using one of these processes the responsible public entity ~~transportation agency~~ may use a request for information to obtain information relating to possible public-private partnerships.

(b) If a transportation project will require the performance of design work, the responsible public entity ~~transportation agency~~ shall use the shortlist selection process set forth in subsection (g) of this Section to evaluate and shortlist private entities based on qualifications, including but not limited to design qualifications.

A request for qualifications, request for proposals, or public-private agreement awarded to a contractor for a transportation project shall require that any subsequent need for architectural, engineering, or land surveying services which arises after the submittal of the request for qualifications or request for proposals or the awarding of the public-private agreement shall be procured by the contractor using a qualifications-based selection process consisting of:

(1) the publication of notice of availability of services;

(2) a statement of desired qualifications;

(3) an evaluation based on the desired qualifications;

(4) the development of a shortlist ranking the firms in order of qualifications; and

(5) negotiations with the ranked firms for a fair and reasonable fee.

Compliance with the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act shall be deemed prima facie compliance with this subsection (b). Every transportation project contract shall include provisions setting forth the requirements of this subsection (b).

(c) (Blank). ~~Prior to commencing a procurement for a transportation project under this Act, the transportation agency shall notify any other applicable public agency, including the Authority, in all cases involving toll facilities where the Department would commence the procurement, of its interest in undertaking the procurement and shall provide the other public agency or agencies with an opportunity to offer to develop and implement the transportation project. The transportation agency shall supply the other public agency or agencies with no less than the same level and type of information concerning the project that the transportation agency would supply to private entities in the procurement, unless that information is not then available, in which case the transportation agency shall supply the other public agency or agencies with the maximum amount of relevant information about the project as is then reasonably available. The transportation agency shall make available to the other public agencies the same subsidies, benefits, concessions, and other consideration that it intends to make available to the private entities in the procurement.~~

~~The public agencies shall have a maximum period of 60 days to review the information about the proposed transportation project and to respond to the transportation agency in writing to accept or reject the opportunity to develop and implement the transportation project. If a public agency rejects the opportunity during the 60 day period, then the public agency may not participate in the procurement for the proposed~~

~~transportation project by submitting a proposal of its own. If a public agency fails to accept or reject this opportunity in writing within the 60-day period, it shall be deemed to have rejected the opportunity.~~

~~If a public agency accepts the opportunity within the 60-day period, then the public agency shall have up to 120 days (or a longer period, if extended by the transportation agency), to (i) submit to the transportation agency a reasonable plan for development of the transportation project; (ii) if applicable, make an offer of reasonable consideration for the opportunity to undertake the transportation project; and (iii) negotiate a mutually acceptable intergovernmental agreement with the transportation agency that facilitates the development of the transportation project and requires that the transportation agency follow its procurement procedures under the Illinois Procurement Code and applicable rules rather than this Act. In considering whether a public agency's plan for developing and implementing the project is reasonable, the transportation agency shall consider the public agency's history of developing and implementing similar projects, the public agency's current capacity to develop and implement the proposed project, the user charges, if any, contemplated by the public agency's plan and how these user charges compare with user charges that would be imposed by a private entity developing and implementing the same project, the project delivery schedule proposed by the public agency, and other reasonable factors that are necessary, including consideration of risks and whether subsidy costs may be reduced, to determine whether development and implementation of the project by the public agency is in the best interest of the people of this State.~~

(d) (Blank). ~~If the transportation agency rejects or fails to negotiate mutually acceptable terms regarding a public agency's plan for developing and implementing the transportation project during the 120-day period described in subsection (c), then the public agency may not participate in the procurement for the proposed transportation project by submitting a proposal of its own. Following a rejection or failure to reach agreement regarding a public agency's plan, if the transportation agency later proceeds with a procurement in which it materially changes (i) the nature or scope of the project; (ii) any subsidies, benefits, concessions, or other significant project related considerations made available to the bidders; or (iii) any other terms of the project, as compared to when the transportation agency supplied information about the project to public agencies under subsection (c), then the transportation agency shall give public agencies another opportunity in accordance with subsection (c) to provide proposals for developing and implementing the project.~~

(e) (Blank). ~~Nothing in this Section 20 requires a transportation agency to go through a procurement process prior to developing and implementing a project through a public agency as described in subsection (c).~~

(f) All procurement processes shall incorporate requirements and set forth goals for participation by disadvantaged business enterprises as allowed under State and federal law.

(g) The responsible public entity ~~transportation agency~~ shall establish a process to shortlist potential private entities. The responsible public entity ~~transportation agency~~ shall: (i) provide a public notice of the shortlisting process for such period as deemed appropriate by the agency; (ii) set forth requirements and evaluation criteria in a request for qualifications; (iii) develop a shortlist by determining which private entities that have submitted statements of qualification, if any, meet the minimum requirements and best satisfy the evaluation criteria set forth in the request for qualifications; and (iv) allow only those entities, or groups of entities such as unincorporated joint ventures, that have been shortlisted to submit proposals or bids. Throughout the procurement period and as necessary following the award of a contract, the responsible public entity ~~transportation agency~~ shall make publicly available on its website information regarding firms that are prequalified by the responsible public entity ~~transportation agency~~ pursuant to Section 20 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act to provide architectural, engineering, and land surveying services. The responsible public entities ~~transportation agencies~~ shall require private entities to use firms prequalified under this Act to provide architectural, engineering, and land surveying services. Firms identified to provide architectural, engineering, and land surveying services in a statement of qualifications shall be prequalified under the Act to provide the identified services prior to the responsible public entity's ~~transportation agency's~~ award of the contract.

(h) Competitive sealed bidding requirements:

(1) All contracts shall be awarded by competitive sealed bidding except as otherwise provided in subsection (i) of this Section, Section 18 of this Act, and Section 25 of this Act.

(2) An invitation for bids shall be issued and shall include a description of the public-private partnership with a private entity for the development, finance, and operation of a transportation

facility as a transportation project, and the material contractual terms and conditions applicable to the procurement.

(3) Public notice of the invitation for bids shall be published in the State of Illinois Procurement Bulletin at least 21 days before the date set in the invitation for the opening of bids.

(4) Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The name of each bidder, the amount of each bid, and other relevant information as may be specified by rule shall be recorded. After the award of the contract, the winning bid and the record of each unsuccessful bid shall be open to public inspection.

(5) Bids shall be unconditionally accepted without alteration or correction, except as authorized in this Act. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award, such as discounts, transportation costs, and total or life cycle costs, shall be objectively measurable. The invitation for bids shall set forth the evaluation criteria to be used.

(6) Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards of contracts based on bid mistakes, shall be permitted in accordance with rules. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the State or fair competition shall be permitted. All decisions to permit the correction or withdrawal of bids based on bid mistakes shall be supported by written determination made by the responsible public entity ~~transportation agency~~.

(7) The contract shall be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids, except when the responsible public entity ~~transportation agency~~ determines it is not in the best interest of the State and by written explanation determines another bidder shall receive the award. The explanation shall appear in the appropriate volume of the State of Illinois Procurement Bulletin. The written explanation must include:

(A) a description of the responsible public entity's ~~agency's~~ needs;

(B) a determination that the anticipated cost will be fair and reasonable;

(C) a listing of all responsible and responsive bidders; and

(D) the name of the bidder selected, pricing, and the reasons for selecting that bidder.

(8) When it is considered impracticable to initially prepare a purchase description to support an award based on price, an invitation for bids may be issued requesting the submission of unpriced offers to be followed by an invitation for bids limited to those bidders whose offers have been qualified under the criteria set forth in the first solicitation.

(i) Competitive sealed proposal requirements:

(1) When the responsible public entity ~~transportation agency~~ determines in writing that the use of competitive sealed bidding or design-build procurement is either not practicable or not advantageous to the State, a contract may be entered into by competitive sealed proposals.

(2) Proposals shall be solicited through a request for proposals.

(3) Public notice of the request for proposals shall be published in the State of Illinois Procurement Bulletin at least 21 days before the date set in the invitation for the opening of proposals.

(4) Proposals shall be opened publicly in the presence of one or more witnesses at the time and place designated in the request for proposals, but proposals shall be opened in a manner to avoid disclosure of contents to competing offerors during the process of negotiation. A record of proposals shall be prepared and shall be open for public inspection after contract award.

(5) The requests for proposals shall state the relative importance of price and other evaluation factors. Proposals shall be submitted in 2 parts: (i) covering items except price; and (ii) covering price. The first part of all proposals shall be evaluated and ranked independently of the second part of all proposals.

(6) As provided in the request for proposals and under any applicable rules, discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarifying and assuring full understanding of and responsiveness to the solicitation requirements. Those offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. Revisions may be permitted after submission and before award for the purpose of obtaining best and final offers. In

conducting discussions there shall be no disclosure of any information derived from proposals submitted by competing offerors. If information is disclosed to any offeror, it shall be provided to all competing offerors.

(7) Awards shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the State, taking into consideration price and the evaluation factors set forth in the request for proposals. The contract file shall contain the basis on which the award is made.

(j) The responsible public entity ~~In the case of a proposal or proposals to the Department or the Authority, the transportation agency~~ shall determine, based on its review and evaluation of the proposal or proposals received ~~in response to the request for proposals~~, which one or more proposals, if any, best serve the public purpose of this Act and ~~satisfy the criteria set forth in the request for proposals and, with respect to such proposal or proposals,~~ shall:

(1) submit the proposal or proposals to the Commission on Government Forecasting and Accountability, which, within 20 days of submission by the responsible public entity ~~transportation agency~~, shall complete a review of the proposal or proposals and report on the value of the proposal or proposals to the State;

(2) hold one or more public hearings on the proposal or proposals, publish notice of the hearing or hearings at least 7 days before the hearing, and include the following in the notice: (i) the date, time, and place of the hearing and the address of the responsible public entity ~~transportation agency~~, (ii) the subject matter of the hearing, (iii) a description of the agreement to be awarded, (iv) the determination made by the responsible public entity ~~transportation agency~~ that such proposal or proposals best serve the public purpose of this Act ~~and satisfy the criteria set forth in the request for proposals~~, and (v) that the public may be heard on the proposal or proposals during the public hearing; and

(3) determine whether or not to recommend to the Governor that the Governor approve the proposal or proposals.

The Governor may approve one or more proposals recommended by the Department or the Authority based upon the review, evaluation, and recommendation of the responsible public entity ~~transportation agency~~, the review and report of the Commission on Government Forecasting and Accountability, the public hearing, and the best interests of the State.

(k) In addition to any other rights under this Act, in connection with any procurement under this Act, the following rights are reserved to each responsible public entity ~~transportation agency~~:

(1) to withdraw a request for information, a request for qualifications, or a request for proposals at any time, and to publish a new request for information, request for qualifications, or request for proposals;

(2) to not approve a proposal for any reason;

(3) to not award a public-private agreement for any reason;

(4) to request clarifications to any statement of information, qualifications, or proposal received, to seek one or more revised proposals or one or more best and final offers, or to conduct negotiations with one or more private entities that have submitted proposals;

(5) to modify, during the pendency of a procurement, the terms, provisions, and conditions of a request for information, request for qualifications, or request for proposals or the technical specifications or form of a public-private agreement;

(6) to interview proposers; and

(7) any other rights available to the responsible public entity ~~transportation agency~~ under applicable law and regulations.

(l) If a proposal is approved, the responsible public entity ~~transportation agency~~ shall execute the public-private agreement, publish notice of the execution of the public-private agreement on its website and in a newspaper or newspapers of general circulation within the county or counties in which the transportation project is to be located, and publish the entire agreement on its website. Any action to contest the validity of a public-private agreement entered into under this Act must be brought no later than 60 days after the date of publication of the notice of execution of the public-private agreement.

(m) For any transportation project with an estimated construction cost of over $50,000,000, the responsible public entity ~~transportation agency~~ may also require the approved proposer to pay the costs for an independent audit of any and all traffic and cost estimates associated with the approved proposal, as well as a review of all public costs and potential liabilities to which taxpayers could be exposed (including improvements to other transportation facilities that may be needed as a result of the approved proposal,

failure by the approved proposer to reimburse the transportation agency for services provided, and potential risk and liability in the event the approved proposer defaults on the public-private agreement or on bonds issued for the project). If required by the responsible public entity ~~transportation agency~~, this independent audit must be conducted by an independent consultant selected by the transportation agency, and all information from the review must be fully disclosed.

(n) The responsible public entity ~~transportation agency~~ may also apply for, execute, or endorse applications submitted by private entities to obtain federal credit assistance for qualifying projects developed or operated pursuant to this Act.

(Source: P.A. 97-502, eff. 8-23-11; 97-858, eff. 7-27-12.)

(630 ILCS 5/30)

Sec. 30. Interim agreements.

(a) Prior to or in connection with the negotiation of the public-private agreement, the responsible public entity ~~transportation agency~~ may enter into an interim agreement with the approved proposer. Such interim agreement may:

(1) permit the approved proposer to commence activities relating to a proposed project as the responsible public entity ~~transportation agency~~ and the approved proposer shall agree to and for which the approved proposer may be compensated, including, but not limited to, project planning, advance right-of-way acquisition, design and engineering, environmental analysis and mitigation, survey, conducting transportation and revenue studies, and ascertaining the availability of financing for the proposed facility or facilities;

(2) establish the process and timing of the exclusive negotiation of a public-private agreement with an approved proposer;

(3) require that in the event the responsible public entity ~~transportation agency~~ determines not to proceed with a project after the approved proposer and the responsible public entity ~~transportation agency~~ have executed an interim agreement, and thereby terminates the interim agreement or declines to proceed with negotiation of a public-private agreement with an approved proposer, the responsible public entity ~~transportation agency~~ shall pay to the approved proposer certain fees and costs incurred by the approved proposer;

(4) establish the ownership in the State or in the Authority of the concepts and designs in the event of termination of the interim agreement;

(5) establish procedures for the selection of professional design firms and subcontractors, which shall include procedures consistent with the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act for the selection of design professional firms and may include, in the discretion of the responsible public entity ~~transportation agency~~, procedures consistent with the low bid procurement procedures outlined in the Illinois Procurement Code for the selection of construction companies; and

(6) contain any other provisions related to any aspect of the transportation project that the parties may deem appropriate.

(b) A responsible public entity ~~transportation agency~~ may enter into an interim agreement with multiple approved proposers if the responsible public entity ~~transportation agency~~ determines in writing that it is in the public interest to do so.

(c) The approved proposer shall select firms that are prequalified by the responsible public entity ~~transportation agency~~ pursuant to Section 20 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act to provide architectural, engineering, and land surveying services to undertake activities related to the transportation project.

(Source: P.A. 97-502, eff. 8-23-11.)

(630 ILCS 5/35)

Sec. 35. Public-private agreements.

(a) Unless undertaking actions otherwise permitted in an interim agreement entered into under Section 30 of this Act, before developing, financing, or operating the transportation project, the approved proposer shall enter into a public-private agreement with the transportation agency. Subject to the requirements of this Act, a public-private agreement may provide that the approved proposer, acting on behalf of the responsible public entity ~~transportation agency~~, is partially or entirely responsible for any combination of developing, financing, or operating the transportation project under terms set forth in the public-private agreement.

(b) The public-private agreement may, as determined appropriate by the responsible public entity ~~transportation agency~~ for the particular transportation project, provide for some or all of the following:

(1) Development, financing, and operation of the transportation project under terms set forth in the public-private agreement, in any form as deemed appropriate by the responsible public entity ~~transportation agency~~, including, but not limited to, a long-term concession and lease, a design-bid-build agreement, a design-build agreement, a design-build-maintain agreement, a design-build-finance agreement, a design-build-operate-maintain agreement and a design-build-finance-operate-maintain agreement.

(2) Delivery of performance and payment bonds or other performance security determined suitable by the responsible public entity ~~transportation agency~~, including letters of credit, United States bonds and notes, parent guaranties, and cash collateral, in connection with the development, financing, or operation of the transportation project, in the forms and amounts set forth in the public-private agreement or otherwise determined as satisfactory by the responsible public entity ~~transportation agency~~ to protect the responsible public entity ~~transportation agency~~ and payment bond beneficiaries who have a direct contractual relationship with the contractor or a subcontractor of the contractor to supply labor or material. The payment or performance bond or alternative form of performance security is not required for the portion of a public-private agreement that includes only design, planning, or financing services, the performance of preliminary studies, or the acquisition of real property.

(3) Review of plans for any development or operation, or both, of the transportation project by the responsible public entity ~~transportation agency~~.

(4) Inspection of any construction of or improvements to the transportation project by the responsible public entity ~~transportation agency~~ or another entity designated by the responsible public entity ~~transportation agency~~ or under the public-private agreement to ensure that the construction or improvements conform to the standards set forth in the public-private agreement or are otherwise acceptable to the responsible public entity ~~transportation agency~~.

(5) Maintenance of:

(A) one or more policies of public liability insurance (copies of which shall be filed with the responsible public entity ~~transportation agency~~ accompanied by proofs of coverage); or

(B) self-insurance;

each in form and amount as set forth in the public-private agreement or otherwise satisfactory to the responsible public entity ~~transportation agency~~ as reasonably sufficient to insure coverage of tort liability to the public and employees and to enable the continued operation of the transportation project.

(6) Where operations are included within the contractor's obligations under the public-private agreement, monitoring of the maintenance practices of the contractor by the responsible public entity ~~transportation agency~~ or another entity designated by the responsible public entity ~~transportation agency~~ or under the public-private agreement and the taking of the actions the responsible public entity ~~transportation agency~~ finds appropriate to ensure that the transportation project is properly maintained.

(7) Reimbursement to be paid to the responsible public entity ~~transportation agency~~ as set forth in the public-private agreement for services provided by the responsible public entity ~~transportation agency~~.

(8) Filing of appropriate financial statements and reports as set forth in the public-private agreement or as otherwise in a form acceptable to the responsible public entity ~~transportation agency~~ on a periodic basis.

(9) Compensation or payments to the contractor. Compensation or payments may include any or a combination of the following:

(A) a base fee and additional fee for project savings as the design-builder of a construction project;

(B) a development fee, payable on a lump-sum basis, progress payment basis, time and materials basis, or another basis deemed appropriate by the responsible public entity ~~transportation agency~~;

(C) an operations fee, payable on a lump-sum basis, time and material basis, periodic basis, or another basis deemed appropriate by the responsible public entity ~~transportation agency~~;

(D) some or all of the revenues, if any, arising out of operation of the transportation project;

(E) a maximum rate of return on investment or return on equity or a combination of the two;

(F) in-kind services, materials, property, equipment, or other items;

(G) compensation in the event of any termination;

(H) availability payments or similar arrangements whereby payments are made to the contractor pursuant to the terms set forth in the public-private agreement or related agreements; or

(I) other compensation set forth in the public-private agreement or otherwise deemed appropriate by the responsible public entity ~~transportation agency~~.

(10) Compensation or payments to the responsible public entity ~~transportation agency~~, if any. Compensation or payments may include any or a combination of the following:

(A) a concession or lease payment or other fee, which may be payable upfront or on a periodic basis or on another basis deemed appropriate by the responsible public entity ~~transportation agency~~;

(B) sharing of revenues, if any, from the operation of the transportation project;

(C) sharing of project savings from the construction of the transportation project;

(D) payment for any services, materials, equipment, personnel, or other items provided by the responsible public entity ~~transportation agency~~ to the contractor under the public-private agreement or in connection with the transportation project; or

(E) other compensation set forth in the public-private agreement or otherwise deemed appropriate by the responsible public entity ~~transportation agency~~.

(11) The date and terms of termination of the contractor's authority and duties under the public-private agreement and the circumstances under which the contractor's authority and duties may be terminated prior to that date.

(12) Reversion of the transportation project to the responsible public entity ~~transportation agency~~ at the termination or expiration of the public-private agreement.

(13) Rights and remedies of the responsible public entity ~~transportation agency~~ in the event that the contractor defaults or otherwise fails to comply with the terms of the public-private agreement.

(14) Procedures for the selection of professional design firms and subcontractors, which shall include procedures consistent with the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act for the selection of professional design firms and may include, in the discretion of the responsible public entity ~~transportation agency~~, procedures consistent with the low bid procurement procedures outlined in the Illinois Procurement Code for the selection of construction companies.

(15) Other terms, conditions, and provisions that the responsible public entity ~~transportation agency~~ believes are in the public interest.

(c) The responsible public entity ~~transportation agency~~ may fix and revise the amounts of user fees that a contractor may charge and collect for the use of any part of a transportation project in accordance with the public-private agreement. In fixing the amounts, the responsible public entity ~~transportation agency~~ may establish maximum amounts for the user fees and may provide that the maximums and any increases or decreases of those maximums shall be based upon the indices, methodologies, or other factors the responsible public entity ~~transportation agency~~ considers appropriate.

(d) A public-private agreement may:

(1) authorize the imposition of tolls in any manner determined appropriate by the responsible public entity ~~transportation agency~~ for the transportation project;

(2) authorize the contractor to adjust the user fees for the use of the transportation project, so long as the amounts charged and collected by the contractor do not exceed the maximum amounts established by the responsible public entity ~~transportation agency~~ under the public-private agreement;

(3) provide that any adjustment by the contractor permitted under paragraph (2) of this subsection (d) may be based on the indices, methodologies, or other factors described in the public-private agreement or approved by the responsible public entity ~~transportation agency~~;

(4) authorize the contractor to charge and collect user fees through methods, including, but not limited to, automatic vehicle identification systems, electronic toll collection systems, and, to the extent permitted by law, global positioning system-based, photo-based, or video-based toll collection enforcement, provided that to the maximum extent feasible the contractor will (i) utilize open road

tolling methods that allow payment of tolls at highway speeds and (ii) comply with United States Department of Transportation requirements and best practices with respect to tolling methods; and

(5) authorize the collection of user fees by a third party.

(e) In the public-private agreement, the responsible public entity ~~transportation agency~~ may agree to make grants or loans for the development or operation, or both, of the transportation project from time to time from amounts received from the federal government or any agency or instrumentality of the federal government or from any State or local agency.

(f) Upon the termination or expiration of the public-private agreement, including a termination for default, the responsible public entity ~~transportation agency~~ shall have the right to take over the transportation project and to succeed to all of the right, title, and interest in the transportation project. Upon termination or expiration of the public-private agreement relating to a transportation project undertaken by the Department, all real property acquired as a part of the transportation project shall be held in the name of the State of Illinois. Upon termination or expiration of the public-private agreement relating to a transportation project undertaken by the Authority, all real property acquired as a part of the transportation project shall be held in the name of the Authority.

(g) If a responsible public entity ~~transportation agency~~ elects to take over a transportation project as provided in subsection (f) of this Section, the responsible public entity ~~transportation agency~~ may do the following:

(1) develop, finance, or operate the project, including through a public-private agreement entered into in accordance with this Act; or

(2) impose, collect, retain, and use user fees, if any, for the project.

(h) If a responsible public entity ~~transportation agency~~ elects to take over a transportation project as provided in subsection (f) of this Section, the responsible public entity ~~transportation agency~~ may use the revenues, if any, for any lawful purpose, including to:

(1) make payments to individuals or entities in connection with any financing of the transportation project, including through a public-private agreement entered into in accordance with this Act;

(2) permit a contractor to receive some or all of the revenues under a public-private agreement entered into under this Act;

(3) pay development costs of the project;

(4) pay current operation costs of the project or facilities;

(5) pay the contractor for any compensation or payment owing upon termination; and

(6) pay for the development, financing, or operation of any other project or projects the responsible public entity ~~transportation agency~~ deems appropriate.

(i) The full faith and credit of the State or any political subdivision of the State or the responsible public entity ~~transportation agency~~ is not pledged to secure any financing of the contractor by the election to take over the transportation project. Assumption of development or operation, or both, of the transportation project does not obligate the State or any political subdivision of the State or the responsible public entity ~~transportation agency~~ to pay any obligation of the contractor.

(j) The responsible public entity ~~transportation agency~~ may enter into a public-private agreement with multiple approved proposers if the responsible public entity ~~transportation agency~~ determines in writing that it is in the public interest to do so.

(k) A public-private agreement shall not include any provision under which the responsible public entity ~~transportation agency~~ agrees to restrict or to provide compensation to the private entity for the construction or operation of a competing transportation facility during the term of the public-private agreement.

(l) With respect to a public-private agreement entered into by the Department, the Department shall certify in its State budget request to the Governor each year the amount required by the Department during the next State fiscal year to enable the Department to make any payment obligated to be made by the Department pursuant to that public-private agreement, and the Governor shall include that amount in the State budget submitted to the General Assembly.

(Source: P.A. 97-502, eff. 8-23-11; 97-858, eff. 7-27-12.)

(630 ILCS 5/40)

Sec. 40. Development and operations standards for transportation projects.

(a) The plans and specifications, if any, for each project developed under this Act must comply with:

(1) the responsible public entity's ~~transportation agency's~~ standards for other projects of a similar nature or as otherwise provided in the public-private agreement;

(2) the Professional Engineering Practice Act of 1989, the Structural Engineering Practice Act of 1989, the Illinois Architecture Practice Act of 1989, the requirements of Section 30-22 of the Illinois Procurement Code as they apply to responsible bidders, and the Illinois Professional Land Surveyor Act of 1989; and

(3) any other applicable State or federal standards.

(b) Each highway project constructed or operated under this Act is considered to be part of:

(1) the State highway system for purposes of identification, maintenance standards, and enforcement of traffic laws if the highway project is under the jurisdiction of the Department; or

(2) the toll highway system for purposes of identification, maintenance standards, and enforcement of traffic laws if the highway project is under the jurisdiction of the Authority.

(c) Any unit of local government or State agency may enter into agreements with the contractor for maintenance or other services under this Act.

(d) Any electronic toll collection system used on a toll highway, bridge, or tunnel as part of a transportation project must be compatible with the electronic toll collection system used by the Authority. The Authority is authorized to construct, operate, and maintain any electronic toll collection system used on a toll highway, bridge, or tunnel as part of a transportation project pursuant to an agreement with the responsible public entity ~~transportation agency~~ or the contractor responsible for the transportation project. All private entities and public agencies shall have an equal opportunity to contract with the Authority to provide construction, operation, and maintenance services. In addition, during the procurement of a public-private agreement, these construction, operation, and maintenance services shall be available under identical terms to each private entity participating in the procurement. To the extent that a public-private agreement or an agreement with a public agency under subsection (c) of Section 20 of this Act authorizes tolling, the responsible public entities ~~transportation agencies~~ and any contractor under a public-private partnership or a public agency under an agreement pursuant to subsection (c) of Section 20 of this Act shall comply with subsection (a-5) of Section 10 of the Toll Highway Act as it relates to toll enforcement.
(Source: P.A. 97-502, eff. 8-23-11; 97-858, eff. 7-27-12.)

(630 ILCS 5/45)

Sec. 45. Financial arrangements.

(a) The responsible public entity ~~transportation agency~~ may do any combination of applying for, executing, or endorsing applications submitted by private entities to obtain federal, State, or local credit assistance for transportation projects developed, financed, or operated under this Act, including loans, lines of credit, and guarantees.

(b) The responsible public entity ~~transportation agency~~ may take any action to obtain federal, State, or local assistance for a transportation project that serves the public purpose of this Act and may enter into any contracts required to receive the federal assistance. The responsible public entity ~~transportation agency~~ may determine that it serves the public purpose of this Act for all or any portion of the costs of a transportation project to be paid, directly or indirectly, from the proceeds of a grant or loan, line of credit, or loan guarantee made by a local, State, or federal government or any agency or instrumentality of a local, State, or federal government. Such assistance may include, but not be limited to, federal credit assistance pursuant to the Transportation Infrastructure Finance and Innovation Act (TIFIA).

(c) The responsible public entity ~~transportation agency~~ may agree to make grants or loans for the development, financing, or operation of a transportation project from time to time, from amounts received from the federal, State, or local government or any agency or instrumentality of the federal, State, or local government.

(d) Any financing of a transportation project may be in the amounts and upon the terms and conditions that are determined by the parties to the public-private agreement.

(e) For the purpose of financing a transportation project, the contractor and the responsible public entity ~~transportation agency~~ may do the following:

(1) propose to use any and all revenues that may be available to them;

(2) enter into grant agreements;

(3) access any other funds available to the responsible public entity ~~transportation agency~~; and

(4) accept grants from the responsible public entity ~~transportation agency~~ or other public or private agency or entity.

(f) For the purpose of financing a transportation project, public funds, including public or private pension funds, may be used and mixed and aggregated with funds provided by or on behalf of the contractor or other private entities.

(g) For the purpose of financing a transportation project, each responsible public entity ~~transportation agency~~ is authorized to do any combination of applying for, executing, or endorsing applications for an allocation of tax-exempt bond financing authorization provided by Section 142(m) of the United States Internal Revenue Code, as well as financing available under any other federal law or program.

(h) Any bonds, debt, or other securities or other financing issued by or on behalf of a contractor for the purposes of a project undertaken under this Act shall not be deemed to constitute a debt of the State or any political subdivision of the State or a pledge of the faith and credit of the State or any political subdivision of the State.

(Source: P.A. 97-502, eff. 8-23-11; 97-858, eff. 7-27-12.)

(630 ILCS 5/50)

Sec. 50. Acquisition of property.

(a) The responsible public entity ~~transportation agency~~ may exercise any power of condemnation or eminent domain, including quick-take powers, that it has under law, including, in the case of the Department, all powers for acquisition of property rights granted it in the Illinois Highway Code, for the purpose of acquiring any lands or estates or interests in land for a transportation project to the extent provided in the public-private agreement or otherwise to the extent that the responsible public entity ~~transportation agency~~ finds that the action serves the public purpose of this Act and deems it appropriate in the exercise of its powers under this Act.

(b) The responsible public entity ~~transportation agency~~ and a contractor may enter into the leases, licenses, easements, and other grants of property interests that the responsible public entity ~~transportation agency~~ determines necessary to carry out this Act.

(Source: P.A. 97-502, eff. 8-23-11.)

(630 ILCS 5/55)

Sec. 55. Labor.

(a) A public-private agreement related to a transportation project pertaining to the building, altering, repairing, maintaining, improving, or demolishing a transportation facility shall require the contractor and all subcontractors to comply with the requirements of Section 30-22 of the Illinois Procurement Code as they apply to responsible bidders and to present satisfactory evidence of that compliance to the responsible public entity ~~transportation agency~~, unless the transportation project is federally funded and the application of those requirements would jeopardize the receipt or use of federal funds in support of the transportation project.

(b) A public-private agreement related to a transportation project pertaining to a new transportation facility shall require the contractor to enter into a project labor agreement utilized by the Department.

(Source: P.A. 97-502, eff. 8-23-11.)

(630 ILCS 5/65)

Sec. 65. Term of agreement; reversion of property to responsible public entity ~~transportation agency~~.

(a) The term of a public-private agreement, including all extensions, may not exceed 99 years.

(b) The responsible public entity ~~transportation agency~~ shall terminate the contractor's authority and duties under the public-private agreement on the date set forth in the public-private agreement.

(c) Upon termination of the public-private agreement, the authority and duties of the contractor under this Act cease, except for those duties and obligations that extend beyond the termination, as set forth in the public-private agreement, and all interests in the transportation facility shall revert to the responsible public entity ~~transportation agency~~.

(Source: P.A. 97-502, eff. 8-23-11.)

(630 ILCS 5/70)

Sec. 70. Additional powers of responsible public entities ~~transportation agencies~~ with respect to transportation projects.

(a) Each responsible public entity ~~transportation agency~~ may exercise any powers provided under this Act in participation or cooperation with any governmental entity and enter into any contracts to facilitate that participation or cooperation without compliance with any other statute. Each responsible public entity ~~transportation agency~~ shall cooperate with each other and with other governmental entities in carrying out transportation projects under this Act.

(b) Each responsible public entity ~~transportation agency~~ may make and enter into all contracts and agreements necessary or incidental to the performance of the responsible public entity's ~~transportation agency's~~ duties and the execution of the responsible public entity's ~~transportation agency's~~ powers under this Act. Except as otherwise required by law, these contracts or agreements are not subject to any approvals other than the approval of the responsible public entity ~~transportation agency~~ and may be for any term of years and contain any terms that are considered reasonable by the responsible public entity ~~transportation agency~~.

(c) Each responsible public entity ~~transportation agency~~ may pay the costs incurred under a public-private agreement entered into under this Act from any funds available to the responsible public entity ~~transportation agency~~ under this Act or any other statute.

(d) A responsible public entity ~~transportation agency~~ or other State agency may not take any action that would impair a public-private agreement entered into under this Act.

(e) Each responsible public entity ~~transportation agency~~ may enter into an agreement between and among the contractor, the responsible public entity ~~transportation agency,~~ and the Illinois State Police concerning the provision of law enforcement assistance with respect to a transportation project that is the subject of a public-private agreement under this Act.

(f) Each responsible public entity ~~transportation agency~~ is authorized to enter into arrangements with the Illinois State Police related to costs incurred in providing law enforcement assistance under this Act.

(Source: P.A. 102-538, eff. 8-20-21.)

(630 ILCS 5/80)

Sec. 80. Powers liberally construed. The powers conferred by this Act shall be liberally construed in order to accomplish their purposes and shall be in addition and supplemental to the powers conferred by any other law. If any other law or rule is inconsistent with this Act, this Act is controlling as to any public-private agreement entered into under this Act. To implement the powers conferred by this Act, the responsible public entity ~~transportation agency~~ may establish rules and procedures for the procurement of a public-private agreement under this Act. Nothing contained in this Act is intended to supersede applicable federal law or to foreclose the use or potential use of federal funds. In the event any provision of this Act is inconsistent with applicable federal law or would have the effect of foreclosing the use or potential use of federal funds, the applicable federal law or funding condition shall prevail, but only to the extent of such inconsistency.

(Source: P.A. 97-502, eff. 8-23-11.)

(630 ILCS 5/85)

Sec. 85. Full and complete authority. This Act contains full and complete authority for agreements and leases with private entities to carry out the activities described in this Act. Except as otherwise required by law, no procedure, proceedings, publications, notices, consents, approvals, orders, or acts by the responsible public entity ~~transportation agency~~ or any other State or local agency or official are required to enter into an agreement or lease.

(Source: P.A. 97-502, eff. 8-23-11.)

ARTICLE 95. LICENSING OF SOFTWARE APPLICATIONS

Section 95-5. The Illinois Procurement Code is amended by adding Section 20-57 as follows:

(30 ILCS 500/20-57 new)

Sec. 20-57. Software licensing contracts. A contract entered into by a public agency for the licensing of software applications designed to run on generally available desktop or server hardware may not limit the public agency's ability to install or run the software on the hardware of the public agency's choosing.

ARTICLE 97. PUBLIC CONSTRUCTION BONDS

Section 97-5. The Public Construction Bond Act is amended by changing Section 1 as follows:

(30 ILCS 550/1) (from Ch. 29, par. 15)

Sec. 1. Except as otherwise provided by this Act, until January 1, 2029, all officials, boards, commissions, or agents of this State, or of any political subdivision thereof, in making contracts for public work of any kind costing over $150,000 ~~$50,000~~ to be performed for the State, or of any political subdivision thereof, shall require every contractor for the work to furnish, supply and deliver a bond to the State, or to the political subdivision thereof entering into the contract, as the case may be, with good and

sufficient sureties. The surety on the bond shall be a company that is licensed by the Department of Insurance authorizing it to execute surety bonds and the company shall have a financial strength rating of at least A- as rated by A.M. Best Company, Inc., Moody's Investors Service, Standard & Poor's Corporation, or a similar rating agency. The amount of the bond shall be fixed by the officials, boards, commissions, commissioners or agents, and the bond, among other conditions, shall be conditioned for the completion of the contract, for the payment of material, apparatus, fixtures, and machinery used in the work and for all labor performed in the work, whether by subcontractor or otherwise.

Until January 1, 2029, when making contracts for public works to be constructed, the Department of Transportation and the Illinois State Toll Highway Authority shall require every contractor for those works to furnish, supply, and deliver a bond to the Department or the Authority, as the case may be, with good and sufficient sureties only if the public works contract will cost more than $500,000. The Department of Transportation and the Illinois State Toll Highway Authority shall publicly display the following information by website or annual report and shall provide that information to interested parties upon request:

(1) a list of each of its defaulted public works contracts, including the value of the award, the adjusted contract value, and the amount remaining unpaid by the Department or Authority, as applicable;

(2) the number and the aggregate amount of payment claims made under the Mechanics Lien Act along with the number of contracts in which payment claims are made under the Mechanics Lien Act;

(3) for each of its public improvement contracts, regardless of the contract value, the aggregate annual revenue of the contractor derived from contracts with the State;

(4) for each of its public works contracts, regardless of contract value, the identity of the surety providing the contract bond, payment and performance bond, or both; and

(5) for each of its public works contracts, regardless of the bond threshold, a list of bidders for each public works contract, and the amount bid by each bidder.

Until January 1, 2029, local governmental units may require a bond, by ordinance or resolution, for public works contracts valued at $150,000 or less.

On and after January 1, 2029, all officials, boards, commissions, or agents of this State, or of any political subdivision thereof, in making contracts for public work of any kind costing over $50,000 to be performed for the State, or of any political subdivision thereof, shall require every contractor for the work to furnish, supply and deliver a bond to the State, or to the political subdivision thereof entering into the contract, as the case may be, with good and sufficient sureties. The surety on the bond shall be a company that is licensed by the Department of Insurance authorizing it to execute surety bonds and the company shall have a financial strength rating of at least A- as rated by A.M. Best Company, Inc., Moody's Investors Service, Standard & Poor's Corporation, or a similar rating agency. The amount of the bond shall be fixed by the officials, boards, commissions, commissioners or agents, and the bond, among other conditions, shall be conditioned for the completion of the contract, for the payment of material, apparatus, fixtures, and machinery used in the work and for all labor performed in the work, whether by subcontractor or otherwise.

If the contract is for emergency repairs as provided in the Illinois Procurement Code, proof of payment for all labor, materials, apparatus, fixtures, and machinery may be furnished in lieu of the bond required by this Section.

Each such bond is deemed to contain the following provisions whether such provisions are inserted in such bond or not:

"The principal and sureties on this bond agree that all the undertakings, covenants, terms, conditions and agreements of the contract or contracts entered into between the principal and the State or any political subdivision thereof will be performed and fulfilled and to pay all persons, firms and corporations having contracts with the principal or with subcontractors, all just claims due them under the provisions of such contracts for labor performed or materials furnished in the performance of the contract on account of which this bond is given, when such claims are not satisfied out of the contract price of the contract on account of which this bond is given, after final settlement between the officer, board, commission or agent of the State or of any political subdivision thereof and the principal has been made.".

Each bond securing contracts between the Capital Development Board or any board of a public institution of higher education and a contractor shall contain the following provisions, whether the provisions are inserted in the bond or not:

"Upon the default of the principal with respect to undertakings, covenants, terms, conditions, and agreements, the termination of the contractor's right to proceed with the work, and written notice of that

default and termination by the State or any political subdivision to the surety ("Notice"), the surety shall promptly remedy the default by taking one of the following actions:

(1) The surety shall complete the work pursuant to a written takeover agreement, using a completing contractor jointly selected by the surety and the State or any political subdivision; or

(2) The surety shall pay a sum of money to the obligee, up to the penal sum of the bond, that represents the reasonable cost to complete the work that exceeds the unpaid balance of the contract sum.

The surety shall respond to the Notice within 15 working days of receipt indicating the course of action that it intends to take or advising that it requires more time to investigate the default and select a course of action. If the surety requires more than 15 working days to investigate the default and select a course of action or if the surety elects to complete the work with a completing contractor that is not prepared to commence performance within 15 working days after receipt of Notice, and if the State or any political subdivision determines it is in the best interest of the State to maintain the progress of the work, the State or any political subdivision may continue to work until the completing contractor is prepared to commence performance. Unless otherwise agreed to by the procuring agency, in no case may the surety take longer than 30 working days to advise the State or political subdivision on the course of action it intends to take. The surety shall be liable for reasonable costs incurred by the State or any political subdivision to maintain the progress to the extent the costs exceed the unpaid balance of the contract sum, subject to the penal sum of the bond.".

The surety bond required by this Section may be acquired from the company, agent or broker of the contractor's choice. The bond and sureties shall be subject to the right of reasonable approval or disapproval, including suspension, by the State or political subdivision thereof concerned. Except as otherwise provided in this Section, in the case of State construction contracts, a contractor shall not be required to post a cash bond or letter of credit in addition to or as a substitute for the surety bond required by this Section.

Prior to the completion of 50% of the contract for public works, a local governmental unit may not withhold retainage from any payment to a contractor who furnishes the bond or bond substitute required by this Act in an amount in excess of 10% of any payment made prior to the date of completion of 50% of the contract for public works. When a contract for public works is 50% complete, the local governmental unit shall reduce the retainage so that no more than 5% is held. After the contract is 50% complete, no more than 5% of the amount of any subsequent payments made under the contract for public works may be withheld as retainage.

Prior to the completion of 50% of the contract for public works, the contractor and their respective subcontractors shall not withhold from their subcontractors retainage in excess of 10% of any payment made prior to the date of completion of 50% of the contract for public works. When the contract for public works is 50% complete, the contractor and its subcontractors shall reduce the retainage so that no more than 5% is withheld from their respective subcontractors. After the contract is 50% complete, the contractor and its subcontractors shall not withhold more than 5% of the amount of any subsequent payments made under the contract to their respective subcontractors.

When other than motor fuel tax funds, federal-aid funds, or other funds received from the State are used, a political subdivision may allow the contractor to provide a non-diminishing irrevocable bank letter of credit, in lieu of the bond required by this Section, on contracts under $100,000 to comply with the requirements of this Section. Any such bank letter of credit shall contain all provisions required for bonds by this Section.

In order to reduce barriers to entry for diverse and small businesses, the Department of Transportation may implement a 5-year pilot program to allow a contractor to provide a non-diminishing irrevocable bank letter of credit in lieu of the bond required by this Section on contracts under $500,000. Projects selected by the Department of Transportation for this pilot program must be classified by the Department as low-risk scope of work contracts. The Department shall adopt rules to define the criteria for pilot project selection and implementation of the pilot program.

In ~~For the purposes of~~ this Section: ~~, the terms "material"~~

"Local governmental unit" has the meaning ascribed to it in Section 2 of the Local Government Prompt Payment Act.

"Material", "labor", "apparatus", "fixtures", and "machinery" include those rented items that are on the construction site and those rented tools that are used or consumed on the construction site in the performance of the contract on account of which the bond is given.

(Source: P.A. 101-65, eff. 1-1-20; 102-968, eff. 1-1-23.)

ARTICLE 98 VENDOR CONTRIBUTION LIMITS AND REGISTRATION REQUIREMENTS

Section 98-5. The Illinois Procurement Code is amended by changing Sections 20-160 and 50-37 as follows:

(30 ILCS 500/20-160)

Sec. 20-160. Business entities; certification; registration with the State Board of Elections.

(a) For purposes of this Section, the terms "business entity", "contract", "State contract", "contract with a State agency", "State agency", "affiliated entity", and "affiliated person" have the meanings ascribed to those terms in Section 50-37.

(b) Every bid and offer submitted to and every contract executed by the State on or after January 1, 2009 (the effective date of Public Act 95-971) and every submission to a vendor portal shall contain (1) a certification by the bidder, offeror, vendor, or contractor that either (i) the bidder, offeror, vendor, or contractor is not required to register as a business entity with the State Board of Elections pursuant to this Section or (ii) the bidder, offeror, vendor, or contractor has registered as a business entity with the State Board of Elections and acknowledges a continuing duty to update the registration and (2) a statement that the contract is voidable under Section 50-60 for the bidder's, offeror's, vendor's, or contractor's failure to comply with this Section.

(c) Each business entity (i) whose aggregate pending bids and proposals on State contracts ~~annually~~ total more than $50,000, (ii) whose aggregate pending bids and proposals on State contracts combined with the business entity's aggregate ~~annual~~ total value of State contracts exceed $50,000, or (iii) whose contracts with State agencies, in the aggregate, ~~annually~~ total more than $50,000 shall register with the State Board of Elections in accordance with Section 9-35 of the Election Code. A business entity required to register under this subsection due to item (i) or (ii) has a continuing duty to ensure that the registration is accurate during the period beginning on the date of registration and ending on the day after the date the contract is awarded; any change in information must be reported to the State Board of Elections 5 business days following such change or no later than a day before the contract is awarded, whichever date is earlier. A business entity required to register under this subsection due to item (iii) has a continuing duty to ensure that the registration is accurate in accordance with subsection (e).

(d) Any business entity, not required under subsection (c) to register, whose aggregate pending bids and proposals on State contracts ~~annually~~ total more than $50,000, or whose aggregate pending bids and proposals on State contracts combined with the business entity's aggregate ~~annual~~ total value of State contracts exceed $50,000, shall register with the State Board of Elections in accordance with Section 9-35 of the Election Code prior to submitting to a State agency the bid or proposal whose value causes the business entity to fall within the monetary description of this subsection. A business entity required to register under this subsection has a continuing duty to ensure that the registration is accurate during the period beginning on the date of registration and ending on the day after the date the contract is awarded. Any change in information must be reported to the State Board of Elections within 5 business days following such change or no later than a day before the contract is awarded, whichever date is earlier.

(e) A business entity whose contracts with State agencies, in the aggregate, ~~annually~~ total more than $50,000 must maintain its registration under this Section and has a continuing duty to ensure that the registration is accurate for the duration of the term of office of the incumbent officeholder awarding the contracts or for a period of 2 years following the expiration or termination of the contracts, whichever is longer. A business entity, required to register under this subsection, has a continuing duty to report any changes on a quarterly basis to the State Board of Elections within 14 calendar days following the last day of January, April, July, and October of each year. Any update pursuant to this paragraph that is received beyond that date is presumed late and the civil penalty authorized by subsection (e) of Section 9-35 of the Election Code may be assessed.

Also, if a business entity required to register under this subsection has a pending bid or offer, any change in information shall be reported to the State Board of Elections within 7 calendar days following such change or no later than a day before the contract is awarded, whichever date is earlier.

(f) A business entity's continuing duty under this Section to ensure the accuracy of its registration includes the requirement that the business entity notify the State Board of Elections of any change in information, including, but not limited to, changes of affiliated entities or affiliated persons.

(g) For any bid or offer for a contract with a State agency by a business entity required to register under this Section, the chief procurement officer shall verify that the business entity is required to register

under this Section and is in compliance with the registration requirements on the date the bid or offer is due. A chief procurement officer shall not accept a bid or offer if the business entity is not in compliance with the registration requirements as of the date bids or offers are due. Upon discovery of noncompliance with this Section, if the bidder or offeror made a good faith effort to comply with registration efforts prior to the date the bid or offer is due, a chief procurement officer may provide the bidder or offeror 5 business days to achieve compliance. A chief procurement officer may extend the time to prove compliance by as long as necessary in the event that there is a failure within the State Board of Elections' registration system.

(h) A registration, and any changes to a registration, must include the business entity's verification of accuracy and subjects the business entity to the penalties of the laws of this State for perjury.

In addition to any penalty under Section 9-35 of the Election Code, intentional, willful, or material failure to disclose information required for registration shall render the contract, bid, offer, or other procurement relationship voidable by the chief procurement officer if he or she deems it to be in the best interest of the State of Illinois.

(i) This Section applies regardless of the method of source selection used in awarding the contract.
(Source: P.A. 100-43, eff. 8-9-17; 101-81, eff. 7-12-19.)

(30 ILCS 500/50-37)

Sec. 50-37. Prohibition of political contributions.

(a) As used in this Section:

The terms "contract", "State contract", and "contract with a State agency" each mean any contract, as defined in this Code, between a business entity and a State agency let or awarded pursuant to this Code. The terms "contract", "State contract", and "contract with a State agency" do not include cost reimbursement contracts; purchase of care agreements as defined in Section 1-15.68 of this Code; contracts for projects eligible for full or partial federal-aid funding reimbursements authorized by the Federal Highway Administration; grants, including but are not limited to grants for job training or transportation; and grants, loans, or tax credit agreements for economic development purposes.

"Contribution" means a contribution as defined in Section 9-1.4 of the Election Code.

"Declared candidate" means a person who has filed a statement of candidacy and petition for nomination or election in the principal office of the State Board of Elections.

"State agency" means and includes all boards, commissions, agencies, institutions, authorities, and bodies politic and corporate of the State, created by or in accordance with the Illinois Constitution or State statute, of the executive branch of State government and does include colleges, universities, public employee retirement systems, and institutions under the jurisdiction of the governing boards of the University of Illinois, Southern Illinois University, Illinois State University, Eastern Illinois University, Northern Illinois University, Western Illinois University, Chicago State University, Governors State University, Northeastern Illinois University, and the Illinois Board of Higher Education.

"Officeholder" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, or Treasurer. The Governor shall be considered the officeholder responsible for awarding all contracts by all officers and employees of, and potential contractors and others doing business with, executive branch State agencies under the jurisdiction of the Executive Ethics Commission and not within the jurisdiction of the Attorney General, the Secretary of State, the Comptroller, or the Treasurer.

"Sponsoring entity" means a sponsoring entity as defined in Section 9-3 of the Election Code.

"Affiliated person" means (i) any person with any ownership interest or distributive share of the bidding or contracting business entity in excess of 7.5%, (ii) executive employees of the bidding or contracting business entity, and (iii) the spouse of any such persons. "Affiliated person" does not include a person prohibited by federal law from making contributions or expenditures in connection with a federal, state, or local election.

"Affiliated entity" means (i) any corporate parent and each operating subsidiary of the bidding or contracting business entity, (ii) each operating subsidiary of the corporate parent of the bidding or contracting business entity, (iii) any organization recognized by the United States Internal Revenue Service as a tax-exempt organization described in Section 501(c) of the Internal Revenue Code of 1986 (or any successor provision of federal tax law) established by the bidding or contracting business entity, any affiliated entity of that business entity, or any affiliated person of that business entity, or (iv) any political committee for which the bidding or contracting business entity, or any 501(c) organization described in item (iii) related to that business entity, is the sponsoring entity. "Affiliated

entity" does not include an entity prohibited by federal law from making contributions or expenditures in connection with a federal, state, or local election.

"Business entity" means any entity doing business for profit, whether organized as a corporation, partnership, sole proprietorship, limited liability company or partnership, or otherwise.

"Executive employee" means (i) the President, Chairman, or Chief Executive Officer of a business entity and any other individual that fulfills equivalent duties as the President, Chairman of the Board, or Chief Executive Officer of a business entity; and (ii) any employee of a business entity whose compensation is determined directly, in whole or in part, by the award or payment of contracts by a State agency to the entity employing the employee. A regular salary that is paid irrespective of the award or payment of a contract with a State agency shall not constitute "compensation" under item (ii) of this definition. "Executive employee" does not include any person prohibited by federal law from making contributions or expenditures in connection with a federal, state, or local election.

(b) Any business entity whose contracts with State agencies, in the aggregate, ~~annually~~ total more than $50,000, and any affiliated entities or affiliated persons of such business entity, are prohibited from making any contributions to any political committees established to promote the candidacy of (i) the officeholder responsible for awarding the contracts or (ii) any other declared candidate for that office. This prohibition shall be effective for the duration of the term of office of the incumbent officeholder awarding the contracts or for a period of 2 years following the expiration or termination of the contracts, whichever is longer.

(c) Any business entity whose aggregate pending bids and offers on State contracts total more than $50,000, or whose aggregate pending bids and offers on State contracts combined with the business entity's aggregate ~~annual~~ total value of State contracts exceed $50,000, and any affiliated entities or affiliated persons of such business entity, are prohibited from making any contributions to any political committee established to promote the candidacy of the officeholder responsible for awarding the contract on which the business entity has submitted a bid or offer during the period beginning on the date the invitation for bids, request for proposals, or any other procurement opportunity is issued and ending on the day after the date the contract is awarded.

(c-5) For the purposes of the prohibitions under subsections (b) and (c) of this Section, (i) any contribution made to a political committee established to promote the candidacy of the Governor or a declared candidate for the office of Governor shall also be considered as having been made to a political committee established to promote the candidacy of the Lieutenant Governor, in the case of the Governor, or the declared candidate for Lieutenant Governor having filed a joint petition, or write-in declaration of intent, with the declared candidate for Governor, as applicable, and (ii) any contribution made to a political committee established to promote the candidacy of the Lieutenant Governor or a declared candidate for the office of Lieutenant Governor shall also be considered as having been made to a political committee established to promote the candidacy of the Governor, in the case of the Lieutenant Governor, or the declared candidate for Governor having filed a joint petition, or write-in declaration of intent, with the declared candidate for Lieutenant Governor, as applicable.

(d) All contracts between State agencies and a business entity that violate subsection (b) or (c) shall be voidable under Section 50-60. If a business entity violates subsection (b) 3 or more times within a 36-month period, then all contracts between State agencies and that business entity shall be void, and that business entity shall not bid or respond to any invitation to bid or request for proposals from any State agency or otherwise enter into any contract with any State agency for 3 years from the date of the last violation. A notice of each violation and the penalty imposed shall be published in both the Procurement Bulletin and the Illinois Register.

(e) Any political committee that has received a contribution in violation of subsection (b) or (c) shall pay an amount equal to the value of the contribution to the State no more than 30 calendar days after notice of the violation concerning the contribution appears in the Illinois Register. Payments received by the State pursuant to this subsection shall be deposited into the general revenue fund.

(Source: P.A. 97-411, eff. 8-16-11; 98-1076, eff. 1-1-15.)

ARTICLE 100. LAND MAINTENANCE ACTIVITY PROJECTS

Section 100-5. The Illinois Solid Waste Management Act is amended by changing Section 3 as follows:

(415 ILCS 20/3) (from Ch. 111 1/2, par. 7053)

Sec. 3. State agency materials recycling program.

(a) All State agencies and local governments shall consider whether compost products can be used in the land maintenance activity project when soliciting and reviewing bids for land maintenance activity projects. If compost products can be used in the project, the State agency or local government must use compost products unless the compost products: ~~responsible for the maintenance of public lands in the State shall, to the maximum extent feasible, use compost materials in all land maintenance activities which are to be paid with public funds.~~

(1) are not available within a reasonable period of time;

(2) do not comply with existing purchasing standards; or

(3) do not comply with federal or State health and safety standards.

Beginning January 1, 2024, the Department of Transportation shall report each year to the General Assembly:

(i) the volume of compost used in State highway construction projects;

(ii) the status of compost and compost-based products used in State highway construction projects; and

(iii) recommendations to maximize the use of compost as a recycled material in State highway construction projects.

State agencies and local governments are encouraged to give priority to purchasing compost products from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs.

(a-5) All State agencies responsible for the maintenance of public lands in the State shall review its procurement specifications and policies to determine (1) if incorporating compost materials will help reduce stormwater run-off and increase infiltration of moisture in land maintenance activities and (2) the current recycled content usage and potential for additional recycled content usage by the Agency in land maintenance activities and report to the General Assembly by December 15, 2015.

(b) The Department of Central Management Services, in coordination with the Agency, shall implement waste reduction programs, including source separation and collection, for office wastepaper, corrugated containers, newsprint and mixed paper, in all State buildings as appropriate and feasible. Such waste reduction programs shall be designed to achieve waste reductions of at least 25% of all such waste by December 31, 1995, and at least 50% of all such waste by December 31, 2000. Any source separation and collection program shall include, at a minimum, procedures for collecting and storing recyclable materials, bins or containers for storing materials, and contractual or other arrangements with buyers of recyclable materials. If market conditions so warrant, the Department of Central Management Services, in coordination with the Agency, may modify programs developed pursuant to this Section.

The Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall conduct waste categorization studies of all State facilities for calendar years 1991, 1995 and 2000. Such studies shall be designed to assist the Department of Central Management Services to achieve the waste reduction goals established in this subsection.

(c) Each State agency shall, upon consultation with the Agency, periodically review its procurement procedures and specifications related to the purchase of products or supplies. Such procedures and specifications shall be modified as necessary to require the procuring agency to seek out products and supplies that contain recycled materials, and to ensure that purchased products or supplies are reusable, durable or made from recycled materials whenever economically and practically feasible. In choosing among products or supplies that contain recycled material, consideration shall be given to products and supplies with the highest recycled material content that is consistent with the effective and efficient use of the product or supply.

(d) Wherever economically and practically feasible, the Department of Central Management Services shall procure recycled paper and paper products as follows:

(1) Beginning July 1, 1989, at least 10% of the total dollar value of paper and paper products purchased by the Department of Central Management Services shall be recycled paper and paper products.

(2) Beginning July 1, 1992, at least 25% of the total dollar value of paper and paper products purchased by the Department of Central Management Services shall be recycled paper and paper products.

(3) Beginning July 1, 1996, at least 40% of the total dollar value of paper and paper products purchased by the Department of Central Management Services shall be recycled paper and paper products.

(4) Beginning July 1, 2000, at least 50% of the total dollar value of paper and paper products purchased by the Department of Central Management Services shall be recycled paper and paper products.

(e) Paper and paper products purchased from private vendors pursuant to printing contracts are not considered paper products for the purposes of subsection (d). However, the Department of Central Management Services shall report to the General Assembly on an annual basis the total dollar value of printing contracts awarded to private sector vendors that included the use of recycled paper.

(f)(1) Wherever economically and practically feasible, the recycled paper and paper products referred to in subsection (d) shall contain postconsumer or recovered paper materials as specified by paper category in this subsection:

(i) Recycled high grade printing and writing paper shall contain at least 50% recovered paper material. Such recovered paper material, until July 1, 1994, shall consist of at least 20% deinked stock or postconsumer material; and beginning July 1, 1994, shall consist of at least 25% deinked stock or postconsumer material; and beginning July 1, 1996, shall consist of at least 30% deinked stock or postconsumer material; and beginning July 1, 1998, shall consist of at least 40% deinked stock or postconsumer material; and beginning July 1, 2000, shall consist of at least 50% deinked stock or postconsumer material.

(ii) Recycled tissue products, until July 1, 1994, shall contain at least 25% postconsumer material; and beginning July 1, 1994, shall contain at least 30% postconsumer material; and beginning July 1, 1996, shall contain at least 35% postconsumer material; and beginning July 1, 1998, shall contain at least 40% postconsumer material; and beginning July 1, 2000, shall contain at least 45% postconsumer material.

(iii) Recycled newsprint, until July 1, 1994, shall contain at least 40% postconsumer material; and beginning July 1, 1994, shall contain at least 50% postconsumer material; and beginning July 1, 1996, shall contain at least 60% postconsumer material; and beginning July 1, 1998, shall contain at least 70% postconsumer material; and beginning July 1, 2000, shall contain at least 80% postconsumer material.

(iv) Recycled unbleached packaging, until July 1, 1994, shall contain at least 35% postconsumer material; and beginning July 1, 1994, shall contain at least 40% postconsumer material; and beginning July 1, 1996, shall contain at least 45% postconsumer material; and beginning July 1, 1998, shall contain at least 50% postconsumer material; and beginning July 1, 2000, shall contain at least 55% postconsumer material.

(v) Recycled paperboard, until July 1, 1994, shall contain at least 80% postconsumer material; and beginning July 1, 1994, shall contain at least 85% postconsumer material; and beginning July 1, 1996, shall contain at least 90% postconsumer material; and beginning July 1, 1998, shall contain at least 95% postconsumer material.

(2) For the purposes of this Section, "postconsumer material" includes:

(i) paper, paperboard, and fibrous wastes from retail stores, office buildings, homes, and so forth, after the waste has passed through its end usage as a consumer item, including used corrugated boxes, old newspapers, mixed waste paper, tabulating cards, and used cordage; and

(ii) all paper, paperboard, and fibrous wastes that are diverted or separated from the municipal solid waste stream.

(3) For the purposes of this Section, "recovered paper material" includes:

(i) postconsumer material;

(ii) dry paper and paperboard waste generated after completion of the papermaking process (that is, those manufacturing operations up to and including the cutting and trimming of the paper machine reel into smaller rolls or rough sheets), including envelope cuttings, bindery trimmings, and other paper and paperboard waste resulting from printing, cutting, forming, and other converting operations, or from bag, box and carton manufacturing, and butt rolls, mill wrappers, and rejected unused stock; and

(iii) finished paper and paperboard from obsolete inventories of paper and paperboard manufacturers, merchants, wholesalers, dealers, printers, converters, or others.

(g) The Department of Central Management Services may adopt regulations to carry out the provisions and purposes of this Section.

(h) Every State agency shall, in its procurement documents, specify that, whenever economically and practically feasible, a product to be procured must consist, wholly or in part, of recycled materials, or be recyclable or reusable in whole or in part. When applicable, if state guidelines are not already prescribed, State agencies shall follow USEPA guidelines for federal procurement.

(i) All State agencies shall cooperate with the Department of Central Management Services in carrying out this Section. The Department of Central Management Services may enter into cooperative purchasing agreements with other governmental units in order to obtain volume discounts, or for other reasons in accordance with the Governmental Joint Purchasing Act, or in accordance with the Intergovernmental Cooperation Act if governmental units of other states or the federal government are involved.

(j) The Department of Central Management Services shall submit an annual report to the General Assembly concerning its implementation of the State's collection and recycled paper procurement programs. This report shall include a description of the actions that the Department of Central Management Services has taken in the previous fiscal year to implement this Section. This report shall be submitted on or before November 1 of each year.

(k) The Department of Central Management Services, in cooperation with all other appropriate departments and agencies of the State, shall institute whenever economically and practically feasible the use of re-refined motor oil in all State-owned motor vehicles and the use of remanufactured and retread tires whenever such use is practical, beginning no later than July 1, 1992.

(l) (Blank).

(m) The Department of Central Management Services, in coordination with the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity), has implemented an aluminum can recycling program in all State buildings within 270 days of the effective date of this amendatory Act of 1997. The program provides for (1) the collection and storage of used aluminum cans in bins or other appropriate containers made reasonably available to occupants and visitors of State buildings and (2) the sale of used aluminum cans to buyers of recyclable materials.

Proceeds from the sale of used aluminum cans shall be deposited into I-CYCLE accounts maintained in the Facilities Management Revolving Fund and, subject to appropriation, shall be used by the Department of Central Management Services and any other State agency to offset the costs of implementing the aluminum can recycling program under this Section.

All State agencies having an aluminum can recycling program in place shall continue with their current plan. If a State agency has an existing recycling program in place, proceeds from the aluminum can recycling program may be retained and distributed pursuant to that program, otherwise all revenue resulting from these programs shall be forwarded to Central Management Services, I-CYCLE for placement into the appropriate account within the Facilities Management Revolving Fund, minus any operating costs associated with the program.

(Source: P.A. 101-636, eff. 6-10-20; 102-444, eff. 8-20-21.)

ARTICLE 999. EFFECTIVE DATE

Section 999-99. Effective date. This Act takes effect January 1, 2024.".

The motion prevailed.

And the amendment was adopted and ordered printed.

Pursuant to Senate Rule 3-8 (d-10), the Senate Parliamentarian has determined **Floor Amendment No. 3 to House Bill 2878** is technical in nature and is approved for consideration by the Senate without referral to the Committee on Assignments.

Senator Castro offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO HOUSE BILL 2878**

AMENDMENT NO. 3 . Amend House Bill 2878, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 2, by replacing line 15 with "employees hired in fulfillment of"; and

on page 2, by replacing lines 18 and 19 with "least 2 former coal mine employees have been hired within 60 days after the start of construction,"; and

on page 136, line 13, by replacing "18" with "19"; and

on page 167, by replacing lines 9 and 10 with the following: "install or run the software on any of the public agency's hardware.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Castro, **House Bill No. 2878** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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; Present 2.

The following voted in the affirmative:

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

The following voted present:

Joyce
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 in the Senate Amendments adopted thereto.

**HOUSE BILL RECALLED**

On motion of Senator Harmon, **House Bill No. 3062** 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.

Senator Harmon offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO HOUSE BILL 3062**

AMENDMENT NO. 2 . Amend House Bill 3062 by replacing everything after the enacting clause with the following:

"Section 2. The Code of Civil Procedure is amended by adding Section 2-101.5 as follows:

(735 ILCS 5/2-101.5 new)

Sec. 2-101.5. Venue in actions asserting constitutional claims against the State.

(a) Notwithstanding any other provisions of this Code, if an action is brought against the State or any of its officers, employees, or agents acting in an official capacity on or after the effective date of this amendatory Act of the 103rd General Assembly seeking declaratory or injunctive relief against any State statute, rule, or executive order based on an alleged violation of the Constitution of the State of Illinois or the Constitution of the United States, venue in that action is proper only in the County of Sangamon and the County of Cook.

(b) The doctrine of forum non conveniens does not apply to actions subject to this Section.

(c) As used in this Section, "State" has the meaning given to that term in Section 1 of the State Employee Indemnification Act.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Harmon offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO HOUSE BILL 3062**

AMENDMENT NO. 3 . Amend House Bill 3062, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 2, immediately below line 7, by inserting the following:

"(d) The provisions of this Section do not apply to claims arising out of collective bargaining disputes between the State of Illinois and the representatives of its employees.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Harmon, **House Bill No. 3062** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 16.

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 |
| Edly-Allen | Holmes | Pacione-Zayas | Villivalam |
| Ellman | Hunter | Porfirio | Mr. President |
| Faraci | Johnson | Preston | |
| Feigenholtz | Jones, E. | Simmons | |
| Fine | Koehler | Sims | |

The following voted in the negative:

| | | | |
|---|---|---|---|
| Anderson | Fowler | Plummer | Wilcox |
| Bennett | Harriss, E. | Rezin | |
| Bryant | Lewis | Stoller | |
| Chesney | McClure | Tracy | |
| 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 in the Senate Amendments adopted thereto.

On motion of Senator Feigenholtz, **House Bill No. 3326** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 15.

The following voted in the affirmative:

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

The following voted in the negative:

| | | | |
|---|---|---|---|
| Anderson | Curran | McClure | Tracy |
| Bennett | Fowler | McConchie | Turner, S. |
| Bryant | Harriss, E. | Plummer | Wilcox |
| Chesney | Lewis | 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 in the Senate Amendment adopted thereto.

**HOUSE BILL RECALLED**

On motion of Senator Hastings, **House Bill No. 3743** was recalled from the order of third reading to the order of second reading.

Senator Hastings offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO HOUSE BILL 3743**

AMENDMENT NO. 2 . Amend House Bill 3743, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. Definitions. As used in this Act:

"Corporate authorities" means the corporate authorities of Tinley Park - Park District.

"Department" means the Department of Central Management Services.

"Director" means the Director of Central Management Services.

"TPPD" means the Tinley Park - Park District, a body corporate and politic of Cook and Will Counties, Illinois.

Section 10. Tinley Park Mental Health Center and the Howe Developmental Center. Pursuant to the provisions and subject to all of the terms and conditions of this Act, the Director, on behalf of the State of Illinois, is authorized to execute and deliver to TPPD, for and in consideration of $1 paid to the Department, a quit claim deed to the following described real property and a quit claim bill of sale to all the existing tangible personal property on the real property, and such ancillary documents as the Department deems appropriate, for fully and properly effectuating a transfer to TPPD of the title to the Tinley Park Mental Health Center and Howe Developmental Center, described as follows:

That part of Section 36, Township 36 North, Range 12, East of the Third Principal Meridian, lying Southerly of the Southerly Line of the Chicago, Rock Island and Pacific Railroad,

(Excepting therefrom that portion described as follows:

That part of the West 1/2 of the Southwest 1/4 of said Section 36 lying South of the Center Line of the North Branch of the Flossmoor Road Drainage Ditch; Also that part of the South 46 Acres of the East 1/2 of the Southwest 1/4 of said Section 36, lying South and West of the Center Line of the North Branch of the Flossmoor Road Drainage Ditch;

Also Excepting therefrom that portion described as follows:

That part of the West 1900 feet of the Southwest 1/4 of said Section 36 lying Southerly of the Southerly Right of Way of the Chicago, Rock Island and Pacific Railroad (commonly known as the Metra Line) and lying Northerly of the Centerline of the Northern Tributary to the Union Drainage Ditch;

Also Excepting therefrom that portion described as follows:

That part of the West 1900 Feet of the Northwest 1/4 of said Section 36 lying Southerly of the Southerly Right of Way of the Chicago, Rock Island and Pacific Railroad (commonly known as the Metra Line);

Also Excepting therefrom that portion described as follows:

That Part of the South 1/2 of said Section 36, described as follows: Beginning at the South Quarter Corner of said Section 36; thence East 573.67 Feet along the South Line of the Southeast 1/4 of aforesaid Section 36; thence North 859.00 Feet along a line perpendicular to the aforesaid South Line; thence West 171.00 Feet; thence North 320.50 Feet; thence East 171.00 Feet; thence North 527.71 Feet; thence North 66 Degrees 16 Minutes 51 Seconds West 843.97 Feet; thence North 28 Degrees 39 Minutes 16 Seconds West 589.16 Feet; thence South 60 Degrees 58 Minutes 55 Seconds West 279.95

Feet; thence South along a line perpendicular to the South Line of the Southwest 1/4 of the aforesaid Section 36, 2427.91 Feet to said South Line; thence East 726.33 Feet to the Point of Beginning;

Also Excepting therefrom that portion dedicated for Public Roadway by Plat of Dedication Recorded as Document 0633315190, described as follows:

Commencing at the Southeast Corner of Said Section 36; thence Westerly on an assumed bearing of South 89 Degrees 07 Minutes 35 Seconds West along the South Line of the South 1/2 of Said Section 36, a Distance of 70 Feet to the Point of Beginning; thence continuing South 89 Degrees 07 Minutes 36 Seconds West along the last described Line a Distance of 3446.28 Feet to the Center Line of the North Branch of the Flossmoor Road Drainage Ditch; thence North 57 Degrees 00 Minutes 02 Seconds East along said Centerline a Distance of 94.02 Feet to a point of a Line drawn 50 Feet North of and parallel with the South Line of Said Section 36; thence North 89 Degrees 07 Minutes 35 Seconds East along said parallel Line a Distance of 3296.21 Feet to a point; thence North 43 Degrees 52 Minutes 32 Seconds East, a Distance of 98.61 Feet to a point of the West Line of the East 70 Feet of aforesaid Section 36; thence South 01 Degrees 22 Minutes 32 Seconds East along Said West Line of the East 70 Feet, a Distance of 120 Feet to the Point of Beginning;

Also Excepting therefrom that portion falling within Harlem Avenue as widened), in Cook County, Illinois.

Section 15. Transfer to TPPD.

(a) The corporate authorities of the TPPD, situated in Cook and Will Counties, have determined that it is in the best interest of TPPD and its residents to acquire the presently unoccupied and unused combined campuses of the Tinley Park Mental Health Center and Howe Developmental Center, herein after referred to collectively as the Combined Campuses, including not only the land but also the several dozen existing structures, the existing utility facilities and other improvements above, at or below grade level, and all existing tangible personal property there, which Combined Campuses are presently owned by the State of Illinois, and for TPPD to pursue a redevelopment of that property.

(b) Notwithstanding any other law of the State of Illinois to the contrary, the Director is authorized under this Act to sell all right, title, and interest of the State of Illinois in and to the Combined Campuses for $1 and such other terms and conditions in the quit claim deed, the quit claim bill of sale, and ancillary documents that the Director deems appropriate, with such sale occurring pursuant to a Purchase and Sale Agreement prepared by the Department. The conveyance of the Property authorized by this Act shall be made subject to existing public roads, existing rights of public utilities, existing rights of the public or quasipublic utilities, and any and all reservations, easements, encumbrances, covenants, agreements, and restrictions of record.

(c) Each of the documents of transfer shall state on its face and be subject to the conditions that the Property (i) shall be used for public purposes only, including recreation and conservation, and (ii) shall not be used for the purpose of gambling authorized by the Illinois Horse Racing Act of 1975 or the Illinois Gambling Act, and the documents of transfer shall each contain a reverter clause providing, in language prepared by and acceptable to the Department, that title to the Property shall revert, without further action, to the State of Illinois if:

(1) the Property is used for any purpose other than a public purpose;

(2) an attempt is made to sell the Property or convey or donate the Property in any manner whatsoever; or

(3) TPPD or any of its agents allow the property to be used for the purpose of gambling authorized by the Illinois Horse Racing Act of 1975 or the Illinois Gambling Act.

Section 20. Execution by TPPD; document recording. The transfer of title authorized under this Act shall be by quit claim deed and quit claim bill of sale, which shall be prepared by the Department so that the transfer is on an "AS IS", "WHERE IS", and "WITH ALL FAULTS" basis as of the date of sale, without any representation by the State of Illinois to TPPD, or any persons and entities whatsoever, as to Property's condition or fitness for any purpose. Both the deed and bill of sale shall be executed by TPPD as grantee in order to confirm the TPPD's undertakings to abide by the requirements in this Act and TPPD's agreement to

timely and fully perform its obligations as set forth in this Act. All documents of transfer shall be recorded in the county in which the Property is located.

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 bill, as amended, was ordered to a third reading.

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Hastings, **House Bill No. 3743** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 43; NAYS 10.

The following voted in the affirmative:

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

The following voted in the negative:

| | | | |
|---|---|---|---|
| Bennett | Curran | McClure | Rezin |
| Bryant | Fowler | McConchie | |
| Chesney | Harriss, E. | 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 in the Senate Amendments adopted thereto.

**HOUSE BILL RECALLED**

On motion of Senator Murphy, **House Bill No. 3903** 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. 1 TO HOUSE BILL 3903**

AMENDMENT NO. 1 . Amend House Bill 3903 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by adding Section 9-50 as follows:
(10 ILCS 5/9-50 new)

Sec. 9-50. Vendor providing automated traffic systems; contributions.

(a) No vendor that offers or provides equipment or services for automated traffic law enforcement, automated speed enforcement, or automated railroad grade crossing enforcement systems to municipalities or counties, no political action committee created by such a vendor, and no vendor-affiliated person shall make a campaign contribution to any political committee established to promote the candidacy of a candidate or public official. An officer or agent of such a vendor may not consent to any contribution or expenditure that is prohibited by this Section. A candidate, political committee, or other person may not knowingly accept or receive any contribution prohibited by this Section.

(b) As used in this Section:

"Automated law enforcement system", "automated speed enforcement system", and "automated railroad grade crossing enforcement system" have the meanings given to those terms in Article II of Chapter 11 of the Illinois Vehicle Code.

"Vendor-affiliated person" means: (i) any person with an ownership interest in excess of 7.5% in a vendor that offers or provides equipment or services for automated traffic law enforcement, automated speed enforcement, or automated railroad grade crossing enforcement systems to municipalities or counties; (ii) any person with a distributive share in excess of 7.5% in a vendor that offers or provides equipment or services for automated traffic law enforcement, automated speed enforcement, or automated railroad grade crossing enforcement systems to municipalities or counties; (iii) any executive employees of a vendor that offers or provides equipment or services for automated traffic law enforcement, automated speed enforcement, or automated railroad grade crossing enforcement systems to municipalities or counties; and (iv) the spouse, minor child, or other immediate family member living in the residence of any of the persons identified in items (i) through (iii).

Section 10. The Illinois Vehicle Code is amended by changing Sections 11-208.3, 11-208.6, 11-208.8, and 11-208.9 as follows:

(625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

Sec. 11-208.3. Administrative adjudication of violations of traffic regulations concerning the standing, parking, or condition of vehicles, automated traffic law violations, and automated speed enforcement system violations.

(a) Any municipality or county may provide by ordinance for a system of administrative adjudication of vehicular standing and parking violations and vehicle compliance violations as described in this subsection, automated traffic law violations as defined in Section 11-208.6, 11-208.9, or 11-1201.1, and automated speed enforcement system violations as defined in Section 11-208.8. The administrative system shall have as its purpose the fair and efficient enforcement of municipal or county regulations through the administrative adjudication of automated speed enforcement system or automated traffic law violations and violations of municipal or county ordinances regulating the standing and parking of vehicles, the condition and use of vehicle equipment, and the display of municipal or county wheel tax licenses within the municipality's or county's borders. The administrative system shall only have authority to adjudicate civil offenses carrying fines not in excess of $500 or requiring the completion of a traffic education program, or both, that occur after the effective date of the ordinance adopting such a system under this Section. For purposes of this Section, "compliance violation" means a violation of a municipal or county regulation governing the condition or use of equipment on a vehicle or governing the display of a municipal or county wheel tax license.

(b) Any ordinance establishing a system of administrative adjudication under this Section shall provide for:

(1) A traffic compliance administrator authorized to adopt, distribute, and process parking, compliance, and automated speed enforcement system or automated traffic law violation notices and other notices required by this Section, collect money paid as fines and penalties for violation of parking and compliance ordinances and automated speed enforcement system or automated traffic law violations, and operate an administrative adjudication system.

(2) A parking, standing, compliance, automated speed enforcement system, or automated traffic law violation notice that shall specify or include the date, time, and place of violation of a parking, standing, compliance, automated speed enforcement system, or automated traffic law regulation; the particular regulation violated; any requirement to complete a traffic education program; the fine and any penalty that may be assessed for late payment or failure to complete a required traffic education program, or both, when so provided by ordinance; the vehicle make or a photograph of the vehicle;

the state registration number of the vehicle; and the identification number of the person issuing the notice. With regard to automated speed enforcement system or automated traffic law violations, vehicle make shall be specified on the automated speed enforcement system or automated traffic law violation notice if the notice does not include a photograph of the vehicle and the make is available and readily discernible. With regard to municipalities or counties with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the state registration number or vehicle make specified is incorrect. The violation notice shall state that the completion of any required traffic education program, the payment of any indicated fine, and the payment of any applicable penalty for late payment or failure to complete a required traffic education program, or both, shall operate as a final disposition of the violation. The notice also shall contain information as to the availability of a hearing in which the violation may be contested on its merits. The violation notice shall specify the time and manner in which a hearing may be had.

(3) Service of a parking, standing, or compliance violation notice by: (i) affixing the original or a facsimile of the notice to an unlawfully parked or standing vehicle; (ii) handing the notice to the operator of a vehicle if he or she is present; or (iii) mailing the notice to the address of the registered owner or lessee of the cited vehicle as recorded with the Secretary of State or the lessor of the motor vehicle within 30 days after the Secretary of State or the lessor of the motor vehicle notifies the municipality or county of the identity of the owner or lessee of the vehicle, but not later than 90 days after the date of the violation, except that in the case of a lessee of a motor vehicle, service of a parking, standing, or compliance violation notice may occur no later than 210 days after the violation; and service of an automated speed enforcement system or automated traffic law violation notice by mail to the address of the registered owner or lessee of the cited vehicle as recorded with the Secretary of State or the lessor of the motor vehicle within 30 days after the Secretary of State or the lessor of the motor vehicle notifies the municipality or county of the identity of the owner or lessee of the vehicle, but not later than 90 days after the violation, except that in the case of a lessee of a motor vehicle, service of an automated traffic law violation notice may occur no later than 210 days after the violation. A person authorized by ordinance to issue and serve parking, standing, and compliance violation notices shall certify as to the correctness of the facts entered on the violation notice by signing his or her name to the notice at the time of service or, in the case of a notice produced by a computerized device, by signing a single certificate to be kept by the traffic compliance administrator attesting to the correctness of all notices produced by the device while it was under his or her control. In the case of an automated traffic law violation, the ordinance shall require a determination by a technician employed or contracted by the municipality or county that, based on inspection of recorded images, the motor vehicle was being operated in violation of Section 11-208.6, 11-208.9, or 11-1201.1 or a local ordinance. If the technician determines that the vehicle entered the intersection as part of a funeral procession or in order to yield the right-of-way to an emergency vehicle, a citation shall not be issued. In municipalities with a population of less than 1,000,000 inhabitants and counties with a population of less than 3,000,000 inhabitants, the automated traffic law ordinance shall require that all determinations by a technician that a motor vehicle was being operated in violation of Section 11-208.6, 11-208.9, or 11-1201.1 or a local ordinance must be reviewed and approved by a law enforcement officer or retired law enforcement officer of the municipality or county issuing the violation. In municipalities with a population of 1,000,000 or more inhabitants and counties with a population of 3,000,000 or more inhabitants, the automated traffic law ordinance shall require that all determinations by a technician that a motor vehicle was being operated in violation of Section 11-208.6, 11-208.9, or 11-1201.1 or a local ordinance must be reviewed and approved by a law enforcement officer or retired law enforcement officer of the municipality or county issuing the violation or by an additional fully trained reviewing technician who is not employed by the contractor who employs the technician who made the initial determination. In the case of an automated speed enforcement system violation, the ordinance shall require a determination by a technician employed by the municipality, based upon an inspection of recorded images, video or other documentation, including documentation of the speed limit and automated speed enforcement signage, and documentation of the inspection, calibration, and certification of the speed equipment, that the vehicle was being operated in violation of Article VI of Chapter 11 of this Code or a similar local ordinance. If the technician determines that the vehicle speed was not determined by a calibrated, certified speed equipment device based upon the speed equipment documentation, or if the vehicle was an emergency vehicle, a citation may not be issued. The automated speed enforcement ordinance shall require that

all determinations by a technician that a violation occurred be reviewed and approved by a law enforcement officer or retired law enforcement officer of the municipality issuing the violation or by an additional fully trained reviewing technician who is not employed by the contractor who employs the technician who made the initial determination. Routine and independent calibration of the speeds produced by automated speed enforcement systems and equipment shall be conducted annually by a qualified technician. Speeds produced by an automated speed enforcement system shall be compared with speeds produced by lidar or other independent equipment. Radar or lidar equipment shall undergo an internal validation test no less frequently than once each week. Qualified technicians shall test loop-based equipment no less frequently than once a year. Radar equipment shall be checked for accuracy by a qualified technician when the unit is serviced, when unusual or suspect readings persist, or when deemed necessary by a reviewing technician. Radar equipment shall be checked with the internal frequency generator and the internal circuit test whenever the radar is turned on. Technicians must be alert for any unusual or suspect readings, and if unusual or suspect readings of a radar unit persist, that unit shall immediately be removed from service and not returned to service until it has been checked by a qualified technician and determined to be functioning properly. Documentation of the annual calibration results, including the equipment tested, test date, technician performing the test, and test results, shall be maintained and available for use in the determination of an automated speed enforcement system violation and issuance of a citation. The technician performing the calibration and testing of the automated speed enforcement equipment shall be trained and certified in the use of equipment for speed enforcement purposes. Training on the speed enforcement equipment may be conducted by law enforcement, civilian, or manufacturer's personnel and if applicable may be equivalent to the equipment use and operations training included in the Speed Measuring Device Operator Program developed by the National Highway Traffic Safety Administration (NHTSA). The vendor or technician who performs the work shall keep accurate records on each piece of equipment the technician calibrates and tests. As used in this paragraph, "fully trained reviewing technician" means a person who has received at least 40 hours of supervised training in subjects which shall include image inspection and interpretation, the elements necessary to prove a violation, license plate identification, and traffic safety and management. In all municipalities and counties, the automated speed enforcement system or automated traffic law ordinance shall require that no additional fee shall be charged to the alleged violator for exercising his or her right to an administrative hearing, and persons shall be given at least 25 days following an administrative hearing to pay any civil penalty imposed by a finding that Section 11-208.6, 11-208.8, 11-208.9, or 11-1201.1 or a similar local ordinance has been violated. The original or a facsimile of the violation notice or, in the case of a notice produced by a computerized device, a printed record generated by the device showing the facts entered on the notice, shall be retained by the traffic compliance administrator, and shall be a record kept in the ordinary course of business. A parking, standing, compliance, automated speed enforcement system, or automated traffic law violation notice issued, signed, and served in accordance with this Section, a copy of the notice, or the computer-generated record shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice. The notice, copy, or computer-generated record shall be admissible in any subsequent administrative or legal proceedings.

(4) An opportunity for a hearing for the registered owner of the vehicle cited in the parking, standing, compliance, automated speed enforcement system, or automated traffic law violation notice in which the owner may contest the merits of the alleged violation, and during which formal or technical rules of evidence shall not apply; provided, however, that under Section 11-1306 of this Code the lessee of a vehicle cited in the violation notice likewise shall be provided an opportunity for a hearing of the same kind afforded the registered owner. The hearings shall be recorded, and the person conducting the hearing on behalf of the traffic compliance administrator shall be empowered to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and papers. Persons appearing at a hearing under this Section may be represented by counsel at their expense. The ordinance may also provide for internal administrative review following the decision of the hearing officer.

(5) Service of additional notices, sent by first class United States mail, postage prepaid, to the address of the registered owner of the cited vehicle as recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database, or, under Section 11-1306 or subsection (p) of Section 11-208.6

or 11-208.9, or subsection (p) of Section 11-208.8 of this Code, to the lessee of the cited vehicle at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database. The service shall be deemed complete as of the date of deposit in the United States mail. The notices shall be in the following sequence and shall include, but not be limited to, the information specified herein:

(i) A second notice of parking, standing, or compliance violation if the first notice of the violation was issued by affixing the original or a facsimile of the notice to the unlawfully parked vehicle or by handing the notice to the operator. This notice shall specify or include the date and location of the violation cited in the parking, standing, or compliance violation notice, the particular regulation violated, the vehicle make or a photograph of the vehicle, the state registration number of the vehicle, any requirement to complete a traffic education program, the fine and any penalty that may be assessed for late payment or failure to complete a traffic education program, or both, when so provided by ordinance, the availability of a hearing in which the violation may be contested on its merits, and the time and manner in which the hearing may be had. The notice of violation shall also state that failure to complete a required traffic education program, to pay the indicated fine and any applicable penalty, or to appear at a hearing on the merits in the time and manner specified, will result in a final determination of violation liability for the cited violation in the amount of the fine or penalty indicated, and that, upon the occurrence of a final determination of violation liability for the failure, and the exhaustion of, or failure to exhaust, available administrative or judicial procedures for review, any incomplete traffic education program or any unpaid fine or penalty, or both, will constitute a debt due and owing the municipality or county.

(ii) A notice of final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability. This notice shall be sent following a final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability and the conclusion of judicial review procedures taken under this Section. The notice shall state that the incomplete traffic education program or the unpaid fine or penalty, or both, is a debt due and owing the municipality or county. The notice shall contain warnings that failure to complete any required traffic education program or to pay any fine or penalty due and owing the municipality or county, or both, within the time specified may result in the municipality's or county's filing of a petition in the Circuit Court to have the incomplete traffic education program or unpaid fine or penalty, or both, rendered a judgment as provided by this Section, or, where applicable, may result in suspension of the person's driver's license for failure to complete a traffic education program.

(6) A notice of impending driver's license suspension. This notice shall be sent to the person liable for failure to complete a required traffic education program. The notice shall state that failure to complete a required traffic education program within 45 days of the notice's date will result in the municipality or county notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under Section 6-306.5 of this Code. The notice shall also state that the person may obtain a photostatic copy of an original ticket imposing a fine or penalty by sending a self-addressed, stamped envelope to the municipality or county along with a request for the photostatic copy. The notice of impending driver's license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

(7) Final determinations of violation liability. A final determination of violation liability shall occur following failure to complete the required traffic education program or to pay the fine or penalty, or both, after a hearing officer's determination of violation liability and the exhaustion of or failure to exhaust any administrative review procedures provided by ordinance. Where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice, the hearing officer's determination of violation liability shall become final: (A) upon denial of a timely petition to set aside that determination, or (B) upon expiration of the period for filing the petition without a filing having been made.

(8) A petition to set aside a determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability that may be filed by a person owing

an unpaid fine or penalty. A petition to set aside a determination of liability may also be filed by a person required to complete a traffic education program. The petition shall be filed with and ruled upon by the traffic compliance administrator in the manner and within the time specified by ordinance. The grounds for the petition may be limited to: (A) the person not having been the owner or lessee of the cited vehicle on the date the violation notice was issued, (B) the person having already completed the required traffic education program or paid the fine or penalty, or both, for the violation in question, and (C) excusable failure to appear at or request a new date for a hearing. With regard to municipalities or counties with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the state registration number or vehicle make, only if specified in the violation notice, is incorrect. After the determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability has been set aside upon a showing of just cause, the registered owner shall be provided with a hearing on the merits for that violation.

(9) Procedures for non-residents. Procedures by which persons who are not residents of the municipality or county may contest the merits of the alleged violation without attending a hearing.

(10) A schedule of civil fines for violations of vehicular standing, parking, compliance, automated speed enforcement system, or automated traffic law regulations enacted by ordinance pursuant to this Section, and a schedule of penalties for late payment of the fines or failure to complete required traffic education programs, provided, however, that the total amount of the fine and penalty for any one violation shall not exceed $250, except as provided in subsection (c) of Section 11-1301.3 of this Code.

(11) Other provisions as are necessary and proper to carry into effect the powers granted and purposes stated in this Section.

(b-5) An automated speed enforcement system or automated traffic law ordinance adopted under this Section by a municipality or county shall require that the determination to issue a citation be vested solely with the municipality or county and that such authority may not be delegated to any vendor retained by the municipality or county. Any contract or agreement violating such a provision in the ordinance is null and void.

(c) Any municipality or county establishing vehicular standing, parking, compliance, automated speed enforcement system, or automated traffic law regulations under this Section may also provide by ordinance for a program of vehicle immobilization for the purpose of facilitating enforcement of those regulations. The program of vehicle immobilization shall provide for immobilizing any eligible vehicle upon the public way by presence of a restraint in a manner to prevent operation of the vehicle. Any ordinance establishing a program of vehicle immobilization under this Section shall provide:

(1) Criteria for the designation of vehicles eligible for immobilization. A vehicle shall be eligible for immobilization when the registered owner of the vehicle has accumulated the number of incomplete traffic education programs or unpaid final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability, or both, as determined by ordinance.

(2) A notice of impending vehicle immobilization and a right to a hearing to challenge the validity of the notice by disproving liability for the incomplete traffic education programs or unpaid final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation liability, or both, listed on the notice.

(3) The right to a prompt hearing after a vehicle has been immobilized or subsequently towed without the completion of the required traffic education program or payment of the outstanding fines and penalties on parking, standing, compliance, automated speed enforcement system, or automated traffic law violations, or both, for which final determinations have been issued. An order issued after the hearing is a final administrative decision within the meaning of Section 3-101 of the Code of Civil Procedure.

(4) A post immobilization and post-towing notice advising the registered owner of the vehicle of the right to a hearing to challenge the validity of the impoundment.

(d) Judicial review of final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violations and final administrative decisions issued after hearings regarding vehicle immobilization and impoundment made under this Section shall be subject to the provisions of the Administrative Review Law.

(e) Any fine, penalty, incomplete traffic education program, or part of any fine or any penalty remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies created under

this Section and the conclusion of any judicial review procedures shall be a debt due and owing the municipality or county and, as such, may be collected in accordance with applicable law. Completion of any required traffic education program and payment in full of any fine or penalty resulting from a standing, parking, compliance, automated speed enforcement system, or automated traffic law violation shall constitute a final disposition of that violation.

(f) After the expiration of the period within which judicial review may be sought for a final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation, the municipality or county may commence a proceeding in the Circuit Court for purposes of obtaining a judgment on the final determination of violation. Nothing in this Section shall prevent a municipality or county from consolidating multiple final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violations against a person in a proceeding. Upon commencement of the action, the municipality or county shall file a certified copy or record of the final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation, which shall be accompanied by a certification that recites facts sufficient to show that the final determination of violation was issued in accordance with this Section and the applicable municipal or county ordinance. Service of the summons and a copy of the petition may be by any method provided by Section 2-203 of the Code of Civil Procedure or by certified mail, return receipt requested, provided that the total amount of fines and penalties for final determinations of parking, standing, compliance, automated speed enforcement system, or automated traffic law violations does not exceed $2500. If the court is satisfied that the final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation was entered in accordance with the requirements of this Section and the applicable municipal or county ordinance, and that the registered owner or the lessee, as the case may be, had an opportunity for an administrative hearing and for judicial review as provided in this Section, the court shall render judgment in favor of the municipality or county and against the registered owner or the lessee for the amount indicated in the final determination of parking, standing, compliance, automated speed enforcement system, or automated traffic law violation, plus costs. The judgment shall have the same effect and may be enforced in the same manner as other judgments for the recovery of money.

(g) The fee for participating in a traffic education program under this Section shall not exceed $25.

A low-income individual required to complete a traffic education program under this Section who provides proof of eligibility for the federal earned income tax credit under Section 32 of the Internal Revenue Code or the Illinois earned income tax credit under Section 212 of the Illinois Income Tax Act shall not be required to pay any fee for participating in a required traffic education program.

(h) Notwithstanding any other provision of law to the contrary, a person shall not be liable for violations, fees, fines, or penalties under this Section during the period in which the motor vehicle was stolen or hijacked, as indicated in a report to the appropriate law enforcement agency filed in a timely manner.

(Source: P.A. 101-32, eff. 6-28-19; 101-623, eff. 7-1-20; 101-652, eff. 7-1-21; 102-558, eff. 8-20-21; 102-905, eff. 1-1-23.)

(625 ILCS 5/11-208.6)

(Text of Section before amendment by P.A. 102-982)

Sec. 11-208.6. Automated traffic law enforcement system.

(a) As used in this Section, "automated traffic law enforcement system" means a device with one or more motor vehicle sensors working in conjunction with a red light signal to produce recorded images of motor vehicles entering an intersection against a red signal indication in violation of Section 11-306 of this Code or a similar provision of a local ordinance.

An automated traffic law enforcement system is a system, in a municipality or county operated by a governmental agency, that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance and is designed to obtain a clear recorded image of the vehicle and the vehicle's license plate. The recorded image must also display the time, date, and location of the violation.

(b) As used in this Section, "recorded images" means images recorded by an automated traffic law enforcement system on:

(1) 2 or more photographs;

(2) 2 or more microphotographs;

(3) 2 or more electronic images; or

(4) a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate or digital registration plate number of the motor vehicle.

(b-5) A municipality or county that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance must make the recorded images of a violation accessible to the alleged violator by providing the alleged violator with a website address, accessible through the Internet.

(c) Except as provided under Section 11-208.8 of this Code, a county or municipality, including a home rule county or municipality, may not use an automated traffic law enforcement system to provide recorded images of a motor vehicle for the purpose of recording its speed. Except as provided under Section 11-208.8 of this Code, the regulation of the use of automated traffic law enforcement systems to record vehicle speeds is an exclusive power and function of the State. This subsection (c) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(c-5) A county or municipality, including a home rule county or municipality, may not use an automated traffic law enforcement system to issue violations in instances where the motor vehicle comes to a complete stop and does not enter the intersection, as defined by Section 1-132 of this Code, during the cycle of the red signal indication unless one or more pedestrians or bicyclists are present, even if the motor vehicle stops at a point past a stop line or crosswalk where a driver is required to stop, as specified in subsection (c) of Section 11-306 of this Code or a similar provision of a local ordinance.

(c-6) A county, or a municipality with less than 2,000,000 inhabitants, including a home rule county or municipality, may not use an automated traffic law enforcement system to issue violations in instances where a motorcyclist enters an intersection against a red signal indication when the red signal fails to change to a green signal within a reasonable period of time not less than 120 seconds because of a signal malfunction or because the signal has failed to detect the arrival of the motorcycle due to the motorcycle's size or weight.

(d) For each violation of a provision of this Code or a local ordinance recorded by an automatic traffic law enforcement system, the county or municipality having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days after the Secretary of State notifies the municipality or county of the identity of the owner of the vehicle, but in no event later than 90 days after the violation.

The notice shall include:

(1) the name and address of the registered owner of the vehicle;

(2) the registration number of the motor vehicle involved in the violation;

(3) the violation charged;

(4) the location where the violation occurred;

(5) the date and time of the violation;

(6) a copy of the recorded images;

(7) the amount of the civil penalty imposed and the requirements of any traffic education program imposed and the date by which the civil penalty should be paid and the traffic education program should be completed;

(8) a statement that recorded images are evidence of a violation of a red light signal;

(9) a warning that failure to pay the civil penalty, to complete a required traffic education program, or to contest liability in a timely manner is an admission of liability;

(10) a statement that the person may elect to proceed by:

(A) paying the fine, completing a required traffic education program, or both; or

(B) challenging the charge in court, by mail, or by administrative hearing; and

(11) a website address, accessible through the Internet, where the person may view the recorded images of the violation.

(e) (Blank).

(f) Based on inspection of recorded images produced by an automated traffic law enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section.

(g) Recorded images made by an automatic traffic law enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any

recorded image evidencing a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(h) The court or hearing officer may consider in defense of a violation:

(1) that the motor vehicle or registration plates or digital registration plates of the motor vehicle were stolen before the violation occurred and not under the control of or in the possession of the owner or lessee at the time of the violation;

(1.5) that the motor vehicle was hijacked before the violation occurred and not under the control of or in the possession of the owner or lessee at the time of the violation;

(2) that the driver of the vehicle passed through the intersection when the light was red either (i) in order to yield the right-of-way to an emergency vehicle or (ii) as part of a funeral procession; and

(3) any other evidence or issues provided by municipal or county ordinance.

(i) To demonstrate that the motor vehicle was hijacked or the motor vehicle or registration plates or digital registration plates were stolen before the violation occurred and were not under the control or possession of the owner or lessee at the time of the violation, the owner or lessee must submit proof that a report concerning the motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

(j) Unless the driver of the motor vehicle received a Uniform Traffic Citation from a police officer at the time of the violation, the motor vehicle owner is subject to a civil penalty not exceeding $100 or the completion of a traffic education program, or both, plus an additional penalty of not more than $100 for failure to pay the original penalty or to complete a required traffic education program, or both, in a timely manner, if the motor vehicle is recorded by an automated traffic law enforcement system. A violation for which a civil penalty is imposed under this Section is not a violation of a traffic regulation governing the movement of vehicles and may not be recorded on the driving record of the owner of the vehicle.

(j-3) A registered owner who is a holder of a valid commercial driver's license is not required to complete a traffic education program.

(j-5) For purposes of the required traffic education program only, a registered owner may submit an affidavit to the court or hearing officer swearing that at the time of the alleged violation, the vehicle was in the custody and control of another person. The affidavit must identify the person in custody and control of the vehicle, including the person's name and current address. The person in custody and control of the vehicle at the time of the violation is required to complete the required traffic education program. If the person in custody and control of the vehicle at the time of the violation completes the required traffic education program, the registered owner of the vehicle is not required to complete a traffic education program.

(k) An intersection equipped with an automated traffic law enforcement system must be posted with a sign visible to approaching traffic indicating that the intersection is being monitored by an automated traffic law enforcement system and informing drivers whether, following a stop, a right turn at the intersection is permitted or prohibited.

(k-3) A municipality or county that has one or more intersections equipped with an automated traffic law enforcement system must provide notice to drivers by posting the locations of automated traffic law systems on the municipality or county website.

(k-5) An intersection equipped with an automated traffic law enforcement system must have a yellow change interval that conforms with the Illinois Manual on Uniform Traffic Control Devices (IMUTCD) published by the Illinois Department of Transportation. Beginning 6 months before it installs an automated traffic law enforcement system at an intersection, a county or municipality may not change the yellow change interval at that intersection.

(k-7) A municipality or county operating an automated traffic law enforcement system shall conduct a statistical analysis to assess the safety impact of each automated traffic law enforcement system at an intersection following installation of the system and every 2 years thereafter. Each ~~The~~ statistical analysis shall be based upon the best available crash, traffic, and other data, and shall cover a period of time before and after installation of the system sufficient to provide a statistically valid comparison of safety impact. Each ~~The~~ statistical analysis shall be consistent with professional judgment and acceptable industry practice. Each ~~The~~ statistical analysis also shall be consistent with the data required for valid comparisons of before and after conditions and shall be conducted within a reasonable period following the installation of the automated traffic law enforcement system. Each ~~The~~ statistical analysis required by this subsection (k-7) shall be made available to the public and shall be published on the website of the municipality or county. If a ~~the~~ statistical analysis ~~for the 36-month period following installation of the system~~ indicates that there has

been an increase in the rate of accidents at the approach to the intersection monitored by the system, the municipality or county shall undertake additional studies to determine the cause and severity of the accidents, and may take any action that it determines is necessary or appropriate to reduce the number or severity of the accidents at that intersection.

(k-8) Any municipality or county operating an automated traffic law enforcement system before the effective date of this amendatory Act of the 103rd General Assembly shall conduct a statistical analysis to assess the safety impact of each automated traffic law enforcement system at an intersection by no later than one year after the effective date of this amendatory Act of the 103rd General Assembly and every 2 years thereafter. The statistical analyses shall be based upon the best available crash, traffic, and other data, and shall cover a period of time before and after installation of the system sufficient to provide a statistically valid comparison of safety impact. The statistical analyses shall be consistent with professional judgment and acceptable industry practice. The statistical analyses also shall be consistent with the data required for valid comparisons of before and after conditions. The statistical analyses required by this subsection shall be made available to the public and shall be published on the website of the municipality or county. If the statistical analysis for any period following installation of the system indicates that there has been an increase in the rate of accidents at the approach to the intersection monitored by the system, the municipality or county shall undertake additional studies to determine the cause and severity of the accidents, and may take any action that it determines is necessary or appropriate to reduce the number or severity of the accidents at that intersection.

(l) The compensation paid for an automated traffic law enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system.

(l-1) No member of the General Assembly and no officer or employee of a municipality or county shall knowingly accept employment or receive compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties. No former member of the General Assembly shall, within a period of 2 years immediately after the termination of service as a member of the General Assembly, knowingly accept employment or receive compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties. No former officer or employee of a municipality or county shall, within a period of 2 years immediately after the termination of municipal or county employment, knowingly accept employment or receive compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties.

(m) This Section applies only to the counties of Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will and to municipalities located within those counties.

(n) The fee for participating in a traffic education program under this Section shall not exceed $25.

A low-income individual required to complete a traffic education program under this Section who provides proof of eligibility for the federal earned income tax credit under Section 32 of the Internal Revenue Code or the Illinois earned income tax credit under Section 212 of the Illinois Income Tax Act shall not be required to pay any fee for participating in a required traffic education program.

(o) (Blank).

(p) No person who is the lessor of a motor vehicle pursuant to a written lease agreement shall be liable for an automated speed or traffic law enforcement system violation involving such motor vehicle during the period of the lease; provided that upon the request of the appropriate authority received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee.

Upon the provision of information by the lessor pursuant to this subsection, the county or municipality may issue the violation to the lessee of the vehicle in the same manner as it would issue a violation to a registered owner of a vehicle pursuant to this Section, and the lessee may be held liable for the violation.

(q) If a county or municipality selects a new vendor for its automated traffic law enforcement system and must, as a consequence, apply for a permit, approval, or other authorization from the Department for reinstallation of one or more malfunctioning components of that system and if, at the time of the application for the permit, approval, or other authorization, the new vendor operates an automated traffic law enforcement system for any other county or municipality in the State, then the Department shall approve or deny the county or municipality's application for the permit, approval, or other authorization within 90 days after its receipt.

(r) The Department may revoke any permit, approval, or other authorization granted to a county or municipality for the placement, installation, or operation of an automated traffic law enforcement system if any official or employee who serves that county or municipality is charged with bribery, official misconduct, or a similar crime related to the placement, installation, or operation of the automated traffic law enforcement system in the county or municipality.

The Department shall adopt any rules necessary to implement and administer this subsection. The rules adopted by the Department shall describe the revocation process, shall ensure that notice of the revocation is provided, and shall provide an opportunity to appeal the revocation. Any county or municipality that has a permit, approval, or other authorization revoked under this subsection may not reapply for such a permit, approval, or other authorization for a period of 1 year after the revocation.

(s) If an automated traffic law enforcement system is removed or rendered inoperable due to construction, then the Department shall authorize the reinstallation or use of the automated traffic law enforcement system within 30 days after the construction is complete.

(Source: P.A. 101-395, eff. 8-16-19; 101-652, eff. 7-1-21; 102-905, eff. 1-1-23; revised 12-14-22.)

(Text of Section after amendment by P.A. 102-982)

Sec. 11-208.6. Automated traffic law enforcement system.

(a) As used in this Section, "automated traffic law enforcement system" means a device with one or more motor vehicle sensors working in conjunction with a red light signal to produce recorded images of motor vehicles entering an intersection against a red signal indication in violation of Section 11-306 of this Code or a similar provision of a local ordinance.

An automated traffic law enforcement system is a system, in a municipality or county operated by a governmental agency, that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance and is designed to obtain a clear recorded image of the vehicle and the vehicle's license plate. The recorded image must also display the time, date, and location of the violation.

(b) As used in this Section, "recorded images" means images recorded by an automated traffic law enforcement system on:

(1) 2 or more photographs;

(2) 2 or more microphotographs;

(3) 2 or more electronic images; or

(4) a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate or digital registration plate number of the motor vehicle.

(b-5) A municipality or county that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance must make the recorded images of a violation accessible to the alleged violator by providing the alleged violator with a website address, accessible through the Internet.

(c) Except as provided under Section 11-208.8 of this Code, a county or municipality, including a home rule county or municipality, may not use an automated traffic law enforcement system to provide recorded images of a motor vehicle for the purpose of recording its speed. Except as provided under Section 11-208.8 of this Code, the regulation of the use of automated traffic law enforcement systems to record vehicle speeds is an exclusive power and function of the State. This subsection (c) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(c-5) A county or municipality, including a home rule county or municipality, may not use an automated traffic law enforcement system to issue violations in instances where the motor vehicle comes to a complete stop and does not enter the intersection, as defined by Section 1-132 of this Code, during the cycle of the red signal indication unless one or more pedestrians or bicyclists are present, even if the motor vehicle stops at a point past a stop line or crosswalk where a driver is required to stop, as specified in subsection (c) of Section 11-306 of this Code or a similar provision of a local ordinance.

(c-6) A county, or a municipality with less than 2,000,000 inhabitants, including a home rule county or municipality, may not use an automated traffic law enforcement system to issue violations in instances where a motorcyclist enters an intersection against a red signal indication when the red signal fails to change to a green signal within a reasonable period of time not less than 120 seconds because of a signal malfunction or because the signal has failed to detect the arrival of the motorcycle due to the motorcycle's size or weight.

(d) For each violation of a provision of this Code or a local ordinance recorded by an automatic traffic law enforcement system, the county or municipality having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days after the Secretary of State notifies the municipality or county of the identity of the owner of the vehicle, but in no event later than 90 days after the violation.

The notice shall include:

(1) the name and address of the registered owner of the vehicle;

(2) the registration number of the motor vehicle involved in the violation;

(3) the violation charged;

(4) the location where the violation occurred;

(5) the date and time of the violation;

(6) a copy of the recorded images;

(7) the amount of the civil penalty imposed and the requirements of any traffic education program imposed and the date by which the civil penalty should be paid and the traffic education program should be completed;

(8) a statement that recorded images are evidence of a violation of a red light signal;

(9) a warning that failure to pay the civil penalty, to complete a required traffic education program, or to contest liability in a timely manner is an admission of liability;

(10) a statement that the person may elect to proceed by:

(A) paying the fine, completing a required traffic education program, or both; or

(B) challenging the charge in court, by mail, or by administrative hearing; and

(11) a website address, accessible through the Internet, where the person may view the recorded images of the violation.

(e) (Blank).

(f) Based on inspection of recorded images produced by an automated traffic law enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section.

(g) Recorded images made by an automatic traffic law enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any recorded image evidencing a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(h) The court or hearing officer may consider in defense of a violation:

(1) that the motor vehicle or registration plates or digital registration plates of the motor vehicle were stolen before the violation occurred and not under the control of or in the possession of the owner or lessee at the time of the violation;

(1.5) that the motor vehicle was hijacked before the violation occurred and not under the control of or in the possession of the owner or lessee at the time of the violation;

(2) that the driver of the vehicle passed through the intersection when the light was red either (i) in order to yield the right-of-way to an emergency vehicle or (ii) as part of a funeral procession; and

(3) any other evidence or issues provided by municipal or county ordinance.

(i) To demonstrate that the motor vehicle was hijacked or the motor vehicle or registration plates or digital registration plates were stolen before the violation occurred and were not under the control or possession of the owner or lessee at the time of the violation, the owner or lessee must submit proof that a report concerning the motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

(j) Unless the driver of the motor vehicle received a Uniform Traffic Citation from a police officer at the time of the violation, the motor vehicle owner is subject to a civil penalty not exceeding $100 or the completion of a traffic education program, or both, plus an additional penalty of not more than $100 for failure to pay the original penalty or to complete a required traffic education program, or both, in a timely manner, if the motor vehicle is recorded by an automated traffic law enforcement system. A violation for which a civil penalty is imposed under this Section is not a violation of a traffic regulation governing the movement of vehicles and may not be recorded on the driving record of the owner of the vehicle.

(j-3) A registered owner who is a holder of a valid commercial driver's license is not required to complete a traffic education program.

(j-5) For purposes of the required traffic education program only, a registered owner may submit an affidavit to the court or hearing officer swearing that at the time of the alleged violation, the vehicle was in the custody and control of another person. The affidavit must identify the person in custody and control of the vehicle, including the person's name and current address. The person in custody and control of the vehicle at the time of the violation is required to complete the required traffic education program. If the person in custody and control of the vehicle at the time of the violation completes the required traffic education program, the registered owner of the vehicle is not required to complete a traffic education program.

(k) An intersection equipped with an automated traffic law enforcement system must be posted with a sign visible to approaching traffic indicating that the intersection is being monitored by an automated traffic law enforcement system and informing drivers whether, following a stop, a right turn at the intersection is permitted or prohibited.

(k-3) A municipality or county that has one or more intersections equipped with an automated traffic law enforcement system must provide notice to drivers by posting the locations of automated traffic law systems on the municipality or county website.

(k-5) An intersection equipped with an automated traffic law enforcement system must have a yellow change interval that conforms with the Illinois Manual on Uniform Traffic Control Devices (IMUTCD) published by the Illinois Department of Transportation. Beginning 6 months before it installs an automated traffic law enforcement system at an intersection, a county or municipality may not change the yellow change interval at that intersection.

(k-7) A municipality or county operating an automated traffic law enforcement system shall conduct a statistical analysis to assess the safety impact of each automated traffic law enforcement system at an intersection following installation of the system and every 2 years thereafter. Each ~~The~~ statistical analysis shall be based upon the best available crash, traffic, and other data, and shall cover a period of time before and after installation of the system sufficient to provide a statistically valid comparison of safety impact. Each ~~The~~ statistical analysis shall be consistent with professional judgment and acceptable industry practice. Each ~~The~~ statistical analysis also shall be consistent with the data required for valid comparisons of before and after conditions and shall be conducted within a reasonable period following the installation of the automated traffic law enforcement system. Each ~~The~~ statistical analysis required by this subsection (k-7) shall be made available to the public and shall be published on the website of the municipality or county. If a ~~the~~ statistical analysis ~~for the 36-month period following installation of the system~~ indicates that there has been an increase in the rate of crashes at the approach to the intersection monitored by the system, the municipality or county shall undertake additional studies to determine the cause and severity of the crashes, and may take any action that it determines is necessary or appropriate to reduce the number or severity of the crashes at that intersection.

(k-8) Any municipality or county operating an automated traffic law enforcement system before the effective date of this amendatory Act of the 103rd General Assembly shall conduct a statistical analysis to assess the safety impact of each automated traffic law enforcement system at an intersection by no later than one year after the effective date of this amendatory Act of the 103rd General Assembly and every 2 years thereafter. The statistical analyses shall be based upon the best available crash, traffic, and other data, and shall cover a period of time before and after installation of the system sufficient to provide a statistically valid comparison of safety impact. The statistical analyses shall be consistent with professional judgment and acceptable industry practice. The statistical analyses also shall be consistent with the data required for valid comparisons of before and after conditions. The statistical analyses required by this subsection shall be made available to the public and shall be published on the website of the municipality or county. If the statistical analysis for any period following installation of the system indicates that there has been an increase in the rate of accidents at the approach to the intersection monitored by the system, the municipality or county shall undertake additional studies to determine the cause and severity of the accidents, and may take any action that it determines is necessary or appropriate to reduce the number or severity of the accidents at that intersection.

(l) The compensation paid for an automated traffic law enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system.

(l-1) No member of the General Assembly and no officer or employee of a municipality or county shall knowingly accept employment or receive compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties. No

former member of the General Assembly shall, within a period of 2 years immediately after the termination of service as a member of the General Assembly, knowingly accept employment or receive compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties. No former officer or employee of a municipality or county shall, within a period of 2 years immediately after the termination of municipal or county employment, knowingly accept employment or receive compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties.

(m) This Section applies only to the counties of Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will and to municipalities located within those counties.

(n) The fee for participating in a traffic education program under this Section shall not exceed $25.

A low-income individual required to complete a traffic education program under this Section who provides proof of eligibility for the federal earned income tax credit under Section 32 of the Internal Revenue Code or the Illinois earned income tax credit under Section 212 of the Illinois Income Tax Act shall not be required to pay any fee for participating in a required traffic education program.

(o) (Blank).

(p) No person who is the lessor of a motor vehicle pursuant to a written lease agreement shall be liable for an automated speed or traffic law enforcement system violation involving such motor vehicle during the period of the lease; provided that upon the request of the appropriate authority received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee.

Upon the provision of information by the lessor pursuant to this subsection, the county or municipality may issue the violation to the lessee of the vehicle in the same manner as it would issue a violation to a registered owner of a vehicle pursuant to this Section, and the lessee may be held liable for the violation.

(q) If a county or municipality selects a new vendor for its automated traffic law enforcement system and must, as a consequence, apply for a permit, approval, or other authorization from the Department for reinstallation of one or more malfunctioning components of that system and if, at the time of the application for the permit, approval, or other authorization, the new vendor operates an automated traffic law enforcement system for any other county or municipality in the State, then the Department shall approve or deny the county or municipality's application for the permit, approval, or other authorization within 90 days after its receipt.

(r) The Department may revoke any permit, approval, or other authorization granted to a county or municipality for the placement, installation, or operation of an automated traffic law enforcement system if any official or employee who serves that county or municipality is charged with bribery, official misconduct, or a similar crime related to the placement, installation, or operation of the automated traffic law enforcement system in the county or municipality.

The Department shall adopt any rules necessary to implement and administer this subsection. The rules adopted by the Department shall describe the revocation process, shall ensure that notice of the revocation is provided, and shall provide an opportunity to appeal the revocation. Any county or municipality that has a permit, approval, or other authorization revoked under this subsection may not reapply for such a permit, approval, or other authorization for a period of 1 year after the revocation.

(s) If an automated traffic law enforcement system is removed or rendered inoperable due to construction, then the Department shall authorize the reinstallation or use of the automated traffic law enforcement system within 30 days after the construction is complete.

(Source: P.A. 101-395, eff. 8-16-19; 101-652, eff. 7-1-21; 102-905, eff. 1-1-23; 102-982, eff. 7-1-23; revised 12-14-22.)

(625 ILCS 5/11-208.8)

Sec. 11-208.8. Automated speed enforcement systems in safety zones.

(a) As used in this Section:

"Automated speed enforcement system" means a photographic device, radar device, laser device, or other electrical or mechanical device or devices installed or utilized in a safety zone and designed to record the speed of a vehicle and obtain a clear photograph or other recorded image of the vehicle and the vehicle's registration plate or digital registration plate while the driver is violating Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.

An automated speed enforcement system is a system, located in a safety zone which is under the jurisdiction of a municipality, that produces a recorded image of a motor vehicle's violation of a provision of

this Code or a local ordinance and is designed to obtain a clear recorded image of the vehicle and the vehicle's license plate. The recorded image must also display the time, date, and location of the violation.

"Owner" means the person or entity to whom the vehicle is registered.

"Recorded image" means images recorded by an automated speed enforcement system on:

(1) 2 or more photographs;

(2) 2 or more microphotographs;

(3) 2 or more electronic images; or

(4) a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate or digital registration plate number of the motor vehicle.

"Safety zone" means an area that is within one-eighth of a mile from the nearest property line of any public or private elementary or secondary school, or from the nearest property line of any facility, area, or land owned by a school district that is used for educational purposes approved by the Illinois State Board of Education, not including school district headquarters or administrative buildings. A safety zone also includes an area that is within one-eighth of a mile from the nearest property line of any facility, area, or land owned by a park district used for recreational purposes. However, if any portion of a roadway is within either one-eighth mile radius, the safety zone also shall include the roadway extended to the furthest portion of the next furthest intersection. The term "safety zone" does not include any portion of the roadway known as Lake Shore Drive or any controlled access highway with 8 or more lanes of traffic.

(a-5) The automated speed enforcement system shall be operational and violations shall be recorded only at the following times:

(i) if the safety zone is based upon the property line of any facility, area, or land owned by a school district, only on school days and no earlier than 6 a.m. and no later than 8:30 p.m. if the school day is during the period of Monday through Thursday, or 9 p.m. if the school day is a Friday; and

(ii) if the safety zone is based upon the property line of any facility, area, or land owned by a park district, no earlier than one hour prior to the time that the facility, area, or land is open to the public or other patrons, and no later than one hour after the facility, area, or land is closed to the public or other patrons.

(b) A municipality that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance must make the recorded images of a violation accessible to the alleged violator by providing the alleged violator with a website address, accessible through the Internet.

(c) Notwithstanding any penalties for any other violations of this Code, the owner of a motor vehicle used in a traffic violation recorded by an automated speed enforcement system shall be subject to the following penalties:

(1) if the recorded speed is no less than 6 miles per hour and no more than 10 miles per hour over the legal speed limit, a civil penalty not exceeding $50, plus an additional penalty of not more than $50 for failure to pay the original penalty in a timely manner; or

(2) if the recorded speed is more than 10 miles per hour over the legal speed limit, a civil penalty not exceeding $100, plus an additional penalty of not more than $100 for failure to pay the original penalty in a timely manner.

A penalty may not be imposed under this Section if the driver of the motor vehicle received a Uniform Traffic Citation from a police officer for a speeding violation occurring within one-eighth of a mile and 15 minutes of the violation that was recorded by the system. A violation for which a civil penalty is imposed under this Section is not a violation of a traffic regulation governing the movement of vehicles and may not be recorded on the driving record of the owner of the vehicle. A law enforcement officer is not required to be present or to witness the violation. No penalty may be imposed under this Section if the recorded speed of a vehicle is 5 miles per hour or less over the legal speed limit. The municipality may send, in the same manner that notices are sent under this Section, a speed violation warning notice where the violation involves a speed of 5 miles per hour or less above the legal speed limit.

(d) The net proceeds that a municipality receives from civil penalties imposed under an automated speed enforcement system, after deducting all non-personnel and personnel costs associated with the operation and maintenance of such system, shall be expended or obligated by the municipality for the following purposes:

(i) public safety initiatives to ensure safe passage around schools, and to provide police protection and surveillance around schools and parks, including but not limited to: (1) personnel costs;

and (2) non-personnel costs such as construction and maintenance of public safety infrastructure and equipment;

(ii) initiatives to improve pedestrian and traffic safety;

(iii) construction and maintenance of infrastructure within the municipality, including but not limited to roads and bridges; and

(iv) after school programs.

(e) For each violation of a provision of this Code or a local ordinance recorded by an automated speed enforcement system, the municipality having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days after the Secretary of State notifies the municipality of the identity of the owner of the vehicle, but in no event later than 90 days after the violation.

(f) The notice required under subsection (e) of this Section shall include:

(1) the name and address of the registered owner of the vehicle;

(2) the registration number of the motor vehicle involved in the violation;

(3) the violation charged;

(4) the date, time, and location where the violation occurred;

(5) a copy of the recorded image or images;

(6) the amount of the civil penalty imposed and the date by which the civil penalty should be paid;

(7) a statement that recorded images are evidence of a violation of a speed restriction;

(8) a warning that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability;

(9) a statement that the person may elect to proceed by:

(A) paying the fine; or

(B) challenging the charge in court, by mail, or by administrative hearing; and

(10) a website address, accessible through the Internet, where the person may view the recorded images of the violation.

(g) (Blank).

(h) Based on inspection of recorded images produced by an automated speed enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section.

(i) Recorded images made by an automated speed enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any recorded image evidencing a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(j) The court or hearing officer may consider in defense of a violation:

(1) that the motor vehicle or registration plates or digital registration plates of the motor vehicle were stolen before the violation occurred and not under the control or in the possession of the owner or lessee at the time of the violation;

(1.5) that the motor vehicle was hijacked before the violation occurred and not under the control of or in the possession of the owner or lessee at the time of the violation;

(2) that the driver of the motor vehicle received a Uniform Traffic Citation from a police officer for a speeding violation occurring within one-eighth of a mile and 15 minutes of the violation that was recorded by the system; and

(3) any other evidence or issues provided by municipal ordinance.

(k) To demonstrate that the motor vehicle was hijacked or the motor vehicle or registration plates or digital registration plates were stolen before the violation occurred and were not under the control or possession of the owner or lessee at the time of the violation, the owner or lessee must submit proof that a report concerning the motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

(l) A roadway equipped with an automated speed enforcement system shall be posted with a sign conforming to the national Manual on Uniform Traffic Control Devices that is visible to approaching traffic stating that vehicle speeds are being photo-enforced and indicating the speed limit. The municipality shall install such additional signage as it determines is necessary to give reasonable notice to drivers as to where automated speed enforcement systems are installed.

(m) A roadway where a new automated speed enforcement system is installed shall be posted with signs providing 30 days notice of the use of a new automated speed enforcement system prior to the issuance of any citations through the automated speed enforcement system.

(n) The compensation paid for an automated speed enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system.

(n-1) No member of the General Assembly and no officer or employee of a municipality or county shall knowingly accept employment or receive compensation or fees for services from a vendor that provides automated speed enforcement system equipment or services to municipalities or counties. No former member of the General Assembly shall, within a period of 2 years immediately after the termination of service as a member of the General Assembly, knowingly accept employment or receive compensation or fees for services from a vendor that provides automated speed enforcement system equipment or services to municipalities or counties. No former officer or employee of a municipality or county shall, within a period of 2 years immediately after the termination of municipal or county employment, knowingly accept employment or receive compensation or fees for services from a vendor that provides automated speed enforcement system equipment or services to municipalities or counties.

(o) (Blank).

(p) No person who is the lessor of a motor vehicle pursuant to a written lease agreement shall be liable for an automated speed or traffic law enforcement system violation involving such motor vehicle during the period of the lease; provided that upon the request of the appropriate authority received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee. The drivers license number of a lessee may be subsequently individually requested by the appropriate authority if needed for enforcement of this Section.

Upon the provision of information by the lessor pursuant to this subsection, the municipality may issue the violation to the lessee of the vehicle in the same manner as it would issue a violation to a registered owner of a vehicle pursuant to this Section, and the lessee may be held liable for the violation.

(q) A municipality using an automated speed enforcement system must provide notice to drivers by publishing the locations of all safety zones where system equipment is installed on the website of the municipality.

(r) A municipality operating an automated speed enforcement system shall conduct a statistical analysis to assess the safety impact of the system following installation of the system and every 2 years thereafter. A municipality operating an automated speed enforcement system before the effective date of this amendatory Act of the 103rd General Assembly shall conduct a statistical analysis to assess the safety impact of the system by no later than one year after the effective date of this amendatory Act of the 103rd General Assembly and every 2 years thereafter. Each ~~The~~ statistical analysis shall be based upon the best available crash, traffic, and other data, and shall cover a period of time before and after installation of the system sufficient to provide a statistically valid comparison of safety impact. Each ~~The~~ statistical analysis shall be consistent with professional judgment and acceptable industry practice. Each ~~The~~ statistical analysis also shall be consistent with the data required for valid comparisons of before and after conditions and shall be conducted within a reasonable period following the installation of the automated traffic law enforcement system. Each ~~The~~ statistical analysis required by this subsection shall be made available to the public and shall be published on the website of the municipality.

(s) This Section applies only to municipalities with a population of 1,000,000 or more inhabitants.

(t) If a county or municipality selects a new vendor for its automated speed enforcement system and must, as a consequence, apply for a permit, approval, or other authorization from the Department for reinstallation of one or more malfunctioning components of that system and if, at the time of the application for the permit, approval, or other authorization, the new vendor operates an automated speed enforcement system for any other county or municipality in the State, then the Department shall approve or deny the county or municipality's application for the permit, approval, or other authorization within 90 days after its receipt.

(u) The Department may revoke any permit, approval, or other authorization granted to a county or municipality for the placement, installation, or operation of an automated speed enforcement system if any official or employee who serves that county or municipality is charged with bribery, official misconduct, or a similar crime related to the placement, installation, or operation of the automated speed enforcement system in the county or municipality.

The Department shall adopt any rules necessary to implement and administer this subsection. The rules adopted by the Department shall describe the revocation process, shall ensure that notice of the revocation is provided, and shall provide an opportunity to appeal the revocation. Any county or municipality that has a permit, approval, or other authorization revoked under this subsection may not reapply for such a permit, approval, or other authorization for a period of 1 year after the revocation.

(Source: P.A. 101-395, eff. 8-16-19; 101-652, eff. 7-1-21; 102-905, eff. 1-1-23.)

(625 ILCS 5/11-208.9)

(Text of Section before amendment by P.A. 102-982)

Sec. 11-208.9. Automated traffic law enforcement system; approaching, overtaking, and passing a school bus.

(a) As used in this Section, "automated traffic law enforcement system" means a device with one or more motor vehicle sensors working in conjunction with the visual signals on a school bus, as specified in Sections 12-803 and 12-805 of this Code, to produce recorded images of motor vehicles that fail to stop before meeting or overtaking, from either direction, any school bus stopped at any location for the purpose of receiving or discharging pupils in violation of Section 11-1414 of this Code or a similar provision of a local ordinance.

An automated traffic law enforcement system is a system, in a municipality or county operated by a governmental agency, that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance and is designed to obtain a clear recorded image of the vehicle and the vehicle's license plate. The recorded image must also display the time, date, and location of the violation.

(b) As used in this Section, "recorded images" means images recorded by an automated traffic law enforcement system on:

(1) 2 or more photographs;

(2) 2 or more microphotographs;

(3) 2 or more electronic images; or

(4) a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate or digital registration plate number of the motor vehicle.

(c) A municipality or county that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance must make the recorded images of a violation accessible to the alleged violator by providing the alleged violator with a website address, accessible through the Internet.

(d) For each violation of a provision of this Code or a local ordinance recorded by an automated traffic law enforcement system, the county or municipality having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days after the Secretary of State notifies the municipality or county of the identity of the owner of the vehicle, but in no event later than 90 days after the violation.

(e) The notice required under subsection (d) shall include:

(1) the name and address of the registered owner of the vehicle;

(2) the registration number of the motor vehicle involved in the violation;

(3) the violation charged;

(4) the location where the violation occurred;

(5) the date and time of the violation;

(6) a copy of the recorded images;

(7) the amount of the civil penalty imposed and the date by which the civil penalty should be paid;

(8) a statement that recorded images are evidence of a violation of overtaking or passing a school bus stopped for the purpose of receiving or discharging pupils;

(9) a warning that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability;

(10) a statement that the person may elect to proceed by:

(A) paying the fine; or

(B) challenging the charge in court, by mail, or by administrative hearing; and

(11) a website address, accessible through the Internet, where the person may view the recorded images of the violation.

(f) (Blank).

(g) Based on inspection of recorded images produced by an automated traffic law enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section.

(h) Recorded images made by an automated traffic law enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any recorded image evidencing a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(i) The court or hearing officer may consider in defense of a violation:

(1) that the motor vehicle or registration plates or digital registration plates of the motor vehicle were stolen before the violation occurred and not under the control of or in the possession of the owner or lessee at the time of the violation;

(1.5) that the motor vehicle was hijacked before the violation occurred and not under the control of or in the possession of the owner or lessee at the time of the violation;

(2) that the driver of the motor vehicle received a Uniform Traffic Citation from a police officer for a violation of Section 11-1414 of this Code within one-eighth of a mile and 15 minutes of the violation that was recorded by the system;

(3) that the visual signals required by Sections 12-803 and 12-805 of this Code were damaged, not activated, not present in violation of Sections 12-803 and 12-805, or inoperable; and

(4) any other evidence or issues provided by municipal or county ordinance.

(j) To demonstrate that the motor vehicle was hijacked or the motor vehicle or registration plates or digital registration plates were stolen before the violation occurred and were not under the control or possession of the owner or lessee at the time of the violation, the owner or lessee must submit proof that a report concerning the motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

(k) Unless the driver of the motor vehicle received a Uniform Traffic Citation from a police officer at the time of the violation, the motor vehicle owner is subject to a civil penalty not exceeding $150 for a first time violation or $500 for a second or subsequent violation, plus an additional penalty of not more than $100 for failure to pay the original penalty in a timely manner, if the motor vehicle is recorded by an automated traffic law enforcement system. A violation for which a civil penalty is imposed under this Section is not a violation of a traffic regulation governing the movement of vehicles and may not be recorded on the driving record of the owner of the vehicle, but may be recorded by the municipality or county for the purpose of determining if a person is subject to the higher fine for a second or subsequent offense.

(l) A school bus equipped with an automated traffic law enforcement system must be posted with a sign indicating that the school bus is being monitored by an automated traffic law enforcement system.

(m) A municipality or county that has one or more school buses equipped with an automated traffic law enforcement system must provide notice to drivers by posting a list of school districts using school buses equipped with an automated traffic law enforcement system on the municipality or county website. School districts that have one or more school buses equipped with an automated traffic law enforcement system must provide notice to drivers by posting that information on their websites.

(n) A municipality or county operating an automated traffic law enforcement system shall conduct a statistical analysis to assess the safety impact in each school district using school buses equipped with an automated traffic law enforcement system following installation of the system and every 2 years thereafter. A municipality or county operating an automated speed enforcement system before the effective date of this amendatory Act of the 103rd General Assembly shall conduct a statistical analysis to assess the safety impact of the system by no later than one year after the effective date of this amendatory Act of the 103rd General Assembly and every 2 years thereafter. Each ~~The~~ statistical analysis shall be based upon the best available crash, traffic, and other data, and shall cover a period of time before and after installation of the system sufficient to provide a statistically valid comparison of safety impact. Each ~~The~~ statistical analysis shall be consistent with professional judgment and acceptable industry practice. Each ~~The~~ statistical analysis also shall be consistent with the data required for valid comparisons of before and after conditions and shall be conducted within a reasonable period following the installation of the automated traffic law enforcement system. Each ~~The~~ statistical analysis required by this subsection shall be made available to the public and shall be published on the website of the municipality or county. If a ~~the~~ statistical analysis ~~for the 36-month period following installation of the system~~ indicates that there has been an increase in the rate of accidents at

the approach to school buses monitored by the system, the municipality or county shall undertake additional studies to determine the cause and severity of the accidents, and may take any action that it determines is necessary or appropriate to reduce the number or severity of the accidents involving school buses equipped with an automated traffic law enforcement system.

(o) The compensation paid for an automated traffic law enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system.

(o-1) No member of the General Assembly and no officer or employee of a municipality or county shall knowingly accept employment or receive compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties. No former member of the General Assembly shall, within a period of 2 years immediately after the termination of service as a member of the General Assembly, knowingly accept employment or receive compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties. No former officer or employee of a municipality or county shall, within a period of 2 years immediately after the termination of municipal or county employment, knowingly accept employment or receive compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties.

(p) No person who is the lessor of a motor vehicle pursuant to a written lease agreement shall be liable for an automated speed or traffic law enforcement system violation involving such motor vehicle during the period of the lease; provided that upon the request of the appropriate authority received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee.

Upon the provision of information by the lessor pursuant to this subsection, the county or municipality may issue the violation to the lessee of the vehicle in the same manner as it would issue a violation to a registered owner of a vehicle pursuant to this Section, and the lessee may be held liable for the violation.

(q) (Blank).

(r) After a municipality or county enacts an ordinance providing for automated traffic law enforcement systems under this Section, each school district within that municipality or county's jurisdiction may implement an automated traffic law enforcement system under this Section. The elected school board for that district must approve the implementation of an automated traffic law enforcement system. The school district shall be responsible for entering into a contract, approved by the elected school board of that district, with vendors for the installation, maintenance, and operation of the automated traffic law enforcement system. The school district must enter into an intergovernmental agreement, approved by the elected school board of that district, with the municipality or county with jurisdiction over that school district for the administration of the automated traffic law enforcement system. The proceeds from a school district's automated traffic law enforcement system's fines shall be divided equally between the school district and the municipality or county administering the automated traffic law enforcement system.

(s) If a county or municipality changes the vendor it uses for its automated traffic law enforcement system and must, as a consequence, apply for a permit, approval, or other authorization from the Department for reinstallation of one or more malfunctioning components of that system and if, at the time of the application, the new vendor operates an automated traffic law enforcement system for any other county or municipality in the State, then the Department shall approve or deny the county or municipality's application for that permit, approval, or other authorization within 90 days after its receipt.

(t) The Department may revoke any permit, approval, or other authorization granted to a county or municipality for the placement, installation, or operation of an automated traffic law enforcement system if any official or employee who serves that county or municipality is charged with bribery, official misconduct, or a similar crime related to the placement, installation, or operation of the automated traffic law enforcement system in the county or municipality.

The Department shall adopt any rules necessary to implement and administer this subsection. The rules adopted by the Department shall describe the revocation process, shall ensure that notice of the revocation is provided, and shall provide an opportunity to appeal the revocation. Any county or municipality that has a permit, approval, or other authorization revoked under this subsection may not reapply for such a permit, approval, or other authorization for a period of 1 year after the revocation.

(Source: P.A. 101-395, eff. 8-16-19; 101-652, eff. 7-1-21; 102-905, eff. 1-1-23.)

(Text of Section after amendment by P.A. 102-982)

Sec. 11-208.9. Automated traffic law enforcement system; approaching, overtaking, and passing a school bus.

(a) As used in this Section, "automated traffic law enforcement system" means a device with one or more motor vehicle sensors working in conjunction with the visual signals on a school bus, as specified in Sections 12-803 and 12-805 of this Code, to produce recorded images of motor vehicles that fail to stop before meeting or overtaking, from either direction, any school bus stopped at any location for the purpose of receiving or discharging pupils in violation of Section 11-1414 of this Code or a similar provision of a local ordinance.

An automated traffic law enforcement system is a system, in a municipality or county operated by a governmental agency, that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance and is designed to obtain a clear recorded image of the vehicle and the vehicle's license plate. The recorded image must also display the time, date, and location of the violation.

(b) As used in this Section, "recorded images" means images recorded by an automated traffic law enforcement system on:

(1) 2 or more photographs;

(2) 2 or more microphotographs;

(3) 2 or more electronic images; or

(4) a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate or digital registration plate number of the motor vehicle.

(c) A municipality or county that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance must make the recorded images of a violation accessible to the alleged violator by providing the alleged violator with a website address, accessible through the Internet.

(d) For each violation of a provision of this Code or a local ordinance recorded by an automated traffic law enforcement system, the county or municipality having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days after the Secretary of State notifies the municipality or county of the identity of the owner of the vehicle, but in no event later than 90 days after the violation.

(e) The notice required under subsection (d) shall include:

(1) the name and address of the registered owner of the vehicle;

(2) the registration number of the motor vehicle involved in the violation;

(3) the violation charged;

(4) the location where the violation occurred;

(5) the date and time of the violation;

(6) a copy of the recorded images;

(7) the amount of the civil penalty imposed and the date by which the civil penalty should be paid;

(8) a statement that recorded images are evidence of a violation of overtaking or passing a school bus stopped for the purpose of receiving or discharging pupils;

(9) a warning that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability;

(10) a statement that the person may elect to proceed by:

(A) paying the fine; or

(B) challenging the charge in court, by mail, or by administrative hearing; and

(11) a website address, accessible through the Internet, where the person may view the recorded images of the violation.

(f) (Blank).

(g) Based on inspection of recorded images produced by an automated traffic law enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section.

(h) Recorded images made by an automated traffic law enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any

recorded image evidencing a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(i) The court or hearing officer may consider in defense of a violation:

(1) that the motor vehicle or registration plates or digital registration plates of the motor vehicle were stolen before the violation occurred and not under the control of or in the possession of the owner or lessee at the time of the violation;

(1.5) that the motor vehicle was hijacked before the violation occurred and not under the control of or in the possession of the owner or lessee at the time of the violation;

(2) that the driver of the motor vehicle received a Uniform Traffic Citation from a police officer for a violation of Section 11-1414 of this Code within one-eighth of a mile and 15 minutes of the violation that was recorded by the system;

(3) that the visual signals required by Sections 12-803 and 12-805 of this Code were damaged, not activated, not present in violation of Sections 12-803 and 12-805, or inoperable; and

(4) any other evidence or issues provided by municipal or county ordinance.

(j) To demonstrate that the motor vehicle was hijacked or the motor vehicle or registration plates or digital registration plates were stolen before the violation occurred and were not under the control or possession of the owner or lessee at the time of the violation, the owner or lessee must submit proof that a report concerning the motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

(k) Unless the driver of the motor vehicle received a Uniform Traffic Citation from a police officer at the time of the violation, the motor vehicle owner is subject to a civil penalty not exceeding $150 for a first time violation or $500 for a second or subsequent violation, plus an additional penalty of not more than $100 for failure to pay the original penalty in a timely manner, if the motor vehicle is recorded by an automated traffic law enforcement system. A violation for which a civil penalty is imposed under this Section is not a violation of a traffic regulation governing the movement of vehicles and may not be recorded on the driving record of the owner of the vehicle, but may be recorded by the municipality or county for the purpose of determining if a person is subject to the higher fine for a second or subsequent offense.

(l) A school bus equipped with an automated traffic law enforcement system must be posted with a sign indicating that the school bus is being monitored by an automated traffic law enforcement system.

(m) A municipality or county that has one or more school buses equipped with an automated traffic law enforcement system must provide notice to drivers by posting a list of school districts using school buses equipped with an automated traffic law enforcement system on the municipality or county website. School districts that have one or more school buses equipped with an automated traffic law enforcement system must provide notice to drivers by posting that information on their websites.

(n) A municipality or county operating an automated traffic law enforcement system shall conduct a statistical analysis to assess the safety impact in each school district using school buses equipped with an automated traffic law enforcement system following installation of the system and every 2 years thereafter. A municipality or county operating an automated speed enforcement system before the effective date of this amendatory Act of the 103rd General Assembly shall conduct a statistical analysis to assess the safety impact of the system by no later than one year after the effective date of this amendatory Act of the 103rd General Assembly and every 2 years thereafter. Each ~~The~~ statistical analysis shall be based upon the best available crash, traffic, and other data, and shall cover a period of time before and after installation of the system sufficient to provide a statistically valid comparison of safety impact. Each ~~The~~ statistical analysis shall be consistent with professional judgment and acceptable industry practice. Each ~~The~~ statistical analysis also shall be consistent with the data required for valid comparisons of before and after conditions and shall be conducted within a reasonable period following the installation of the automated traffic law enforcement system. Each ~~The~~ statistical analysis required by this subsection shall be made available to the public and shall be published on the website of the municipality or county. If a ~~the~~ statistical analysis ~~for the 36-month period following installation of the system~~ indicates that there has been an increase in the rate of crashes at the approach to school buses monitored by the system, the municipality or county shall undertake additional studies to determine the cause and severity of the crashes, and may take any action that it determines is necessary or appropriate to reduce the number or severity of the crashes involving school buses equipped with an automated traffic law enforcement system.

(o) The compensation paid for an automated traffic law enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system.

(o-1) No member of the General Assembly and no officer or employee of a municipality or county shall knowingly accept employment or receive compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties. No former member of the General Assembly shall, within a period of 2 years immediately after the termination of service as a member of the General Assembly, knowingly accept employment or receive compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties. No former officer or employee of a municipality or county shall, within a period of 2 years immediately after the termination of municipal or county employment, knowingly accept employment or receive compensation or fees for services from a vendor that provides automated traffic law enforcement system equipment or services to municipalities or counties.

(p) No person who is the lessor of a motor vehicle pursuant to a written lease agreement shall be liable for an automated speed or traffic law enforcement system violation involving such motor vehicle during the period of the lease; provided that upon the request of the appropriate authority received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee.

Upon the provision of information by the lessor pursuant to this subsection, the county or municipality may issue the violation to the lessee of the vehicle in the same manner as it would issue a violation to a registered owner of a vehicle pursuant to this Section, and the lessee may be held liable for the violation.

(q) (Blank).

(r) After a municipality or county enacts an ordinance providing for automated traffic law enforcement systems under this Section, each school district within that municipality or county's jurisdiction may implement an automated traffic law enforcement system under this Section. The elected school board for that district must approve the implementation of an automated traffic law enforcement system. The school district shall be responsible for entering into a contract, approved by the elected school board of that district, with vendors for the installation, maintenance, and operation of the automated traffic law enforcement system. The school district must enter into an intergovernmental agreement, approved by the elected school board of that district, with the municipality or county with jurisdiction over that school district for the administration of the automated traffic law enforcement system. The proceeds from a school district's automated traffic law enforcement system's fines shall be divided equally between the school district and the municipality or county administering the automated traffic law enforcement system.

(s) If a county or municipality changes the vendor it uses for its automated traffic law enforcement system and must, as a consequence, apply for a permit, approval, or other authorization from the Department for reinstallation of one or more malfunctioning components of that system and if, at the time of the application, the new vendor operates an automated traffic law enforcement system for any other county or municipality in the State, then the Department shall approve or deny the county or municipality's application for that permit, approval, or other authorization within 90 days after its receipt.

(t) The Department may revoke any permit, approval, or other authorization granted to a county or municipality for the placement, installation, or operation of an automated traffic law enforcement system if any official or employee who serves that county or municipality is charged with bribery, official misconduct, or a similar crime related to the placement, installation, or operation of the automated traffic law enforcement system in the county or municipality.

The Department shall adopt any rules necessary to implement and administer this subsection. The rules adopted by the Department shall describe the revocation process, shall ensure that notice of the revocation is provided, and shall provide an opportunity to appeal the revocation. Any county or municipality that has a permit, approval, or other authorization revoked under this subsection may not reapply for such a permit, approval, or other authorization for a period of 1 year after the revocation.

(Source: P.A. 101-395, eff. 8-16-19; 101-652, eff. 7-1-21; 102-905, eff. 1-1-23; 102-982, eff. 7-1-23; revised 12-14-22.)

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 bill, as amended, was ordered to a third reading.

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Murphy, **House Bill No. 3903** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Lewis | Simmons |
| Aquino | Fowler | Lightford | Sims |
| Belt | Gillespie | Loughran Cappel | Stadelman |
| Bennett | Glowiak Hilton | Martwick | Stoller |
| Bryant | Halpin | McClure | Tracy |
| Castro | Harris, N. | McConchie | Turner, D. |
| Cervantes | Harriss, E. | Morrison | Turner, S. |
| Chesney | Hastings | Murphy | Ventura |
| Cunningham | Holmes | Pacione-Zayas | Villa |
| Curran | Hunter | Peters | Villanueva |
| Edly-Allen | Johnson | Plummer | Villivalam |
| Ellman | Jones, E. | Porfirio | Wilcox |
| Faraci | Joyce | Preston | Mr. President |
| Feigenholtz | Koehler | Rezin | |

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 in the Senate Amendment adopted thereto.

**HOUSE BILL RECALLED**

On motion of Senator Villanueva, **House Bill No. 2507** was recalled from the order of third reading to the order of second reading.
Senator Villanueva offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO HOUSE BILL 2507**

AMENDMENT NO. 1 . Amend House Bill 2507 by replacing everything after the enacting clause with the following:

"ARTICLE 5. VETERANS

Section 5-1. The Property Tax Code is amended by changing Section 15-169 as follows:
(35 ILCS 200/15-169)
Sec. 15-169. Homestead exemption for veterans with disabilities and veterans of World War II.

(a) Beginning with taxable year 2007, an annual homestead exemption, limited as provided in this Section ~~to the amounts set forth in subsections (b) and (b-3)~~, is granted for property that is used as a qualified residence by a veteran with a disability, and beginning with taxable year 2023, an annual homestead exemption, limited to the amounts set forth in subsection (b-4), is granted for property that is used as a qualified residence by a veteran who was a member of the United States Armed Forces during World War II.

(b) For taxable years prior to 2015, the amount of the exemption under this Section is as follows:

(1) for veterans with a service-connected disability of at least (i) 75% for exemptions granted in taxable years 2007 through 2009 and (ii) 70% for exemptions granted in taxable year 2010 and each taxable year thereafter, as certified by the United States Department of Veterans Affairs, the annual exemption is $5,000; and

(2) for veterans with a service-connected disability of at least 50%, but less than (i) 75% for exemptions granted in taxable years 2007 through 2009 and (ii) 70% for exemptions granted in taxable year 2010 and each taxable year thereafter, as certified by the United States Department of Veterans Affairs, the annual exemption is $2,500.

(b-3) For taxable years 2015 through 2023 ~~and thereafter~~:

(1) if the veteran has a service connected disability of 30% or more but less than 50%, as certified by the United States Department of Veterans Affairs, then the annual exemption is $2,500;

(2) if the veteran has a service connected disability of 50% or more but less than 70%, as certified by the United States Department of Veterans Affairs, then the annual exemption is $5,000;

(3) if the veteran has a service connected disability of 70% or more, as certified by the United States Department of Veterans Affairs, then the property is exempt from taxation under this Code; and

(4) for taxable year 2023 ~~and thereafter~~, if the taxpayer is the surviving spouse of a veteran whose death was determined to be service-connected and who is certified by the United States Department of Veterans Affairs as a recipient of dependency and indemnity compensation under federal law, then the property is also exempt from taxation under this Code.

(b-3.1) For taxable year 2024 and thereafter:

(1) if the veteran has a service connected disability of 30% or more but less than 50%, as certified by the United States Department of Veterans Affairs as of the date the application is submitted for the exemption under this Section for the applicable taxable year, then the annual exemption is $2,500;

(2) if the veteran has a service connected disability of 50% or more but less than 70%, as certified by the United States Department of Veterans Affairs as of the date the application is submitted for the exemption under this Section for the applicable taxable year, then the annual exemption is $5,000;

(3) if the veteran has a service connected disability of 70% or more, as certified by the United States Department of Veterans Affairs as of the date the application is submitted for the exemption under this Section for the applicable taxable year, then the first $250,000 in equalized assessed value of the property is exempt from taxation under this Code; and

(4) if the taxpayer is the surviving spouse of a veteran whose death was determined to be service-connected and who is certified by the United States Department of Veterans Affairs as a recipient of dependency and indemnity compensation under federal law as of the date the application is submitted for the exemption under this Section for the applicable taxable year, then the first $250,000 in equalized assessed value of the property is also exempt from taxation under this Code.

This amendatory Act of the 103rd General Assembly shall not be used as the basis for any appeal filed with the chief county assessment officer, the board of review, the Property Tax Appeal Board, or the circuit court with respect to the scope or meaning of the exemption under this Section for a tax year prior to tax year 2024.

(b-4) For taxable years on or after 2023, if the veteran was a member of the United States Armed Forces during World War II, then the property is exempt from taxation under this Code regardless of the veteran's level of disability.

(b-5) If a homestead exemption is granted under this Section and the person awarded the exemption subsequently becomes a resident of a facility licensed under the Nursing Home Care Act or a facility operated by the United States Department of Veterans Affairs, then the exemption shall continue (i) so long as the residence continues to be occupied by the qualifying person's spouse or (ii) if the residence remains unoccupied but is still owned by the person who qualified for the homestead exemption.

(c) The tax exemption under this Section carries over to the benefit of the veteran's surviving spouse as long as the spouse holds the legal or beneficial title to the homestead, permanently resides thereon, and does not remarry. If the surviving spouse sells the property, an exemption not to exceed the amount granted from the most recent ad valorem tax roll may be transferred to his or her new residence as long as it is used as his or her primary residence and he or she does not remarry.

As used in this subsection (c):

(1) for taxable years prior to 2015, "surviving spouse" means the surviving spouse of a veteran who obtained an exemption under this Section prior to his or her death;

(2) for taxable years 2015 through 2022, "surviving spouse" means (i) the surviving spouse of a veteran who obtained an exemption under this Section prior to his or her death and (ii) the surviving spouse of a veteran who was killed in the line of duty at any time prior to the expiration of the application period in effect for the exemption for the taxable year for which the exemption is sought; and

(3) for taxable year 2023 and thereafter, "surviving spouse" means: (i) the surviving spouse of a veteran who obtained the exemption under this Section prior to his or her death; (ii) the surviving spouse of a veteran who was killed in the line of duty at any time prior to the expiration of the application period in effect for the exemption for the taxable year for which the exemption is sought; (iii) the surviving spouse of a veteran who did not obtain an exemption under this Section before death, but who would have qualified for the exemption under this Section in the taxable year for which the exemption is sought if he or she had survived, and whose surviving spouse has been a resident of Illinois from the time of the veteran's death through the taxable year for which the exemption is sought; and (iv) the surviving spouse of a veteran whose death was determined to be service-connected, but who would not otherwise qualify under item ~~items~~ (i), (ii), or (iii), if the spouse (A) is certified by the United States Department of Veterans Affairs as a recipient of dependency and indemnity compensation under federal law at any time prior to the expiration of the application period in effect for the exemption for the taxable year for which the exemption is sought and (B) remains eligible for that dependency and indemnity compensation as of January 1 of the taxable year for which the exemption is sought.

(c-1) Beginning with taxable year 2015, nothing in this Section shall require the veteran to have qualified for or obtained the exemption before death if the veteran was killed in the line of duty.

(d) The exemption under this Section applies for taxable year 2007 and thereafter. A taxpayer who claims an exemption under Section 15-165 or 15-168 may not claim an exemption under this Section.

(e) Except as otherwise provided in this subsection (e), each taxpayer who has been granted an exemption under this Section must reapply on an annual basis, except that a veteran who qualifies as a result of his or her service in World War II need not reapply. Application must be made during the application period in effect for the county of his or her residence. The assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption provided by this Section by application, visual inspection, questionnaire, or other reasonable methods. The determination must be made in accordance with guidelines established by the Department.

On and after May 23, 2022 (the effective date of Public Act 102-895) ~~this amendatory Act of the 102nd General Assembly~~, if a veteran has a combined service connected disability rating of 100% and is deemed to be permanently and totally disabled, as certified by the United States Department of Veterans Affairs, the taxpayer who has been granted an exemption under this Section shall no longer be required to reapply for the exemption on an annual basis, and the exemption shall be in effect for as long as the exemption would otherwise be permitted under this Section.

(e-1) If the person qualifying for the exemption does not occupy the qualified residence as of January 1 of the taxable year, the exemption granted under this Section shall be prorated on a monthly basis. The prorated exemption shall apply beginning with the first complete month in which the person occupies the qualified residence.

(e-5) Notwithstanding any other provision of law, each chief county assessment officer may approve this exemption for the 2020 taxable year, without application, for any property that was approved for this exemption for the 2019 taxable year, provided that:

(1) the county board has declared a local disaster as provided in the Illinois Emergency Management Agency Act related to the COVID-19 public health emergency;

(2) the owner of record of the property as of January 1, 2020 is the same as the owner of record of the property as of January 1, 2019;

(3) the exemption for the 2019 taxable year has not been determined to be an erroneous exemption as defined by this Code; and

(4) the applicant for the 2019 taxable year has not asked for the exemption to be removed for the 2019 or 2020 taxable years.

Nothing in this subsection shall preclude a veteran whose service connected disability rating has changed since the 2019 exemption was granted from applying for the exemption based on the subsequent service connected disability rating.

(e-10) Notwithstanding any other provision of law, each chief county assessment officer may approve this exemption for the 2021 taxable year, without application, for any property that was approved for this exemption for the 2020 taxable year, if:

(1) the county board has declared a local disaster as provided in the Illinois Emergency Management Agency Act related to the COVID-19 public health emergency;

(2) the owner of record of the property as of January 1, 2021 is the same as the owner of record of the property as of January 1, 2020;

(3) the exemption for the 2020 taxable year has not been determined to be an erroneous exemption as defined by this Code; and

(4) the taxpayer for the 2020 taxable year has not asked for the exemption to be removed for the 2020 or 2021 taxable years.

Nothing in this subsection shall preclude a veteran whose service connected disability rating has changed since the 2020 exemption was granted from applying for the exemption based on the subsequent service connected disability rating.

(f) For the purposes of this Section:

"Qualified residence" means, before tax year 2024, real property, but less any portion of that property that is used for commercial purposes, with an equalized assessed value of less than $250,000 that is the primary residence of a veteran with a disability. "Qualified residence" means, for tax year 2024 and thereafter, real property, but less any portion of that property that is used for commercial purposes, that is the primary residence of a veteran with a disability. Property rented for more than 6 months is presumed to be used for commercial purposes.

"Service-connected disability" means an illness or injury (i) that was caused by or worsened by active military service, (ii) that is a current disability as of the date of the application for the exemption under this Section for the applicable tax year, as demonstrated by the veteran's United States Department of Veterans Affairs certification, and (iii) for which the veteran receives disability compensation.

For taxable years 2023 and prior, "veteran" ~~"Veteran"~~ means an Illinois resident who has served as a member of the United States Armed Forces on active duty or State active duty, a member of the Illinois National Guard, or a member of the United States Reserve Forces and who has received an honorable discharge. For taxable years 2024 and thereafter, "veteran" means an Illinois resident who has served as a member of the United States Armed Forces on active duty or State active duty, a member of the Illinois National Guard, or a member of the United States Reserve Forces and who has a service-connected disability, as certified by the United States Department of Veterans Affairs, and receives disability compensation.

(Source: P.A. 101-635, eff. 6-5-20; 102-136, eff. 7-23-21; 102-895, eff. 5-23-22; revised 9-6-22.)

ARTICLE 10. PUBLIC SAFETY-SPOUSES

Section 10-1. The Property Tax Code is amended by adding Section 15-171 as follows:

(35 ILCS 200/15-171 new)

Sec. 15-171. Homestead exemption for surviving spouses of fallen police officers or rescue workers.

(a) Beginning with taxable year 2024, an annual homestead exemption is granted for property that is used as a qualified residence by the surviving spouse of a fallen police officer or rescue worker as long as the surviving spouse continues to reside at the qualified residence and does not remarry. The amount of the exemption is 50% of the equalized assessed value of the property.

(b) If a homestead exemption is granted under this Section and the person awarded the exemption subsequently becomes a resident of a facility licensed under the Nursing Home Care Act or a facility operated by the United States Department of Veterans Affairs, then the exemption shall continue if the residence remains unoccupied but is still owned by the person who qualified for the homestead exemption.

(c) If the person qualifying for the exemption does not occupy the qualified residence as of January 1 of the taxable year, the exemption granted under this Section shall be prorated on a monthly basis. The prorated exemption shall apply beginning with the first complete month in which the person occupies the qualified residence.

(d) Each taxpayer who has been granted an exemption under this Section must reapply on an annual basis. Application must be made during the application period in effect for the county in which the property is located. The assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption provided by this Section by application, visual inspection, questionnaire, or other reasonable methods. The determination must be made in accordance with guidelines established by the Department.

(e) The exemption under this Section is in addition to any other homestead exemption provided in this Article 15. Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(f) As used in this Section:

"Fallen police officer or rescue worker" means an individual who dies at any time prior to the last day of the application period for the exemption under this Section for the taxable year for which the exemption is sought and who dies either (i) as a result of or in the course of employment as a police officer or (ii) while in the active service of a fire, rescue, or emergency medical service.

"Fallen police officer or rescue worker" does not include any individual whose death was the result of that individual's own willful misconduct or abuse of alcohol or drugs.

"Qualified residence" means property in the State that was used as the primary residence of the fallen police officer or rescue worker at the time of his or her death.

ARTICLE 15.
WASTEWATER

Section 15-1. The Property Tax Code is amended by changing Section 11-145 and by adding Division 5 to Article 11 as follows:

(35 ILCS 200/11-145)

Sec. 11-145. Method of valuation for qualifying water treatment facilities. To determine 33 1/3% of the fair cash value of any qualifying water treatment facility in assessing the facility, the Department shall take into consideration the probable net value that could be realized by the owner if the facility were removed and sold at a fair, voluntary sale, giving due account to the expense of removal, site restoration, and transportation. The net value shall be considered to be 33 1/3% of fair cash value. The valuation under this Section applies only to the qualifying water treatment facility itself and not to the land on which the facility is located.

(Source: P.A. 92-278, eff. 1-1-02.)

(35 ILCS 200/Art. 11 Div. 5 heading new)

Division 5. Regional wastewater facilities

(35 ILCS 200/11-175 new)

Sec. 11-175. Legislative findings. The General Assembly finds that it is the policy of the State to ensure and encourage the availability of means for the safe collection, treatment, and disposal of domestic, commercial, and industrial sewage and waste for our cities, villages, towns, and rural residents and that it has become increasingly difficult and cost prohibitive for smaller cities, towns, and villages to construct, maintain, or operate, to current standards, wastewater facilities. The General Assembly further finds that regional facilities capable of serving several cities, villages, towns, municipal joint sewage treatment agencies, municipal sewer commissions, sanitary districts, and rural wastewater companies offer a viable economic solution to this concern. For these reasons, the General Assembly declares it to be the policy of the State to encourage the construction and operation of regional wastewater facilities capable of providing for the safe collection, treatment, and disposal of domestic, commercial, and industrial sewage and waste for cities, villages, towns, municipal joint sewage treatment agencies, municipal sewer commissions, sanitary districts, and rural wastewater companies thereby relieving the burden on those entities and their citizens from constructing and maintaining their own individual wastewater facilities.

(35 ILCS 200/11-180 new)

Sec. 11-180. Definitions. As used in this Division:

"Department" means the Department of Revenue.

"Municipal joint sewage treatment agency" means a municipal joint sewage treatment agency organized and existing under the Intergovernmental Cooperation Act.

"Municipal sewer commission" means a sewer commission organized and existing under Division 136 of Article 11 Illinois Municipal Code.

"Not-for-profit corporation" means an Illinois corporation organized and existing under the General Not For Profit Corporation Act of 1986 that is in good standing with the State and has been granted status as an exempt organization under Section 501(c) of the Internal Revenue Code or any successor or similar provision of the Internal Revenue Code.

"Qualifying wastewater facility" means a wastewater facility that collects, treats, or disposes of domestic, commercial, and industrial sewage and waste on behalf of the corporation's members on a mutual or cooperative and not-for-profit basis and that is owned by a not-for-profit corporation whose members consist exclusively of one or more incorporated cities, villages, or towns of this State, municipal joint sewage treatment agencies, municipal sewer commissions, sanitary districts, or rural wastewater companies.

"Rural wastewater company" means a not-for-profit corporation whose primary purpose is to own, maintain, and operate a system for the collection, treatment, and disposal of sewage and industrial waste from residences, farms, or businesses exclusively in the State of Illinois and not otherwise served by any city, village, town, municipal joint sewage treatment agency, municipal sewer commission, or sanitary district.

"Sanitary district" means a sanitary district organized and existing under the Sanitary District Act of 1907.

"Wastewater facility" means a plant or facility whose primary function is to collect, treat, or dispose of domestic, commercial, and industrial sewage and waste, together with all other real and personal property reasonably necessary to collect, treat, or dispose of the sewage and waste.

(35 ILCS 200/11-185 new)

Sec. 11-185. Valuation of qualifying wastewater facilities. For purposes of computing the assessed valuation, qualifying wastewater facilities shall be valued at 33 1/3% of the fair cash value of the facility. To determine 33 1/3% of the fair cash value of a qualifying wastewater facility, the Department shall take into consideration the probable net value that could be realized by the owner if the facility were removed and sold at a fair, voluntary sale, giving due account to the expenses incurred for removal, site restoration, and transportation. The valuation under this Section applies only to the qualifying wastewater facility itself and not to the land on which the facility is located.

(35 ILCS 200/11-190 new)

Sec. 11-190. Exclusion of for-profit wastewater facilities. This Division does not apply to a wastewater facility that collects, treats, or disposes of domestic, commercial, and industrial sewage and waste for profit.

(35 ILCS 200/11-195 new)

Sec. 11-195. Assessment authority. For assessment purposes, a qualifying wastewater facility shall provide proof of a valid facility number issued by the Illinois Environmental Protection Agency and shall be assessed by the Department.

(35 ILCS 200/11-200 new)

Sec. 11-200. Application procedure; assessment by the Department. Applications for assessment as a qualifying wastewater facility shall be filed with the Department in the manner and form prescribed by the Department. The application shall contain appropriate documentation that the applicant has been issued a valid facility number by the Illinois Environmental Protection Agency and is entitled to tax treatment under this Division. The effective date of an assessment shall be on the January 1 preceding the date of approval by the Department or preceding the date construction or installation of the facility commences, whichever is later.

(35 ILCS 200/11-205 new)

Sec. 11-205. Procedures for assessment; judicial review. Proceedings for assessment or reassessment of property certified to be a qualifying wastewater facility shall be conducted in accordance with procedural rules adopted by the Department and in conformity with this Code.

Any applicant or holder aggrieved by the issuance, refusal to issue, denial, revocation, modification, or restriction of an assessment as a qualifying wastewater facility may appeal the final administrative decision of the Department of Revenue under the Administrative Review Law.

(35 ILCS 200/11-210 new)

Sec. 11-210. Rulemaking. The Department may adopt rules for the implementation of this Division.

ARTICLE 20. PARK DISTRICTS

Section 20-1. The Property Tax Code is amended by changing Section 18-185 as follows:

(35 ILCS 200/18-185)

Sec. 18-185. Short title; definitions. This Division 5 may be cited as the Property Tax Extension Limitation Law. As used in this Division 5:

"Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

"Extension limitation" means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205.

"Affected county" means a county of 3,000,000 or more inhabitants or a county contiguous to a county of 3,000,000 or more inhabitants.

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; ~~and~~ (p) made for road purposes in the first year after a township assumes the rights, powers, duties, assets, property,

liabilities, obligations, and responsibilities of a road district abolished under the provisions of Section 6-133 of the Illinois Highway Code; and (q) made for aquarium or museum purposes by a park district or municipality under the Park District and Municipal Aquarium and Museum Act.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (h-8) made for payments of principal and interest on bonds issued under Section 9.6a of the Metropolitan Water Reclamation District Act to make contributions to the pension fund established under Article 13 of the Illinois Pension Code; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsections (h) and (h-8) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects and bonds issued under Section 20a of the Chicago Park District Act for the purpose of making contributions to the pension fund established under Article 12 of the Illinois Pension Code; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for persons with disabilities under subsection (c) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code; ~~and~~ (r) made for the purpose of making employer contributions to the Public School Teachers' Pension and Retirement Fund of Chicago under Section 34-53 of the School Code; and (s) made for aquarium or museum purposes by a park district or municipality under the Park District and Municipal Aquarium and Museum Act.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on

which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; ~~and~~ (m) made for the taxing district to pay interest or principal on general obligation bonds issued pursuant to Section 19-3.10 of the School Code; and (n) made for aquarium or museum purposes by a park district or municipality under the Park District and Municipal Aquarium and Museum Act.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 7, 1997 (the effective date of Public Act 89-718); (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 7, 1997 (the effective date of Public Act 89-718); (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 7, 1997 (the effective date of Public Act 89-718) if the bonds were approved by referendum after March 7, 1997 (the effective date of Public Act 89-718); (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 7, 1997 (the effective date of Public Act 89-718) for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 7, 1997 (the effective date of Public Act 89-718) to pay for the building project; (g) made for payments due under installment contracts entered into before March 7, 1997 (the effective date of Public Act 89-718); (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the

Illinois Municipal Code; ~~and~~ (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (m) made for aquarium or museum purposes by a park district or municipality under the Park District and Municipal Aquarium and Museum Act.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). A debt service extension base established or increased at any time pursuant to any provision of this Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

"Special purpose extensions" include, but are not limited to, extensions for levies made on an annual basis for unemployment and workers' compensation, self-insurance, contributions to pension plans, and extensions made pursuant to Section 6-601 of the Illinois Highway Code for a road district's permanent road fund whether levied annually or not. The extension for a special service area is not included in the aggregate extension.

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, 18-230, 18-206, and 18-233. Beginning with levy year 2022, for taxing districts that are specified in Section 18-190.7, the taxing district's aggregate extension base shall be calculated as provided in Section 18-190.7. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135.

Notwithstanding any other provision of law, for levy year 2012, the aggregate extension base for West Northfield School District No. 31 in Cook County shall be $12,654,592.

Notwithstanding any other provision of law, for levy year 2022, the aggregate extension base of a home equity assurance program that levied at least $1,000,000 in property taxes in levy year 2019 or 2020 under the Home Equity Assurance Act shall be the amount that the program's aggregate extension base for levy year 2021 would have been if the program had levied a property tax for levy year 2021.

"Levy year" has the same meaning as "year" under Section 1-155.

"New property" means (i) the assessed value, after final board of review or board of appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the assessed value of that real property during the levy year multiplied by the equalization factor issued by the Department under Section 17-30, (ii) the assessed value, after final board of review or board of appeals

action, of real property not exempt from real estate taxation, which real property was exempt from real estate taxation for any portion of the immediately preceding levy year, multiplied by the equalization factor issued by the Department under Section 17-30, including the assessed value, upon final stabilization of occupancy after new construction is complete, of any real property located within the boundaries of an otherwise or previously exempt military reservation that is intended for residential use and owned by or leased to a private corporation or other entity, (iii) in counties that classify in accordance with Section 4 of Article IX of the Illinois Constitution, an incentive property's additional assessed value resulting from a scheduled increase in the level of assessment as applied to the first year final board of review market value, and (iv) any increase in assessed value due to oil or gas production from an oil or gas well required to be permitted under the Hydraulic Fracturing Regulatory Act that was not produced in or accounted for during the previous levy year. In addition, the county clerk in a county containing a population of 3,000,000 or more shall include in the 1997 recovered tax increment value for any school district, any recovered tax increment value that was applicable to the 1995 tax year calculations.

"Qualified airport authority" means an airport authority organized under the Airport Authorities Act and located in a county bordering on the State of Wisconsin and having a population in excess of 200,000 and not greater than 500,000.

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, except for school districts that reduced their extension for educational purposes pursuant to Section 18-206, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided. In the case of a taxing district that obtained referendum approval for an increased limiting rate on March 20, 2012, the limiting rate for tax year 2012 shall be the rate that generates the approximate total amount of taxes extendable for that tax year, as set forth in the proposition approved by

the voters; this rate shall be the final rate applied by the county clerk for the aggregate of all capped funds of the district for tax year 2012.
(Source: P.A. 102-263, eff. 8-6-21; 102-311, eff. 8-6-21; 102-519, eff. 8-20-21; 102-558, eff. 8-20-21; 102-707, eff. 4-22-22; 102-813, eff. 5-13-22; 102-895, eff. 5-23-22; revised 8-29-22.)

Section 20-5. The Park District Code is amended by changing Section 8-3 as follows:

(70 ILCS 1205/8-3) (from Ch. 105, par. 8-3)

Sec. 8-3. All park districts shall retain and be vested with all power and authority contained in the Park District and Municipal Aquarium and Museum Act ~~an act entitled "An Act concerning Aquariums and Museums in Public Parks", approved June 17, 1898, as amended~~.
(Source: Laws 1951, p. 113.)

Section 20-10. The Park District Aquarium and Museum Act is amended by changing Sections 0.01, 1 and 2 as follows:

(70 ILCS 1290/0.01) (from Ch. 105, par. 325h)

Sec. 0.01. Short title. This Act may be cited as the Park District and Municipal Aquarium and Museum Act.
(Source: P.A. 86-1324.)

(70 ILCS 1290/1) (from Ch. 105, par. 326)

Sec. 1. Erect, operate, and maintain aquariums and museums. The corporate authorities of municipalities ~~cities~~ and park districts having control or supervision over any public park or parks, including parks located on formerly submerged land, are hereby authorized to purchase, erect, and maintain within any such public park or parks edifices to be used as aquariums or as museums of art, industry, science, or natural or other history, including presidential libraries, centers, and museums, such aquariums and museums consisting of all facilities for their collections, exhibitions, programming, and associated initiatives, or to permit the directors or trustees of any corporation or society organized for the construction or maintenance and operation of an aquarium or museum as hereinabove described to erect, enlarge, ornament, build, rebuild, rehabilitate, improve, maintain, and operate its aquarium or museum within any public park now or hereafter under the control or supervision of any municipality ~~city~~ or park district, and to contract with any such directors or trustees of any such aquarium or museum relative to the erection, enlargement, ornamentation, building, rebuilding, rehabilitation, improvement, maintenance, ownership, and operation of such aquarium or museum. Notwithstanding the previous sentence, a municipality ~~city~~ or park district may enter into a lease for an initial term not to exceed 99 years, subject to renewal, allowing a corporation or society as hereinabove described to erect, enlarge, ornament, build, rebuild, rehabilitate, improve, maintain, and operate its aquarium or museum, together with grounds immediately adjacent to such aquarium or museum, and to use, possess, and occupy grounds surrounding such aquarium or museum as hereinabove described for the purpose of beautifying and maintaining such grounds in a manner consistent with the aquarium or museum's purpose, and on the conditions that (1) the public is allowed access to such grounds in a manner consistent with its access to other public parks, and (2) the municipality ~~city~~ or park district retains a reversionary interest in any improvements made by the corporation or society on the grounds, including the aquarium or museum itself, that matures upon the expiration or lawful termination of the lease. It is hereby reaffirmed and found that the aquariums and museums as described in this Section, and their collections, exhibitions, programming, and associated initiatives, serve valuable public purposes, including, but not limited to, furthering human knowledge and understanding, educating and inspiring the public, and expanding recreational and cultural resources and opportunities. Any municipality ~~city~~ or park district may charge, or permit such an aquarium or museum to charge, an admission fee. Any such aquarium or museum, however, shall be open without charge, when accompanied by a teacher, to the children in actual attendance upon grades kindergarten through twelve in any of the schools in this State at all times. In addition, except as otherwise provided in this Section, any such aquarium or museum must be open to persons who reside in this State without charge for a period equivalent to 52 days, at least 6 of which must be during the period from June through August, each year. Beginning on the effective date of this amendatory Act of the 101st General Assembly through June 30, 2022, any such aquarium or museum must be open to persons who reside in this State without charge for a period equivalent to 52 days, at least 6 of which must be during the period from June through August, 2021. Notwithstanding said provisions, charges may be made at any time for special services and for admission to special facilities within any aquarium or museum for the education, entertainment, or convenience of visitors. The proceeds of such admission fees and charges for special

services and special facilities shall be devoted exclusively to the purposes for which the tax authorized by Section 2 hereof may be used. If any owner or owners of any lands or lots abutting or fronting on any such public park, or adjacent thereto, have any private right, easement, interest or property in such public park appurtenant to their lands or lots or otherwise, which would be interfered with by the erection and maintenance of any aquarium or museum as hereinbefore provided, or any right to have such public park remain open or vacant and free from buildings, the corporate authorities of the municipality ~~city~~ or park district having control of such park, may condemn the same in the manner prescribed for the exercise of the right of eminent domain under the Eminent Domain Act. The changes made to this Section by this amendatory Act of the 99th General Assembly are declaratory of existing law and shall not be construed as a new enactment.

(Source: P.A. 101-640, eff. 6-12-20.)

(70 ILCS 1290/2) (from Ch. 105, par. 327)

Sec. 2. Maintenance tax - Limitations - Levy and collection. The corporate authorities of a municipality or a ~~Each~~ board of park commissioners~~,~~ having control of a public park or parks within which there shall be maintained any aquarium or any museum or museums of art, industry, science or natural or other history under the provisions of this Act may~~, is hereby authorized, subject to the provisions of Section 4 of this Act, to~~ levy annually a tax on ~~not to exceed .03 per cent in park districts of less than 500,000 population and in districts of over 500,000 population not to exceed .15 percent of~~ the full, fair cash value, as equalized or assessed by the Department of Revenue, of taxable property embraced in the ~~said~~ district or municipality, according to the valuation of the same as made for the purpose of State and county taxation by the general assessment last preceding the time when the ~~such~~ tax ~~hereby~~ authorized under this Section shall be levied. The ~~. Such~~ tax levied under this Section shall ~~to~~ be for the purpose of establishing, acquiring, completing, erecting, enlarging, ornamenting, building, rebuilding, rehabilitating, improving, operating, maintaining, and caring for such aquarium and museum or museums and the buildings and grounds thereof~~,~~ and the proceeds of such additional tax shall be kept as a separate fund. The ~~Said~~ tax shall be in addition to all other taxes which the ~~such~~ board of park commissioners or the corporate authorities of the municipality are ~~is~~ now or hereafter may be authorized to levy on the aggregate valuation of all taxable property within the park district or municipality, and the annual levy under this Section shall not exceed either (i) 0.03 percent of the full, fair cash value of taxable property embraced in the district or municipality for municipalities with a population of less than 500,000 and park districts with a population of less than 500,000 or (ii) 0.15 percent of the full, fair cash value of taxable property embraced in the district or municipality for municipalities with a population greater than or equal to 500,000 and park districts with a population greater than or equal to 500,000. The ~~Said~~ tax shall be levied and collected in like manner as the general taxes for such parks and shall not be included within any limitation of rate for general park or municipal purposes as now or hereafter provided by law but shall be excluded therefrom and be in addition thereto and in excess thereof, except ~~. Provided, further,~~ that the foregoing limitations upon tax rates, insofar as they are applicable to municipalities of less than 500,000 population or park districts of less than 500,000 population, may be further increased or decreased according to the referendum provisions of the General Revenue Law of Illinois.

Whenever the corporate authorities of a municipality with a population of less than 500,000 or the board of park commissioners of a park district with a population of less than 500,000 ~~population~~ adopts a resolution that it shall levy and collect a tax for the purposes specified in this Section in excess of .03 percent but not to exceed .07 percent of the value of taxable property in the district or municipality, the corporate authorities or board shall cause the resolution to be published at least once in a newspaper of general circulation within the district or municipality. If there is no such newspaper, the resolution shall be posted in at least 3 public places within the district or municipality. The publication or posting of the resolution shall include a notice of (1) the specific number of electors required to sign a petition requesting that the question of the adoption of the resolution be submitted to the electors of the district or municipality; (2) the time within which the petition must be filed; and (3) the date of the prospective referendum.

The secretary of the park district or the clerk of the municipality shall provide a petition form to any individual requesting one.

Any taxpayer in such district or municipality may, within 30 days after the first publication or posting of the resolution, file with the secretary of the park district or municipality a petition signed by not less than 10 percent or 1,500, whichever is lesser, of the electors of the district or municipality requesting that the following question be submitted to the electors of the district or municipality:

"Shall the (insert name of municipality or park district)~~.... Park District~~ be authorized to levy an annual tax in excess of .... but not to exceed .... as authorized in Section 2 of the Park District and Municipal Aquarium and Museum Act ~~"An Act concerning aquariums and museums in public parks"~~ for the purpose of establishing, acquiring, completing, erecting, enlarging, ornamenting, building, rebuilding, rehabilitating, improving, operating, maintaining and caring for such aquariums and museum or museums and the buildings and grounds thereof?" The secretary of the park district or the clerk of the municipality shall certify the proposition to the proper election authorities for submission to the electorate at a regular scheduled election in accordance with the general election law. If a majority of the electors voting on the proposition vote in favor thereof, such increased tax shall thereafter be authorized; if a majority of the vote is against such proposition, the previous maximum rate shall remain in effect until changed by law.

Whenever the corporate authorities of a municipality with a population of less than 500,000 or the board of park commissioners of a park district with ~~of~~ a population of less than 500,000 adopts a resolution that it shall levy and collect a tax for the purposes specified in this Section in excess of 0.07% but not to exceed 0.15% of the value of taxable property in the district or municipality, the corporate authorities or board shall cause the resolution to be published, at least once, in a newspaper of general circulation within the district or municipality. If there is no such newspaper, the resolution shall be posted in at least 3 public places within the district or municipality. A tax in excess of 0.07% may not be levied under this subsection until the question of levying the tax has been submitted to the electors of the park district or municipality at a regular election and approved by a majority of the electors voting on the question. The park district or municipality ~~District~~ must certify the question to the proper election authority, which must submit the question at an election in accordance with the Election Code. The election authority must submit the question in substantially the following form:

"Shall the (insert name of municipality or park district) ~~.... Park District~~ be authorized to levy an annual tax in excess of .... but not to exceed .... as authorized in Section 2 of the Park District and Municipal Aquarium and Museum Act ~~"An Act concerning aquariums and museums in public parks"~~ for the purpose of establishing, acquiring, completing, erecting, enlarging, ornamenting, building, rebuilding, rehabilitating, improving, operating, maintaining and caring for such aquariums and museum or museums and the buildings and grounds thereof?".

If a majority of the electors voting on the proposition vote in favor thereof, such increased tax shall thereafter be authorized. If a majority of the electors vote against the proposition, the previous maximum rate shall remain in effect until changed by law.

(Source: P.A. 95-643, eff. 6-1-08.)

Section 20-15. The Chicago Park District Act is amended by changing Section 19 as follows:

(70 ILCS 1505/19) (from Ch. 105, par. 333.19)

Sec. 19. The Chicago Park District Commission is empowered to levy and collect a general tax on the property in the park district for necessary expenses of said district for the construction and maintenance of the parks and other improvements hereby authorized to be made, and for the acquisition and improvement of lands herein authorized to be purchased or acquired by any means provided for in this Act.

The commissioners shall cause the amount to be raised by taxation in each year to be certified to the county clerk on or before March 30 of each year, in the manner provided by law and all taxes so levied and certified shall be collected and enforced in the same manner and by the same officers as for State and county purposes. All such general taxes, when collected, shall be paid over to the proper officer of the commission who is authorized to receive and receipt for the same. All taxes authorized to be levied under this Act shall be levied annually prior to March 28 in the same manner as nearly as practicable as taxes are now levied for city and village purposes under the laws of this State. The aggregate amount of taxes so levied exclusive of levies for Park Employee's Annuity and Benefit Funds, Park Policemen's Pension Funds, Park Policemen's Annuity and Benefit Funds, levies to pay the principal of and interest on bonded indebtedness and judgments and levies for the maintenance and care of aquariums and museums in public parks shall not exceed a rate of .66 per cent for the year 1980 and each year thereafter of the full, fair cash value, as equalized or assessed by the Department of Revenue, of the taxable property in said district.

For the purpose of establishing and maintaining a reserve fund for the payment of claims, awards, losses, judgments or liabilities which might be imposed on such park district under the Workers' Compensation Act or the Workers' Occupational Diseases Act, such park district may also levy annually upon all taxable property within its territorial limits a tax not to exceed .005% of the full, fair cash value, as equalized or assessed by the Department of Revenue of the taxable property in said district as equalized and

determined for State and local taxes; provided, however, the aggregate amount which may be accumulated in such reserve fund shall not exceed .05% of such assessed valuation.

If any of the park authorities superseded by this Act shall have levied and collected taxes under the Park District and Municipal Aquarium and Museum Act ~~pursuant to the provisions of "An Act concerning aquariums and museums in public parks," approved June 17, 1893, as amended~~, the park commissioners of the Chicago Park District may continue to levy an annual tax pursuant to the provisions of such Act, but such tax levied by such commissioners shall not exceed a rate of .15 per cent, of the full, fair cash value as equalized or assessed by the Department of Revenue, of taxable property within such Chicago Park District and such tax shall be in addition to all other taxes which such park commissioners may levy. Said tax shall be levied and collected in like manner as the general taxes for such Park District and shall not be included within any limitation of rate for general park purposes as now or hereafter provided by law but shall be excluded therefrom and be in addition thereto and in excess thereof. The proceeds of such tax shall be kept as a separate fund.

In addition, the treasurer of the Chicago Park District shall deposit 7.5340% of its receipts in each fiscal year from the Personal Property Tax Replacement Fund in the State Treasury into such aquarium and museum fund for appropriation and disbursement of assets of such fund as if such receipts were property taxes made available pursuant to Section 2 of "An Act concerning aquariums and museums in public parks", approved June 17, 1893, as amended. This amendatory Act of 1983 is not intended to nor does it make any change in the meaning of any provision of this or any other Act but is intended to be declarative of existing law.

The treasurer of the Chicago Park District shall deposit 0.03968% of its receipts in each fiscal year from the Personal Property Tax Replacement Fund in the State Treasury into the Park Employee's Annuity and Benefit Fund.

(Source: P.A. 84-635.)

Section 20-20. The Illinois Horse Racing Act of 1975 is amended by changing Section 26 as follows:

(230 ILCS 5/26) (from Ch. 8, par. 37-26)

Sec. 26. Wagering.

(a) Any licensee may conduct and supervise the pari-mutuel system of wagering, as defined in Section 3.12 of this Act, on horse races conducted by an Illinois organization licensee or conducted at a racetrack located in another state or country in accordance with subsection (g) of Section 26 of this Act. Subject to the prior consent of the Board, licensees may supplement any pari-mutuel pool in order to guarantee a minimum distribution. Such pari-mutuel method of wagering shall not, under any circumstances if conducted under the provisions of this Act, be held or construed to be unlawful, other statutes of this State to the contrary notwithstanding. Subject to rules for advance wagering promulgated by the Board, any licensee may accept wagers in advance of the day the race wagered upon occurs.

(b) Except for those gaming activities for which a license is obtained and authorized under the Illinois Lottery Law, the Charitable Games Act, the Raffles and Poker Runs Act, or the Illinois Gambling Act, no other method of betting, pool making, wagering or gambling shall be used or permitted by the licensee. Each licensee may retain, subject to the payment of all applicable taxes and purses, an amount not to exceed 17% of all money wagered under subsection (a) of this Section, except as may otherwise be permitted under this Act.

(b-5) An individual may place a wager under the pari-mutuel system from any licensed location authorized under this Act provided that wager is electronically recorded in the manner described in Section 3.12 of this Act. Any wager made electronically by an individual while physically on the premises of a licensee shall be deemed to have been made at the premises of that licensee.

(c) (Blank).

(c-5) The sum held by any licensee for payment of outstanding pari-mutuel tickets, if unclaimed prior to December 31 of the next year, shall be retained by the licensee for payment of such tickets until that date. Within 10 days thereafter, the balance of such sum remaining unclaimed, less any uncashed supplements contributed by such licensee for the purpose of guaranteeing minimum distributions of any pari-mutuel pool, shall be evenly distributed to the purse account of the organization licensee and the organization licensee, except that the balance of the sum of all outstanding pari-mutuel tickets generated from simulcast wagering and inter-track wagering by an organization licensee located in a county with a population in excess of 230,000 and borders the Mississippi River or any licensee that derives its license from that organization

licensee shall be evenly distributed to the purse account of the organization licensee and the organization licensee.

(d) A pari-mutuel ticket shall be honored until December 31 of the next calendar year, and the licensee shall pay the same and may charge the amount thereof against unpaid money similarly accumulated on account of pari-mutuel tickets not presented for payment.

(e) No licensee shall knowingly permit any minor, other than an employee of such licensee or an owner, trainer, jockey, driver, or employee thereof, to be admitted during a racing program unless accompanied by a parent or guardian, or any minor to be a patron of the pari-mutuel system of wagering conducted or supervised by it. The admission of any unaccompanied minor, other than an employee of the licensee or an owner, trainer, jockey, driver, or employee thereof at a race track is a Class C misdemeanor.

(f) Notwithstanding the other provisions of this Act, an organization licensee may contract with an entity in another state or country to permit any legal wagering entity in another state or country to accept wagers solely within such other state or country on races conducted by the organization licensee in this State. Beginning January 1, 2000, these wagers shall not be subject to State taxation. Until January 1, 2000, when the out-of-State entity conducts a pari-mutuel pool separate from the organization licensee, a privilege tax equal to 7 1/2% of all monies received by the organization licensee from entities in other states or countries pursuant to such contracts is imposed on the organization licensee, and such privilege tax shall be remitted to the Department of Revenue within 48 hours of receipt of the moneys from the simulcast. When the out-of-State entity conducts a combined pari-mutuel pool with the organization licensee, the tax shall be 10% of all monies received by the organization licensee with 25% of the receipts from this 10% tax to be distributed to the county in which the race was conducted.

An organization licensee may permit one or more of its races to be utilized for pari-mutuel wagering at one or more locations in other states and may transmit audio and visual signals of races the organization licensee conducts to one or more locations outside the State or country and may also permit pari-mutuel pools in other states or countries to be combined with its gross or net wagering pools or with wagering pools established by other states.

(g) A host track may accept interstate simulcast wagers on horse races conducted in other states or countries and shall control the number of signals and types of breeds of racing in its simulcast program, subject to the disapproval of the Board. The Board may prohibit a simulcast program only if it finds that the simulcast program is clearly adverse to the integrity of racing. The host track simulcast program shall include the signal of live racing of all organization licensees. All non-host licensees and advance deposit wagering licensees shall carry the signal of and accept wagers on live racing of all organization licensees. Advance deposit wagering licensees shall not be permitted to accept out-of-state wagers on any Illinois signal provided pursuant to this Section without the approval and consent of the organization licensee providing the signal. For one year after August 15, 2014 (the effective date of Public Act 98-968), non-host licensees may carry the host track simulcast program and shall accept wagers on all races included as part of the simulcast program of horse races conducted at race tracks located within North America upon which wagering is permitted. For a period of one year after August 15, 2014 (the effective date of Public Act 98-968), on horse races conducted at race tracks located outside of North America, non-host licensees may accept wagers on all races included as part of the simulcast program upon which wagering is permitted. Beginning August 15, 2015 (one year after the effective date of Public Act 98-968), non-host licensees may carry the host track simulcast program and shall accept wagers on all races included as part of the simulcast program upon which wagering is permitted. All organization licensees shall provide their live signal to all advance deposit wagering licensees for a simulcast commission fee not to exceed 6% of the advance deposit wagering licensee's Illinois handle on the organization licensee's signal without prior approval by the Board. The Board may adopt rules under which it may permit simulcast commission fees in excess of 6%. The Board shall adopt rules limiting the interstate commission fees charged to an advance deposit wagering licensee. The Board shall adopt rules regarding advance deposit wagering on interstate simulcast races that shall reflect, among other things, the General Assembly's desire to maximize revenues to the State, horsemen purses, and organization licensees. However, organization licensees providing live signals pursuant to the requirements of this subsection (g) may petition the Board to withhold their live signals from an advance deposit wagering licensee if the organization licensee discovers and the Board finds reputable or credible information that the advance deposit wagering licensee is under investigation by another state or federal governmental agency, the advance deposit wagering licensee's license has been suspended in another state, or the advance deposit wagering licensee's license is in revocation proceedings in another state. The organization licensee's provision of their live signal to an advance deposit wagering licensee under this

subsection (g) pertains to wagers placed from within Illinois. Advance deposit wagering licensees may place advance deposit wagering terminals at wagering facilities as a convenience to customers. The advance deposit wagering licensee shall not charge or collect any fee from purses for the placement of the advance deposit wagering terminals. The costs and expenses of the host track and non-host licensees associated with interstate simulcast wagering, other than the interstate commission fee, shall be borne by the host track and all non-host licensees incurring these costs. The interstate commission fee shall not exceed 5% of Illinois handle on the interstate simulcast race or races without prior approval of the Board. The Board shall promulgate rules under which it may permit interstate commission fees in excess of 5%. The interstate commission fee and other fees charged by the sending racetrack, including, but not limited to, satellite decoder fees, shall be uniformly applied to the host track and all non-host licensees.

Notwithstanding any other provision of this Act, an organization licensee, with the consent of the horsemen association representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting, may maintain a system whereby advance deposit wagering may take place or an organization licensee, with the consent of the horsemen association representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting, may contract with another person to carry out a system of advance deposit wagering. Such consent may not be unreasonably withheld. Only with respect to an appeal to the Board that consent for an organization licensee that maintains its own advance deposit wagering system is being unreasonably withheld, the Board shall issue a final order within 30 days after initiation of the appeal, and the organization licensee's advance deposit wagering system may remain operational during that 30-day period. The actions of any organization licensee who conducts advance deposit wagering or any person who has a contract with an organization licensee to conduct advance deposit wagering who conducts advance deposit wagering on or after January 1, 2013 and prior to June 7, 2013 (the effective date of Public Act 98-18) taken in reliance on the changes made to this subsection (g) by Public Act 98-18 are hereby validated, provided payment of all applicable pari-mutuel taxes are remitted to the Board. All advance deposit wagers placed from within Illinois must be placed through a Board-approved advance deposit wagering licensee; no other entity may accept an advance deposit wager from a person within Illinois. All advance deposit wagering is subject to any rules adopted by the Board. The Board may adopt rules necessary to regulate advance deposit wagering through the use of emergency rulemaking in accordance with Section 5-45 of the Illinois Administrative Procedure Act. The General Assembly finds that the adoption of rules to regulate advance deposit wagering is deemed an emergency and necessary for the public interest, safety, and welfare. An advance deposit wagering licensee may retain all moneys as agreed to by contract with an organization licensee. Any moneys retained by the organization licensee from advance deposit wagering, not including moneys retained by the advance deposit wagering licensee, shall be paid 50% to the organization licensee's purse account and 50% to the organization licensee. With the exception of any organization licensee that is owned by a publicly traded company that is incorporated in a state other than Illinois and advance deposit wagering licensees under contract with such organization licensees, organization licensees that maintain advance deposit wagering systems and advance deposit wagering licensees that contract with organization licensees shall provide sufficiently detailed monthly accountings to the horsemen association representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting so that the horsemen association, as an interested party, can confirm the accuracy of the amounts paid to the purse account at the horsemen association's affiliated organization licensee from advance deposit wagering. If more than one breed races at the same race track facility, then the 50% of the moneys to be paid to an organization licensee's purse account shall be allocated among all organization licensees' purse accounts operating at that race track facility proportionately based on the actual number of host days that the Board grants to that breed at that race track facility in the current calendar year. To the extent any fees from advance deposit wagering conducted in Illinois for wagers in Illinois or other states have been placed in escrow or otherwise withheld from wagers pending a determination of the legality of advance deposit wagering, no action shall be brought to declare such wagers or the disbursement of any fees previously escrowed illegal.

(1) Between the hours of 6:30 a.m. and 6:30 p.m. an inter-track wagering licensee other than the host track may supplement the host track simulcast program with additional simulcast races or race programs, provided that between January 1 and the third Friday in February of any year, inclusive, if no live thoroughbred racing is occurring in Illinois during this period, only thoroughbred races may be used for supplemental interstate simulcast purposes. The Board shall withhold approval for a supplemental interstate simulcast only if it finds that the simulcast is clearly adverse to the integrity of

racing. A supplemental interstate simulcast may be transmitted from an inter-track wagering licensee to its affiliated non-host licensees. The interstate commission fee for a supplemental interstate simulcast shall be paid by the non-host licensee and its affiliated non-host licensees receiving the simulcast.

(2) Between the hours of 6:30 p.m. and 6:30 a.m. an inter-track wagering licensee other than the host track may receive supplemental interstate simulcasts only with the consent of the host track, except when the Board finds that the simulcast is clearly adverse to the integrity of racing. Consent granted under this paragraph (2) to any inter-track wagering licensee shall be deemed consent to all non-host licensees. The interstate commission fee for the supplemental interstate simulcast shall be paid by all participating non-host licensees.

(3) Each licensee conducting interstate simulcast wagering may retain, subject to the payment of all applicable taxes and the purses, an amount not to exceed 17% of all money wagered. If any licensee conducts the pari-mutuel system wagering on races conducted at racetracks in another state or country, each such race or race program shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege tax of that daily handle as provided in subsection (a) of Section 27. Until January 1, 2000, from the sums permitted to be retained pursuant to this subsection, each inter-track wagering location licensee shall pay 1% of the pari-mutuel handle wagered on simulcast wagering to the Horse Racing Tax Allocation Fund, subject to the provisions of subparagraph (B) of paragraph (11) of subsection (h) of Section 26 of this Act.

(4) A licensee who receives an interstate simulcast may combine its gross or net pools with pools at the sending racetracks pursuant to rules established by the Board. All licensees combining their gross pools at a sending racetrack shall adopt the takeout percentages of the sending racetrack. A licensee may also establish a separate pool and takeout structure for wagering purposes on races conducted at race tracks outside of the State of Illinois. The licensee may permit pari-mutuel wagers placed in other states or countries to be combined with its gross or net wagering pools or other wagering pools.

(5) After the payment of the interstate commission fee (except for the interstate commission fee on a supplemental interstate simulcast, which shall be paid by the host track and by each non-host licensee through the host track) and all applicable State and local taxes, except as provided in subsection (g) of Section 27 of this Act, the remainder of moneys retained from simulcast wagering pursuant to this subsection (g), and Section 26.2 shall be divided as follows:

(A) For interstate simulcast wagers made at a host track, 50% to the host track and 50% to purses at the host track.

(B) For wagers placed on interstate simulcast races, supplemental simulcasts as defined in subparagraphs (1) and (2), and separately pooled races conducted outside of the State of Illinois made at a non-host licensee, 25% to the host track, 25% to the non-host licensee, and 50% to the purses at the host track.

(6) Notwithstanding any provision in this Act to the contrary, non-host licensees who derive their licenses from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River may receive supplemental interstate simulcast races at all times subject to Board approval, which shall be withheld only upon a finding that a supplemental interstate simulcast is clearly adverse to the integrity of racing.

(7) Effective January 1, 2017, notwithstanding any provision of this Act to the contrary, after payment of all applicable State and local taxes and interstate commission fees, non-host licensees who derive their licenses from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall retain 50% of the retention from interstate simulcast wagers and shall pay 50% to purses at the track from which the non-host licensee derives its license.

(7.1) Notwithstanding any other provision of this Act to the contrary, if no standardbred racing is conducted at a racetrack located in Madison County during any calendar year beginning on or after January 1, 2002, all moneys derived by that racetrack from simulcast wagering and inter-track wagering that (1) are to be used for purses and (2) are generated between the hours of 6:30 p.m. and 6:30 a.m. during that calendar year shall be paid as follows:

(A) If the licensee that conducts horse racing at that racetrack requests from the Board at least as many racing dates as were conducted in calendar year 2000, 80% shall be paid to its thoroughbred purse account; and

(B) Twenty percent shall be deposited into the Illinois Colt Stakes Purse Distribution Fund and shall be paid to purses for standardbred races for Illinois conceived and foaled horses conducted at any county fairgrounds. The moneys deposited into the Fund pursuant to this subparagraph (B) shall be deposited within 2 weeks after the day they were generated, shall be in addition to and not in lieu of any other moneys paid to standardbred purses under this Act, and shall not be commingled with other moneys paid into that Fund. The moneys deposited pursuant to this subparagraph (B) shall be allocated as provided by the Department of Agriculture, with the advice and assistance of the Illinois Standardbred Breeders Fund Advisory Board.

(7.2) Notwithstanding any other provision of this Act to the contrary, if no thoroughbred racing is conducted at a racetrack located in Madison County during any calendar year beginning on or after January 1, 2002, all moneys derived by that racetrack from simulcast wagering and inter-track wagering that (1) are to be used for purses and (2) are generated between the hours of 6:30 a.m. and 6:30 p.m. during that calendar year shall be deposited as follows:

(A) If the licensee that conducts horse racing at that racetrack requests from the Board at least as many racing dates as were conducted in calendar year 2000, 80% shall be deposited into its standardbred purse account; and

(B) Twenty percent shall be deposited into the Illinois Colt Stakes Purse Distribution Fund. Moneys deposited into the Illinois Colt Stakes Purse Distribution Fund pursuant to this subparagraph (B) shall be paid to Illinois conceived and foaled thoroughbred breeders' programs and to thoroughbred purses for races conducted at any county fairgrounds for Illinois conceived and foaled horses at the discretion of the Department of Agriculture, with the advice and assistance of the Illinois Thoroughbred Breeders Fund Advisory Board. The moneys deposited into the Illinois Colt Stakes Purse Distribution Fund pursuant to this subparagraph (B) shall be deposited within 2 weeks after the day they were generated, shall be in addition to and not in lieu of any other moneys paid to thoroughbred purses under this Act, and shall not be commingled with other moneys deposited into that Fund.

(8) Notwithstanding any provision in this Act to the contrary, an organization licensee from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River and its affiliated non-host licensees shall not be entitled to share in any retention generated on racing, inter-track wagering, or simulcast wagering at any other Illinois wagering facility.

(8.1) Notwithstanding any provisions in this Act to the contrary, if 2 organization licensees are conducting standardbred race meetings concurrently between the hours of 6:30 p.m. and 6:30 a.m., after payment of all applicable State and local taxes and interstate commission fees, the remainder of the amount retained from simulcast wagering otherwise attributable to the host track and to host track purses shall be split daily between the 2 organization licensees and the purses at the tracks of the 2 organization licensees, respectively, based on each organization licensee's share of the total live handle for that day, provided that this provision shall not apply to any non-host licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River.

(9) (Blank).

(10) (Blank).

(11) (Blank).

(12) The Board shall have authority to compel all host tracks to receive the simulcast of any or all races conducted at the Springfield or DuQuoin State fairgrounds and include all such races as part of their simulcast programs.

(13) Notwithstanding any other provision of this Act, in the event that the total Illinois pari-mutuel handle on Illinois horse races at all wagering facilities in any calendar year is less than 75% of the total Illinois pari-mutuel handle on Illinois horse races at all such wagering facilities for calendar year 1994, then each wagering facility that has an annual total Illinois pari-mutuel handle on Illinois horse races that is less than 75% of the total Illinois pari-mutuel handle on Illinois horse races at such wagering facility for calendar year 1994, shall be permitted to receive, from any amount otherwise payable to the purse account at the race track with which the wagering facility is affiliated in the succeeding calendar year, an amount equal to 2% of the differential in total Illinois pari-mutuel handle on Illinois horse races at the wagering facility between that calendar year in question and 1994 provided, however, that a wagering facility shall not be entitled to any such payment until the Board

certifies in writing to the wagering facility the amount to which the wagering facility is entitled and a schedule for payment of the amount to the wagering facility, based on: (i) the racing dates awarded to the race track affiliated with the wagering facility during the succeeding year; (ii) the sums available or anticipated to be available in the purse account of the race track affiliated with the wagering facility for purses during the succeeding year; and (iii) the need to ensure reasonable purse levels during the payment period. The Board's certification shall be provided no later than January 31 of the succeeding year. In the event a wagering facility entitled to a payment under this paragraph (13) is affiliated with a race track that maintains purse accounts for both standardbred and thoroughbred racing, the amount to be paid to the wagering facility shall be divided between each purse account pro rata, based on the amount of Illinois handle on Illinois standardbred and thoroughbred racing respectively at the wagering facility during the previous calendar year. Annually, the General Assembly shall appropriate sufficient funds from the General Revenue Fund to the Department of Agriculture for payment into the thoroughbred and standardbred horse racing purse accounts at Illinois pari-mutuel tracks. The amount paid to each purse account shall be the amount certified by the Illinois Racing Board in January to be transferred from each account to each eligible racing facility in accordance with the provisions of this Section. Beginning in the calendar year in which an organization licensee that is eligible to receive payment under this paragraph (13) begins to receive funds from gaming pursuant to an organization gaming license issued under the Illinois Gambling Act, the amount of the payment due to all wagering facilities licensed under that organization licensee under this paragraph (13) shall be the amount certified by the Board in January of that year. An organization licensee and its related wagering facilities shall no longer be able to receive payments under this paragraph (13) beginning in the year subsequent to the first year in which the organization licensee begins to receive funds from gaming pursuant to an organization gaming license issued under the Illinois Gambling Act.

(h) The Board may approve and license the conduct of inter-track wagering and simulcast wagering by inter-track wagering licensees and inter-track wagering location licensees subject to the following terms and conditions:

(1) Any person licensed to conduct a race meeting (i) at a track where 60 or more days of racing were conducted during the immediately preceding calendar year or where over the 5 immediately preceding calendar years an average of 30 or more days of racing were conducted annually may be issued an inter-track wagering license; (ii) at a track located in a county that is bounded by the Mississippi River, which has a population of less than 150,000 according to the 1990 decennial census, and an average of at least 60 days of racing per year between 1985 and 1993 may be issued an inter-track wagering license; (iii) at a track awarded standardbred racing dates; or (iv) at a track located in Madison County that conducted at least 100 days of live racing during the immediately preceding calendar year may be issued an inter-track wagering license, unless a lesser schedule of live racing is the result of (A) weather, unsafe track conditions, or other acts of God; (B) an agreement between the organization licensee and the associations representing the largest number of owners, trainers, jockeys, or standardbred drivers who race horses at that organization licensee's racing meeting; or (C) a finding by the Board of extraordinary circumstances and that it was in the best interest of the public and the sport to conduct fewer than 100 days of live racing. Any such person having operating control of the racing facility may receive inter-track wagering location licenses. An eligible race track located in a county that has a population of more than 230,000 and that is bounded by the Mississippi River may establish up to 9 inter-track wagering locations, an eligible race track located in Stickney Township in Cook County may establish up to 16 inter-track wagering locations, and an eligible race track located in Palatine Township in Cook County may establish up to 18 inter-track wagering locations. An eligible racetrack conducting standardbred racing may have up to 16 inter-track wagering locations. An application for said license shall be filed with the Board prior to such dates as may be fixed by the Board. With an application for an inter-track wagering location license there shall be delivered to the Board a certified check or bank draft payable to the order of the Board for an amount equal to $500. The application shall be on forms prescribed and furnished by the Board. The application shall comply with all other rules, regulations and conditions imposed by the Board in connection therewith.

(2) The Board shall examine the applications with respect to their conformity with this Act and the rules and regulations imposed by the Board. If found to be in compliance with the Act and rules and regulations of the Board, the Board may then issue a license to conduct inter-track wagering and

simulcast wagering to such applicant. All such applications shall be acted upon by the Board at a meeting to be held on such date as may be fixed by the Board.

(3) In granting licenses to conduct inter-track wagering and simulcast wagering, the Board shall give due consideration to the best interests of the public, of horse racing, and of maximizing revenue to the State.

(4) Prior to the issuance of a license to conduct inter-track wagering and simulcast wagering, the applicant shall file with the Board a bond payable to the State of Illinois in the sum of $50,000, executed by the applicant and a surety company or companies authorized to do business in this State, and conditioned upon (i) the payment by the licensee of all taxes due under Section 27 or 27.1 and any other monies due and payable under this Act, and (ii) distribution by the licensee, upon presentation of the winning ticket or tickets, of all sums payable to the patrons of pari-mutuel pools.

(5) Each license to conduct inter-track wagering and simulcast wagering shall specify the person to whom it is issued, the dates on which such wagering is permitted, and the track or location where the wagering is to be conducted.

(6) All wagering under such license is subject to this Act and to the rules and regulations from time to time prescribed by the Board, and every such license issued by the Board shall contain a recital to that effect.

(7) An inter-track wagering licensee or inter-track wagering location licensee may accept wagers at the track or location where it is licensed, or as otherwise provided under this Act.

(8) Inter-track wagering or simulcast wagering shall not be conducted at any track less than 4 miles from a track at which a racing meeting is in progress.

(8.1) Inter-track wagering location licensees who derive their licenses from a particular organization licensee shall conduct inter-track wagering and simulcast wagering only at locations that are within 160 miles of that race track where the particular organization licensee is licensed to conduct racing. However, inter-track wagering and simulcast wagering shall not be conducted by those licensees at any location within 5 miles of any race track at which a horse race meeting has been licensed in the current year, unless the person having operating control of such race track has given its written consent to such inter-track wagering location licensees, which consent must be filed with the Board at or prior to the time application is made. In the case of any inter-track wagering location licensee initially licensed after December 31, 2013, inter-track wagering and simulcast wagering shall not be conducted by those inter-track wagering location licensees that are located outside the City of Chicago at any location within 8 miles of any race track at which a horse race meeting has been licensed in the current year, unless the person having operating control of such race track has given its written consent to such inter-track wagering location licensees, which consent must be filed with the Board at or prior to the time application is made.

(8.2) Inter-track wagering or simulcast wagering shall not be conducted by an inter-track wagering location licensee at any location within 100 feet of an existing church, an existing elementary or secondary public school, or an existing elementary or secondary private school registered with or recognized by the State Board of Education. The distance of 100 feet shall be measured to the nearest part of any building used for worship services, education programs, or conducting inter-track wagering by an inter-track wagering location licensee, and not to property boundaries. However, inter-track wagering or simulcast wagering may be conducted at a site within 100 feet of a church or school if such church or school has been erected or established after the Board issues the original inter-track wagering location license at the site in question. Inter-track wagering location licensees may conduct inter-track wagering and simulcast wagering only in areas that are zoned for commercial or manufacturing purposes or in areas for which a special use has been approved by the local zoning authority. However, no license to conduct inter-track wagering and simulcast wagering shall be granted by the Board with respect to any inter-track wagering location within the jurisdiction of any local zoning authority which has, by ordinance or by resolution, prohibited the establishment of an inter-track wagering location within its jurisdiction. However, inter-track wagering and simulcast wagering may be conducted at a site if such ordinance or resolution is enacted after the Board licenses the original inter-track wagering location licensee for the site in question.

(9) (Blank).

(10) An inter-track wagering licensee or an inter-track wagering location licensee may retain, subject to the payment of the privilege taxes and the purses, an amount not to exceed 17% of all

money wagered. Each program of racing conducted by each inter-track wagering licensee or inter-track wagering location licensee shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege tax or pari-mutuel tax on such daily handle as provided in Section 27.

(10.1) Except as provided in subsection (g) of Section 27 of this Act, inter-track wagering location licensees shall pay 1% of the pari-mutuel handle at each location to the municipality in which such location is situated and 1% of the pari-mutuel handle at each location to the county in which such location is situated. In the event that an inter-track wagering location licensee is situated in an unincorporated area of a county, such licensee shall pay 2% of the pari-mutuel handle from such location to such county. Inter-track wagering location licensees must pay the handle percentage required under this paragraph to the municipality and county no later than the 20th of the month following the month such handle was generated.

(10.2) Notwithstanding any other provision of this Act, with respect to inter-track wagering at a race track located in a county that has a population of more than 230,000 and that is bounded by the Mississippi River ("the first race track"), or at a facility operated by an inter-track wagering licensee or inter-track wagering location licensee that derives its license from the organization licensee that operates the first race track, on races conducted at the first race track or on races conducted at another Illinois race track and simultaneously televised to the first race track or to a facility operated by an inter-track wagering licensee or inter-track wagering location licensee that derives its license from the organization licensee that operates the first race track, those moneys shall be allocated as follows:

(A) That portion of all moneys wagered on standardbred racing that is required under this Act to be paid to purses shall be paid to purses for standardbred races.

(B) That portion of all moneys wagered on thoroughbred racing that is required under this Act to be paid to purses shall be paid to purses for thoroughbred races.

(11) (A) After payment of the privilege or pari-mutuel tax, any other applicable taxes, and the costs and expenses in connection with the gathering, transmission, and dissemination of all data necessary to the conduct of inter-track wagering, the remainder of the monies retained under either Section 26 or Section 26.2 of this Act by the inter-track wagering licensee on inter-track wagering shall be allocated with 50% to be split between the 2 participating licensees and 50% to purses, except that an inter-track wagering licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the Illinois organization licensee that provides the race or races, and an inter-track wagering licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with that organization licensee.

(B) From the sums permitted to be retained pursuant to this Act each inter-track wagering location licensee shall pay (i) the privilege or pari-mutuel tax to the State; (ii) 4.75% of the pari-mutuel handle on inter-track wagering at such location on races as purses, except that an inter-track wagering location licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall retain all purse moneys for its own purse account consistent with distribution set forth in this subsection (h), and inter-track wagering location licensees that accept wagers on races conducted by an organization licensee located in a county with a population in excess of 230,000 and that borders the Mississippi River shall distribute all purse moneys to purses at the operating host track; (iii) until January 1, 2000, except as provided in subsection (g) of Section 27 of this Act, 1% of the pari-mutuel handle wagered on inter-track wagering and simulcast wagering at each inter-track wagering location licensee facility to the Horse Racing Tax Allocation Fund, provided that, to the extent the total amount collected and distributed to the Horse Racing Tax Allocation Fund under this subsection (h) during any calendar year exceeds the amount collected and distributed to the Horse Racing Tax Allocation Fund during calendar year 1994, that excess amount shall be redistributed (I) to all inter-track wagering location licensees, based on each licensee's pro rata share of the total handle from inter-track wagering and simulcast wagering for all inter-track wagering location licensees during the calendar year in which this provision is applicable; then (II) the amounts redistributed to each inter-track wagering location licensee as described in subpart (I) shall be further redistributed as provided in subparagraph (B) of paragraph (5) of subsection (g) of this Section 26 provided first, that the shares of those amounts, which are to be redistributed to the host track or to purses at the host track under subparagraph (B) of

paragraph (5) of subsection (g) of this Section 26 shall be redistributed based on each host track's pro rata share of the total inter-track wagering and simulcast wagering handle at all host tracks during the calendar year in question, and second, that any amounts redistributed as described in part (I) to an inter-track wagering location licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall be further redistributed, effective January 1, 2017, as provided in paragraph (7) of subsection (g) of this Section 26, with the portion of that further redistribution allocated to purses at that organization licensee to be divided between standardbred purses and thoroughbred purses based on the amounts otherwise allocated to purses at that organization licensee during the calendar year in question; and (iv) 8% of the pari-mutuel handle on inter-track wagering wagered at such location to satisfy all costs and expenses of conducting its wagering. The remainder of the monies retained by the inter-track wagering location licensee shall be allocated 40% to the location licensee and 60% to the organization licensee which provides the Illinois races to the location, except that an inter-track wagering location licensee that derives its license from a track located in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the organization licensee that provides the race or races and an inter-track wagering location licensee that accepts wagers on races conducted by an organization licensee that conducts a race meet in a county with a population in excess of 230,000 and that borders the Mississippi River shall not divide any remaining retention with the organization licensee. Notwithstanding the provisions of clauses (ii) and (iv) of this paragraph, in the case of the additional inter-track wagering location licenses authorized under paragraph (1) of this subsection (h) by Public Act 87-110, those licensees shall pay the following amounts as purses: during the first 12 months the licensee is in operation, 5.25% of the pari-mutuel handle wagered at the location on races; during the second 12 months, 5.25%; during the third 12 months, 5.75%; during the fourth 12 months, 6.25%; and during the fifth 12 months and thereafter, 6.75%. The following amounts shall be retained by the licensee to satisfy all costs and expenses of conducting its wagering: during the first 12 months the licensee is in operation, 8.25% of the pari-mutuel handle wagered at the location; during the second 12 months, 8.25%; during the third 12 months, 7.75%; during the fourth 12 months, 7.25%; and during the fifth 12 months and thereafter, 6.75%. For additional inter-track wagering location licensees authorized under Public Act 89-16, purses for the first 12 months the licensee is in operation shall be 5.75% of the pari-mutuel wagered at the location, purses for the second 12 months the licensee is in operation shall be 6.25%, and purses thereafter shall be 6.75%. For additional inter-track location licensees authorized under Public Act 89-16, the licensee shall be allowed to retain to satisfy all costs and expenses: 7.75% of the pari-mutuel handle wagered at the location during its first 12 months of operation, 7.25% during its second 12 months of operation, and 6.75% thereafter.

(C) There is hereby created the Horse Racing Tax Allocation Fund which shall remain in existence until December 31, 1999. Moneys remaining in the Fund after December 31, 1999 shall be paid into the General Revenue Fund. Until January 1, 2000, all monies paid into the Horse Racing Tax Allocation Fund pursuant to this paragraph (11) by inter-track wagering location licensees located in park districts of 500,000 population or less, or in a municipality that is not included within any park district but is included within a conservation district and is the county seat of a county that (i) is contiguous to the state of Indiana and (ii) has a 1990 population of 88,257 according to the United States Bureau of the Census, and operating on May 1, 1994 shall be allocated by appropriation as follows:

Two-sevenths to the Department of Agriculture. Fifty percent of this two-sevenths shall be used to promote the Illinois horse racing and breeding industry, and shall be distributed by the Department of Agriculture upon the advice of a 9-member committee appointed by the Governor consisting of the following members: the Director of Agriculture, who shall serve as chairman; 2 representatives of organization licensees conducting thoroughbred race meetings in this State, recommended by those licensees; 2 representatives of organization licensees conducting standardbred race meetings in this State, recommended by those licensees; a representative of the Illinois Thoroughbred Breeders and Owners Foundation, recommended by that Foundation; a representative of the Illinois Standardbred Owners and Breeders Association, recommended by that Association; a representative of the Horsemen's Benevolent and Protective Association or any successor organization thereto established in Illinois comprised of the largest number of owners and trainers, recommended by that Association or that successor

organization; and a representative of the Illinois Harness Horsemen's Association, recommended by that Association. Committee members shall serve for terms of 2 years, commencing January 1 of each even-numbered year. If a representative of any of the above-named entities has not been recommended by January 1 of any even-numbered year, the Governor shall appoint a committee member to fill that position. Committee members shall receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the performance of their official duties. The remaining 50% of this two-sevenths shall be distributed to county fairs for premiums and rehabilitation as set forth in the Agricultural Fair Act;

Four-sevenths to park districts or municipalities that do not have a park district of 500,000 population or less for museum purposes (if an inter-track wagering location licensee is located in such a park district) or to conservation districts for museum purposes (if an inter-track wagering location licensee is located in a municipality that is not included within any park district but is included within a conservation district and is the county seat of a county that (i) is contiguous to the state of Indiana and (ii) has a 1990 population of 88,257 according to the United States Bureau of the Census, except that if the conservation district does not maintain a museum, the monies shall be allocated equally between the county and the municipality in which the inter-track wagering location licensee is located for general purposes) or to a municipal recreation board for park purposes (if an inter-track wagering location licensee is located in a municipality that is not included within any park district and park maintenance is the function of the municipal recreation board and the municipality has a 1990 population of 9,302 according to the United States Bureau of the Census); provided that the monies are distributed to each park district or conservation district or municipality that does not have a park district in an amount equal to four-sevenths of the amount collected by each inter-track wagering location licensee within the park district or conservation district or municipality for the Fund. Monies that were paid into the Horse Racing Tax Allocation Fund before August 9, 1991 (the effective date of Public Act 87-110) by an inter-track wagering location licensee located in a municipality that is not included within any park district but is included within a conservation district as provided in this paragraph shall, as soon as practicable after August 9, 1991 (the effective date of Public Act 87-110), be allocated and paid to that conservation district as provided in this paragraph. Any park district or municipality not maintaining a museum may deposit the monies in the corporate fund of the park district or municipality where the inter-track wagering location is located, to be used for general purposes; and

One-seventh to the Agricultural Premium Fund to be used for distribution to agricultural home economics extension councils in accordance with "An Act in relation to additional support and finances for the Agricultural and Home Economic Extension Councils in the several counties of this State and making an appropriation therefor", approved July 24, 1967.

Until January 1, 2000, all other monies paid into the Horse Racing Tax Allocation Fund pursuant to this paragraph (11) shall be allocated by appropriation as follows:

Two-sevenths to the Department of Agriculture. Fifty percent of this two-sevenths shall be used to promote the Illinois horse racing and breeding industry, and shall be distributed by the Department of Agriculture upon the advice of a 9-member committee appointed by the Governor consisting of the following members: the Director of Agriculture, who shall serve as chairman; 2 representatives of organization licensees conducting thoroughbred race meetings in this State, recommended by those licensees; 2 representatives of organization licensees conducting standardbred race meetings in this State, recommended by those licensees; a representative of the Illinois Thoroughbred Breeders and Owners Foundation, recommended by that Foundation; a representative of the Illinois Standardbred Owners and Breeders Association, recommended by that Association; a representative of the Horsemen's Benevolent and Protective Association or any successor organization thereto established in Illinois comprised of the largest number of owners and trainers, recommended by that Association or that successor organization; and a representative of the Illinois Harness Horsemen's Association, recommended by that Association. Committee members shall serve for terms of 2 years, commencing January 1 of each even-numbered year. If a representative of any of the above-named entities has not been recommended by January 1 of any even-numbered year, the Governor shall appoint a committee member to fill that position. Committee members shall

receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the performance of their official duties. The remaining 50% of this two-sevenths shall be distributed to county fairs for premiums and rehabilitation as set forth in the Agricultural Fair Act;

Four-sevenths to museums and aquariums located in park districts of over 500,000 population; provided that the monies are distributed in accordance with the previous year's distribution of the maintenance tax for such museums and aquariums as provided in Section 2 of the Park District and Municipal Aquarium and Museum Act; and

One-seventh to the Agricultural Premium Fund to be used for distribution to agricultural home economics extension councils in accordance with "An Act in relation to additional support and finances for the Agricultural and Home Economic Extension Councils in the several counties of this State and making an appropriation therefor", approved July 24, 1967. This subparagraph (C) shall be inoperative and of no force and effect on and after January 1, 2000.

(D) Except as provided in paragraph (11) of this subsection (h), with respect to purse allocation from inter-track wagering, the monies so retained shall be divided as follows:

(i) If the inter-track wagering licensee, except an inter-track wagering licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, is not conducting its own race meeting during the same dates, then the entire purse allocation shall be to purses at the track where the races wagered on are being conducted.

(ii) If the inter-track wagering licensee, except an inter-track wagering licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, is also conducting its own race meeting during the same dates, then the purse allocation shall be as follows: 50% to purses at the track where the races wagered on are being conducted; 50% to purses at the track where the inter-track wagering licensee is accepting such wagers.

(iii) If the inter-track wagering is being conducted by an inter-track wagering location licensee, except an inter-track wagering location licensee that derives its license from an organization licensee located in a county with a population in excess of 230,000 and bounded by the Mississippi River, the entire purse allocation for Illinois races shall be to purses at the track where the race meeting being wagered on is being held.

(12) The Board shall have all powers necessary and proper to fully supervise and control the conduct of inter-track wagering and simulcast wagering by inter-track wagering licensees and inter-track wagering location licensees, including, but not limited to, the following:

(A) The Board is vested with power to promulgate reasonable rules and regulations for the purpose of administering the conduct of this wagering and to prescribe reasonable rules, regulations and conditions under which such wagering shall be held and conducted. Such rules and regulations are to provide for the prevention of practices detrimental to the public interest and for the best interests of said wagering and to impose penalties for violations thereof.

(B) The Board, and any person or persons to whom it delegates this power, is vested with the power to enter the facilities of any licensee to determine whether there has been compliance with the provisions of this Act and the rules and regulations relating to the conduct of such wagering.

(C) The Board, and any person or persons to whom it delegates this power, may eject or exclude from any licensee's facilities, any person whose conduct or reputation is such that his presence on such premises may, in the opinion of the Board, call into the question the honesty and integrity of, or interfere with the orderly conduct of such wagering; provided, however, that no person shall be excluded or ejected from such premises solely on the grounds of race, color, creed, national origin, ancestry, or sex.

(D) (Blank).

(E) The Board is vested with the power to appoint delegates to execute any of the powers granted to it under this Section for the purpose of administering this wagering and any rules and regulations promulgated in accordance with this Act.

(F) The Board shall name and appoint a State director of this wagering who shall be a representative of the Board and whose duty it shall be to supervise the conduct of inter-track

wagering as may be provided for by the rules and regulations of the Board; such rules and regulation shall specify the method of appointment and the Director's powers, authority and duties.

(G) The Board is vested with the power to impose civil penalties of up to $5,000 against individuals and up to $10,000 against licensees for each violation of any provision of this Act relating to the conduct of this wagering, any rules adopted by the Board, any order of the Board or any other action which in the Board's discretion, is a detriment or impediment to such wagering.

(13) The Department of Agriculture may enter into agreements with licensees authorizing such licensees to conduct inter-track wagering on races to be held at the licensed race meetings conducted by the Department of Agriculture. Such agreement shall specify the races of the Department of Agriculture's licensed race meeting upon which the licensees will conduct wagering. In the event that a licensee conducts inter-track pari-mutuel wagering on races from the Illinois State Fair or DuQuoin State Fair which are in addition to the licensee's previously approved racing program, those races shall be considered a separate racing day for the purpose of determining the daily handle and computing the privilege or pari-mutuel tax on that daily handle as provided in Sections 27 and 27.1. Such agreements shall be approved by the Board before such wagering may be conducted. In determining whether to grant approval, the Board shall give due consideration to the best interests of the public and of horse racing. The provisions of paragraphs (1), (8), (8.1), and (8.2) of subsection (h) of this Section which are not specified in this paragraph (13) shall not apply to licensed race meetings conducted by the Department of Agriculture at the Illinois State Fair in Sangamon County or the DuQuoin State Fair in Perry County, or to any wagering conducted on those race meetings.

(14) An inter-track wagering location license authorized by the Board in 2016 that is owned and operated by a race track in Rock Island County shall be transferred to a commonly owned race track in Cook County on August 12, 2016 (the effective date of Public Act 99-757). The licensee shall retain its status in relation to purse distribution under paragraph (11) of this subsection (h) following the transfer to the new entity. The pari-mutuel tax credit under Section 32.1 shall not be applied toward any pari-mutuel tax obligation of the inter-track wagering location licensee of the license that is transferred under this paragraph (14).

(i) Notwithstanding the other provisions of this Act, the conduct of wagering at wagering facilities is authorized on all days, except as limited by subsection (b) of Section 19 of this Act.

(Source: P.A. 101-31, eff. 6-28-19; 101-52, eff. 7-12-19; 101-81, eff. 7-12-19; 101-109, eff. 7-19-19; 102-558, eff. 8-20-21; 102-813, eff. 5-13-22.)

Section 20-25. The Eminent Domain Act is amended by changing Section 15-5-15 as follows:

(735 ILCS 30/15-5-15)

Sec. 15-5-15. Eminent domain powers in ILCS Chapters 70 through 75. The following provisions of law may include express grants of the power to acquire property by condemnation or eminent domain:

(70 ILCS 5/8.02 and 5/9); Airport Authorities Act; airport authorities; for public airport facilities.

(70 ILCS 5/8.05 and 5/9); Airport Authorities Act; airport authorities; for removal of airport hazards.

(70 ILCS 5/8.06 and 5/9); Airport Authorities Act; airport authorities; for reduction of the height of objects or structures.

(70 ILCS 10/4); Interstate Airport Authorities Act; interstate airport authorities; for general purposes.

(70 ILCS 15/3); Kankakee River Valley Area Airport Authority Act; Kankakee River Valley Area Airport Authority; for acquisition of land for airports.

(70 ILCS 200/2-20); Civic Center Code; civic center authorities; for grounds, centers, buildings, and parking.

(70 ILCS 200/5-35); Civic Center Code; Aledo Civic Center Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/10-15); Civic Center Code; Aurora Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/15-40); Civic Center Code; Benton Civic Center Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/20-15); Civic Center Code; Bloomington Civic Center Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/35-35); Civic Center Code; Brownstown Park District Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/40-35); Civic Center Code; Carbondale Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/55-60); Civic Center Code; Chicago South Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/60-30); Civic Center Code; Collinsville Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/70-35); Civic Center Code; Crystal Lake Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/75-20); Civic Center Code; Decatur Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/80-15); Civic Center Code; DuPage County Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/85-35); Civic Center Code; Elgin Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/95-25); Civic Center Code; Herrin Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/110-35); Civic Center Code; Illinois Valley Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/115-35); Civic Center Code; Jasper County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/120-25); Civic Center Code; Jefferson County Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/125-15); Civic Center Code; Jo Daviess County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/130-30); Civic Center Code; Katherine Dunham Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/145-35); Civic Center Code; Marengo Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/150-35); Civic Center Code; Mason County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/155-15); Civic Center Code; Matteson Metropolitan Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/160-35); Civic Center Code; Maywood Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/165-35); Civic Center Code; Melrose Park Metropolitan Exposition Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/170-20); Civic Center Code; certain Metropolitan Exposition, Auditorium and Office Building Authorities; for general purposes.
(70 ILCS 200/180-35); Civic Center Code; Normal Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/185-15); Civic Center Code; Oak Park Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/195-35); Civic Center Code; Ottawa Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/200-15); Civic Center Code; Pekin Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/205-15); Civic Center Code; Peoria Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/210-35); Civic Center Code; Pontiac Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/215-15); Civic Center Code; Illinois Quad City Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/220-30); Civic Center Code; Quincy Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.

(70 ILCS 200/225-35); Civic Center Code; Randolph County Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/230-35); Civic Center Code; River Forest Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/235-40); Civic Center Code; Riverside Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/245-35); Civic Center Code; Salem Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/255-20); Civic Center Code; Springfield Metropolitan Exposition and Auditorium Authority; for grounds, centers, and parking.
(70 ILCS 200/260-35); Civic Center Code; Sterling Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/265-20); Civic Center Code; Vermilion County Metropolitan Exposition, Auditorium and Office Building Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/270-35); Civic Center Code; Waukegan Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/275-35); Civic Center Code; West Frankfort Civic Center Authority; for grounds, centers, buildings, and parking.
(70 ILCS 200/280-20); Civic Center Code; Will County Metropolitan Exposition and Auditorium Authority; for grounds, centers, and parking.
(70 ILCS 210/5); Metropolitan Pier and Exposition Authority Act; Metropolitan Pier and Exposition Authority; for general purposes, including quick-take power.
(70 ILCS 405/22.04); Soil and Water Conservation Districts Act; soil and water conservation districts; for general purposes.
(70 ILCS 410/10 and 410/12); Conservation District Act; conservation districts; for open space, wildland, scenic roadway, pathway, outdoor recreation, or other conservation benefits.
(70 ILCS 503/25); Chanute-Rantoul National Aviation Center Redevelopment Commission Act; Chanute-Rantoul National Aviation Center Redevelopment Commission; for general purposes.
(70 ILCS 507/15); Fort Sheridan Redevelopment Commission Act; Fort Sheridan Redevelopment Commission; for general purposes or to carry out comprehensive or redevelopment plans.
(70 ILCS 520/8); Southwestern Illinois Development Authority Act; Southwestern Illinois Development Authority; for general purposes, including quick-take power.
(70 ILCS 605/4-17 and 605/5-7); Illinois Drainage Code; drainage districts; for general purposes.
(70 ILCS 615/5 and 615/6); Chicago Drainage District Act; corporate authorities; for construction and maintenance of works.
(70 ILCS 705/10); Fire Protection District Act; fire protection districts; for general purposes.
(70 ILCS 750/20); Flood Prevention District Act; flood prevention districts; for general purposes.
(70 ILCS 805/6); Downstate Forest Preserve District Act; certain forest preserve districts; for general purposes.
(70 ILCS 805/18.8); Downstate Forest Preserve District Act; certain forest preserve districts; for recreational and cultural facilities.
(70 ILCS 810/8); Cook County Forest Preserve District Act; Forest Preserve District of Cook County; for general purposes.
(70 ILCS 810/38); Cook County Forest Preserve District Act; Forest Preserve District of Cook County; for recreational facilities.
(70 ILCS 910/15 and 910/16); Hospital District Law; hospital districts; for hospitals or hospital facilities.
(70 ILCS 915/3); Illinois Medical District Act; Illinois Medical District Commission; for general purposes.
(70 ILCS 915/4.5); Illinois Medical District Act; Illinois Medical District Commission; quick-take power for the Illinois State Police Forensic Science Laboratory (obsolete).
(70 ILCS 920/5); Tuberculosis Sanitarium District Act; tuberculosis sanitarium districts; for tuberculosis sanitariums.
(70 ILCS 925/20); Mid-Illinois Medical District Act; Mid-Illinois Medical District; for general purposes.
(70 ILCS 930/20); Mid-America Medical District Act; Mid-America Medical District Commission; for general purposes.
(70 ILCS 935/20); Roseland Community Medical District Act; medical district; for general purposes.
(70 ILCS 1005/7); Mosquito Abatement District Act; mosquito abatement districts; for general purposes.

(70 ILCS 1105/8); Museum District Act; museum districts; for general purposes.
(70 ILCS 1205/7-1); Park District Code; park districts; for streets and other purposes.
(70 ILCS 1205/8-1); Park District Code; park districts; for parks.
(70 ILCS 1205/9-2 and 1205/9-4); Park District Code; park districts; for airports and landing fields.
(70 ILCS 1205/11-2 and 1205/11-3); Park District Code; park districts; for State land abutting public water and certain access rights.
(70 ILCS 1205/11.1-3); Park District Code; park districts; for harbors.
(70 ILCS 1225/2); Park Commissioners Land Condemnation Act; park districts; for street widening.
(70 ILCS 1230/1 and 1230/1-a); Park Commissioners Water Control Act; park districts; for parks, boulevards, driveways, parkways, viaducts, bridges, or tunnels.
(70 ILCS 1250/2); Park Commissioners Street Control (1889) Act; park districts; for boulevards or driveways.
(70 ILCS 1290/1); Park District and Municipal Aquarium and Museum Act; municipalities or park districts; for aquariums or museums.
(70 ILCS 1305/2); Park District Airport Zoning Act; park districts; for restriction of the height of structures.
(70 ILCS 1310/5); Park District Elevated Highway Act; park districts; for elevated highways.
(70 ILCS 1505/15); Chicago Park District Act; Chicago Park District; for parks and other purposes.
(70 ILCS 1505/25.1); Chicago Park District Act; Chicago Park District; for parking lots or garages.
(70 ILCS 1505/26.3); Chicago Park District Act; Chicago Park District; for harbors.
(70 ILCS 1570/5); Lincoln Park Commissioners Land Condemnation Act; Lincoln Park Commissioners; for land and interests in land, including riparian rights.
(70 ILCS 1801/30); Alexander-Cairo Port District Act; Alexander-Cairo Port District; for general purposes.
(70 ILCS 1805/8); Havana Regional Port District Act; Havana Regional Port District; for general purposes.
(70 ILCS 1810/7); Illinois International Port District Act; Illinois International Port District; for general purposes.
(70 ILCS 1815/13); Illinois Valley Regional Port District Act; Illinois Valley Regional Port District; for general purposes.
(70 ILCS 1820/4); Jackson-Union Counties Regional Port District Act; Jackson-Union Counties Regional Port District; for removal of airport hazards or reduction of the height of objects or structures.
(70 ILCS 1820/5); Jackson-Union Counties Regional Port District Act; Jackson-Union Counties Regional Port District; for general purposes.
(70 ILCS 1825/4.9); Joliet Regional Port District Act; Joliet Regional Port District; for removal of airport hazards.
(70 ILCS 1825/4.10); Joliet Regional Port District Act; Joliet Regional Port District; for reduction of the height of objects or structures.
(70 ILCS 1825/4.18); Joliet Regional Port District Act; Joliet Regional Port District; for removal of hazards from ports and terminals.
(70 ILCS 1825/5); Joliet Regional Port District Act; Joliet Regional Port District; for general purposes.
(70 ILCS 1830/7.1); Kaskaskia Regional Port District Act; Kaskaskia Regional Port District; for removal of hazards from ports and terminals.
(70 ILCS 1830/14); Kaskaskia Regional Port District Act; Kaskaskia Regional Port District; for general purposes.
(70 ILCS 1831/30); Massac-Metropolis Port District Act; Massac-Metropolis Port District; for general purposes.
(70 ILCS 1835/5.10); Mt. Carmel Regional Port District Act; Mt. Carmel Regional Port District; for removal of airport hazards.
(70 ILCS 1835/5.11); Mt. Carmel Regional Port District Act; Mt. Carmel Regional Port District; for reduction of the height of objects or structures.
(70 ILCS 1835/6); Mt. Carmel Regional Port District Act; Mt. Carmel Regional Port District; for general purposes.
(70 ILCS 1837/30); Ottawa Port District Act; Ottawa Port District; for general purposes.
(70 ILCS 1845/4.9); Seneca Regional Port District Act; Seneca Regional Port District; for removal of airport hazards.
(70 ILCS 1845/4.10); Seneca Regional Port District Act; Seneca Regional Port District; for reduction of the height of objects or structures.
(70 ILCS 1845/5); Seneca Regional Port District Act; Seneca Regional Port District; for general purposes.

(70 ILCS 1850/4); Shawneetown Regional Port District Act; Shawneetown Regional Port District; for removal of airport hazards or reduction of the height of objects or structures.
(70 ILCS 1850/5); Shawneetown Regional Port District Act; Shawneetown Regional Port District; for general purposes.
(70 ILCS 1855/4); Southwest Regional Port District Act; Southwest Regional Port District; for removal of airport hazards or reduction of the height of objects or structures.
(70 ILCS 1855/5); Southwest Regional Port District Act; Southwest Regional Port District; for general purposes.
(70 ILCS 1860/4); Tri-City Regional Port District Act; Tri-City Regional Port District; for removal of airport hazards.
(70 ILCS 1860/5); Tri-City Regional Port District Act; Tri-City Regional Port District; for the development of facilities.
(70 ILCS 1863/11); Upper Mississippi River International Port District Act; Upper Mississippi River International Port District; for general purposes.
(70 ILCS 1865/4.9); Waukegan Port District Act; Waukegan Port District; for removal of airport hazards.
(70 ILCS 1865/4.10); Waukegan Port District Act; Waukegan Port District; for restricting the height of objects or structures.
(70 ILCS 1865/5); Waukegan Port District Act; Waukegan Port District; for the development of facilities.
(70 ILCS 1870/8); White County Port District Act; White County Port District; for the development of facilities.
(70 ILCS 1905/16); Railroad Terminal Authority Act; Railroad Terminal Authority (Chicago); for general purposes.
(70 ILCS 1915/25); Grand Avenue Railroad Relocation Authority Act; Grand Avenue Railroad Relocation Authority; for general purposes, including quick-take power (now obsolete).
(70 ILCS 1935/25); Elmwood Park Grade Separation Authority Act; Elmwood Park Grade Separation Authority; for general purposes.
(70 ILCS 2105/9b); River Conservancy Districts Act; river conservancy districts; for general purposes.
(70 ILCS 2105/10a); River Conservancy Districts Act; river conservancy districts; for corporate purposes.
(70 ILCS 2205/15); Sanitary District Act of 1907; sanitary districts; for corporate purposes.
(70 ILCS 2205/18); Sanitary District Act of 1907; sanitary districts; for improvements and works.
(70 ILCS 2205/19); Sanitary District Act of 1907; sanitary districts; for access to property.
(70 ILCS 2305/8); North Shore Water Reclamation District Act; North Shore Water Reclamation District; for corporate purposes.
(70 ILCS 2305/15); North Shore Water Reclamation District Act; North Shore Water Reclamation District; for improvements.
(70 ILCS 2405/7.9); Sanitary District Act of 1917; Sanitary District of Decatur; for carrying out agreements to sell, convey, or disburse treated wastewater to a private entity.
(70 ILCS 2405/8); Sanitary District Act of 1917; sanitary districts; for corporate purposes.
(70 ILCS 2405/15); Sanitary District Act of 1917; sanitary districts; for improvements.
(70 ILCS 2405/16.9 and 2405/16.10); Sanitary District Act of 1917; sanitary districts; for waterworks.
(70 ILCS 2405/17.2); Sanitary District Act of 1917; sanitary districts; for public sewer and water utility treatment works.
(70 ILCS 2405/18); Sanitary District Act of 1917; sanitary districts; for dams or other structures to regulate water flow.
(70 ILCS 2605/8); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; for corporate purposes.
(70 ILCS 2605/16); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; quick-take power for improvements.
(70 ILCS 2605/17); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; for bridges.
(70 ILCS 2605/35); Metropolitan Water Reclamation District Act; Metropolitan Water Reclamation District; for widening and deepening a navigable stream.
(70 ILCS 2805/10); Sanitary District Act of 1936; sanitary districts; for corporate purposes.
(70 ILCS 2805/24); Sanitary District Act of 1936; sanitary districts; for improvements.
(70 ILCS 2805/26i and 2805/26j); Sanitary District Act of 1936; sanitary districts; for drainage systems.

(70 ILCS 2805/27); Sanitary District Act of 1936; sanitary districts; for dams or other structures to regulate water flow.
(70 ILCS 2805/32k); Sanitary District Act of 1936; sanitary districts; for water supply.
(70 ILCS 2805/32l); Sanitary District Act of 1936; sanitary districts; for waterworks.
(70 ILCS 2905/2-7); Metro-East Sanitary District Act of 1974; Metro-East Sanitary District; for corporate purposes.
(70 ILCS 2905/2-8); Metro-East Sanitary District Act of 1974; Metro-East Sanitary District; for access to property.
(70 ILCS 3010/10); Sanitary District Revenue Bond Act; sanitary districts; for sewerage systems.
(70 ILCS 3205/12); Illinois Sports Facilities Authority Act; Illinois Sports Facilities Authority; quick-take power for its corporate purposes (obsolete).
(70 ILCS 3405/16); Surface Water Protection District Act; surface water protection districts; for corporate purposes.
(70 ILCS 3605/7); Metropolitan Transit Authority Act; Chicago Transit Authority; for transportation systems.
(70 ILCS 3605/8); Metropolitan Transit Authority Act; Chicago Transit Authority; for general purposes.
(70 ILCS 3605/10); Metropolitan Transit Authority Act; Chicago Transit Authority; for general purposes, including railroad property.
(70 ILCS 3610/3 and 3610/5); Local Mass Transit District Act; local mass transit districts; for general purposes.
(70 ILCS 3615/2.13); Regional Transportation Authority Act; Regional Transportation Authority; for general purposes.
(70 ILCS 3705/8 and 3705/12); Public Water District Act; public water districts; for waterworks.
(70 ILCS 3705/23a); Public Water District Act; public water districts; for sewerage properties.
(70 ILCS 3705/23e); Public Water District Act; public water districts; for combined waterworks and sewerage systems.
(70 ILCS 3715/6); Water Authorities Act; water authorities; for facilities to ensure adequate water supply.
(70 ILCS 3715/27); Water Authorities Act; water authorities; for access to property.
(75 ILCS 5/4-7); Illinois Local Library Act; boards of library trustees; for library buildings.
(75 ILCS 16/30-55.80); Public Library District Act of 1991; public library districts; for general purposes.
(75 ILCS 65/1 and 65/3); Libraries in Parks Act; corporate authorities of city or park district, or board of park commissioners; for free public library buildings.
(Source: Incorporates 98-564, eff. 8-27-13; P.A. 98-756, eff. 7-16-14; 99-669, eff. 7-29-16.)

ARTICLE 25. HISTORIC RESIDENCE

Section 25-1. The Property Tax Code is amended by changing Sections 10-40 and 10-50 as follows:

(35 ILCS 200/10-40)

Sec. 10-40. Historic Residence Assessment Freeze Law; definitions. This Section and Sections 10-45 through 10-85 may be cited as the Historic Residence Assessment Freeze Law. As used in this Section and Sections 10-45 through 10-85:

(a) "Director" means the Director of Historic Preservation.

(b) "Approved county or municipal landmark ordinance" means a county or municipal ordinance approved by the Director.

(c) "Historic building" means an owner-occupied single family residence or an owner-occupied multi-family residence and the tract, lot or parcel upon which it is located, or a building or buildings owned and operated as a cooperative, if:

(1) individually listed on the National Register of Historic Places or the Illinois Register of Historic Places;

(2) individually designated pursuant to an approved county or municipal landmark ordinance; or

(3) within a district listed on the National Register of Historic Places or designated pursuant to an approved county or municipal landmark ordinance, if the Director determines that the building is of historic significance to the district in which it is located.

Historic building does not mean an individual unit of a cooperative.

(d) "Assessment officer" means the chief county assessment officer.

(e) "Certificate of rehabilitation" means the certificate issued by the Director upon the renovation, restoration, preservation or rehabilitation of an historic building under this Code.

(f) "Rehabilitation period" means the period of time necessary to renovate, restore, preserve or rehabilitate an historic building as determined by the Director.

(g) "Standards for rehabilitation" means the Secretary of Interior's standards for rehabilitation as promulgated by the U.S. Department of the Interior.

(h) "Fair cash value" means the fair cash value of the historic building, as finally determined for that year by the assessment officer, board of review, Property Tax Appeal Board, or court ~~on the basis of the assessment officer's property record card~~, representing the value of the property prior to the commencement of rehabilitation without consideration of any reduction reflecting value during the rehabilitation work. The changes made to this Section by this amendatory Act of the 103rd General Assembly are declarative of existing law and shall not be construed as a new enactment.

(i) "Base year valuation" means the fair cash value of the historic building for the year in which the rehabilitation period begins but prior to the commencement of the rehabilitation and does not include any reduction in value during the rehabilitation work.

(j) "Adjustment in value" means the difference for any year between the then current fair cash value and the base year valuation.

(k) "Eight-year valuation period" means the 8 years from the date of the issuance of the certificate of rehabilitation.

(l) "Adjustment valuation period" means the 4 years following the 8 year valuation period.

(m) "Substantial rehabilitation" means interior or exterior rehabilitation work that preserves the historic building in a manner that significantly improves its condition.

(n) "Approved local government" means a local government that has been certified by the Director as:

(1) enforcing appropriate legislation for the designation of historic buildings;

(2) having established an adequate and qualified historic review commission;

(3) maintaining a system for the survey and inventory of historic properties;

(4) providing for adequate public participation in the local historic preservation program; and

(5) maintaining a system for reviewing applications under this Section in accordance with rules and regulations promulgated by the Director.

(o) "Cooperative" means a building or buildings and the tract, lot, or parcel on which the building or buildings are located, if the building or buildings are devoted to residential uses by the owners and fee title to the land and building or buildings is owned by a corporation or other legal entity in which the shareholders or other co-owners each also have a long-term proprietary lease or other long-term arrangement of exclusive possession for a specific unit of occupancy space located within the same building or buildings.

(p) "Owner", in the case of a cooperative, means the Association.

(q) "Association", in the case of a cooperative, means the entity responsible for the administration of a cooperative, which entity may be incorporated or unincorporated, profit or nonprofit.

(r) "Owner-occupied single family residence" means a residence in which the title holder of record (i) holds fee simple ownership and (ii) occupies the property as his, her, or their principal residence.

(s) "Owner-occupied multi-family residence" means residential property comprised of not more than 6 living units in which the title holder of record (i) holds fee simple ownership and (ii) occupies one unit as his, her, or their principal residence. The remaining units may be leased.

The changes made to this Section by this amendatory Act of the 91st General Assembly are declarative of existing law and shall not be construed as a new enactment.

(Source: P.A. 90-114, eff. 1-1-98; 91-806, eff. 1-1-01.)

(35 ILCS 200/10-50)

Sec. 10-50. Valuation after 8 year valuation period.

(a) For the 4 years after the expiration of the 8-year valuation period, the valuation for purposes of computing the assessed valuation shall not exceed the following ~~be as follows~~:

For the first year, the base year valuation plus 25% of the adjustment in value.

For the second year, the base year valuation plus 50% of the adjustment in value.

For the third year, the base year valuation plus 75% of the adjustment in value.

For the fourth year, the then current fair cash value.

(b) If the current fair cash value during the adjustment valuation period is less than the base year valuation with the applicable adjustment, the assessment shall be based on the current fair cash value. The changes made to Section 10-50 by this amendatory Act of the 103rd General Assembly are declarative of existing law and shall not be construed as a new enactment.

(Source: P.A. 82-1023; 88-455.)

ARTICLE 30. TOWNSHIP ASSESSORS

Section 30-5. The Property Tax Code is amended by changing Sections 2-5 and 2-10 as follows:

(35 ILCS 200/2-5)

Sec. 2-5. Multi-township assessors.

(a) Qualified townships ~~Townships with less than 1,000 inhabitants~~ shall not elect assessors for each township but shall elect multi-township assessors.

(1) If 2 or more qualified townships ~~townships with less than 1,000 inhabitants~~ are contiguous, one multi-township assessor shall be elected to assess the property in as many of the townships as are contiguous and whose combined population exceeds the maximum population amount ~~is 1,000 or more inhabitants~~.

(2) If any qualified township ~~of less than 1,000 inhabitants~~ is not contiguous to another qualified township ~~of less than 1,000 inhabitants~~, one multi-township assessor shall be elected to assess the property of that township and any other township to which it is contiguous.

(b) As used in this Section:

"Maximum population amount" means:

(1) before the publication of population data from the 2030 federal decennial census, 1,000 inhabitants; and

(2) on and after the publication of population data from the 2030 federal decennial census, 3,000 inhabitants.

"Qualified township" means a township with a population that does not exceed the maximum population amount.

(Source: P.A. 87-818; 88-455.)

(35 ILCS 200/2-10)

Sec. 2-10. Mandatory establishment of multi-township assessment districts. Before August 1, 2002 and every 10 years thereafter, the supervisor of assessments shall prepare maps, by county, of the townships, indicating the number of inhabitants and the equalized assessed valuation of each township for the preceding year, within the counties under township organization, and shall distribute a copy of that map to the county board and to each township supervisor, board of trustees, sitting township or multi-township assessor, and to the Department. The map shall contain suggested multi-township assessment districts for purposes of assessment. Upon receipt of the maps, the boards of trustees shall determine separately, by majority vote, if the suggested multi-township districts are acceptable.

The township boards of trustees may meet as a body to discuss the suggested districts of which they would be a part. Upon request of the township supervisor of any township, the township supervisor of the township containing the most population shall call the meeting, designating the time and place, and shall act as temporary chairperson of the meeting until a permanent chairperson is chosen from among the township officials included in the call to the meeting. The township assessors and supervisor of assessments may participate in the meeting. Notice of the meeting shall be given in the same manner as notice is required for township meetings in the Township Code. The meeting shall be open to the public and may be recessed from time to time.

If a multi-township assessment district is not acceptable to any board of trustees, they shall so determine and further determine an alternative multi-township assessment district. The suggested or alternative multi-township assessment district shall contain at least 2 qualified townships, as defined in Section 2-5 ~~and 1,000 or more inhabitants~~, shall contain no less than the total area of any one township, shall be contiguous to at least one other township in the multi-township assessment district, and shall be located within one county. For purposes of this Section only, townships are contiguous if they share a common boundary line or meet at any point. This amendatory Act of 1996 is not a new enactment, but is declarative of existing law.

Before September 15, 2002 and every 10 years thereafter, the respective boards of town trustees shall notify the supervisor of assessments and the Department whether they have accepted the suggested multi-township assessment district or whether they have adopted an alternative district, and, in the latter case, they shall include in the notification a description or map, by township, of the alternative district. Before October 1, 2002 and every 10 years thereafter, the supervisor of assessments shall determine whether any suggested or alternative multi-township assessment district meets the conditions of this Section and Section 2-5. If any township board of trustees fails to so notify the supervisor of assessments and the Department as provided in this Section, the township shall be part of the original suggested multi-township assessment district. In any dispute between 2 or more townships as to inclusion or exclusion of a township in any one multi-township assessment district, the county board shall hold a public hearing in the county seat and, as soon as practicable thereafter, make a final determination as to the composition of the district. It shall notify the Department of the final determination before November 15, 2002 and every 10 years thereafter. The Department shall promulgate the multi-township assessment districts, file the same with the Secretary of State as provided in the Illinois Administrative Procedure Act and so notify the township supervisors, boards of trustees and county clerks of the townships and counties subject to this Section and Section 2-5. If the Department's promulgation removes a township from a prior multi-township assessment district, that township shall, within 30 days after the effective date of the removal, receive a distribution of a portion of the assets of the prior multi-township assessment district according to the ratio of the total equalized assessed valuation of all the taxable property in the township to the total equalized assessed valuation of all the taxable property in the prior multi-township assessment district. If a township is removed from one multi-township assessment district and made a part of another multi-township assessment district, the district from which the township is removed shall, within 30 days after the effective date of the removal, cause the township's distribution under this paragraph to be paid directly to the district of which the township is made a part. A township receiving such a distribution (or a multi-township assessment district receiving such a distribution on behalf of a township that is made a part of that district) shall use the proceeds from the distribution only in connection with assessing real estate in the township for tax purposes. (Source: P.A. 88-455; incorporates 88-221; 88-670, eff. 12-2-94; 89-502, eff. 6-28-96; 89-695, eff. 12-31-96.)

ARTICLE 40. PETROLEUM REFINERY

Section 40-1. The Property Tax Code is amended by changing Sections 9-45 and 11-15 as follows:

(35 ILCS 200/9-45)

Sec. 9-45. Property index number system. The county clerk in counties of 3,000,000 or more inhabitants and, subject to the approval of the county board, the chief county assessment officer or recorder, in counties of less than 3,000,000 inhabitants, may establish a property index number system under which property may be listed for purposes of assessment, collection of taxes or automation of the office of the recorder. The system may be adopted in addition to, or instead of, the method of listing by legal description as provided in Section 9-40. The system shall describe property by township, section, block, and parcel or lot, and may cross-reference the street or post office address, if any, and street code number, if any. The county clerk, county treasurer, chief county assessment officer or recorder may establish and maintain cross indexes of numbers assigned under the system with the complete legal description of the properties to which the numbers relate. Index numbers shall be assigned by the county clerk in counties of 3,000,000 or more inhabitants, and, at the direction of the county board in counties with less than 3,000,000 inhabitants, shall be assigned by the chief county assessment officer or recorder. Tax maps of the county clerk, county treasurer or chief county assessment officer shall carry those numbers. The indexes shall be open to public inspection and be made available to the public. Any property index number system established prior to the effective date of this Code shall remain valid. However, in counties with less than 3,000,000 inhabitants, the system may be transferred to another authority upon the approval of the county board.

Any real property used for a power generating or automotive manufacturing facility located within a county of less than 1,000,000 inhabitants, as to which litigation with respect to its assessed valuation is pending or was pending as of January 1, 1993, may be the subject of a real property tax assessment settlement agreement among the taxpayer and taxing districts in which it is situated. In addition, any real property that is located in a county with fewer than 1,000,000 inhabitants and (i) is used for natural gas extraction and fractionation or olefin and polymer manufacturing or (ii) is used for a petroleum refinery ~~and (ii) located within a county of less than 1,000,000 inhabitants~~ may be the subject of a real property tax

assessment settlement agreement among the taxpayer and taxing districts in which the property is situated if litigation is or was pending as to its assessed valuation as of January 1, 2003 or thereafter. Other appropriate authorities, which may include county and State boards or officials, may also be parties to such agreements. Such agreements may include the assessment of the facility or property for any years in dispute as well as for up to 10 years in the future. Such agreements may provide for the settlement of issues relating to the assessed value of the facility and may provide for related payments, refunds, claims, credits against taxes and liabilities in respect to past and future taxes of taxing districts, including any fund created under Section 20-35 of this Act, all implementing the settlement agreement. Any such agreement may provide that parties thereto agree not to challenge assessments as provided in the agreement. An agreement entered into on or after January 1, 1993 may provide for the classification of property that is the subject of the agreement as real or personal during the term of the agreement and thereafter. It may also provide that taxing districts agree to reimburse the taxpayer for amounts paid by the taxpayer in respect to taxes for the real property which is the subject of the agreement to the extent levied by those respective districts, over and above amounts which would be due if the facility were to be assessed as provided in the agreement. Such reimbursement may be provided in the agreement to be made by credit against taxes of the taxpayer. No credits shall be applied against taxes levied with respect to debt service or lease payments of a taxing district. No referendum approval or appropriation shall be required for such an agreement or such credits and any such obligation shall not constitute indebtedness of the taxing district for purposes of any statutory limitation. The county collector shall treat credited amounts as if they had been received by the collector as taxes paid by the taxpayer and as if remitted to the district. A county treasurer who is a party to such an agreement may agree to hold amounts paid in escrow as provided in the agreement for possible use for paying taxes until conditions of the agreement are met and then to apply these amounts as provided in the agreement. No such settlement agreement shall be effective unless it shall have been approved by the court in which such litigation is pending. Any such agreement which has been entered into prior to adoption of this amendatory Act of 1988 and which is contingent upon enactment of authorizing legislation shall be binding and enforceable.

(Source: P.A. 96-609, eff. 8-24-09.)

(35 ILCS 200/11-15)

Sec. 11-15. Method of valuation for pollution control facilities. To determine ~~33 1/3% of~~ the fair cash value of any certified pollution control facility ~~facilities in assessing those facilities~~, the Department shall determine ~~take into consideration the actual or probable net earnings attributable to the facilities in question, capitalized on the basis of their productive earning value to their owner;~~ the probable net value that ~~which~~ could be realized by its ~~their~~ owner if the facility ~~facilities~~ were removed and sold at a fair, voluntary sale, giving due account to the expense of removal and condition of the particular facility ~~facilities~~ in question~~;~~ ~~and other information as the Department may consider as bearing on the fair cash value of the facilities to their owner, consistent with the principles set forth in this Section. For the purposes of this Code, earnings shall be attributed to a pollution control facility only to the extent that its operation results in the production of a commercially saleable by-product or increases the production or reduces the production costs of the products or services otherwise sold by the owner of such facility~~. The assessed value of the facility shall be 33/1/3% of the fair cash value of the facility.

(Source: P.A. 83-121; 88-455.)

ARTICLE 45. PTELL

Section 45-5. The Property Tax Code is amended by changing Section 18-185 and by adding Section 18-190.3 as follows:

(35 ILCS 200/18-185)

Sec. 18-185. Short title; definitions. This Division 5 may be cited as the Property Tax Extension Limitation Law. As used in this Division 5:

"Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

"Extension limitation" means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205.

"Affected county" means a county of 3,000,000 or more inhabitants or a county contiguous to a county of 3,000,000 or more inhabitants.

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (p) made for road purposes in the first year after a township assumes the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of a road district abolished under the provisions of Section 6-133 of the Illinois Highway Code.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of

the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (h-8) made for payments of principal and interest on bonds issued under Section 9.6a of the Metropolitan Water Reclamation District Act to make contributions to the pension fund established under Article 13 of the Illinois Pension Code; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsections (h) and (h-8) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects and bonds issued under Section 20a of the Chicago Park District Act for the purpose of making contributions to the pension fund established under Article 12 of the Illinois Pension Code; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for persons with disabilities under subsection (c) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code; and (r) made for the purpose of making employer contributions to the Public School Teachers' Pension and Retirement Fund of Chicago under Section 34-53 of the School Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds

issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (m) made for the taxing district to pay interest or principal on general obligation bonds issued pursuant to Section 19-3.10 of the School Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 7, 1997 (the effective date of Public Act 89-718); (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 7, 1997 (the effective date of Public Act 89-718); (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 7, 1997 (the effective date of Public Act 89-718) if the bonds were approved by referendum after March 7, 1997 (the effective date of Public Act 89-718); (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 7, 1997 (the effective date of Public Act 89-718) for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 7, 1997 (the effective date of Public Act 89-718) to pay for the building project; (g) made for payments due under installment contracts entered into before March 7, 1997 (the effective date of Public Act 89-718); (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). A debt service extension base established or increased at any time pursuant to any provision of this

Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

"Special purpose extensions" include, but are not limited to, extensions for levies made on an annual basis for unemployment and workers' compensation, self-insurance, contributions to pension plans, and extensions made pursuant to Section 6-601 of the Illinois Highway Code for a road district's permanent road fund whether levied annually or not. The extension for a special service area is not included in the aggregate extension.

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, 18-230, 18-206, and 18-233. Beginning with levy year 2022, for taxing districts that are specified in Section 18-190.7, the taxing district's aggregate extension base shall be calculated as provided in Section 18-190.7. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135.

Notwithstanding any other provision of law, for levy year 2012, the aggregate extension base for West Northfield School District No. 31 in Cook County shall be $12,654,592.

Notwithstanding any other provision of law, for levy year 2022, the aggregate extension base of a home equity assurance program that levied at least $1,000,000 in property taxes in levy year 2019 or 2020 under the Home Equity Assurance Act shall be the amount that the program's aggregate extension base for levy year 2021 would have been if the program had levied a property tax for levy year 2021.

"Levy year" has the same meaning as "year" under Section 1-155.

"New property" means (i) the assessed value, after final board of review or board of appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the assessed value of that real property during the levy year multiplied by the equalization factor issued by the Department under Section 17-30, (ii) the assessed value, after final board of review or board of appeals action, of real property not exempt from real estate taxation, which real property was exempt from real estate taxation for any portion of the immediately preceding levy year, multiplied by the equalization factor issued by the Department under Section 17-30, including the assessed value, upon final stabilization of occupancy after new construction is complete, of any real property located within the boundaries of an otherwise or previously exempt military reservation that is intended for residential use and owned by or leased to a private corporation or other entity, (iii) in counties that classify in accordance with Section 4 of Article IX of the Illinois Constitution, an incentive property's additional assessed value resulting from a scheduled increase in the level of assessment as applied to the first year final board of review market value, and (iv) any increase in assessed value due to oil or gas production from an oil or gas well required to be permitted under the Hydraulic Fracturing Regulatory Act that was not produced in or accounted for during the previous levy year. In addition, the county clerk in a county containing a population of 3,000,000 or more shall include in the 1997 recovered tax increment value for any school district, any recovered tax increment value that was applicable to the 1995 tax year calculations.

"Qualified airport authority" means an airport authority organized under the Airport Authorities Act and located in a county bordering on the State of Wisconsin and having a population in excess of 200,000 and not greater than 500,000.

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation

Redevelopment Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. If an increase in the district's aggregate extension has been approved by referendum on or after January 1, 2024, then, for the year for which the increase has been approved, the limiting rate for that district shall be a fraction, the numerator of which is the sum of (i) the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and (ii) the amount of the increase approved by referendum under Section 18-190.3 of this Law, and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, except for school districts that reduced their extension for educational purposes pursuant to Section 18-206, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided. In the case of a taxing district that obtained referendum approval for an increased limiting rate on March 20, 2012, the limiting rate for tax year 2012 shall be the rate that generates the approximate total amount of taxes extendable for that tax year, as set forth in the proposition approved by the voters; this rate shall be the final rate applied by the county clerk for the aggregate of all capped funds of the district for tax year 2012.

(Source: P.A. 102-263, eff. 8-6-21; 102-311, eff. 8-6-21; 102-519, eff. 8-20-21; 102-558, eff. 8-20-21; 102-707, eff. 4-22-22; 102-813, eff. 5-13-22; 102-895, eff. 5-23-22; revised 8-29-22.)

(35 ILCS 200/18-190.3 new)

Sec. 18-190.3. Direct referendum; increased aggregate extension. As an alternative to the procedures set forth in Sections 18-190 and 18-205, a taxing district may increase its aggregate extension to an amount that exceeds the amount that would otherwise be permitted under this Law if the taxing district obtains referendum approval as provided in this Section.

The proposition seeking to obtain referendum approval to increase the aggregate extension shall be in substantially the following form:

"Shall the aggregate extension (the total dollar amount levied by the district for each of the tax funds included under the Property Tax Limitation Law) for...(insert legal name, number, if any, and

county or counties of taxing district and geographic or other common name by which a school or community college district is known and referred to), Illinois, be increased by (insert the amount of increase sought) for levy year...(insert the levy year for which the increase will take effect)?"

The votes must be recorded as "Yes" or "No".

The ballot for any proposition submitted pursuant to this Section shall have printed thereon, but not as a part of the proposition submitted, only the following supplemental information (which shall be supplied to the election authority by the taxing district) in substantially the following form:

"(1) The amount of taxes extended which were subject to the Property Tax Cap (Property Tax Extension Limitation Law) in levy year (insert most recent levy year) was (insert the most recent levy year's aggregate extension base). If the proposition is not approved, then the taxing district may increase its extension by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding (insert levy year). If the proposition is approved, then the taxing district may increase its extension in levy year (insert levy year) by an additional (insert the amount of increase sought).

(2) For the...(insert levy year for which the increase will be applicable) levy year, the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of $100,000 is estimated to be (insert amount).".

The approximate amount of the additional taxes extendable shown in paragraph (2) shall be calculated by multiplying $100,000 (the fair market value of the property without regard to any property tax exemptions) by (i) the percentage level of assessment prescribed for that property by statute, or by ordinance of the county board in counties that classify property for purposes of taxation in accordance with Section 4 of Article IX of the Illinois Constitution; (ii) the most recent final equalization factor certified to the county clerk by the Department of Revenue at the time the taxing district initiates the submission of the proposition to the electors; and (iii) the increase in the aggregate extension proposed in the question; and dividing the result by the last known equalized assessed value of the taxing district at the time the submission of the question is initiated by the taxing district. Any notice required to be published in connection with the submission of the proposition shall also contain this supplemental information and shall not contain any other supplemental information regarding the proposition. Any error, miscalculation, or inaccuracy in computing any amount set forth on the ballot and in the notice that is not deliberate shall not invalidate or affect the validity of any proposition approved. Notice of the referendum shall be published and posted as otherwise required by law, and the submission of the proposition shall be initiated as provided by law.

If a majority of all ballots cast on the proposition are in favor of the proposition, then the district may increase its aggregate extension as provided in the referendum.

ARTICLE 50. MUNICIPALITY-BUILD HOUSING

Section 50-5. The Property Tax Code is amended by adding Section 15-174.5 as follows:
(35 ILCS 200/15-174.5 new)

Sec. 15-174.5. Special homestead exemption for certain municipality-built homes.

(a) This Section applies to property located in a county with 3,000,000 or more inhabitants. This Section also applies to property located in a county with fewer than 3,000,000 inhabitants if the county board of that county has so provided by ordinance or resolution.

(b) For tax year 2024 and thereafter, eligible property qualifies for a homestead exemption under this Section for a 10-year period beginning with the tax year following the year in which the property is first sold by the municipality to a private homeowner. Eligible property is not eligible for a refund of taxes paid for tax years prior to the year in which this amendatory Act of the 103rd General Assembly takes effect. In the case of mixed-use property, the exemption under this Section applies only to the residential portion of the property that is used as a primary residence by the owner.

(c) The exemption under this Section shall be a reduction in the equalized assessed value of the property equal to:

(1) in the first 8 years of eligibility, 50% of the equalized assessed value of the property in the year following the initial sale by the municipality; and

(2) in the ninth and tenth years of eligibility, 33% of the equalized assessed value of the property in the year following the initial sale by the municipality.

(d) A homeowner seeking the exemption under this Section shall file an application with the chief county assessment officer. Once approved by the assessor, the exemption shall renew annually and automatically without another application, unless the exemption is waived by the current homeowner as provided in this subsection. The exemption under this Section is transferable to new owners of the home, provided that (i) the exemption runs from the sale of the property by a municipality to the first private owner, (ii) the new owner notifies the assessor that they have taken possession of the property, and (iii) the property is used by the owner as their principal residence. A property owner who has received a reduction under this Section may waive the exemption at any time prior to the expiration of the 10-year exemption period and begin to receive the benefits of other exemptions at their sole and irrevocable discretion. Owners who decide to waive the exemption shall notify the assessor on a form provided by the assessor. The current property owner shall notify the assessor and waive the exemption if the property ceases to be their primary residence.

(e) Notwithstanding any other provision of law, no property that receives an exemption under this Section may simultaneously receive a reduction or exemption under Section 15-168 (persons with disabilities), Section 15-169 (standard homestead for veterans with disabilities); Section 15-170 (senior citizens), Section 15-172 (low-income senior citizens), or Section 15-175 (general homestead). In the first year following the expiration or waiver of the exemption under this Section, a property owner that is eligible for the Low-Income Senior Citizen Assessment Freeze exemption in that year may establish a base amount under Section 15-172 at the value of their home in their first year of eligibility for that exemption during the time when they were receiving this exemption, provided that they demonstrate retrospectively that they were eligible for that exemption at that point in time while receiving this exemption.

(f) As used in this Section:

"Eligible property" means property that:

(1) contains a single family residence that was built no earlier than January 1, 2020 by a municipality and was sold to a private homeowner before January 1, 2034;

(2) is zoned for residential or mixed use; and

(3) meets either of both of the following criteria:

(A) the property was exempt from property taxes prior to the construction of the home; or

(B) the municipality conducted environmental remediation on the property pursuant to Title XVII of the Environmental Protection Act.

ARTICLE 55. NURSING HOMES AND SPECIALIZED MENTAL HEALTH FACILITIES

Section 55-5. The Property Tax Code is amended by adding Division 22 to Article 10 as follows:

(35 ILCS 200/Art. 10 Div. 22 heading new)

Division 22. Nursing homes and specialized mental health facilities

(35 ILCS 200/10-805 new)

Sec. 10-805. Property assessment equity; nursing homes and specialized mental health facilities. Beginning with tax year 2023, real property that is located in a county with more than 3,000,000 inhabitants and that is used to provide services requiring a license under the Nursing Home Care Act or under the Specialized Mental Health Facilities Act shall not be assessed at a higher level of assessment than residential property in the county in which the nursing home or mental health services facility is located.

ARTICLE 99. EFFECTIVE DATE

Section 99-99. 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 bill, as amended, was ordered to a third reading.

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Villanueva, **House Bill No. 2507** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 | Lewis | Simmons |
| Aquino | Fowler | Lightford | Sims |
| Belt | Gillespie | Loughran Cappel | Stadelman |
| Bennett | Glowiak Hilton | Martwick | Stoller |
| Bryant | Halpin | McClure | Tracy |
| Castro | Harris, N. | McConchie | Turner, D. |
| Cervantes | Harriss, E. | Morrison | Turner, S. |
| Chesney | Hastings | Murphy | Ventura |
| Cunningham | Holmes | Pacione-Zayas | Villa |
| Curran | Hunter | Peters | Villanueva |
| Edly-Allen | Johnson | Plummer | Villivalam |
| Ellman | Jones, E. | Porfirio | Wilcox |
| Faraci | Joyce | Preston | Mr. President |
| Feigenholtz | Koehler | Rezin | |

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 in the Senate Amendment adopted thereto.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILL ON SECRETARY'S DESK**

On motion of Senator Rezin, **Senate Bill No. 76**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Rezin moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 36; NAYS 14.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Anderson | Glowiak Hilton | Lightford | Stadelman |
| Bennett | Halpin | Loughran Cappel | Stoller |
| Bryant | Harris, N. | Martwick | Tracy |
| Chesney | Harriss, E. | McClure | Turner, D. |
| Cunningham | Holmes | McConchie | Turner, S. |
| Curran | Hunter | Plummer | Mr. President |
| Ellman | Jones, E. | Porfirio | |
| Feigenholtz | Joyce | Preston | |
| Fowler | Koehler | Rezin | |
| Gillespie | Lewis | Sims | |

The following voted in the negative:

| | | | |
|---|---|---|---|
| Aquino | Fine | Simmons | Villivalam |
| Cervantes | Johnson | Ventura | Wilcox |
| Edly-Allen | Morrison | Villa | |
| Faraci | Peters | Villanueva | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 76**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Wilcox asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 76**.

Senator Hastings asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 76**.

Senator Pacione-Zayas asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the negative on **Senate Bill No. 76**.

## CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Harmon moved that **Senate Resolution No. 291**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Harmon moved that Senate Resolution No. 291 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Fine moved that **Senate Resolution No. 319**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Fine moved that Senate Resolution No. 319 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Morrison moved that **Senate Joint Resolution No. 40**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Morrison moved that Senate Joint Resolution No. 40 be adopted.

The motion prevailed.

And the resolution was adopted.

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

Senator Ellman moved that **Senate Resolution No. 64**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Ellman moved that Senate Resolution No. 64 be adopted.

The motion prevailed.

And the resolution was adopted.

## READING BILL OF THE SENATE A SECOND TIME

On motion of Senator Ventura, **Senate Bill No. 2357** having been printed, was taken up, read by title a second time.

The following amendments were offered in the Committee on Environment and Conservation, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 2357**

AMENDMENT NO. 1 . Amend Senate Bill 2357 on page 2, line 1, by inserting after "atmosphere." the following:

"Counties, townships, and municipalities are encouraged to plant trees and native prairie grasses along roadways and other practical areas to forward the goal of introducing more carbon-absorbing foliage to communities for the purpose of mitigating the effects of climate change."; and

on page 3, by inserting immediately below line 4 the following:

"(2) local projects along roadways and parks by planting trees and prairie grasses demonstrated to absorb carbon;"; and

on page 3, line 5, by replacing "(2)" with "(3)"; and

on page 3, line 9, by replacing "(3)" with "(4)".

**AMENDMENT NO. 2 TO SENATE BILL 2357**

AMENDMENT NO. 2 . Amend Senate Bill 2357 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Healthy Forests, Wetlands, and Prairies Act.

Section 5. Findings. The General Assembly finds it is in the interest of the State to encourage natural solutions as one component of the State's efforts to reduce and remediate the impacts of climate change. Natural solutions must include planting native trees and other vegetation demonstrated to reduce carbon dioxide. To accomplish this, the State must offer assistance to other units of local government that are taking steps to fight climate change by restoring forests, wetlands, prairies, and other landscapes native to Illinois and demonstrated to have a positive environmental impact.

Section 10. State goal. It is the goal of the State that there be no overall net loss of the State's existing forest, prairie, or wetland acres or their functional value due to State-supported activities. Further, the State and units of local government shall preserve, enhance, and create forests, prairies, and wetlands where practical in order to mitigate the impact of climate change and reduce carbon dioxide from the atmosphere.

Section 15. Receipt of federal moneys. The Department of Natural Resources may receive federal moneys to administer a Healthy Forests, Wetlands, and Prairies Grant Program.

Section 20. Establishment of the Healthy Forests, Wetlands, and Prairies Grant Program.

(a) The Department of Natural Resources, subject to appropriation, shall establish and administer a Healthy Forests, Wetlands, and Prairies Grant Program to restore degraded forest lands and native prairies, and to promote the growth of native vegetation that remove carbon dioxide from the atmosphere and help to mitigate the impact of climate change.

(b) Eligible entities for the Healthy Forests, Wetlands, and Prairies Grant Program include:

(1) units of State and local government including, but not limited to, State agencies, municipalities, townships, counties, forest preserves, and park districts;

(2) conservation land trusts;

(3) not-for-profit entities with conservation missions including, but not limited to, climate change mitigation, preservation of natural lands, and conservation of the State's natural resources; and

(4) other entities to be determined by the Department as eligible recipients of the grants under this Act.

(c) The Department may utilize an amount not to exceed 25% of the funds appropriated for the Healthy Forests, Wetlands, and Prairies Grant Program for administrative costs and for the purposes as described in subsection (e).

(d) The Department shall adopt any rules necessary for the implementation of this Act, including requirements and timeframes for the submittal of grant applications by eligible entities.

(e) Grants under this Act may be used by eligible entities for the purpose of:

(1) matching funds for federal or private dollars for projects that forward the goal of climate change mitigation through the promotion of the management, planting, maintaining and preserving of native grasses, plants, and trees;

(2) projects along roadways and in parks and forest preserves on public or private lands to plant native trees and prairie grasses demonstrated to absorb carbon;

(3) projects promoting the stewardship of existing public and private urban forests and natural lands, including the removal of invasive or non-native plant species;

(4) funding regional teams tasked with planting native prairie grasses and trees, prescribed burning for the maintenance of natural lands, removing invasive plant species, and educational outreach;

(5) education and marketing regarding local projects or steps community members may take to promote the growth of native vegetation that removes carbon dioxide from the atmosphere; and

(6) other projects to be determined by the Department as eligible projects under the grant program established under this Act.

Section 25. Healthy Forests, Wetlands, and Prairies Grant Fund. The Healthy Forests, Wetlands, and Prairies Grant Fund is created in the State treasury. The fund shall be administered by the Department of Natural Resources. The fund may receive moneys appropriated by the General Assembly or from the federal government, private donations, or any other legal source.

Section 90. The Department of Natural Resources Act is amended by changing Section 1-15 as follows:

(20 ILCS 801/1-15)

Sec. 1-15. General powers and duties.

(a) It shall be the duty of the Department to investigate practical problems, implement studies, conduct research and provide assistance, information and data relating to the technology and administration of the natural history, entomology, zoology, and botany of this State; the geology and natural resources of this State; the water and atmospheric resources of this State; and the archeological and cultural history of this State.

(b) The Department (i) shall obtain, store, and process relevant data; recommend technological, administrative, and legislative changes and developments; cooperate with other federal, state, and local governmental research agencies, facilities, or institutes in the selection of projects for study; cooperate with the Board of Higher Education and with the public and private colleges and universities in this State in developing relevant interdisciplinary approaches to problems; and evaluate curricula at all levels of education and provide assistance to instructors and (ii) may sponsor an annual conference of leaders in government, industry, health, and education to evaluate the state of this State's environment and natural resources.

(c) The Director, in accordance with the Personnel Code, shall employ such personnel, provide such facilities, and contract for such outside services as may be necessary to carry out the purposes of the Department. Maximum use shall be made of existing federal and state agencies, facilities, and personnel in conducting research under this Act.

(c-5) The Department may use the services of, and enter into necessary agreements with, outside entities for the purpose of evaluating grant applications and for the purpose of administering or monitoring compliance with grant agreements. Contracts under this subsection shall not exceed 5 ~~2~~ years, without an executed extension ~~in length~~.

(d) In addition to its other powers, the Department has the following powers:

(1) To obtain, store, process, and provide data and information related to the powers and duties of the Department under this Act. This subdivision (d)(1) does ~~not~~ give authority to the Department to require reports from nongovernmental sources or entities.

(2) To cooperate with and support the Illinois Science and Technology Advisory Committee and the Illinois Coalition for the purpose of facilitating the effective operations and activities of such entities. Support may include, but need not be limited to, providing space for the operations of the Committee and the Illinois Coalition.

(e) The Department is authorized to make grants to local not-for-profit organizations for the purposes of development, management, maintenance, and study of wetland areas, forests, prairies, and other landscapes demonstrated to reduce the impact of climate change.

(f) The Department has the authority to accept, receive and administer on behalf of the State any gifts, bequests, donations, income from property rental and endowments. Any such funds received by the Department shall be deposited into the Natural Resources Fund, a special fund which is hereby created in the State treasury, and used for the purposes of this Act or, when appropriate, for such purposes and under such restrictions, terms and conditions as are predetermined by the donor or grantor of such funds or property. Any accrued interest from money deposited into the Natural Resources Fund shall be reinvested into the Fund and used in the same manner as the principal. The Director shall maintain records which account for and assure that restricted funds or property are disbursed or used pursuant to the restrictions, terms or conditions of the donor.

(g) The Department shall recognize, preserve, and promote our special heritage of recreational hunting and trapping by providing opportunities to hunt and trap in accordance with the Wildlife Code.

(h) Within 5 years after the effective date of this amendatory Act of the 102nd General Assembly, the Department shall fly a United States Flag, an Illinois flag, and a POW/MIA flag at all State parks. Donations may be made by groups and individuals to the Department's Special Projects Fund for costs related to the implementation of this subsection.

(Source: P.A. 102-388, eff. 1-1-22; 102-699, eff. 4-19-22.)

Section 95. The State Finance Act is amended by adding Section 5.990 as follows:

(30 ILCS 105/5.990 new)

Sec. 5.990. The Healthy Forests, Wetlands, and Prairies Grant Fund.".

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.

**MESSAGES 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 89

A bill for AN ACT concerning regulation.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 89

House Amendment No. 2 to SENATE BILL NO. 89

House Amendment No. 3 to SENATE BILL NO. 89

Passed the House, as amended, May 19, 2023.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 89**

AMENDMENT NO. 1 . Amend Senate Bill 89 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 355 as follows:

(215 ILCS 5/355) (from Ch. 73, par. 967)

Sec. 355. Accident and ~~and~~ health policies-Provisions.) No policy of insurance against loss or damage from the sickness, or from the bodily injury or death of the insured by accident shall be issued or delivered to any person in this State until a copy of the form thereof and of the classification of risks and the premium rates pertaining thereto have been filed with the Director; nor shall it be so issued or delivered until the Director shall have approved such policy pursuant to the provisions of Section 143. If the Director disapproves the policy form he shall make a written decision stating the respects in which such form does

not comply with the requirements of law and shall deliver a copy thereof to the company and it shall be unlawful thereafter for any such company to issue any policy in such form.
(Source: P.A. 79-777.)".

**AMENDMENT NO. 2 TO SENATE BILL 89**

AMENDMENT NO. 2 . Amend Senate Bill 89, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 3. The Energy Efficient Building Act is amended by changing Section 55 as follows:
(20 ILCS 3125/55)
Sec. 55. Illinois Stretch Energy Code.

(a) The Board, in consultation with the Agency ~~Department~~, shall create and adopt the Illinois Stretch Energy Code, to allow municipalities and projects authorized or funded by the Board to achieve more energy efficiency in buildings than the Illinois Energy Conservation Code through a consistent pathway across the State. The Illinois Stretch Energy Code shall be available for adoption by any municipality and shall set minimum energy efficiency requirements, taking the place of the Illinois Energy Conservation Code within any municipality that adopts the Illinois Stretch Energy Code.

(b) The Illinois Stretch Energy Code shall have separate components for commercial and residential buildings, which may be adopted by the municipality jointly or separately.

(c) The Illinois Stretch Energy Code shall apply to all projects to which an energy conservation code is applicable that are authorized or funded in any part by the Board after July 1, 2024 ~~January 1, 2024~~.

(d) Development of the Illinois Stretch Energy Code shall be completed and available for adoption by municipalities by June 30, 2024 ~~December 31, 2023~~.

(e) Consistent with the requirements under paragraph (2.5) of subsection (g) of Section 8-103B of the Public Utilities Act and under paragraph (2) of subsection (j) of Section 8-104 of the Public Utilities Act, municipalities may adopt the Illinois Stretch Energy Code and may use utility programs to support compliance with the Illinois Stretch Energy Code. The amount of savings from such utility efforts that may be counted toward achievement of their annual savings goals shall be based on reasonable estimates of the increase in savings resulting from the utility efforts, relative to reasonable approximations of what would have occurred absent the utility involvement.

(f) The Illinois Stretch Energy Code's residential components shall:

(1) apply to residential buildings as defined under Section 10;

(2) set performance targets using a site energy index with reductions relative to the 2006 International Energy Conservation Code; and

(3) include stretch energy codes with site energy index standards and adoption dates as follows: by no later than June 30, 2024 ~~December 31, 2023~~, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.50 of the 2006 International Energy Conservation Code; by no later than December 31, 2025, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.40 of the 2006 International Energy Conservation Code, unless the Board identifies unanticipated burdens associated with the stretch energy code adopted in 2023 or 2024, in which case the Board may adopt a stretch energy code with a site energy index no greater than 0.42 of the 2006 International Energy Conservation Code, provided that the more relaxed standard has a site energy index that is at least 0.05 more restrictive than the 2024 International Energy Conservation Code; by no later than December 31, 2028, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.33 of the 2006 International Energy Conservation Code, unless the Board identifies unanticipated burdens associated with the stretch energy code adopted in 2025, in which case the Board may adopt a stretch energy code with a site energy index no greater than 0.35 of the 2006 International Energy Conservation Code, but only if that more relaxed standard has a site energy index that is at least 0.05 more restrictive than the 2027 International Energy Conservation Code; and by no later than December 31, 2031, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.25 of the 2006 International Energy Conservation Code.

(g) The Illinois Stretch Energy Code's commercial components shall:

(1) apply to commercial buildings as defined under Section 10;

(2) set performance targets using a site energy index with reductions relative to the 2006 International Energy Conservation Code; and

(3) include stretch energy codes with site energy index standards and adoption dates as follows: by no later than June 30, 2024 ~~December 31, 2023~~, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.60 of the 2006 International Energy Conservation Code; by no later than December 31, 2025, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.50 of the 2006 International Energy Conservation Code; by no later than December 31, 2028, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.44 of the 2006 International Energy Conservation Code; and by no later than December 31, 2031, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.39 of the 2006 International Energy Conservation Code.

(h) The process for the creation of the Illinois Stretch Energy Code includes:

(1) within 60 days after the effective date of this amendatory Act of the 102nd General Assembly, the Capital Development Board shall meet with the Illinois Energy Code Advisory Council to advise and provide technical assistance and recommendations to the Capital Development Board for the Illinois Stretch Energy Code, which shall:

(A) advise the Capital Development Board on creation of interim performance targets, code requirements, and an implementation plan for the Illinois Stretch Energy Code;

(B) recommend amendments to proposed rules issued by the Capital Development Board;

(C) recommend complementary programs or policies;

(D) complete recommendations and development for the Illinois Stretch Energy Code elements and requirements by December 31, 2023 ~~July 31, 2023~~;

(2) As part of its deliberations, the Illinois Energy Code Advisory Council shall actively solicit input from other energy code stakeholders and interested parties.

(Source: P.A. 102-662, eff. 9-15-21.)

Section 5. The Public Building Commission Act is amended by changing Sections 2.5, 20.3, 20.4, 20.5, 20.10, 20.15, 20.20, and 20.25 as follows:

(50 ILCS 20/2.5)

(Section scheduled to be repealed on June 1, 2023)

Sec. 2.5. Legislative policy; conditions for use of design-build. It is the intent of the General Assembly that a commission be allowed to use the design-build delivery method for public projects if it is shown to be in the commission's best interest for that particular project.

It shall be the policy of the commission in the procurement of design-build services to publicly announce all requirements for design-build services and to procure these services on the basis of demonstrated competence and qualifications and with due regard for the principles of competitive selection.

The commission shall, prior to issuing requests for proposals, promulgate and publish procedures for the solicitation and award of contracts pursuant to this Act.

The commission shall, for each public project or projects permitted under this Act, make a written determination, including a description as to the particular advantages of the design-build procurement method, that it is in the best interests of the commission to enter into a design-build contract for the project or projects.

In making that determination, the following factors shall be considered:

(1) The probability that the design-build procurement method will be in the best interests of the commission by providing a material savings of time or cost over the design-bid-build or other delivery system.

(2) The type and size of the project and its suitability to the design-build procurement method.

(3) The ability of the design-build entity to define and provide comprehensive scope and performance criteria for the project.

The commission shall require the design-build entity to comply with the utilization goals established by the corporate authorities of the commission for minority and women business enterprises and to comply with Section 2-105 of the Illinois Human Rights Act.

This Section is repealed on July 1, 2025 ~~June 1, 2023~~; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479, eff. 8-23-19.)

(50 ILCS 20/20.3)

(Section scheduled to be repealed on June 1, 2023)

Sec. 20.3. Solicitation of design-build proposals.

(a) When the Commission elects to use the design-build delivery method, it must issue a notice of intent to receive proposals for the project at least 14 days before issuing the request for the proposal. The Commission must publish the advance notice in a daily newspaper of general circulation in the county where the Commission is located. The Commission is encouraged to use publication of the notice in related construction industry service publications. A brief description of the proposed procurement must be included in the notice. The Commission must provide a copy of the request for proposal to any party requesting a copy.

(b) The request for proposal shall be prepared for each project and must contain, without limitation, the following information:

(1) The name of the Commission.

(2) A preliminary schedule for the completion of the contract.

(3) The proposed budget for the project, the source of funds, and the currently available funds at the time the request for proposal is submitted.

(4) Prequalification criteria for design-build entities wishing to submit proposals. The Commission shall include, at a minimum, its normal prequalification, licensing, registration, and other requirements, but nothing contained herein precludes the use of additional prequalification criteria by the Commission.

(5) Material requirements of the contract, including but not limited to, the proposed terms and conditions, required performance and payment bonds, insurance, and the entity's plan to comply with the utilization goals established by the corporate authorities of the Commission for minority and women business enterprises and to comply with Section 2-105 of the Illinois Human Rights Act.

(6) The performance criteria.

(7) The evaluation criteria for each phase of the solicitation.

(8) The number of entities that will be considered for the technical and cost evaluation phase.

(c) The Commission may include any other relevant information that it chooses to supply. The design-build entity shall be entitled to rely upon the accuracy of this documentation in the development of its proposal.

(d) The date that proposals are due must be at least 21 calendar days after the date of the issuance of the request for proposal. In the event the cost of the project is estimated to exceed $12,000,000, then the proposal due date must be at least 28 calendar days after the date of the issuance of the request for proposal. The Commission shall include in the request for proposal a minimum of 30 days to develop the Phase II submissions after the selection of entities from the Phase I evaluation is completed.

(e) This Section is repealed on July 1, 2025 ~~June 1, 2023~~; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479, eff. 8-23-19.)

(50 ILCS 20/20.4)

(Section scheduled to be repealed on June 1, 2023)

Sec. 20.4. Development of design-build scope and performance criteria.

(a) The Commission shall develop, with the assistance of a licensed design professional, a request for proposal, which shall include scope and performance criteria. The scope and performance criteria must be in sufficient detail and contain adequate information to reasonably apprise the qualified design-build entities of the Commission's overall programmatic needs and goals, including criteria and preliminary design plans, general budget parameters, schedule, and delivery requirements.

(b) Each request for proposal shall also include a description of the level of design to be provided in the proposals. This description must include the scope and type of renderings, drawings, and specifications that, at a minimum, will be required by the Commission to be produced by the design-build entities.

(c) The scope and performance criteria shall be prepared by a design professional who is an employee of the Commission, or the Commission may contract with an independent design professional selected under the Local Government Professional Services Selection Act (50 ILCS 510/) to provide these services.

(d) The design professional that prepares the scope and performance criteria is prohibited from participating in any design-build entity proposal for the project.

(e) This Section is repealed on July 1, 2025 ~~June 1, 2023~~; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479, eff. 8-23-19.)

(50 ILCS 20/20.5)

(Section scheduled to be repealed on June 1, 2023)

Sec. 20.5. Procedures for design-build selection.

(a) The Commission must use a two-phase procedure for the selection of the successful design-build entity. Phase I of the procedure will evaluate and shortlist the design-build entities based on qualifications, and Phase II will evaluate the technical and cost proposals.

(b) The Commission shall include in the request for proposal the evaluating factors to be used in Phase I. These factors are in addition to any prequalification requirements of design-build entities that the Commission has set forth. Each request for proposal shall establish the relative importance assigned to each evaluation factor and subfactor, including any weighting of criteria to be employed by the Commission. The Commission must maintain a record of the evaluation scoring to be disclosed in event of a protest regarding the solicitation.

The Commission shall include the following criteria in every Phase I evaluation of design-build entities: (1) experience of personnel; (2) successful experience with similar project types; (3) financial capability; (4) timeliness of past performance; (5) experience with similarly sized projects; (6) successful reference checks of the firm; (7) commitment to assign personnel for the duration of the project and qualifications of the entity's consultants; and (8) ability or past performance in meeting or exhausting good faith efforts to meet the utilization goals for minority and women business enterprises established by the corporate authorities of the Commission and in complying with Section 2-105 of the Illinois Human Rights Act. The Commission may include any additional relevant criteria in Phase I that it deems necessary for a proper qualification review.

The Commission may not consider any design-build entity for evaluation or award if the entity has any pecuniary interest in the project or has other relationships or circumstances, including but not limited to, long-term leasehold, mutual performance, or development contracts with the Commission, that may give the design-build entity a financial or tangible advantage over other design-build entities in the preparation, evaluation, or performance of the design-build contract or that create the appearance of impropriety. No design-build proposal shall be considered that does not include an entity's plan to comply with the requirements established in the minority and women business enterprises and economically disadvantaged firms established by the corporate authorities of the Commission and with Section 2-105 of the Illinois Human Rights Act.

Upon completion of the qualifications evaluation, the Commission shall create a shortlist of the most highly qualified design-build entities. The Commission, in its discretion, is not required to shortlist the maximum number of entities as identified for Phase II evaluation, provided however, no less than 2 design-build entities nor more than 6 are selected to submit Phase II proposals.

The Commission shall notify the entities selected for the shortlist in writing. This notification shall commence the period for the preparation of the Phase II technical and cost evaluations. The Commission must allow sufficient time for the shortlist entities to prepare their Phase II submittals considering the scope and detail requested by the Commission.

(c) The Commission shall include in the request for proposal the evaluating factors to be used in the technical and cost submission components of Phase II. Each request for proposal shall establish, for both the technical and cost submission components of Phase II, the relative importance assigned to each evaluation factor and subfactor, including any weighting of criteria to be employed by the Commission. The Commission must maintain a record of the evaluation scoring to be disclosed in event of a protest regarding the solicitation.

The Commission shall include the following criteria in every Phase II technical evaluation of design-build entities: (1) compliance with objectives of the project; (2) compliance of proposed services to the request for proposal requirements; (3) quality of products or materials proposed; (4) quality of design parameters; (5) design concepts; (6) innovation in meeting the scope and performance criteria; and (7) constructability of the proposed project. The Commission may include any additional relevant technical evaluation factors it deems necessary for proper selection.

The Commission shall include the following criteria in every Phase II cost evaluation: the guaranteed maximum project cost and the time of completion. The Commission may include any additional relevant technical evaluation factors it deems necessary for proper selection. The guaranteed maximum project cost criteria weighing factor shall not exceed 30%.

The Commission shall directly employ or retain a licensed design professional to evaluate the technical and cost submissions to determine if the technical submissions are in accordance with generally accepted industry standards.

Upon completion of the technical submissions and cost submissions evaluation, the Commission may award the design-build contract to the highest overall ranked entity.

(d) This Section is repealed on July 1, 2025 ~~June 1, 2023~~; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479, eff. 8-23-19.)

(50 ILCS 20/20.10)

(Section scheduled to be repealed on June 1, 2023)

Sec. 20.10. Small design-build projects. In any case where the total overall cost of the project is estimated to be less than $12,000,000, the Commission may combine the two-phase procedure for design-build selection described in Section 20.5 into one combined step, provided that all the requirements of evaluation are performed in accordance with Section 20.5.

This Section is repealed on July 1, 2025 ~~June 1, 2023~~; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479, eff. 8-23-19.)

(50 ILCS 20/20.15)

(Section scheduled to be repealed on June 1, 2023)

Sec. 20.15. Submission of design-build proposals. Design-build proposals must be properly identified and sealed. Proposals may not be reviewed until after the deadline for submission has passed as set forth in the request for proposals. All design-build entities submitting proposals shall be disclosed after the deadline for submission, and all design-build entities who are selected for Phase II evaluation shall also be disclosed at the time of that determination.

Phase II design-build proposals shall include a bid bond in the form and security as designated in the request for proposals. Proposals shall also contain a separate sealed envelope with the cost information within the overall proposal submission. Proposals shall include a list of all design professionals and other entities to which any work identified in Section 30-30 of the Illinois Procurement Code as a subdivision of construction work may be subcontracted during the performance of the contract.

Proposals must meet all material requirements of the request for proposal or they may be rejected as non-responsive. The Commission shall have the right to reject any and all proposals.

The drawings and specifications of any unsuccessful design-build proposal shall remain the property of the design-build entity.

The Commission shall review the proposals for compliance with the performance criteria and evaluation factors.

Proposals may be withdrawn prior to the due date and time for submissions for any cause. After evaluation begins by the Commission, clear and convincing evidence of error is required for withdrawal.

This Section is repealed on July 1, 2025 ~~June 1, 2023~~; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479, eff. 8-23-19.)

(50 ILCS 20/20.20)

(Section scheduled to be repealed on June 1, 2023)

Sec. 20.20. Design-build award. The Commission may award a design-build contract to the highest overall ranked entity. Notice of award shall be made in writing. Unsuccessful entities shall also be notified in writing. The Commission may not request a best and final offer after the receipt of proposals. The Commission may negotiate with the selected design-build entity after award but prior to contract execution for the purpose of securing better terms than originally proposed, provided that the salient features of the request for proposal are not diminished.

This Section is repealed on July 1, 2025 ~~June 1, 2023~~; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479, eff. 8-23-19.)

(50 ILCS 20/20.25)

(Section scheduled to be repealed on June 1, 2023)

Sec. 20.25. Minority and female owned enterprises; total construction budget.

(a) Each year, within 60 days following the end of a commission's fiscal year, the commission shall provide a report to the General Assembly addressing the utilization of minority and female owned business enterprises on design-build projects.

(b) The payments for design-build projects by any commission in one fiscal year shall not exceed 50% of the moneys spent on construction projects during the same fiscal year.

(c) This Section is repealed on July 1, 2025 ~~June 1, 2023~~; provided that any design-build contracts entered into before such date or any procurement of a project under this Act commenced before such date, and the contracts resulting from those procurements, shall remain effective.

(Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479, eff. 8-23-19.)

Section 7. The University of Illinois Act is amended by changing Section 115 as follows:

(110 ILCS 305/115)

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

Sec. 115. Water rates report.

(a) Subject to appropriation, no later than June 30, 2023 ~~December 1, 2022~~, the Government Finance Research Center at the University of Illinois at Chicago, in coordination with an intergovernmental advisory committee, must issue a report evaluating the setting of water rates throughout the Lake Michigan service area of northeastern Illinois and, no later than December 31 ~~1~~, 2024 ~~2023~~, for the remainder of Illinois. The report must provide recommendations for policy and regulatory needs at the State and local level based on its findings. The report shall, at a minimum, address all of the following areas:

(1) The components of a water bill.

(2) Reasons for increases in water rates.

(3) The definition of affordability throughout the State and any variances to that definition.

(4) Evidence of rate-setting that utilizes inappropriate practices.

(5) The extent to which State or local policies drive cost increases or variations in rate-settings.

(6) Challenges within economically disadvantaged communities in setting water rates.

(7) Opportunities for increased intergovernmental coordination for setting equitable water rates.

(b) In developing the report under this Section, the Government Finance Research Center shall form an advisory committee, which shall be composed of all of the following members:

(1) The Director of the Environmental Protection Agency, or his or her designee.

(2) The Director of Natural Resources, or his or her designee.

(3) The Director of Commerce and Economic Opportunity, or his or her designee.

(4) The Attorney General, or his or her designee.

(5) At least 2 members who are representatives of private water utilities operating in Illinois, appointed by the Director of the Government Finance Research Center.

(6) At least 4 members who are representatives of municipal water utilities, appointed by the Director of the Government Finance Research Center.

(7) One member who is a representative of an environmental justice advocacy organization, appointed by the Director of the Government Finance Research Center.

(8) One member who is a representative of a consumer advocacy organization, appointed by the Director of the Government Finance Research Center.

(9) One member who is a representative of an environmental planning organization that serves northeastern Illinois, appointed by the Director of the Government Finance Research Center.

(10) The Director of the Illinois State Water Survey, or his or her designee.

(11) The Chairperson of the Illinois Commerce Commission, or his or her designee.

(c) After all members are appointed, the committee shall hold its first meeting at the call of the Director of the Government Finance Research Center, at which meeting the members shall select a chairperson from among themselves. After its first meeting, the committee shall meet at the call of the chairperson. Members of the committee shall serve without compensation but may be reimbursed for their reasonable and necessary expenses incurred in performing their duties. The Government Finance Research Center shall provide administrative and other support to the committee.

(d) (Blank.) ~~No later than 60 days after August 23, 2019 (the effective date of Public Act 101-562), the Government Finance Research Center must provide an opportunity for public comment on the questions to be addressed in the report, the metrics to be used, and the recommendations that need to be issued.~~

(e) This Section is repealed on January 1, 2025 ~~2024~~.
(Source: P.A. 101-562, eff. 8-23-19; 102-507, eff. 8-20-21; 102-558, eff. 8-20-21.)

Section 9. The Sports Wagering Act is amended by changing Section 25-25 as follows:
(230 ILCS 45/25-25)
Sec. 25-25. Sports wagering authorized.
(a) Notwithstanding any provision of law to the contrary, the operation of sports wagering is only lawful when conducted in accordance with the provisions of this Act and the rules of the Illinois Gaming Board and the Department of the Lottery.
(b) A person placing a wager under this Act shall be at least 21 years of age.
(c) A licensee under this Act may not accept a wager on a minor league sports event.
(d) Except as otherwise provided in this Section, a licensee under this Act may not accept a wager for a sports event involving an Illinois collegiate team.
(d-5) Beginning on the effective date of this amendatory Act of the 102nd General Assembly until July 1, 2024 ~~July 1, 2023~~, a licensee under this Act may accept a wager for a sports event involving an Illinois collegiate team if:
(1) the wager is a tier 1 wager;
(2) the wager is not related to an individual athlete's performance; and
(3) the wager is made in person instead of over the Internet or through a mobile application.
(e) A licensee under this Act may only accept a wager from a person physically located in the State.
(f) Master sports wagering licensees may use any data source for determining the results of all tier 1 sports wagers.
(g) A sports governing body headquartered in the United States may notify the Board that it desires to supply official league data to master sports wagering licensees for determining the results of tier 2 sports wagers. Such notification shall be made in the form and manner as the Board may require. If a sports governing body does not notify the Board of its desire to supply official league data, a master sports wagering licensee may use any data source for determining the results of any and all tier 2 sports wagers on sports contests for that sports governing body.
Within 30 days of a sports governing body notifying the Board, master sports wagering licensees shall use only official league data to determine the results of tier 2 sports wagers on sports events sanctioned by that sports governing body, unless: (1) the sports governing body or designee cannot provide a feed of official league data to determine the results of a particular type of tier 2 sports wager, in which case master sports wagering licensees may use any data source for determining the results of the applicable tier 2 sports wager until such time as such data feed becomes available on commercially reasonable terms; or (2) a master sports wagering licensee can demonstrate to the Board that the sports governing body or its designee cannot provide a feed of official league data to the master sports wagering licensee on commercially reasonable terms. During the pendency of the Board's determination, such master sports wagering licensee may use any data source for determining the results of any and all tier 2 sports wagers.
(h) A licensee under this Act may not accept wagers on a kindergarten through 12th grade sports event.
(Source: P.A. 101-31, eff. 6-28-19; 102-689, eff. 12-17-21.)

Section 11. The Liquor Control Act of 1934 is amended by changing Section 6-28.8 as follows:
(235 ILCS 5/6-28.8)
(Section scheduled to be repealed on January 3, 2024)
Sec. 6-28.8. Delivery and carry out of mixed drinks permitted.
(a) In this Section:
"Cocktail" or "mixed drink" means any beverage obtained by combining ingredients alcoholic in nature, whether brewed, fermented, or distilled, with ingredients non-alcoholic in nature, such as fruit juice, lemonade, cream, or a carbonated beverage.
"Original container" means, for the purposes of this Section only, a container that is (i) filled, sealed, and secured by a retail licensee's employee at the retail licensee's location with a tamper-evident lid or cap or (ii) filled and labeled by the manufacturer and secured by the manufacturer's original unbroken seal.
"Sealed container" means a rigid container that contains a mixed drink or a single serving of wine, is new, has never been used, has a secured lid or cap designed to prevent consumption without removal of the lid or cap, and is tamper-evident. "Sealed container" includes a manufacturer's original container as defined

in this subsection. "Sealed container" does not include a container with a lid with sipping holes or openings for straws or a container made of plastic, paper, or polystyrene foam.

"Tamper-evident" means a lid or cap that has been sealed with tamper-evident covers, including, but not limited to, wax dip or heat shrink wrap.

(b) A cocktail, mixed drink, or single serving of wine placed in a sealed container by a retail licensee at the retail licensee's location or a manufacturer's original container may be transferred and sold for off-premises consumption if the following requirements are met:

(1) the cocktail, mixed drink, or single serving of wine is transferred within the licensed premises, by a curbside pickup, or by delivery by an employee of the retail licensee who:

(A) has been trained in accordance with Section 6-27.1 at the time of the sale;

(B) is at least 21 years of age; and

(C) upon delivery, verifies the age of the person to whom the cocktail, mixed drink, or single serving of wine is being delivered;

(2) if the employee delivering the cocktail, mixed drink, or single serving of wine is not able to safely verify a person's age or level of intoxication upon delivery, the employee shall cancel the sale of alcohol and return the product to the retail license holder;

(3) the sealed container is placed in the trunk of the vehicle or if there is no trunk, in the vehicle's rear compartment that is not readily accessible to the passenger area;

(4) except for a manufacturer's original container, a container filled and sealed at a retail licensee's location shall be affixed with a label or tag that contains the following information:

(A) the cocktail or mixed drink ingredients, type, and name of the alcohol;

(B) the name, license number, and address of the retail licensee that filled the original container and sold the product;

(C) the volume of the cocktail, mixed drink, or single serving of wine in the sealed container; and

(D) the sealed container was filled less than 7 days before the date of sale; and

(5) a manufacturer's original container shall be affixed with a label or tag that contains the name, license number, and address of the retail licensee that sold the product.

(c) Third-party delivery services are not permitted to deliver cocktails and mixed drinks under this Section.

(d) If there is an executive order of the Governor in effect during a disaster, the employee delivering the mixed drink, cocktail, or single serving of wine must comply with any requirements of that executive order, including, but not limited to, wearing gloves and a mask and maintaining distancing requirements when interacting with the public.

(e) Delivery or carry out of a cocktail, mixed drink, or single serving of wine is prohibited if:

(1) a third party delivers the cocktail or mixed drink;

(2) a container of a mixed drink, cocktail, or single serving of wine is not tamper-evident and sealed;

(3) a container of a mixed drink, cocktail, or single serving of wine is transported in the passenger area of a vehicle;

(4) a mixed drink, cocktail, or single serving of wine is delivered by a person or to a person who is under the age of 21; or

(5) the person delivering a mixed drink, cocktail, or single serving of wine fails to verify the age of the person to whom the mixed drink or cocktail is being delivered.

(f) Violations of this Section shall be subject to any applicable penalties, including, but not limited to, the penalties specified under Section 11-502 of the Illinois Vehicle Code.

(f-5) This Section is not intended to prohibit or preempt the ability of a brew pub, tap room, or distilling pub to continue to temporarily deliver alcoholic liquor pursuant to guidance issued by the State Commission on March 19, 2020 entitled "Illinois Liquor Control Commission, COVID-19 Related Actions, Guidance on Temporary Delivery of Alcoholic Liquor". This Section shall only grant authorization to holders of State of Illinois retail liquor licenses but not to licensees that simultaneously hold any licensure or privilege to manufacture alcoholic liquors within or outside of the State of Illinois.

(g) This Section is not a denial or limitation of home rule powers and functions under Section 6 of Article VII of the Illinois Constitution.

(h) This Section is repealed on August 1, 2028 ~~January 3, 2024~~.

(Source: P.A. 101-631, eff. 6-2-20; 102-8, eff. 6-2-21.)

(705 ILCS 135/20-5 rep.)

Section 12. The Criminal and Traffic Assessment Act is amended by repealing Section 20-5.

Section 15. The Criminal Code of 2012 is amended by changing Section 33G-9 as follows:

(720 ILCS 5/33G-9)

(Section scheduled to be repealed on June 11, 2023)

Sec. 33G-9. Repeal. This Article is repealed on June 1, 2025 ~~June 11, 2023~~.

(Source: P.A. 102-918, eff. 5-27-22.)

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

**AMENDMENT NO. 3 TO SENATE BILL 89**

AMENDMENT NO. 3 . Amend Senate Bill 89, AS AMENDED, with reference to page and line numbers of House Amendment No. 2, on page 29, by replacing lines 14 through 16, with the following:

"Section 12. The Clerks of Courts Act is amended by changing Section 27.1b as follows:

(705 ILCS 105/27.1b)

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

Sec. 27.1b. Circuit court clerk fees. Notwithstanding any other provision of law, all fees charged by the clerks of the circuit court for the services described in this Section shall be established, collected, and disbursed in accordance with this Section. Except as otherwise specified in this Section, all fees under this Section shall be paid in advance and disbursed by each clerk on a monthly basis. In a county with a population of over 3,000,000, units of local government and school districts shall not be required to pay fees under this Section in advance and the clerk shall instead send an itemized bill to the unit of local government or school district, within 30 days of the fee being incurred, and the unit of local government or school district shall be allowed at least 30 days from the date of the itemized bill to pay; these payments shall be disbursed by each clerk on a monthly basis. Unless otherwise specified in this Section, the amount of a fee shall be determined by ordinance or resolution of the county board and remitted to the county treasurer to be used for purposes related to the operation of the court system in the county. In a county with a population of over 3,000,000, any amount retained by the clerk of the circuit court or remitted to the county treasurer shall be subject to appropriation by the county board.

(a) Civil cases. The fee for filing a complaint, petition, or other pleading initiating a civil action shall be as set forth in the applicable schedule under this subsection in accordance with case categories established by the Supreme Court in schedules.

(1) SCHEDULE 1: not to exceed a total of $366 in a county with a population of 3,000,000 or more and not to exceed $316 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $190 through December 31, 2021 and $184 on and after January 1, 2022. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed $55 in a county with a population of 3,000,000 or more and in an amount not to exceed $45 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to $21 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions, as follows:

(i) up to $10, as specified by the Supreme Court in accordance with Part 10A of Article II of the Code of Civil Procedure, into the Mandatory Arbitration Fund;

(ii) $2 into the Access to Justice Fund; and

(iii) $9 into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed $290 in a county with a population of 3,000,000 or more and in an amount not to exceed $250 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(2) SCHEDULE 2: not to exceed a total of $357 in a county with a population of 3,000,000 or more and not to exceed $266 in any other county, except as applied to units of local government and

school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $190 through December 31, 2021 and $184 on and after January 1, 2022. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed $55 in a county with a population of 3,000,000 or more and in an amount not to exceed $45 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to $21 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions, as follows:

(i) up to $10, as specified by the Supreme Court in accordance with Part 10A of Article II of the Code of Civil Procedure, into the Mandatory Arbitration Fund;

(ii) $2 into the Access to Justice Fund: and

(iii) $9 into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed $281 in a county with a population of 3,000,000 or more and in an amount not to exceed $200 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(3) SCHEDULE 3: not to exceed a total of $265 in a county with a population of 3,000,000 or more and not to exceed $89 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $190 through December 31, 2021 and $184 on and after January 1, 2022. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed $55 in a county with a population of 3,000,000 or more and in an amount not to exceed $22 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit $11 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts in accordance with the clerk's instructions, as follows:

(i) $2 into the Access to Justice Fund; and

(ii) $9 into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed $199 in a county with a population of 3,000,000 or more and in an amount not to exceed $56 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(4) SCHEDULE 4: $0.

(b) Appearance. The fee for filing an appearance in a civil action, including a cannabis civil law action under the Cannabis Control Act, shall be as set forth in the applicable schedule under this subsection in accordance with case categories established by the Supreme Court in schedules.

(1) SCHEDULE 1: not to exceed a total of $230 in a county with a population of 3,000,000 or more and not to exceed $191 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $75. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed $50 in a county with a population of 3,000,000 or more and in an amount not to exceed $45 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to $21 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions, as follows:

(i) up to $10, as specified by the Supreme Court in accordance with Part 10A of Article II of the Code of Civil Procedure, into the Mandatory Arbitration Fund;

(ii) $2 into the Access to Justice Fund; and

(iii) $9 into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed $159 in a county with a population of 3,000,000 or more and in an amount not to exceed $125 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(2) SCHEDULE 2: not to exceed a total of $130 in a county with a population of 3,000,000 or more and not to exceed $109 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $75. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed $50 in a county with a population of 3,000,000 or more and in an amount not to exceed $10 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit $9 to the State Treasurer, which the State Treasurer shall deposit into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed $71 in a county with a population of 3,000,000 or more and in an amount not to exceed $90 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(3) SCHEDULE 3: $0.

(b-5) Kane County and Will County. In Kane County and Will County civil cases, there is an additional fee of up to $30 as set by the county board under Section 5-1101.3 of the Counties Code to be paid by each party at the time of filing the first pleading, paper, or other appearance; provided that no additional fee shall be required if more than one party is represented in a single pleading, paper, or other appearance. Distribution of fees collected under this subsection (b-5) shall be as provided in Section 5-1101.3 of the Counties Code.

(c) Counterclaim or third party complaint. When any defendant files a counterclaim or third party complaint, as part of the defendant's answer or otherwise, the defendant shall pay a filing fee for each counterclaim or third party complaint in an amount equal to the filing fee the defendant would have had to pay had the defendant brought a separate action for the relief sought in the counterclaim or third party complaint, less the amount of the appearance fee, if any, that the defendant has already paid in the action in which the counterclaim or third party complaint is filed.

(d) Alias summons. The clerk shall collect a fee not to exceed $6 in a county with a population of 3,000,000 or more and not to exceed $5 in any other county for each alias summons or citation issued by the clerk, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $5 for each alias summons or citation issued by the clerk.

(e) Jury services. The clerk shall collect, in addition to other fees allowed by law, a sum not to exceed $212.50, as a fee for the services of a jury in every civil action not quasi-criminal in its nature and not a proceeding for the exercise of the right of eminent domain and in every other action wherein the right of trial by jury is or may be given by law. The jury fee shall be paid by the party demanding a jury at the time of filing the jury demand. If the fee is not paid by either party, no jury shall be called in the action or proceeding, and the action or proceeding shall be tried by the court without a jury.

(f) Change of venue. In connection with a change of venue:

(1) The clerk of the jurisdiction from which the case is transferred may charge a fee, not to exceed $40, for the preparation and certification of the record; and

(2) The clerk of the jurisdiction to which the case is transferred may charge the same filing fee as if it were the commencement of a new suit.

(g) Petition to vacate or modify.

(1) In a proceeding involving a petition to vacate or modify any final judgment or order filed within 30 days after the judgment or order was entered, except for an eviction case, small claims case, petition to reopen an estate, petition to modify, terminate, or enforce a judgment or order for child or spousal support, or petition to modify, suspend, or terminate an order for withholding, the fee shall not exceed $60 in a county with a population of 3,000,000 or more and shall not exceed $50 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $50.

(2) In a proceeding involving a petition to vacate or modify any final judgment or order filed more than 30 days after the judgment or order was entered, except for a petition to modify, terminate, or enforce a judgment or order for child or spousal support, or petition to modify, suspend, or terminate an order for withholding, the fee shall not exceed $75.

(3) In a proceeding involving a motion to vacate or amend a final order, motion to vacate an ex parte judgment, judgment of forfeiture, or "failure to appear" or "failure to comply" notices sent to the Secretary of State, the fee shall equal $40.

(h) Appeals preparation. The fee for preparation of a record on appeal shall be based on the number of pages, as follows:

(1) if the record contains no more than 100 pages, the fee shall not exceed $70 in a county with a population of 3,000,000 or more and shall not exceed $50 in any other county;

(2) if the record contains between 100 and 200 pages, the fee shall not exceed $100; and

(3) if the record contains 200 or more pages, the clerk may collect an additional fee not to exceed 25 cents per page.

(i) Remands. In any cases remanded to the circuit court from the Supreme Court or the appellate court for a new trial, the clerk shall reinstate the case with either its original number or a new number. The clerk shall not charge any new or additional fee for the reinstatement. Upon reinstatement, the clerk shall advise the parties of the reinstatement. Parties shall have the same right to a jury trial on remand and reinstatement that they had before the appeal, and no additional or new fee or charge shall be made for a jury trial after remand.

(j) Garnishment, wage deduction, and citation. In garnishment affidavit, wage deduction affidavit, and citation petition proceedings:

(1) if the amount in controversy in the proceeding is not more than $1,000, the fee may not exceed $35 in a county with a population of 3,000,000 or more and may not exceed $15 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $15;

(2) if the amount in controversy in the proceeding is greater than $1,000 and not more than $5,000, the fee may not exceed $45 in a county with a population of 3,000,000 or more and may not exceed $30 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $30; and

(3) if the amount in controversy in the proceeding is greater than $5,000, the fee may not exceed $65 in a county with a population of 3,000,000 or more and may not exceed $50 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $50.

(j-5) Debt collection. In any proceeding to collect a debt subject to the exception in item (ii) of subparagraph (A-5) of paragraph (1) of subsection (z) of this Section, the circuit court shall order and the clerk shall collect from each judgment debtor a fee of:

(1) $35 if the amount in controversy in the proceeding is not more than $1,000;

(2) $45 if the amount in controversy in the proceeding is greater than $1,000 and not more than $5,000; and

(3) $65 if the amount in controversy in the proceeding is greater than $5,000.

(k) Collections.

(1) For all collections made of others, except the State and county and except in maintenance or child support cases, the clerk may collect a fee of up to 2.5% of the amount collected and turned over.

(2) In child support and maintenance cases, the clerk may collect an annual fee of up to $36 from the person making payment for maintaining child support records and the processing of support orders to the State of Illinois KIDS system and the recording of payments issued by the State Disbursement Unit for the official record of the Court. This fee is in addition to and separate from amounts ordered to be paid as maintenance or child support and shall be deposited into a Separate Maintenance and Child Support Collection Fund, of which the clerk shall be the custodian, ex officio, to be used by the clerk to maintain child support orders and record all payments issued by the State Disbursement Unit for the official record of the Court. The clerk may recover from the person making the maintenance or child support payment any additional cost incurred in the collection of this annual fee.

(3) The clerk may collect a fee of $5 for certifications made to the Secretary of State as provided in Section 7-703 of the Illinois Vehicle Code, and this fee shall be deposited into the Separate Maintenance and Child Support Collection Fund.

(4) In proceedings to foreclose the lien of delinquent real estate taxes, State's Attorneys shall receive a fee of 10% of the total amount realized from the sale of real estate sold in the proceedings. The clerk shall collect the fee from the total amount realized from the sale of the real estate sold in the

proceedings and remit to the County Treasurer to be credited to the earnings of the Office of the State's Attorney.

(l) Mailing. The fee for the clerk mailing documents shall not exceed $10 plus the cost of postage.

(m) Certified copies. The fee for each certified copy of a judgment, after the first copy, shall not exceed $10.

(n) Certification, authentication, and reproduction.

(1) The fee for each certification or authentication for taking the acknowledgment of a deed or other instrument in writing with the seal of office shall not exceed $6.

(2) The fee for reproduction of any document contained in the clerk's files shall not exceed:

(A) $2 for the first page;

(B) 50 cents per page for the next 19 pages; and

(C) 25 cents per page for all additional pages.

(o) Record search. For each record search, within a division or municipal district, the clerk may collect a search fee not to exceed $6 for each year searched.

(p) Hard copy. For each page of hard copy print output, when case records are maintained on an automated medium, the clerk may collect a fee not to exceed $10 in a county with a population of 3,000,000 or more and not to exceed $6 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $6.

(q) Index inquiry and other records. No fee shall be charged for a single plaintiff and defendant index inquiry or single case record inquiry when this request is made in person and the records are maintained in a current automated medium, and when no hard copy print output is requested. The fees to be charged for management records, multiple case records, and multiple journal records may be specified by the Chief Judge pursuant to the guidelines for access and dissemination of information approved by the Supreme Court.

(r) Performing a marriage. There shall be a $10 fee for performing a marriage in court.

(s) Voluntary assignment. For filing each deed of voluntary assignment, the clerk shall collect a fee not to exceed $20. For recording a deed of voluntary assignment, the clerk shall collect a fee not to exceed 50 cents for each 100 words. Exceptions filed to claims presented to an assignee of a debtor who has made a voluntary assignment for the benefit of creditors shall be considered and treated, for the purpose of taxing costs therein, as actions in which the party or parties filing the exceptions shall be considered as party or parties plaintiff, and the claimant or claimants as party or parties defendant, and those parties respectively shall pay to the clerk the same fees as provided by this Section to be paid in other actions.

(t) Expungement petition. The clerk may collect a fee not to exceed $60 for each expungement petition filed and an additional fee not to exceed $4 for each certified copy of an order to expunge arrest records.

(u) Transcripts of judgment. For the filing of a transcript of judgment, the clerk may collect the same fee as if it were the commencement of a new suit.

(v) Probate filings.

(1) For each account (other than one final account) filed in the estate of a decedent, or ward, the fee shall not exceed $25.

(2) For filing a claim in an estate when the amount claimed is greater than $150 and not more than $500, the fee shall not exceed $40 in a county with a population of 3,000,000 or more and shall not exceed $25 in any other county; when the amount claimed is greater than $500 and not more than $10,000, the fee shall not exceed $55 in a county with a population of 3,000,000 or more and shall not exceed $40 in any other county; and when the amount claimed is more than $10,000, the fee shall not exceed $75 in a county with a population of 3,000,000 or more and shall not exceed $60 in any other county; except the court in allowing a claim may add to the amount allowed the filing fee paid by the claimant.

(3) For filing in an estate a claim, petition, or supplemental proceeding based upon an action seeking equitable relief including the construction or contest of a will, enforcement of a contract to make a will, and proceedings involving testamentary trusts or the appointment of testamentary trustees, the fee shall not exceed $60.

(4) There shall be no fee for filing in an estate: (i) the appearance of any person for the purpose of consent; or (ii) the appearance of an executor, administrator, administrator to collect, guardian, guardian ad litem, or special administrator.

(5) For each jury demand, the fee shall not exceed $137.50.

(6) For each certified copy of letters of office, of court order, or other certification, the fee shall not exceed $2 per page.

(7) For each exemplification, the fee shall not exceed $2, plus the fee for certification.

(8) The executor, administrator, guardian, petitioner, or other interested person or his or her attorney shall pay the cost of publication by the clerk directly to the newspaper.

(9) The person on whose behalf a charge is incurred for witness, court reporter, appraiser, or other miscellaneous fees shall pay the same directly to the person entitled thereto.

(10) The executor, administrator, guardian, petitioner, or other interested person or his or her attorney shall pay to the clerk all postage charges incurred by the clerk in mailing petitions, orders, notices, or other documents pursuant to the provisions of the Probate Act of 1975.

(w) Corrections of numbers. For correction of the case number, case title, or attorney computer identification number, if required by rule of court, on any document filed in the clerk's office, to be charged against the party that filed the document, the fee shall not exceed $25.

(x) Miscellaneous.

(1) Interest earned on any fees collected by the clerk shall be turned over to the county general fund as an earning of the office.

(2) For any check, draft, or other bank instrument returned to the clerk for non-sufficient funds, account closed, or payment stopped, the clerk shall collect a fee of $25.

(y) Other fees. Any fees not covered in this Section shall be set by rule or administrative order of the circuit court with the approval of the Administrative Office of the Illinois Courts. The clerk of the circuit court may provide services in connection with the operation of the clerk's office, other than those services mentioned in this Section, as may be requested by the public and agreed to by the clerk and approved by the Chief Judge. Any charges for additional services shall be as agreed to between the clerk and the party making the request and approved by the Chief Judge. Nothing in this subsection shall be construed to require any clerk to provide any service not otherwise required by law.

(y-5) Unpaid fees. Unless a court ordered payment schedule is implemented or the fee requirements of this Section are waived under a court order, the clerk of the circuit court may add to any unpaid fees and costs under this Section a delinquency amount equal to 5% of the unpaid fees that remain unpaid after 30 days, 10% of the unpaid fees that remain unpaid after 60 days, and 15% of the unpaid fees that remain unpaid after 90 days. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be deposited into the Circuit Court Clerk Operations and Administration Fund and used to defray additional administrative costs incurred by the clerk of the circuit court in collecting unpaid fees and costs.

(z) Exceptions.

(1) No fee authorized by this Section shall apply to:

(A) police departments or other law enforcement agencies. In this Section, "law enforcement agency" means: an agency of the State or agency of a unit of local government which is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances; the Attorney General; or any State's Attorney;

(A-5) any unit of local government or school district, except in counties having a population of 500,000 or more the county board may by resolution set fees for units of local government or school districts no greater than the minimum fees applicable in counties with a population less than 3,000,000; provided however, no fee may be charged to any unit of local government or school district in connection with any action which, in whole or in part, is: (i) to enforce an ordinance; (ii) to collect a debt; or (iii) under the Administrative Review Law;

(B) any action instituted by the corporate authority of a municipality with more than 1,000,000 inhabitants under Section 11-31-1 of the Illinois Municipal Code and any action instituted under subsection (b) of Section 11-31-1 of the Illinois Municipal Code by a private owner or tenant of real property within 1,200 feet of a dangerous or unsafe building seeking an order compelling the owner or owners of the building to take any of the actions authorized under that subsection;

(C) any commitment petition or petition for an order authorizing the administration of psychotropic medication or electroconvulsive therapy under the Mental Health and Developmental Disabilities Code;

(D) a petitioner in any order of protection proceeding, including, but not limited to, fees for filing, modifying, withdrawing, certifying, or photocopying petitions for orders of

protection, issuing alias summons, any related filing service, or certifying, modifying, vacating, or photocopying any orders of protection; or

(E) proceedings for the appointment of a confidential intermediary under the Adoption Act.

(2) No fee other than the filing fee contained in the applicable schedule in subsection (a) shall be charged to any person in connection with an adoption proceeding.

(3) Upon good cause shown, the court may waive any fees associated with a special needs adoption. The term "special needs adoption" has the meaning provided by the Illinois Department of Children and Family Services.

~~(aa) This Section is repealed on January 1, 2024.~~

(Source: P.A. 101-645, eff. 6-26-20; 102-145, eff. 7-23-21; 102-278, eff. 8-6-21; 102-558, eff. 8-20-21; 102-813, eff. 5-13-22.)

(705 ILCS 135/20-5 rep.)

Section 14. The Criminal and Traffic Assessment Act is amended by repealing Section 20-5.".

Under the rules, the foregoing **Senate Bill No. 89**, with House Amendments numbered 1, 2 and 3, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 423

A bill for AN ACT concerning criminal law.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 423

Passed the House, as amended, May 19, 2023.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 423**

AMENDMENT NO. 1 . Amend Senate Bill 423 on page 23, line 19, by replacing "3" with "6"; and on page 24, line 1, by replacing "15" with "30".

Under the rules, the foregoing **Senate Bill No. 423**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1561

A bill for AN ACT concerning health.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1561

Passed the House, as amended, May 19, 2023.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 1561**

AMENDMENT NO. 1 . Amend Senate Bill 1561 by replacing everything after the enacting clause with the following:

"Section 5. "An Act concerning regulation", approved January 13, 2023, Public Act 102-1117, is amended by changing Section 99-99 as follows:

(P.A. 102-1117, Sec. 99-99)

Sec. 99-99. Effective date. This Act takes effect upon becoming law, except that Article 16 takes effect on January 1, 2025.
(Source: P.A. 102-1117, eff. 1-13-23.)

Section 10. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.11 as follows:

(5 ILCS 375/6.11)

(Text of Section before amendment by P.A. 102-768)

Sec. 6.11. Required health benefits; Illinois Insurance Code requirements. The program of health benefits shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x, 356z.2, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, ~~and~~ 356z.60, and 356z.62 of the Illinois Insurance Code. The program of health benefits must comply with Sections 155.22a, 155.37, 355b, 356z.19, 370c, and 370c.1 and Article XXXIIB of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section with respect to Sections 370c and 370c.1 of the Illinois Insurance Code; all other requirements of this Section shall be enforced by the Department of Central Management Services.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.
(Source: P.A. 101-13, eff. 6-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-452, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; revised 12-13-22.)

(Text of Section after amendment by P.A. 102-768)

Sec. 6.11. Required health benefits; Illinois Insurance Code requirements. The program of health benefits shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x, 356z.2, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59, ~~and~~ 356z.60, and 356z.62 of the Illinois Insurance Code. The program of health benefits must comply with Sections 155.22a, 155.37, 355b, 356z.19, 370c, and 370c.1 and Article XXXIIB of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section with respect to Sections 370c and 370c.1 of the Illinois Insurance Code; all other requirements of this Section shall be enforced by the Department of Central Management Services.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.
(Source: P.A. 101-13, eff. 6-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-452, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-768, eff. 1-1-24; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

Section 15. The Criminal Identification Act is amended by changing Section 3.2 as follows:

(20 ILCS 2630/3.2) (from Ch. 38, par. 206-3.2)

Sec. 3.2. (a) It is the duty of any person conducting or operating a medical facility, or any physician or nurse as soon as treatment permits to notify the local law enforcement agency of that jurisdiction upon

the application for treatment of a person who is not accompanied by a law enforcement officer, when it reasonably appears that the person requesting treatment has received:

(1) any injury resulting from the discharge of a firearm; or

(2) any injury sustained in the commission of or as a victim of a criminal offense.

Any hospital, physician or nurse shall be forever held harmless from any civil liability for their reasonable compliance with the provisions of this Section.

(b) Notwithstanding subsection (a), nothing in this Section shall be construed to require the reporting of lawful health care activity, whether such activity may constitute a violation of another state's law.

(c) As used in this Section:

"Lawful health care" means:

(1) reproductive health care that is not unlawful under the laws of this State or was not unlawful under the laws of this State as of January 13, 2023 (the effective date of Public Act 102-1117), including on any theory of vicarious, joint, several, or conspiracy liability; or

(2) the treatment of gender dysphoria or the affirmation of an individual's gender identity or gender expression, including but not limited to, all supplies, care, and services of a medical, behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative, rehabilitative, or supportive nature that is not unlawful under the laws of this State or was not unlawful under the laws of this State as of January 13, 2023 (the effective date of Public Act 102-1117), including on any theory of vicarious, joint, several, or conspiracy liability.

"Lawful health care activity" means seeking, providing, receiving, assisting in seeking, providing, or receiving, providing material support for, or traveling to obtain lawful health care.

(Source: P.A. 102-1117, eff. 1-13-23.)

Section 20. The Counties Code is amended by changing Section 5-1069.3 as follows:

(55 ILCS 5/5-1069.3)

Sec. 5-1069.3. Required health benefits. If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, ~~and~~ 356z.60, and 356z.62 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, 356z.19, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section. The requirement that health benefits be covered as provided in this Section is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule county to which this Section applies must comply with every provision of this Section.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

Section 25. The Illinois Municipal Code is amended by changing Section 10-4-2.3 as follows:

(65 ILCS 5/10-4-2.3)

Sec. 10-4-2.3. Required health benefits. If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41,

356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, ~~and~~ 356z.60, and 356z.62 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, 356z.19, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section. The requirement that health benefits be covered as provided in this is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule municipality to which this Section applies must comply with every provision of this Section.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

Section 30. The School Code is amended by changing Section 10-22.3f as follows:

(105 ILCS 5/10-22.3f)

Sec. 10-22.3f. Required health benefits. Insurance protection and benefits for employees shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, ~~and~~ 356z.60, and 356z.62 of the Illinois Insurance Code. Insurance policies shall comply with Section 356z.19 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

Section 35. The Illinois Insurance Code is amended by changing Section 356z.4 and by adding Section 356z.62 as follows:

(215 ILCS 5/356z.4)

Sec. 356z.4. Coverage for contraceptives.

(a)(1) The General Assembly hereby finds and declares all of the following:

(A) Illinois has a long history of expanding timely access to birth control to prevent unintended pregnancy.

(B) The federal Patient Protection and Affordable Care Act includes a contraceptive coverage guarantee as part of a broader requirement for health insurance to cover key preventive care services without out-of-pocket costs for patients.

(C) The General Assembly intends to build on existing State and federal law to promote gender equity and women's health and to ensure greater contraceptive coverage equity and timely access to all federal Food and Drug Administration approved methods of birth control for all individuals covered by an individual or group health insurance policy in Illinois.

(D) Medical management techniques such as denials, step therapy, or prior authorization in public and private health care coverage can impede access to the most effective contraceptive methods.

(2) As used in this subsection (a):

"Contraceptive services" includes consultations, examinations, procedures, and medical services related to the use of contraceptive methods (including natural family planning) to prevent an unintended pregnancy.

"Medical necessity", for the purposes of this subsection (a), includes, but is not limited to, considerations such as severity of side effects, differences in permanence and reversibility of contraceptive, and ability to adhere to the appropriate use of the item or service, as determined by the attending provider.

"Therapeutic equivalent version" means drugs, devices, or products that can be expected to have the same clinical effect and safety profile when administered to patients under the conditions specified in the labeling and satisfy the following general criteria:

(i) they are approved as safe and effective;

(ii) they are pharmaceutical equivalents in that they (A) contain identical amounts of the same active drug ingredient in the same dosage form and route of administration and (B) meet compendial or other applicable standards of strength, quality, purity, and identity;

(iii) they are bioequivalent in that (A) they do not present a known or potential bioequivalence problem and they meet an acceptable in vitro standard or (B) if they do present such a known or potential problem, they are shown to meet an appropriate bioequivalence standard;

(iv) they are adequately labeled; and

(v) they are manufactured in compliance with Current Good Manufacturing Practice regulations.

(3) An individual or group policy of accident and health insurance amended, delivered, issued, or renewed in this State after the effective date of this amendatory Act of the 99th General Assembly shall provide coverage for all of the following services and contraceptive methods:

(A) All contraceptive drugs, devices, and other products approved by the United States Food and Drug Administration. This includes all over-the-counter contraceptive drugs, devices, and products approved by the United States Food and Drug Administration, excluding male condoms, except as provided in the current comprehensive guidelines supported by the Health Resources and Services Administration. The following apply:

(i) If the United States Food and Drug Administration has approved one or more therapeutic equivalent versions of a contraceptive drug, device, or product, a policy is not required to include all such therapeutic equivalent versions in its formulary, so long as at least one is included and covered without cost-sharing and in accordance with this Section.

(ii) If an individual's attending provider recommends a particular service or item approved by the United States Food and Drug Administration based on a determination of medical necessity with respect to that individual, the plan or issuer must cover that service or item without cost sharing. The plan or issuer must defer to the determination of the attending provider.

(iii) If a drug, device, or product is not covered, plans and issuers must have an easily accessible, transparent, and sufficiently expedient process that is not unduly burdensome on the individual or a provider or other individual acting as a patient's authorized representative to ensure coverage without cost sharing.

(iv) This coverage must provide for the dispensing of 12 months' worth of contraception at one time.

(B) Voluntary sterilization procedures.

(C) Contraceptive services, patient education, and counseling on contraception.

(D) Follow-up services related to the drugs, devices, products, and procedures covered under this Section, including, but not limited to, management of side effects, counseling for continued adherence, and device insertion and removal.

(4) Except as otherwise provided in this subsection (a), a policy subject to this subsection (a) shall not impose a deductible, coinsurance, copayment, or any other cost-sharing requirement on the coverage provided. The provisions of this paragraph do not apply to coverage of voluntary male sterilization procedures to the extent such coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to the federal Internal Revenue Code, 26 U.S.C. 223.

(5) Except as otherwise authorized under this subsection (a), a policy shall not impose any restrictions or delays on the coverage required under this subsection (a).

(6) If, at any time, the Secretary of the United States Department of Health and Human Services, or its successor agency, promulgates rules or regulations to be published in the Federal Register or publishes a

comment in the Federal Register or issues an opinion, guidance, or other action that would require the State, pursuant to any provision of the Patient Protection and Affordable Care Act (Public Law 111-148), including, but not limited to, 42 U.S.C. 18031(d)(3)(B) or any successor provision, to defray the cost of any coverage outlined in this subsection (a), then this subsection (a) is inoperative with respect to all coverage outlined in this subsection (a) other than that authorized under Section 1902 of the Social Security Act, 42 U.S.C. 1396a, and the State shall not assume any obligation for the cost of the coverage set forth in this subsection (a).

(b) This subsection (b) shall become operative if and only if subsection (a) becomes inoperative.

An individual or group policy of accident and health insurance amended, delivered, issued, or renewed in this State after the date this subsection (b) becomes operative that provides coverage for outpatient services and outpatient prescription drugs or devices must provide coverage for the insured and any dependent of the insured covered by the policy for all outpatient contraceptive services and all outpatient contraceptive drugs and devices approved by the Food and Drug Administration. Coverage required under this Section may not impose any deductible, coinsurance, waiting period, or other cost-sharing or limitation that is greater than that required for any outpatient service or outpatient prescription drug or device otherwise covered by the policy.

Nothing in this subsection (b) shall be construed to require an insurance company to cover services related to permanent sterilization that requires a surgical procedure.

As used in this subsection (b), "outpatient contraceptive service" means consultations, examinations, procedures, and medical services, provided on an outpatient basis and related to the use of contraceptive methods (including natural family planning) to prevent an unintended pregnancy.

(c) (Blank).

(d) If a plan or issuer utilizes a network of providers, nothing in this Section shall be construed to require coverage or to prohibit the plan or issuer from imposing cost-sharing for items or services described in this Section that are provided or delivered by an out-of-network provider, unless the plan or issuer does not have in its network a provider who is able to or is willing to provide the applicable items or services.

(Source: P.A. 100-1102, eff. 1-1-19; 101-13, eff. 6-12-19.)

(215 ILCS 5/356z.62 new)

Sec. 356z.62. Coverage of preventive health services.

(a) A policy of group health insurance coverage or individual health insurance coverage as defined in Section 5 of the Illinois Health Insurance Portability and Accountability Act shall, at a minimum, provide coverage for and shall not impose any cost-sharing requirements, including a copayment, coinsurance, or deductible, for:

(1) evidence-based items or services that have in effect a rating of "A" or "B" in the current recommendations of the United States Preventive Services Task Force;

(2) immunizations that have in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention with respect to the individual involved;

(3) with respect to infants, children, and adolescents, evidence-informed preventive care and screenings provided for in the comprehensive guidelines supported by the Health Resources and Services Administration; and

(4) with respect to women, such additional preventive care and screenings not described in paragraph (1) of this subsection (a) as provided for in comprehensive guidelines supported by the Health Resources and Services Administration for purposes of this paragraph.

(b) For purposes of this Section, and for purposes of any other provision of State law, recommendations of the United States Preventive Services Task Force regarding breast cancer screening, mammography, and prevention issued in or around November 2009 are not considered to be current.

(c) For office visits:

(1) if an item or service described in subsection (a) is billed separately or is tracked as individual encounter data separately from an office visit, then a policy may impose cost-sharing requirements with respect to the office visit;

(2) if an item or service described in subsection (a) is not billed separately or is not tracked as individual encounter data separately from an office visit and the primary purpose of the office visit is the delivery of such an item or service, then a policy may not impose cost-sharing requirements with respect to the office visit; and

(3) if an item or service described in subsection (a) is not billed separately or is not tracked as individual encounter data separately from an office visit and the primary purpose of the office visit is not the delivery of such an item or service, then a policy may impose cost-sharing requirements with respect to the office visit.

(d) A policy must provide coverage pursuant to subsection (a) for plan or policy years that begin on or after the date that is one year after the date the recommendation or guideline is issued. If a recommendation or guideline is in effect on the first day of the plan or policy year, the policy shall cover the items and services specified in the recommendation or guideline through the last day of the plan or policy year unless either:

(1) a recommendation under paragraph (1) of subsection (a) is downgraded to a "D" rating; or

(2) the item or service is subject to a safety recall or is otherwise determined to pose a significant safety concern by a federal agency authorized to regulate the item or service during the plan or policy year.

(e) Network limitations.

(1) Subject to paragraph (3) of this subsection, nothing in this Section requires coverage for items or services described in subsection (a) that are delivered by an out-of-network provider under a health maintenance organization health care plan, other than a point-of-service contract, or under a voluntary health services plan that generally excludes coverage for out-of-network services except as otherwise required by law.

(2) Subject to paragraph (3) of this subsection, nothing in this Section precludes a policy with a preferred provider program under Article XX-1/2 of this Code, a health maintenance organization point-of-service contract, or a similarly designed voluntary health services plan from imposing cost-sharing requirements for items or services described in subsection (a) that are delivered by an out-of-network provider.

(3) If a policy does not have in its network a provider who can provide an item or service described in subsection (a), then the policy must cover the item or service when performed by an out-of-network provider and it may not impose cost-sharing with respect to the item or service.

(f) Nothing in this Section prevents a company from using reasonable medical management techniques to determine the frequency, method, treatment, or setting for an item or service described in subsection (a) to the extent not specified in the recommendation or guideline.

(g) Nothing in this Section shall be construed to prohibit a policy from providing coverage for items or services in addition to those required under subsection (a) or from denying coverage for items or services that are not required under subsection (a). Unless prohibited by other law, a policy may impose cost-sharing requirements for a treatment not described in subsection (a) even if the treatment results from an item or service described in subsection (a). Nothing in this Section shall be construed to limit coverage requirements provided under other law.

(h) The Director may develop guidelines to permit a company to utilize value-based insurance designs. In the absence of guidelines developed by the Director, any such guidelines developed by the Secretary of the U.S. Department of Health and Human Services that are in force under 42 U.S.C. 300gg-13 shall apply.

(i) For student health insurance coverage as defined at 45 CFR 147.145, student administrative health fees are not considered cost-sharing requirements with respect to preventive services specified under subsection (a). As used in this subsection, "student administrative health fee" means a fee charged by an institution of higher education on a periodic basis to its students to offset the cost of providing health care through health clinics regardless of whether the students utilize the health clinics or enroll in student health insurance coverage.

(j) For any recommendation or guideline specifically referring to women or men, a company shall not deny or limit the coverage required or a claim made under subsection (a) based solely on the individual's recorded sex or actual or perceived gender identity, or for the reason that the individual is gender nonconforming, intersex, transgender, or has undergone, or is in the process of undergoing, gender transition, if, notwithstanding the sex or gender assigned at birth, the covered individual meets the conditions for the recommendation or guideline at the time the item or service is furnished.

(k) This Section does not apply to grandfathered health plans, excepted benefits, or short-term, limited-duration health insurance coverage.

Section 40. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

(215 ILCS 125/5-3) (from Ch. 111 1/2, par. 1411.2)

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.22a, 355.2, 355.3, 355b, 355c, 356g.5-1, 356m, 356q, 356v, 356w, 356x, 356y, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.18, 356z.19, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.30a, 356z.32, 356z.33, 356z.35, 356z.36, 356z.40, 356z.41, 356z.46, 356z.47, 356z.48, 356z.50, 356z.51, 356z.53 ~~256z.53~~, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.62, 364, 364.01, 364.3, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370c, 370c.1, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and XXXIIB of the Illinois Insurance Code.

(b) For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, Health Maintenance Organizations in the following categories are deemed to be "domestic companies":

(1) a corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act;

(2) a corporation organized under the laws of this State; or

(3) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a "domestic company" under Article VIII 1/2 of the Illinois Insurance Code.

(c) In considering the merger, consolidation, or other acquisition of control of a Health Maintenance Organization pursuant to Article VIII 1/2 of the Illinois Insurance Code,

(1) the Director shall give primary consideration to the continuation of benefits to enrollees and the financial conditions of the acquired Health Maintenance Organization after the merger, consolidation, or other acquisition of control takes effect;

(2)(i) the criteria specified in subsection (1)(b) of Section 131.8 of the Illinois Insurance Code shall not apply and (ii) the Director, in making his determination with respect to the merger, consolidation, or other acquisition of control, need not take into account the effect on competition of the merger, consolidation, or other acquisition of control;

(3) the Director shall have the power to require the following information:

(A) certification by an independent actuary of the adequacy of the reserves of the Health Maintenance Organization sought to be acquired;

(B) pro forma financial statements reflecting the combined balance sheets of the acquiring company and the Health Maintenance Organization sought to be acquired as of the end of the preceding year and as of a date 90 days prior to the acquisition, as well as pro forma financial statements reflecting projected combined operation for a period of 2 years;

(C) a pro forma business plan detailing an acquiring party's plans with respect to the operation of the Health Maintenance Organization sought to be acquired for a period of not less than 3 years; and

(D) such other information as the Director shall require.

(d) The provisions of Article VIII 1/2 of the Illinois Insurance Code and this Section 5-3 shall apply to the sale by any health maintenance organization of greater than 10% of its enrollee population (including without limitation the health maintenance organization's right, title, and interest in and to its health care certificates).

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be managed or serviced, and (ii) need not take into account the effect of the management contract or service agreement on competition.

(f) Except for small employer groups as defined in the Small Employer Rating, Renewability and Portability Health Insurance Act and except for medicare supplement policies as defined in Section 363 of

the Illinois Insurance Code, a Health Maintenance Organization may by contract agree with a group or other enrollment unit to effect refunds or charge additional premiums under the following terms and conditions:

(i) the amount of, and other terms and conditions with respect to, the refund or additional premium are set forth in the group or enrollment unit contract agreed in advance of the period for which a refund is to be paid or additional premium is to be charged (which period shall not be less than one year); and

(ii) the amount of the refund or additional premium shall not exceed 20% of the Health Maintenance Organization's profitable or unprofitable experience with respect to the group or other enrollment unit for the period (and, for purposes of a refund or additional premium, the profitable or unprofitable experience shall be calculated taking into account a pro rata share of the Health Maintenance Organization's administrative and marketing expenses, but shall not include any refund to be made or additional premium to be paid pursuant to this subsection (f)). The Health Maintenance Organization and the group or enrollment unit may agree that the profitable or unprofitable experience may be calculated taking into account the refund period and the immediately preceding 2 plan years.

The Health Maintenance Organization shall include a statement in the evidence of coverage issued to each enrollee describing the possibility of a refund or additional premium, and upon request of any group or enrollment unit, provide to the group or enrollment unit a description of the method used to calculate (1) the Health Maintenance Organization's profitable experience with respect to the group or enrollment unit and the resulting refund to the group or enrollment unit or (2) the Health Maintenance Organization's unprofitable experience with respect to the group or enrollment unit and the resulting additional premium to be paid by the group or enrollment unit.

In no event shall the Illinois Health Maintenance Organization Guaranty Association be liable to pay any contractual obligation of an insolvent organization to pay any refund authorized under this Section.

(g) Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 101-13, eff. 6-12-19; 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-371, eff. 1-1-20; 101-393, eff. 1-1-20; 101-452, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-34, eff. 6-25-21; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-589, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-775, eff. 5-13-22; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-901, eff. 7-1-22; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; revised 1-22-23.)

Section 45. The Voluntary Health Services Plans Act is amended by changing Section 10 as follows:

(215 ILCS 165/10) (from Ch. 32, par. 604)

Sec. 10. Application of Insurance Code provisions. Health services plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA and XII 1/2 and Sections 3.1, 133, 136, 139, 140, 143, 143c, 149, 155.22a, 155.37, 354, 355.2, 355.3, 355b, 356g, 356g.5, 356g.5-1, 356q, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.18, 356z.19, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.30a, 356z.32, 356z.33, 356z.40, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.62, 364.01, 364.3, 367.2, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7) and (15) of Section 367 of the Illinois Insurance Code.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 101-13, eff. 6-12-19; 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-775, eff. 5-13-22; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-901, eff. 7-1-22; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

Section 50. The Medical Practice Act of 1987 is amended by changing Section 18 as follows:

(225 ILCS 60/18) (from Ch. 111, par. 4400-18)
(Section scheduled to be repealed on January 1, 2027)
Sec. 18. Visiting professor, physician, or resident permits.
(A) Visiting professor permit.

(1) A visiting professor permit shall entitle a person to practice medicine in all of its branches or to practice the treatment of human ailments without the use of drugs and without operative surgery provided:

(a) the person maintains an equivalent authorization to practice medicine in all of its branches or to practice the treatment of human ailments without the use of drugs and without operative surgery in good standing in his or her native licensing jurisdiction during the period of the visiting professor permit;

(b) the person has received a faculty appointment to teach in a medical, osteopathic or chiropractic school in Illinois; and

(c) the Department may prescribe the information necessary to establish an applicant's eligibility for a permit. This information shall include without limitation (i) a statement from the dean of the medical school at which the applicant will be employed describing the applicant's qualifications and (ii) a statement from the dean of the medical school listing every affiliated institution in which the applicant will be providing instruction as part of the medical school's education program and justifying any clinical activities at each of the institutions listed by the dean.

(2) Application for visiting professor permits shall be made to the Department, in writing, on forms prescribed by the Department and shall be accompanied by the required fee established by rule, which shall not be refundable. Any application shall require the information as, in the judgment of the Department, will enable the Department to pass on the qualifications of the applicant.

(3) A visiting professor permit shall be valid for no longer than 2 years from the date of issuance or until the time the faculty appointment is terminated, whichever occurs first, and may be renewed only in accordance with subdivision (A)(6) of this Section.

(4) The applicant may be required to appear before the Medical Board for an interview prior to, and as a requirement for, the issuance of the original permit and the renewal.

(5) Persons holding a permit under this Section shall only practice medicine in all of its branches or practice the treatment of human ailments without the use of drugs and without operative surgery in the State of Illinois in their official capacity under their contract within the medical school itself and any affiliated institution in which the permit holder is providing instruction as part of the medical school's educational program and for which the medical school has assumed direct responsibility.

(6) After the initial renewal of a visiting professor permit, a visiting professor permit shall be valid until the last day of the next physician license renewal period, as set by rule, and may only be renewed for applicants who meet the following requirements:

(i) have obtained the required continuing education hours as set by rule; and

(ii) have paid the fee prescribed for a license under Section 21 of this Act.

For initial renewal, the visiting professor must successfully pass a general competency examination authorized by the Department by rule, unless he or she was issued an initial visiting professor permit on or after January 1, 2007, but prior to July 1, 2007.

(B) Visiting physician permit.

(1) The Department may, in its discretion, issue a temporary visiting physician permit, without examination, provided:

(a) (blank);

(b) that the person maintains an equivalent authorization to practice medicine in all of its branches or to practice the treatment of human ailments without the use of drugs and without operative surgery in good standing in his or her native licensing jurisdiction during the period of the temporary visiting physician permit;

(c) that the person has received an invitation or appointment to study, demonstrate, or perform a specific medical, osteopathic, chiropractic or clinical subject or technique in a medical, osteopathic, or chiropractic school, a state or national medical, osteopathic, or chiropractic professional association or society conference or meeting, a hospital licensed under

the Hospital Licensing Act, a hospital organized under the University of Illinois Hospital Act, or a facility operated pursuant to the Ambulatory Surgical Treatment Center Act; and

(d) that the temporary visiting physician permit shall only permit the holder to practice medicine in all of its branches or practice the treatment of human ailments without the use of drugs and without operative surgery within the scope of the medical, osteopathic, chiropractic, or clinical studies, or in conjunction with the state or national medical, osteopathic, or chiropractic professional association or society conference or meeting, for which the holder was invited or appointed.

(2) The application for the temporary visiting physician permit shall be made to the Department, in writing, on forms prescribed by the Department, and shall be accompanied by the required fee established by rule, which shall not be refundable. The application shall require information that, in the judgment of the Department, will enable the Department to pass on the qualification of the applicant, and the necessity for the granting of a temporary visiting physician permit.

(3) A temporary visiting physician permit shall be valid for no longer than (i) 180 days from the date of issuance or (ii) until the time the medical, osteopathic, chiropractic, or clinical studies are completed, or the state or national medical, osteopathic, or chiropractic professional association or society conference or meeting has concluded, whichever occurs first. The temporary visiting physician permit may be issued multiple times to a visiting physician under this paragraph (3) as long as the total number of days it is active do not exceed 180 days within a 365-day period.

(4) The applicant for a temporary visiting physician permit may be required to appear before the Medical Board for an interview prior to, and as a requirement for, the issuance of a temporary visiting physician permit.

(5) A limited temporary visiting physician permit shall be issued to a physician licensed in another state who has been requested to perform emergency procedures in Illinois if he or she meets the requirements as established by rule.

(C) Visiting resident permit.

(1) The Department may, in its discretion, issue a temporary visiting resident permit, without examination, provided:

(a) (blank);

(b) that the person maintains an equivalent authorization to practice medicine in all of its branches or to practice the treatment of human ailments without the use of drugs and without operative surgery in good standing in his or her native licensing jurisdiction during the period of the temporary visiting resident permit;

(c) that the applicant is enrolled in a postgraduate clinical training program outside the State of Illinois that is approved by the Department;

(d) that the individual has been invited or appointed for a specific period of time to perform a portion of that post graduate clinical training program under the supervision of an Illinois licensed physician in an Illinois patient care clinic or facility that is affiliated with the out-of-State post graduate training program; and

(e) that the temporary visiting resident permit shall only permit the holder to practice medicine in all of its branches or practice the treatment of human ailments without the use of drugs and without operative surgery within the scope of the medical, osteopathic, chiropractic or clinical studies for which the holder was invited or appointed.

(2) The application for the temporary visiting resident permit shall be made to the Department, in writing, on forms prescribed by the Department, and shall be accompanied by the required fee established by rule. The application shall require information that, in the judgment of the Department, will enable the Department to pass on the qualifications of the applicant.

(3) A temporary visiting resident permit shall be valid for 180 days from the date of issuance or until the time the medical, osteopathic, chiropractic, or clinical studies are completed, whichever occurs first.

(4) The applicant for a temporary visiting resident permit may be required to appear before the Medical Board for an interview prior to, and as a requirement for, the issuance of a temporary visiting resident permit.

(D) Postgraduate training exemption period; visiting rotations. A person may participate in visiting rotations in an approved postgraduate training program, not to exceed a total of 90 days for all rotations, if the following information is submitted in writing or electronically to the Department by the patient care clinics or facilities where the person will be performing the training or by an affiliated program:

(1) The person who has been invited or appointed to perform a portion of their postgraduate clinical training program in Illinois.

(2) The name and address of the primary patient care clinic or facility, the date the training is to begin, and the length of time of the invitation or appointment.

(3) The name and license number of the Illinois physician who will be responsible for supervising the trainee and the medical director or division director of the department or facility.

(4) Certification from the postgraduate training program that the person is approved and enrolled in an graduate training program approved by the Department in their home state.

(Source: P.A. 102-20, eff. 1-1-22.)

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.".

Under the rules, the foregoing **Senate Bill No. 1561**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 800

A bill for AN ACT concerning regulation.

SENATE BILL NO. 851

A bill for AN ACT concerning State government.

SENATE BILL NO. 895

A bill for AN ACT concerning transportation.

SENATE BILL NO. 1068

A bill for AN ACT concerning government.

SENATE BILL NO. 1072

A bill for AN ACT concerning government.

SENATE BILL NO. 1160

A bill for AN ACT concerning safety.

Passed the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1543

A bill for AN ACT concerning local government.

Passed the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 1286

A bill for AN ACT concerning health.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1286

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 1342

A bill for AN ACT concerning local government.

Which amendments are as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 1342

Senate Amendment No. 5 to HOUSE BILL NO. 1342

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 1363

A bill for AN ACT concerning civil law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1363

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 1364

A bill for AN ACT concerning government.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1364

Senate Amendment No. 2 to HOUSE BILL NO. 1364

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2041

A bill for AN ACT concerning education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2041

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 2054

A bill for AN ACT concerning the Department of Juvenile Justice.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2054

Senate Amendment No. 2 to HOUSE BILL NO. 2054

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 2147

A bill for AN ACT concerning public employee benefits.

Which amendments are as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 2147

Senate Amendment No. 3 to HOUSE BILL NO. 2147

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2189

A bill for AN ACT concerning regulation.

Which amendment is as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 2189

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2217

A bill for AN ACT concerning safety.

Which amendment is as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 2217

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2365

A bill for AN ACT concerning regulation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2365

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2392

A bill for AN ACT concerning education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2392

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 2396

A bill for AN ACT concerning education.

Which amendments are as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 2396

Senate Amendment No. 3 to HOUSE BILL NO. 2396

Senate Amendment No. 4 to HOUSE BILL NO. 2396

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2475

A bill for AN ACT concerning State government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2475

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2500

A bill for AN ACT concerning regulation.

Which amendment is as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 2500

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2826

A bill for AN ACT concerning State government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2826

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 2862

A bill for AN ACT concerning regulation.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 2862
Senate Amendment No. 2 to HOUSE BILL NO. 2862
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3017

A bill for AN ACT concerning State government.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3017
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3095

A bill for AN ACT concerning safety.
Which amendment is as follows:
Senate Amendment No. 2 to HOUSE BILL NO. 3095
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3230

A bill for AN ACT concerning mental health.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3230
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 3249

A bill for AN ACT concerning employment.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3249
Senate Amendment No. 3 to HOUSE BILL NO. 3249
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3253

A bill for AN ACT concerning criminal law.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3253
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3345

A bill for AN ACT concerning State government.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3345
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 3413

A bill for AN ACT concerning State government.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3413
Senate Amendment No. 2 to HOUSE BILL NO. 3413
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3428

A bill for AN ACT concerning education.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3428
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 3436

A bill for AN ACT concerning transportation.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3436
Senate Amendment No. 5 to HOUSE BILL NO. 3436

Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3500

A bill for AN ACT concerning education.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3500
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3508

A bill for AN ACT concerning safety.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3508
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3648

A bill for AN ACT concerning education.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3648
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 3677

A bill for AN ACT concerning fishing and hunting.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3677
Senate Amendment No. 2 to HOUSE BILL NO. 3677
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 3690

A bill for AN ACT concerning education.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3690

Senate Amendment No. 2 to HOUSE BILL NO. 3690
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 3710

A bill for AN ACT concerning health.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3710
Senate Amendment No. 2 to HOUSE BILL NO. 3710
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3751

A bill for AN ACT concerning local government.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3751
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3779

A bill for AN ACT concerning criminal law.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3779
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3814

A bill for AN ACT concerning education.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3814
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3856

A bill for AN ACT concerning State government.
Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3856
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 3940

A bill for An Act concerning local government.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3940
Senate Amendment No. 2 to HOUSE BILL NO. 3940
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3957

A bill for AN ACT concerning regulation.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 3957
Concurred in by the House, May 19, 2023.

JOHN W. HOLLMAN, Clerk of the House

## LEGISLATIVE MEASURES FILED

The following Floor amendment to the House Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 2 to House Bill 3445

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. 1 to Senate Bill 1587

## MESSAGES FROM THE PRESIDENT

**OFFICE OF THE SENATE PRESIDENT**
**DON HARMON**
**STATE OF ILLINOIS**

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

160 N. LASALLE ST., STE. 720
CHICAGO, ILLINOIS 60601
312-814-2075

May 19, 2023

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the Committee Reading deadline to May 25, 2023 for the following bills:

SB 1587

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

**OFFICE OF THE SENATE PRESIDENT**
**DON HARMON**
**STATE OF ILLINOIS**

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

160 N. LASALLE ST., STE. 720
CHICAGO, ILLINOIS 60601
312-814-2075

May 19, 2023

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I am extending the deadline for 3rd Reading and final passage of the following bills to May 25, 2023:

| | | |
|---|---|---|
| SB 0376 | SB 0763 | SB 1073 |
| SB 0382 | SB 0807 | SB 1074 |
| SB 0383 | SB 0808 | SB 1075 |
| SB 0410 | SB 0837 | SB 1076 |
| SB 0424 | SB 0852 | SB 1077 |
| SB 0456 | SB 0853 | SB 1078 |
| SB 0457 | SB 0897 | SB 1079 |
| SB 0508 | SB 0898 | SB 1087 |
| SB 0595 | SB 0995 | SB 1088 |
| SB 0596 | SB 0996 | SB 1095 |
| SB 0597 | SB 0997 | SB 1154 |
| SB 0648 | SB 0998 | SB 1155 |
| SB 0690 | SB 1069 | SB 1156 |
| SB 0737 | SB 1070 | SB 1157 |

If you have any questions, please contact my Chief of Staff Jake Butcher.

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

**OFFICE OF THE SENATE PRESIDENT**
**DON HARMON**
**STATE OF ILLINOIS**

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

160 N. LASALLE ST., STE. 720
CHICAGO, ILLINOIS 60601
312-814-2075

May 19, 2023

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the 3rd Reading deadline to May 25, 2023 for the following bills:

SB 2357

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

**OFFICE OF THE SENATE PRESIDENT**
**DON HARMON**
**STATE OF ILLINOIS**

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

160 N. LASALLE ST., STE. 720
CHICAGO, ILLINOIS 60601
312-814-2075

May 19, 2023

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the Committee Reading deadline to May 25, 2023 for the following bills:

HB 0054
HB 1375
HB 3595
HB 2875
HB 3093

HB 3720
HB 3222

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

**OFFICE OF THE SENATE PRESIDENT**
**DON HARMON**
**STATE OF ILLINOIS**

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

160 N. LASALLE ST., STE. 720
CHICAGO, ILLINOIS 60601
312-814-2075

May 19, 2023

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I am extending the deadline for 3rd Reading and final passage of House bills to May 25, 2023.

If you have any questions, please contact my Chief of Staff Jake Butcher.

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

**PRESENTATION OF RESOLUTION**

Senator Lightford offered the following Senate Joint Resolution:

**SENATE JOINT RESOLUTION NO. 41**

**RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN**, that when the two Houses adjourn on Friday, May 19, 2023, the Senate stands adjourned until the call of the President; and the House of Representatives stands adjourned until the the call of the Speaker.

Senator Lightford, having asked and obtained unanimous consent to suspend the rules for the immediate consideration of the foregoing resolution, moved its adoption.

The motion prevailed.

And the resolution was adopted.

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

**CELEBRATION OF LIFE RESOLUTION CONSENT CALENDAR**

**SENATE RESOLUTION NO. 293**
Offered by Senator Johnson and all Senators:
Mourns the passing of Niolis Collazo.

**SENATE RESOLUTION NO. 295**
Offered by Senator Anderson and all Senators:
Mourns the passing of Eldon R. "Bob" Abbott of rural Smithfield.

**SENATE RESOLUTION NO. 296**
Offered by Senator Anderson and all Senators:
Mourns the passing of Scott L. Ault of Good Hope.

**SENATE RESOLUTION NO. 297**
Offered by Senator Anderson and all Senators:
Mourns the passing of Gale D. Beekman of Ipava.

**SENATE RESOLUTION NO. 298**
Offered by Senator Anderson and all Senators:
Mourns the passing of Kenneth C. "Ken" Etcheson of Canton.

**SENATE RESOLUTION NO. 299**
Offered by Senator Anderson and all Senators:
Mourns the passing of William D. "Bill" Gissel of Aledo.

**SENATE RESOLUTION NO. 300**
Offered by Senator Anderson and all Senators:
Mourns the passing of Donald C. Hampton of Galva, formerly of Kewanee.

**SENATE RESOLUTION NO. 301**
Offered by Senator Belt and all Senators:
Mourns the passing of Saundra Reveille (Witherspoon) Rule.

**SENATE RESOLUTION NO. 302**
Offered by Senator Faraci and all Senators:
Mourns the passing of Orick M. "Corky" Nightlinger Jr. of Danville.

**SENATE RESOLUTION NO. 303**
Offered by Senator Lightford and all Senators:
Mourns the death of Melvin Leon "Trés" Lightford III.

**SENATE RESOLUTION NO. 305**
Offered by Senator N. Harris and all Senators:
Mourns the passing of Angelyn Moye-Spears.

**SENATE RESOLUTION NO. 306**
Offered by Senator Lightford and all Senators:
Mourns the passing of Annie Katherine (Griffin) Betts.

**SENATE RESOLUTION NO. 308**
Offered by Senator McClure and all Senators:
Mourns the death of Joan M. McCrady of Springfield.

**SENATE RESOLUTION NO. 310**
Offered by Senator Harmon and all Senators:

Mourns the death of Nancy Arends of River Forest.

**SENATE RESOLUTION NO. 311**
Offered by Senator Harmon and all Senators:
Mourns the passing of Newton N. Minow of Chicago.

**SENATE RESOLUTION NO. 312**
Offered by Senator Harmon and all Senators:
Mourns the death of Shirley Eleanor Christell of Forest Park.

**SENATE RESOLUTION NO. 313**
Offered by Senator Harmon and all Senators:
Mourns the death of Robert Carlson.

**SENATE RESOLUTION NO. 314**
Offered by Senator Harmon and all Senators:
Mourns the passing of Mary Elizabeth Jeske.

**SENATE RESOLUTION NO. 315**
Offered by Senator Harmon and all Senators:
Mourns the passing of Charles Randall "Randy" Lewis of Newtown, Connecticut.

**SENATE RESOLUTION NO. 316**
Offered by Senator Harmon and all Senators:
Mourns the death of Larry Hagen of Oak Park.

**SENATE RESOLUTION NO. 317**
Offered by Senator Sims and all Senators:
Mourns the death of Aréanah M. Preston.

**SENATE RESOLUTION NO. 320**
Offered by Senator Hunter and all Senators:
Mourns the passing of Robert Henry "Bob" Dixon.

**SENATE RESOLUTION NO. 321**
Offered by Senator Hunter and all Senators:
Mourns the passing of Loretta Cecelia (Wright) Johnson.

**SENATE RESOLUTION NO. 324**
Offered by Senator McClure and all Senators:
Mourns the passing of Diann Marie Bennett of Petersburg.

**SENATE RESOLUTION NO. 325**
Offered by Senator McClure and all Senators:
Mourns the passing of Hazel (Boesdorfer) Golden of Petersburg.

**SENATE RESOLUTION NO. 326**
Offered by Senator McClure and all Senators:
Mourns the passing of Warren Eugene "Gene" Miles of Nokomis.

The Chair moved the adoption of the Resolutions Consent Calendar.
The motion prevailed, and the resolutions were adopted.

**COMMUNICATIONS**

DISCLOSURE TO THE SENATE

Date: May 19, 2023

Legislative Measure(s): HB 2507

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/Craig Wilcox
Senator Craig Wilcox

DISCLOSURE TO THE SENATE

Date: May 19, 2023

Legislative Measure(s): HB 2878

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/Win Stoller
Senator Win Stoller

At the hour of 9:21 o'clock p.m., pursuant to **Senate Joint Resolution No. 41**, the Chair announced that the Senate stands adjourned until the call of the President.