



SENATE JOURNAL

STATE OF ILLINOIS

**ONE HUNDRED SECOND GENERAL
ASSEMBLY**

123RD LEGISLATIVE DAY

TUESDAY, JANUARY 10, 2023

12:10 O'CLOCK P.M.

SENATE
Daily Journal Index
123th Legislative Day

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The Senate met pursuant to adjournment.
Senator David Koehler, Peoria, Illinois, presiding.
Prayer by Pastor Brian Newswander, Crossroots Church, Effingham, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Monday, January 9, 2023, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

IDOT CRCOIP Quarterly Report, submitted by the Department of Transportation.

IDOI Medical Professional Liability Claims Study 2023, submitted by the Department of Insurance.

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

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. 5 to House Bill 969
Amendment No. 1 to House Bill 1563
Amendment No. 1 to House Bill 3107
Amendment No. 5 to House Bill 4664
Amendment No. 6 to House Bill 4664

MESSAGE 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

January 10, 2023

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

Dear Mr. Secretary:

Pursuant to Senate Rule 5-1 (b), I give my consent for Senator Bill Cunningham to present HB 1563 on Third Reading on my behalf.

[January 10, 2023]

Sincerely,
s/Don Harmon
Don Harmon

President of the Senate

Senator Hunter 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 12:16 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 1:56 o'clock p.m., the Senate resumed consideration of business.
Senator Kochler, presiding.

PRESENTATION OF RESOLUTIONS

Senator Harmon offered the following Senate Resolution:

SENATE RESOLUTION NO. 1386

WHEREAS, The members of the Illinois Senate of the 102nd General Assembly of the State of Illinois learned with great sadness of the death of their colleague and friend, Senator Scott Michael Bennett, on December 9, 2022; and

WHEREAS, Sen. Bennett was born on July 16, 1977 to Dr. Robert and Barbara Bennett in Fort Campbell, Kentucky, where his father was stationed in the U.S. Army; when he was an infant, the family moved to Gibson City, where five generations of his family have worked on their family farm, which is something he cherished; he graduated from Gibson City-Melvin-Sibley High School in 1995 and then studied History at Illinois State University, graduating in 1998; he then attended law school at the University of Illinois Urbana-Champaign, graduating in 2002; and

WHEREAS, Sen. Bennett joined the Senate in 2015 as the unanimous choice to fill the vacancy created when Michael W. Frerichs was sworn in as the Illinois State Treasurer after serving the 52nd District for eight years; and

WHEREAS, Sen. Bennett dedicated his life to public service and giving back to his community; he first earned an internship at the White House, where he served the Clinton Administration in the Office of Presidential Gifts and met his wife, Stacy Meredith, who had been assigned to the same office; they entertained one another with imagined back stories of curious global and domestic gifts; and

WHEREAS, Sen. Bennett started his career as a prosecutor for the City of Chicago and also worked for the Democratic National Committee in Washington, D.C.; and

WHEREAS, Though Sen. Bennett could have pursued a high-paying career in corporate law, he longed to return to his roots and the community he treasured; he returned to central Illinois to work as an assistant state's attorney in Bloomington-Normal and then in Champaign-Urbana; and

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WHEREAS, The first piece of legislation Sen. Bennett filed was to protect central Illinois' water supply by preserving the quality of drinking water in the Mahomet Aquifer, which serves as the primary water supply for 15 counties across central Illinois, including Champaign and Vermilion counties; he believed that the aquifer served as a lifeline for the region and made it his mission to protect this important resource for the sake of the region's children and future generations to come; he continuously worked with a bipartisan coalition of legislators to add safeguards to protect this valuable resource; and

WHEREAS, Sen. Bennett leaned on his experience in the courtroom to champion legislation to permit courts to allow comfort canines in courtrooms to assist children or people with intellectual disabilities who have to testify in court on sexual assault cases; he believed that the use of dogs in the courtroom can help bring a major change in how we can meet the emotional needs of those involved in the criminal justice system; and

WHEREAS, Sen. Bennett partnered with Treasurer Frerichs to establish the Illinois Achieving Better Life Expectancy Act, known as the ABLE Act, to promote financial security for children and loved ones living with disabilities; the goal of the program is to assist individuals and families in saving money to cover expenses for people with disabilities; and

WHEREAS, During the budget impasse in 2015, Sen. Bennett and his family filed paperwork to forgo his pay until there was a budget in place to protect essential programs in Illinois; the Bennett family stood in solidarity with the hard working men and women in their community who provided essential services to our most vulnerable populations, and they believed it was unjust for elected officials to continue to take home their pay while in-home child care providers struggled to keep their doors open and seniors were forced to choose between picking up their prescriptions or keeping their lights on at night; he did not accept a paycheck for more than six months; and

WHEREAS, Sen. Bennett fought to provide Illinois' students with the opportunity to be successful as the chair of the Senate's Higher Education Committee for the last two years; he worked to secure resources for the University of Illinois Urbana-Champaign, Parkland College, Danville Community College, and all of the State's higher education facilities by advocating for additional funding for need-based tuition assistance, lowering tuition costs and fees, and preventing licensing boards from denying and revoking or suspending individual professional licenses due to student loan default in Illinois; and

WHEREAS, Sen. Bennett introduced the Know Before You Owe Private Education Loan Act, which requires private lenders to confirm with a potential borrower's school that the student's tuition, housing, and other costs are not covered by other sources of financial aid to ensure students and their families have clear information when weighing their loan options; and

WHEREAS, Sen. Bennett worked to combat campus sexual violence and championed the Preventing Sexual Violence on Campus Act, which provided a road map to existing federal requirements and set standards to prevent and respond to sexual violence; his goal was to end campus assault, but if an assault occurred, he wanted to ensure that there were clear and concise guidelines to give survivors of sexual assault a comprehensive path to report crimes and be notified of their rights; and

WHEREAS, Sen. Bennett worked to increase civic participation and engage more citizens in the democratic process by supporting automatic voter registration and routine voter registration drives; he also worked to encourage more young people to be involved in government through mentorship and internship opportunities for college and high school students, through regular visits to local schools to educate students on different methods to voice their concerns and provide input on the vital matters that impact our communities, and by always being willing to have candid conversations with college clubs and groups or young people who contacted his office; and

WHEREAS, Sen. Bennett's love for his family farm shined through the active role he played as the chair of the Agriculture Committee for two years; he even sought a commercial driver's license so he could haul grain in a semi-truck to the area grain elevator from his family's centennial farm during harvest; he

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could be found returning calls, participating in weekly team meeting calls, negotiating legislation, and much more in the name of service to the constituents of the 52nd District while waiting for the truck to be loaded; and

WHEREAS, Sen. Bennett recognized the stressors placed on farmers and farm families and partnered with SIU School of Medicine's Center for Rural Health and Social Services Development and the Illinois Department of Agriculture to introduce a hotline to connect farmers to health professionals and services for additional support through the Farm Family Resource Initiative; and

WHEREAS, Sen. Bennett partnered with former Illinois Department of Agriculture Director John Sullivan to address the issue of farm chemical runoff polluting Illinois waterways because he believed the State needed to make significant water quality improvement to protect our quality of life for generations to come; and

WHEREAS, To help alleviate the shortage of agriculture science educators, Sen. Bennett championed an initiative to create a hands-on agriculture teacher training program in Illinois high schools for those interested in studying to teach agriculture; he believed that creating a pre-service teacher training program to give prospective agriculture students the fundamentals they need to succeed will help to ensure that the next generation of family farmers will keep the industry strong for years to come; he later received the Jim Guilinger Legislative Award from the Illinois Leadership Council for Agricultural Education for his support of agricultural education and Future Farmers of America student programs; and

WHEREAS, Sen. Bennett's experience in the courtroom gave the Senate a unique and cherished perspective that he utilized as the chair of the Criminal Law Committee for two years; he emphasized the importance he placed on providing minors who experienced the most egregious crimes against them with the tools to seek justice when they are ready by removing the statute of limitations for certain sex crimes against minors; he believed that survivors of these horrific crimes should not be forced to seek justice before they are ready to do so; and

WHEREAS, Sen. Bennett worked with State agencies and local leaders to acquire a Child's Advocacy Center in Vermilion County to provide minors with a comforting, kid-friendly environment; prior to that, Vermilion County had been one of only four counties in the State that did not have one; he valued the opportunity to serve as the vice-president of the board of directors for the facility; and

WHEREAS, Sen. Bennett believed in the spirit of bipartisanship and worked on legislation with his uncle, State Representative Tom Bennett, to ensure that materials on SIDS prevention provided to parents include information from the American Academy of Pediatrics or a statewide or nationally recognized SIDS or medical association; he made it his goal to find at least one piece of legislation that he could work on with Rep. Bennett every General Assembly; and

WHEREAS, Sen. Bennett never forgot the importance of our nation's veterans and worked with now retired State Representative Chad Hays to rededicate a lost grave marker that was discovered to belong to Clyde E. Maham, a World War I veteran who was buried at Maplewood Cemetery in Rantoul; he believed that whether a veteran's sacrifices were made during World War I or are currently being made across the globe, it is important to honor the dedication and sacrifices the veterans have made to our great nation; and

WHEREAS, To support women in Illinois, Sen. Bennett voted to institute a federal constitutional provision that expressly guarantees equal rights to women and men by championing Senate Joint Resolution Constitutional Amendment 4, which would have ratified the Equal Rights Amendment (ERA) to the United States Constitution; he believed ratifying the ERA is not merely symbolic or only a woman's issue and that it is a necessary measure for Illinois to take to guarantee equality under the law for both men and women; and

WHEREAS, Sen. Bennett believed in protecting women's reproductive health care and bodily autonomy since these are the most basic and fundamental human rights; he supported a number of measures to ensure Illinois has laws on the books to protect the health and well-being of women in Illinois; and

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WHEREAS, Sen. Bennett worked diligently to prevent groundwater contaminated at Illinois coal ash dump sites by championing a bipartisan initiative with area legislators; he believed that Illinois cannot afford to stand by while toxic waste threatens our State's valuable water resources indefinitely; during the passage of the legislation, he coined the term Team Coal Ash to commemorate the friendships formed during the tough negotiations and distributed coal stress balls to the team after the bill's passage; he later received the Illinois Environmental Councils' Milestone Achievement Award and the Prairie Rivers Network's Outstanding Public Servant Award for his efforts in passing historic coal ash regulations into law that year; and

WHEREAS, Sen. Bennett worked with his colleagues to provide Illinois workers with a living wage; he believed that employees deserve a fair wage that respects the work they do in the service to our community and that Illinois' hardest workers should be compensated with a wage that allows them to live their lives with dignity, fairness, and stability; and

WHEREAS, After years of work, Sen. Bennett was able to secure a Danville casino to help spur growth in the region and create good-paying jobs for Vermilion County residents; he was looking forward to the ribbon cutting of the casino and witnessing the economic impact it would have on Danville; and

WHEREAS, During the unfortunate COVID-19 pandemic, Sen. Bennett worked to keep constituents safe by educating people on the dangers of exposure, supporting and providing information about local food pantries and State resources available to assist, reading evening bedtime stories as a celebrity reader, assisting constituents in securing unemployment benefits, distributing personal protective equipment to first responders, supporting local business owners, and encouraging residents to wear masks and get vaccinated once they were made available; and

WHEREAS, To improve transparency around prescription drug costs, Sen. Bennett pushed a bill requiring pharmacies to post a notice informing consumers that they may request current pharmacy retail prices at the point of sale to ensure that the drug industry is held accountable and that residents receive the pricing information they deserve to make informed decisions; and

WHEREAS, Sen. Bennett worked diligently to support downstate schools across central Illinois by ensuring that there was a bipartisan funding formula in place that supported all of our State's children; he helped institute a funding formula that guarantees that the quality of a child's education will not be based on their ZIP code and funds schools the right way to help lower property tax bills; and

WHEREAS, To raise awareness and help improve mental health among young adults and middle school students, Sen. Bennett sponsored legislation that requires school districts to provide contact information for the National Suicide Prevention Lifeline and the Crisis Text Line on student identification cards to ensure this resource is available to help students who may be struggling; he believed printing this information on student ID cards meant the hotline number is always close at hand and, more importantly, can be used as a lifeline for children and their families; and

WHEREAS, Sen. Bennett worked with law enforcement and his colleagues in the House and Senate to pass legislation to improve the criminal justice system by passing a package of bills that were aimed at keeping law enforcement officials safe by creating grant opportunities and instituting ways to recruit, hire, and retain the best of our law enforcement officers to keep communities safe; and

WHEREAS, Most recently, Sen. Bennett served as a central figure in recent SAFE-T Act changes; he understood the importance of presuming innocence for individuals before being proven guilty, supporting police, and keeping violent criminals out of our neighborhoods; his goal remained to ensure that the Illinois' pretrial system is equitable and that everyone is treated equally regardless of their financial status; he believed it was pertinent to bring together a diverse group of individuals to create a comprehensive plan that maintains the intent of the Pretrial Fairness Act while ensuring our court systems have the tools they need to serve their communities; he was proud of the efforts to improve the consistency within the law; and

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WHEREAS, During his time in office, Sen. Bennett appreciated the honor of participating in the annual Wreaths Across America ceremony at Danville National Cemetery because he believed in the importance of the community coming together to celebrate the lives of our fallen soldiers; at this year's ceremony and going forward, the organization pledged to lay a wreath to memorialize him, and he is the only non-veteran to receive this great honor; and

WHEREAS, Sen. Bennett secured over \$25.9 million for cities and municipalities in his district to upgrade community parks, restore historical landmarks, improve local roads, and create accessibility to buildings; he consistently advocated for all of his district, including securing over 60 projects for schools, foundations, cities, not-for-profits, parks, libraries, and many others; and

WHEREAS, The University of Illinois at Urbana-Champaign, the State's flagship university, is located in what was Sen. Bennett's district; while in office, he secured more than \$50 million in additional spending for the University of Illinois, including an additional \$500 million for the Discovery Partners Institute, which is an economic incubator for the State; and

WHEREAS, Sen. Bennett served on a number of boards and task forces, including the Mahomet Aquifer Task Force, the Illinois Supreme Court's Pretrial Practices Commission, Governor JB Pritzker's Growing Our Agricultural Economy Committee, the Access to Voting for Persons with Disabilities Advisory Task Force, the Commission on Equitable Public University Funding, the Midwestern Higher Education Commission, and the State Procurement Task Force; and

WHEREAS, Sen. Bennett hosted a number of annual collection drives to benefit the Vermilion County community; one such event was his community dictionary drive to benefit Danville Area Community College's Department of Corrections program, which rehabilitates incarcerated men participating in prison-based education programs; he also hosted warm sock drives to boost supplies at local shelters during the cold winter months; and

WHEREAS, Sen. Bennett was always ready to help and support community organizations and address shortages and constituent needs; he hosted blood drives and collected canned foods to help food pantries, cell phones to help survivors of domestic violence and to help military personnel, cards for seniors and veterans during the COVID-19 pandemic, winter hygiene product drives for local soup kitchens, and donations for Ukrainian families in Westville, among other needs; and

WHEREAS, Sen. Bennett loved when school groups, interns, or constituents would stop by his office in Springfield; he cherished the opportunity to provide visitors with an in-depth tour of the State Capitol, whose deep history he loved; those fortunate enough to receive this tour would often learn new historical facts and tidbits and hear his latest stories; and

WHEREAS, As a former staff member himself, Sen. Bennett was often found at the back of the Senate chamber taking the time to get to know staff members and sharing funny anecdotes; he always valued the time and energy staff put into their work and treated his staff as family; he would make a special effort to look for ways to show his appreciation; he was beloved by staff and will be greatly missed by them; and

WHEREAS, Sen. Bennett hosted summer book club programs for children in the community, had a steady rotation of college and high school interns, and regularly visited area schools and college classes to engage more students in the State's legislative process because he genuinely believed that the State's children could become great leaders in our State and nation; he adored hearing from or about former interns and staff members who achieved their career and education goals; and

WHEREAS, During his tenure as a legislator, Sen. Bennett partnered with area organizations to sponsor expungement and record-sealing summits to provide full-service assistance to Champaign residents with application, preparation, and filing for adult and juvenile criminal record expungement and sealing along with other relief because he wanted to give people the opportunity to be successful; and

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WHEREAS, Sen. Bennett was a fierce advocate and was well known by all for his humor and wit, which was an innate talent he used as a tool to heal and unite by putting his audience at ease and creating space for connection; he treasured relationships, from his constituents and colleagues to his family and friends, and all knew that no matter the relationship he genuinely cared; and

WHEREAS, Sen. Bennett's absence has left a big Scott Bennett-sized hole in our hearts forever; we can honor him by taking the time to find common ground, being kind to our neighbors, and doing our best to leave the world a brighter and more compassionate place; and

WHEREAS, Sen. Bennett prioritized service above self and deeply cared for the 52nd State Senate District; however, his greatest love was for his family, his wife of 20 years, Stacy, and his children, Sam and Emma, who served as his rock and heart in every action he took; he would often forgo staying in Springfield after long session days to go home and be near his family; and

WHEREAS, Dr. Stacy Bennett, who honored Sen. Bennett's legacy by completing the remainder of his term in the 102nd General Assembly, served as his sounding board, his political strategist, and the love of his life; she helped him stay grounded and provided him with support to help him better represent the diverse needs of the residents of the 52nd District; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of Senator Scott Bennett, our friend and colleague, who served the people of the State of Illinois with honor and distinction and exemplified the highest standards; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Sen. Bennett as an expression of our sincerest condolences for the loss of their loved one and our friend.

Senator Harmon, 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.

Senator McConchie offered the following Senate Resolution:

SENATE RESOLUTION NO. 1385

WHEREAS, The members of the Illinois Senate are saddened to learn of the death of Senate Republican Staff Member James Louis "Jim" Goldenstein of Springfield, who passed away on December 25, 2022; and

WHEREAS, Jim Goldenstein was born to Jay and Doris "Charlie" Goldenstein in Kankakee on August 7, 1986; he was raised on his family farm in Gilman; he attended St. John's Lutheran School, Christ Lutheran High School, and the University of Illinois at Urbana-Champaign; and

WHEREAS, From an early age, Jim Goldenstein was always destined to go into politics or public service; after college, he moved to Washington, D.C. to work on Capitol Hill before returning to Illinois for a position with the Illinois Senate; and

WHEREAS, Jim Goldenstein served as Director of District Operations for the Illinois Senate Republican Caucus; he was a beloved member of "Team Turner"; during his career, he made a significant impact on his colleagues and the senators for whom he worked on staff; and

WHEREAS, Jim Goldenstein was a member of the University of Illinois FarmHouse Fraternity, and he was a cherished friend of his fraternity brothers; he loved Fighting Illini sports; and

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WHEREAS, Jim Goldenstein cherished spending time with his family, and he loved nothing more than being "Uncle Jim" to his three nieces; and

WHEREAS, Jim Goldenstein was known for having several endearing nicknames bestowed by those who knew him; he will be remembered for being graciously welcoming to all, for his quick wit, and for his deep loyalty to his family, friends, work colleagues, and beloved dog, Oscar; he will be greatly missed; and

WHEREAS, Jim Goldenstein was preceded in death by his maternal grandparents, Kenneth and Delores Meier; his uncle, Jake Peters; and his godfather, Steve Hemp; and

WHEREAS, Jim Goldenstein is survived by his parents; his brother, Joel (Jill) Goldenstein; his nieces, Hadlee, Olivia, and Annalise Goldenstein; his paternal grandparents, John and Judy Goldenstein; and numerous aunts, uncles, and cousins; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of James Louis "Jim" Goldenstein and extend our sincere condolences to his family, friends, and all who knew and loved him; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Jim Goldenstein as an expression of our deepest sympathy.

Senator McConchie, 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.

At the hour of 3:44 o'clock p.m., Senator Koehler, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its January 10, 2023 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Resolutions Numbered 1280 and 1382

The foregoing resolutions were placed on the Senate Calendar.

Senator Lightford, Chair of the Committee on Assignments, during its January 10, 2023 meeting, reported that the following Legislative Measures have been approved for consideration:

Floor Amendment No. 5 to House Bill 969

Floor Amendment No. 1 to House Bill 1563

Floor Amendment No. 1 to House Bill 3107

Floor Amendment No. 5 to House Bill 4664

Floor Amendment No. 6 to House Bill 4664

The foregoing floor amendments were placed on the Secretary's Desk.

HOUSE BILL RECALLED

On motion of Senator Villanueva, **House Bill No. 4664** was recalled from the order of third reading to the order of second reading.

Floor Amendment Nos. 1 and 2 were held in the Committee on Assignments.

Floor Amendment No. 3 was withdrawn by the sponsor.

[January 10, 2023]

Floor Amendment No. 4 was held in the Committee on Assignments.
 Senator Villanueva offered the following amendment and moved its adoption:

AMENDMENT NO. 5 TO HOUSE BILL 4664

AMENDMENT NO. 5 . Amend House Bill 4664 by replacing everything after the enacting clause with the following:

"Article 1.

Section 1-5. The Reproductive Health Act is amended by changing Sections 1-10 and 1-20 as follows:
 (775 ILCS 55/1-10)

Sec. 1-10. Definitions. As used in this Act:

"Abortion" means the use of any instrument, medicine, drug, or any other substance or device to terminate the pregnancy of an individual known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead fetus.

"Advanced practice registered nurse" has the same meaning as it does in Section 50-10 of the Nurse Practice Act.

"Assisted reproduction" means a method of achieving a pregnancy through the handling of human oocytes, sperm, zygotes, or embryos for the purpose of establishing a pregnancy. "Assisted reproduction" includes, but is not limited to, methods of artificial insemination, in vitro fertilization, embryo transfer, zygote transfer, embryo biopsy, preimplantation genetic diagnosis, embryo cryopreservation, oocyte, gamete, zygote, and embryo donation, and gestational surrogacy.

"Department" means the Illinois Department of Public Health.

"Fetal viability" means that, in the professional judgment of the attending health care professional, based on the particular facts of the case, there is a significant likelihood of a fetus' sustained survival outside the uterus without the application of extraordinary medical measures.

"Health care professional" means a person who is licensed as a physician, advanced practice registered nurse, or physician assistant.

"Health of the patient" means all factors that are relevant to the patient's health and well-being, including, but not limited to, physical, emotional, psychological, and familial health and age.

"Maternity care" means the health care provided in relation to pregnancy, labor and childbirth, and the postpartum period, and includes prenatal care, care during labor and birthing, and postpartum care extending through one-year postpartum. Maternity care shall seek to optimize positive outcomes for the patient, and be provided on the basis of the physical and psychosocial needs of the patient. Notwithstanding any of the above, all care shall be subject to the informed and voluntary consent of the patient, or the patient's legal proxy, when the patient is unable to give consent.

"Physician" means any person licensed to practice medicine in all its branches under the Medical Practice Act of 1987.

"Physician assistant" has the same meaning as it does in Section 4 of the Physician Assistant Practice Act of 1987.

"Pregnancy" means the human reproductive process, beginning with the implantation of an embryo.

"Prevailing party" has the same meaning as in the Illinois Civil Rights Act of 2003.

"Reproductive health care" means health care offered, arranged, or furnished for the purpose of preventing pregnancy, terminating a pregnancy, managing pregnancy loss, or improving maternal health and birth outcomes. "Reproductive health care" includes, but is not limited to: contraception; sterilization; preconception care; assisted reproduction; maternity care; abortion care; and counseling regarding reproductive health care.

"State" includes any branch, department, agency, instrumentality, and official or other person acting under color of law of this State or a political subdivision of the State, including any unit of local government (including a home rule unit), school district, instrumentality, or public subdivision.

(Source: P.A. 101-13, eff. 6-12-19.)

(775 ILCS 55/1-20)

Sec. 1-20. Prohibited State actions; causes of action.

(a) The State shall not:

(1) deny, restrict, interfere with, or discriminate against an individual's exercise of the fundamental rights set forth in this Act, including individuals under State custody, control, or supervision; or

(2) prosecute, punish, or otherwise deprive any individual of the individual's rights for any act or failure to act during the individual's own pregnancy, if the predominant basis for such prosecution, punishment, or deprivation of rights is the potential, actual, or perceived impact on the pregnancy or its outcomes or on the pregnant individual's own health.

(b) Any party aggrieved by conduct or regulation in violation of this Act may bring a civil lawsuit, in a federal district court or State circuit court, against the offending unit of government. Any State claim brought in federal district court shall be a supplemental claim to a federal claim. Any lawsuit brought pursuant to this Act shall be commenced within 2 years after the cause of action was discovered.

(c) Upon motion, a court shall award reasonable attorney's fees and costs, including expert witness fees and other litigation expenses, to a plaintiff who is a prevailing party in any action brought pursuant to this Section. In awarding reasonable attorney's fees, the court shall consider the degree to which the relief obtained relates to the relief sought.

(Source: P.A. 101-13, eff. 6-12-19.)

Article 3.

Section 3-5. The Wrongful Death Act is amended by changing Section 2.2 as follows:

(740 ILCS 180/2.2) (from Ch. 70, par. 2.2)

Sec. 2.2. The state of gestation or development of a human being when an injury is caused, when an injury takes effect, or at death, shall not foreclose maintenance of any cause of action under the law of this State arising from the death of a human being caused by wrongful act, neglect or default.

There shall be no cause of action against a health care professional, a medical institution, or the pregnant person ~~physician or a medical institution~~ for the wrongful death of a fetus caused by an abortion where the abortion was permitted by law and the requisite consent was lawfully given. Provided, however, that a cause of action is not prohibited where the fetus is live-born but subsequently dies.

There shall be no cause of action against a physician or a medical institution for the wrongful death of a fetus based on the alleged misconduct of the physician or medical institution where the defendant did not know and, under the applicable standard of good medical care, had no medical reason to know of the pregnancy of the mother of the fetus.

(Source: P.A. 81-946.)

Article 4.

Section 4-5. The Illinois Insurance Code is amended by changing Section 356z.3a as follows:

(215 ILCS 5/356z.3a)

Sec. 356z.3a. Billing; emergency services; nonparticipating providers.

(a) As used in this Section:

"Ancillary services" means:

(1) items and services related to emergency medicine, anesthesiology, pathology, radiology, and neonatology that are provided by any health care provider;

(2) items and services provided by assistant surgeons, hospitalists, and intensivists;

(3) diagnostic services, including radiology and laboratory services, except for advanced diagnostic laboratory tests identified on the most current list published by the United States Secretary of Health and Human Services under 42 U.S.C. 300gg-132(b)(3);

(4) items and services provided by other specialty practitioners as the United States Secretary of Health and Human Services specifies through rulemaking under 42 U.S.C. 300gg-132(b)(3); ~~and~~

(5) items and services provided by a nonparticipating provider if there is no participating provider who can furnish the item or service at the facility; and-

(6) items and services provided by a nonparticipating provider if there is no participating provider who will furnish the item or service because a participating provider has asserted the participating provider's rights under the Health Care Right of Conscience Act.

"Cost sharing" means the amount an insured, beneficiary, or enrollee is responsible for paying for a covered item or service under the terms of the policy or certificate. "Cost sharing" includes copayments,

coinsurance, and amounts paid toward deductibles, but does not include amounts paid towards premiums, balance billing by out-of-network providers, or the cost of items or services that are not covered under the policy or certificate.

"Emergency department of a hospital" means any hospital department that provides emergency services, including a hospital outpatient department.

"Emergency medical condition" has the meaning ascribed to that term in Section 10 of the Managed Care Reform and Patient Rights Act.

"Emergency medical screening examination" has the meaning ascribed to that term in Section 10 of the Managed Care Reform and Patient Rights Act.

"Emergency services" means, with respect to an emergency medical condition:

(1) in general, an emergency medical screening examination, including ancillary services routinely available to the emergency department to evaluate such emergency medical condition, and such further medical examination and treatment as would be required to stabilize the patient regardless of the department of the hospital or other facility in which such further examination or treatment is furnished; or

(2) additional items and services for which benefits are provided or covered under the coverage and that are furnished by a nonparticipating provider or nonparticipating emergency facility regardless of the department of the hospital or other facility in which such items are furnished after the insured, beneficiary, or enrollee is stabilized and as part of outpatient observation or an inpatient or outpatient stay with respect to the visit in which the services described in paragraph (1) are furnished. Services after stabilization cease to be emergency services only when all the conditions of 42 U.S.C. 300gg-111(a)(3)(C)(ii)(II) and regulations thereunder are met.

"Freestanding Emergency Center" means a facility licensed under Section 32.5 of the Emergency Medical Services (EMS) Systems Act.

"Health care facility" means, in the context of non-emergency services, any of the following:

(1) a hospital as defined in 42 U.S.C. 1395x(e);

(2) a hospital outpatient department;

(3) a critical access hospital certified under 42 U.S.C. 1395i-4(e);

(4) an ambulatory surgical treatment center as defined in the Ambulatory Surgical Treatment Center Act; or

(5) any recipient of a license under the Hospital Licensing Act that is not otherwise described in this definition.

"Health care provider" means a provider as defined in subsection (d) of Section 370g. "Health care provider" does not include a provider of air ambulance or ground ambulance services.

"Health care services" has the meaning ascribed to that term in subsection (a) of Section 370g.

"Health insurance issuer" has the meaning ascribed to that term in Section 5 of the Illinois Health Insurance Portability and Accountability Act.

"Nonparticipating emergency facility" means, with respect to the furnishing of an item or service under a policy of group or individual health insurance coverage, any of the following facilities that does not have a contractual relationship directly or indirectly with a health insurance issuer in relation to the coverage:

(1) an emergency department of a hospital;

(2) a Freestanding Emergency Center;

(3) an ambulatory surgical treatment center as defined in the Ambulatory Surgical Treatment Center Act; or

(4) with respect to emergency services described in paragraph (2) of the definition of

"emergency services", a hospital.

"Nonparticipating provider" means, with respect to the furnishing of an item or service under a policy of group or individual health insurance coverage, any health care provider who does not have a contractual relationship directly or indirectly with a health insurance issuer in relation to the coverage.

"Participating emergency facility" means any of the following facilities that has a contractual relationship directly or indirectly with a health insurance issuer offering group or individual health insurance coverage setting forth the terms and conditions on which a relevant health care service is provided to an insured, beneficiary, or enrollee under the coverage:

(1) an emergency department of a hospital;

(2) a Freestanding Emergency Center;

(3) an ambulatory surgical treatment center as defined in the Ambulatory Surgical Treatment Center Act; or

(4) with respect to emergency services described in paragraph (2) of the definition of "emergency services", a hospital.

For purposes of this definition, a single case agreement between an emergency facility and an issuer that is used to address unique situations in which an insured, beneficiary, or enrollee requires services that typically occur out-of-network constitutes a contractual relationship and is limited to the parties to the agreement.

"Participating health care facility" means any health care facility that has a contractual relationship directly or indirectly with a health insurance issuer offering group or individual health insurance coverage setting forth the terms and conditions on which a relevant health care service is provided to an insured, beneficiary, or enrollee under the coverage. A single case agreement between an emergency facility and an issuer that is used to address unique situations in which an insured, beneficiary, or enrollee requires services that typically occur out-of-network constitutes a contractual relationship for purposes of this definition and is limited to the parties to the agreement.

"Participating provider" means any health care provider that has a contractual relationship directly or indirectly with a health insurance issuer offering group or individual health insurance coverage setting forth the terms and conditions on which a relevant health care service is provided to an insured, beneficiary, or enrollee under the coverage.

"Qualifying payment amount" has the meaning given to that term in 42 U.S.C. 300gg-111(a)(3)(E) and the regulations promulgated thereunder.

"Recognized amount" means the lesser of the amount initially billed by the provider or the qualifying payment amount.

"Stabilize" means "stabilization" as defined in Section 10 of the Managed Care Reform and Patient Rights Act.

"Treating provider" means a health care provider who has evaluated the individual.

"Visit" means, with respect to health care services furnished to an individual at a health care facility, health care services furnished by a provider at the facility, as well as equipment, devices, telehealth services, imaging services, laboratory services, and preoperative and postoperative services regardless of whether the provider furnishing such services is at the facility.

(b) Emergency services. When a beneficiary, insured, or enrollee receives emergency services from a nonparticipating provider or a nonparticipating emergency facility, the health insurance issuer shall ensure that the beneficiary, insured, or enrollee shall incur no greater out-of-pocket costs than the beneficiary, insured, or enrollee would have incurred with a participating provider or a participating emergency facility. Any cost-sharing requirements shall be applied as though the emergency services had been received from a participating provider or a participating facility. Cost sharing shall be calculated based on the recognized amount for the emergency services. If the cost sharing for the same item or service furnished by a participating provider would have been a flat-dollar copayment, that amount shall be the cost-sharing amount unless the provider has billed a lesser total amount. In no event shall the beneficiary, insured, enrollee, or any group policyholder or plan sponsor be liable to or billed by the health insurance issuer, the nonparticipating provider, or the nonparticipating emergency facility for any amount beyond the cost sharing calculated in accordance with this subsection with respect to the emergency services delivered. Administrative requirements or limitations shall be no greater than those applicable to emergency services received from a participating provider or a participating emergency facility.

(b-5) Non-emergency services at participating health care facilities.

(1) When a beneficiary, insured, or enrollee utilizes a participating health care facility and, due to any reason, covered ancillary services are provided by a nonparticipating provider during or resulting from the visit, the health insurance issuer shall ensure that the beneficiary, insured, or enrollee shall incur no greater out-of-pocket costs than the beneficiary, insured, or enrollee would have incurred with a participating provider for the ancillary services. Any cost-sharing requirements shall be applied as though the ancillary services had been received from a participating provider. Cost sharing shall be calculated based on the recognized amount for the ancillary services. If the cost sharing for the same item or service furnished by a participating provider would have been a flat-dollar copayment, that amount shall be the cost-sharing amount unless the provider has billed a lesser total amount. In no event shall the beneficiary, insured, enrollee, or any group policyholder or plan sponsor be liable to or billed by the health insurance issuer, the nonparticipating provider, or the

participating health care facility for any amount beyond the cost sharing calculated in accordance with this subsection with respect to the ancillary services delivered. In addition to ancillary services, the requirements of this paragraph shall also apply with respect to covered items or services furnished as a result of unforeseen, urgent medical needs that arise at the time an item or service is furnished, regardless of whether the nonparticipating provider satisfied the notice and consent criteria under paragraph (2) of this subsection.

(2) When a beneficiary, insured, or enrollee utilizes a participating health care facility and receives non-emergency covered health care services other than those described in paragraph (1) of this subsection from a nonparticipating provider during or resulting from the visit, the health insurance issuer shall ensure that the beneficiary, insured, or enrollee incurs no greater out-of-pocket costs than the beneficiary, insured, or enrollee would have incurred with a participating provider unless the nonparticipating provider, or the participating health care facility on behalf of the nonparticipating provider, satisfies the notice and consent criteria provided in 42 U.S.C. 300gg-132 and regulations promulgated thereunder. If the notice and consent criteria are not satisfied, then:

(A) any cost-sharing requirements shall be applied as though the health care services had been received from a participating provider;

(B) cost sharing shall be calculated based on the recognized amount for the health care services; and

(C) in no event shall the beneficiary, insured, enrollee, or any group policyholder or plan sponsor be liable to or billed by the health insurance issuer, the nonparticipating provider, or the participating health care facility for any amount beyond the cost sharing calculated in accordance with this subsection with respect to the health care services delivered.

(c) Notwithstanding any other provision of this Code, except when the notice and consent criteria are satisfied for the situation in paragraph (2) of subsection (b-5), any benefits a beneficiary, insured, or enrollee receives for services under the situations in ~~subsection (b)~~ subsections (b) or (b-5) are assigned to the nonparticipating providers or the facility acting on their behalf. Upon receipt of the provider's bill or facility's bill, the health insurance issuer shall provide the nonparticipating provider or the facility with a written explanation of benefits that specifies the proposed reimbursement and the applicable deductible, copayment, or coinsurance amounts owed by the insured, beneficiary, or enrollee. The health insurance issuer shall pay any reimbursement subject to this Section directly to the nonparticipating provider or the facility.

(d) For bills assigned under subsection (c), the nonparticipating provider or the facility may bill the health insurance issuer for the services rendered, and the health insurance issuer may pay the billed amount or attempt to negotiate reimbursement with the nonparticipating provider or the facility. Within 30 calendar days after the provider or facility transmits the bill to the health insurance issuer, the issuer shall send an initial payment or notice of denial of payment with the written explanation of benefits to the provider or facility. If attempts to negotiate reimbursement for services provided by a nonparticipating provider do not result in a resolution of the payment dispute within 30 days after receipt of written explanation of benefits by the health insurance issuer, then the health insurance issuer or nonparticipating provider or the facility may initiate binding arbitration to determine payment for services provided on a ~~per-bill~~ per-bill basis. The party requesting arbitration shall notify the other party arbitration has been initiated and state its final offer before arbitration. In response to this notice, the nonrequesting party shall inform the requesting party of its final offer before the arbitration occurs. Arbitration shall be initiated by filing a request with the Department of Insurance.

(e) The Department of Insurance shall publish a list of approved arbitrators or entities that shall provide binding arbitration. These arbitrators shall be American Arbitration Association or American Health Lawyers Association trained arbitrators. Both parties must agree on an arbitrator from the Department of Insurance's or its approved entity's list of arbitrators. If no agreement can be reached, then a list of 5 arbitrators shall be provided by the Department of Insurance or the approved entity. From the list of 5 arbitrators, the health insurance issuer can veto 2 arbitrators and the provider or facility can veto 2 arbitrators. The remaining arbitrator shall be the chosen arbitrator. This arbitration shall consist of a review of the written submissions by both parties. The arbitrator shall not establish a rebuttable presumption that the qualifying payment amount should be the total amount owed to the provider or facility by the combination of the issuer and the insured, beneficiary, or enrollee. Binding arbitration shall provide for a written decision within 45 days after the request is filed with the Department of Insurance. Both parties shall

be bound by the arbitrator's decision. The arbitrator's expenses and fees, together with other expenses, not including attorney's fees, incurred in the conduct of the arbitration, shall be paid as provided in the decision.

(f) (Blank).

(g) Section 368a of this Act shall not apply during the pendency of a decision under subsection (d). Upon the issuance of the arbitrator's decision, Section 368a applies with respect to the amount, if any, by which the arbitrator's determination exceeds the issuer's initial payment under subsection (c), or the entire amount of the arbitrator's determination if initial payment was denied. Any interest required to be paid to a provider under Section 368a shall not accrue until after 30 days of an arbitrator's decision as provided in subsection (d), but in no circumstances longer than 150 days from the date the nonparticipating facility-based provider billed for services rendered.

(h) Nothing in this Section shall be interpreted to change the prudent layperson provisions with respect to emergency services under the Managed Care Reform and Patient Rights Act.

(i) Nothing in this Section shall preclude a health care provider from billing a beneficiary, insured, or enrollee for reasonable administrative fees, such as service fees for checks returned for nonsufficient funds and missed appointments.

(j) Nothing in this Section shall preclude a beneficiary, insured, or enrollee from assigning benefits to a nonparticipating provider when the notice and consent criteria are satisfied under paragraph (2) of subsection (b-5) or in any other situation not described in subsection subsections (b) or (b-5).

(k) Except when the notice and consent criteria are satisfied under paragraph (2) of subsection (b-5), if an individual receives health care services under the situations described in subsection subsections (b) or (b-5), no referral requirement or any other provision contained in the policy or certificate of coverage shall deny coverage, reduce benefits, or otherwise defeat the requirements of this Section for services that would have been covered with a participating provider. However, this subsection shall not be construed to preclude a provider contract with a health insurance issuer, or with an administrator or similar entity acting on the issuer's behalf, from imposing requirements on the participating provider, participating emergency facility, or participating health care facility relating to the referral of covered individuals to nonparticipating providers.

(l) Except if the notice and consent criteria are satisfied under paragraph (2) of subsection (b-5), cost-sharing amounts calculated in conformity with this Section shall count toward any deductible or out-of-pocket maximum applicable to in-network coverage.

(m) The Department has the authority to enforce the requirements of this Section in the situations described in subsections (b) and (b-5), and in any other situation for which 42 U.S.C. Chapter 6A, Subchapter XXV, Parts D or E and regulations promulgated thereunder would prohibit an individual from being billed or liable for emergency services furnished by a nonparticipating provider or nonparticipating emergency facility or for non-emergency health care services furnished by a nonparticipating provider at a participating health care facility.

(n) This Section does not apply with respect to air ambulance or ground ambulance services. This Section does not apply to any policy of excepted benefits or to short-term, limited-duration health insurance coverage.

(Source: P.A. 102-901, eff. 7-1-22; revised 8-19-22.)

Article 5.

Section 5-5. 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 the 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, and 356z.51, and 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, and 356z.60 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; revised 12-13-22.)

Section 5-10. 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, ~~and~~ 356z.51, ~~and~~ 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, and 356z.60 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; revised 12-13-22.)

Section 5-15. 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, ~~and~~ 356z.51, ~~and~~ 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, and 356z.60 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; revised 12-13-22.)

Section 5-17. The Network Adequacy and Transparency Act is amended by changing Section 10 as follows:

(215 ILCS 124/10)

Sec. 10. Network adequacy.

(a) An insurer providing a network plan shall file a description of all of the following with the Director:

(1) The written policies and procedures for adding providers to meet patient needs based on increases in the number of beneficiaries, changes in the patient-to-provider ratio, changes in medical and health care capabilities, and increased demand for services.

(2) The written policies and procedures for making referrals within and outside the network.

(3) The written policies and procedures on how the network plan will provide 24-hour, 7-day per week access to network-affiliated primary care, emergency services, and women's ~~woman's~~ principal health care providers.

An insurer shall not prohibit a preferred provider from discussing any specific or all treatment options with beneficiaries irrespective of the insurer's position on those treatment options or from advocating on behalf of beneficiaries within the utilization review, grievance, or appeals processes established by the insurer in accordance with any rights or remedies available under applicable State or federal law.

(b) Insurers must file for review a description of the services to be offered through a network plan. The description shall include all of the following:

(1) A geographic map of the area proposed to be served by the plan by county service area and zip code, including marked locations for preferred providers.

(2) As deemed necessary by the Department, the names, addresses, phone numbers, and specialties of the providers who have entered into preferred provider agreements under the network plan.

(3) The number of beneficiaries anticipated to be covered by the network plan.

(4) An Internet website and toll-free telephone number for beneficiaries and prospective beneficiaries to access current and accurate lists of preferred providers, additional information about the plan, as well as any other information required by Department rule.

(5) A description of how health care services to be rendered under the network plan are reasonably accessible and available to beneficiaries. The description shall address all of the following:

(A) the type of health care services to be provided by the network plan;

(B) the ratio of physicians and other providers to beneficiaries, by specialty and including primary care physicians and facility-based physicians when applicable under the contract, necessary to meet the health care needs and service demands of the currently enrolled population;

(C) the travel and distance standards for plan beneficiaries in county service areas; and

(D) a description of how the use of telemedicine, telehealth, or mobile care services may be used to partially meet the network adequacy standards, if applicable.

(6) A provision ensuring that whenever a beneficiary has made a good faith effort, as evidenced by accessing the provider directory, calling the network plan, and calling the provider, to utilize preferred providers for a covered service and it is determined the insurer does not have the appropriate preferred providers due to insufficient number, type, ~~or~~ unreasonable travel distance or delay, or preferred providers refusing to provide a covered service because it is contrary to the conscience of the preferred providers, as protected by the Health Care Right of Conscience Act, the insurer shall ensure, directly or indirectly, by terms contained in the payer contract, that the beneficiary will be provided the covered service at no greater cost to the beneficiary than if the service had been provided by a preferred provider. This paragraph (6) does not apply to: (A) a beneficiary who willfully chooses to access a non-preferred provider for health care services available through the panel of preferred providers, or (B) a beneficiary enrolled in a health maintenance organization. In these circumstances, the contractual requirements for non-preferred provider reimbursements shall apply unless Section 356z.3a of the Illinois Insurance Code requires otherwise. In no event shall a beneficiary who receives care at a participating health care facility be required to search for participating providers under the circumstances described in subsection (b) or (b-5) of Section 356z.3a of the Illinois Insurance Code ~~subsections (b) or (b-5) of Section 356z.3a of the Illinois Insurance Code~~ except under the circumstances described in paragraph (2) of subsection (b-5).

(7) A provision that the beneficiary shall receive emergency care coverage such that payment for this coverage is not dependent upon whether the emergency services are performed by a preferred

or non-preferred provider and the coverage shall be at the same benefit level as if the service or treatment had been rendered by a preferred provider. For purposes of this paragraph (7), "the same benefit level" means that the beneficiary is provided the covered service at no greater cost to the beneficiary than if the service had been provided by a preferred provider. This provision shall be consistent with Section 356z.3a of the Illinois Insurance Code.

(8) A limitation that, if the plan provides that the beneficiary will incur a penalty for failing to pre-certify inpatient hospital treatment, the penalty may not exceed \$1,000 per occurrence in addition to the plan cost sharing provisions.

(c) The network plan shall demonstrate to the Director a minimum ratio of providers to plan beneficiaries as required by the Department.

(1) The ratio of physicians or other providers to plan beneficiaries shall be established annually by the Department in consultation with the Department of Public Health based upon the guidance from the federal Centers for Medicare and Medicaid Services. The Department shall not establish ratios for vision or dental providers who provide services under dental-specific or vision-specific benefits. The Department shall consider establishing ratios for the following physicians or other providers:

- (A) Primary Care;
- (B) Pediatrics;
- (C) Cardiology;
- (D) Gastroenterology;
- (E) General Surgery;
- (F) Neurology;
- (G) OB/GYN;
- (H) Oncology/Radiation;
- (I) Ophthalmology;
- (J) Urology;
- (K) Behavioral Health;
- (L) Allergy/Immunology;
- (M) Chiropractic;
- (N) Dermatology;
- (O) Endocrinology;
- (P) Ears, Nose, and Throat (ENT)/Otolaryngology;
- (Q) Infectious Disease;
- (R) Nephrology;
- (S) Neurosurgery;
- (T) Orthopedic Surgery;
- (U) Physiatry/Rehabilitative;
- (V) Plastic Surgery;
- (W) Pulmonary;
- (X) Rheumatology;
- (Y) Anesthesiology;
- (Z) Pain Medicine;
- (AA) Pediatric Specialty Services;
- (BB) Outpatient Dialysis; and
- (CC) HIV.

(2) The Director shall establish a process for the review of the adequacy of these standards, along with an assessment of additional specialties to be included in the list under this subsection (c).

(d) The network plan shall demonstrate to the Director maximum travel and distance standards for plan beneficiaries, which shall be established annually by the Department in consultation with the Department of Public Health based upon the guidance from the federal Centers for Medicare and Medicaid Services. These standards shall consist of the maximum minutes or miles to be traveled by a plan beneficiary for each county type, such as large counties, metro counties, or rural counties as defined by Department rule.

The maximum travel time and distance standards must include standards for each physician and other provider category listed for which ratios have been established.

The Director shall establish a process for the review of the adequacy of these standards along with an assessment of additional specialties to be included in the list under this subsection (d).

(d-5)(1) Every insurer shall ensure that beneficiaries have timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions in accordance with the provisions of paragraph (4) of subsection (a) of Section 370c of the Illinois Insurance Code. Insurers shall use a comparable process, strategy, evidentiary standard, and other factors in the development and application of the network adequacy standards for timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions and those for the access to treatment for medical and surgical conditions. As such, the network adequacy standards for timely and proximate access shall equally be applied to treatment facilities and providers for mental, emotional, nervous, or substance use disorders or conditions and specialists providing medical or surgical benefits pursuant to the parity requirements of Section 370c.1 of the Illinois Insurance Code and the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. Notwithstanding the foregoing, the network adequacy standards for timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions shall, at a minimum, satisfy the following requirements:

(A) For beneficiaries residing in the metropolitan counties of Cook, DuPage, Kane, Lake, McHenry, and Will, network adequacy standards for timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions means a beneficiary shall not have to travel longer than 30 minutes or 30 miles from the beneficiary's residence to receive outpatient treatment for mental, emotional, nervous, or substance use disorders or conditions. Beneficiaries shall not be required to wait longer than 10 business days between requesting an initial appointment and being seen by the facility or provider of mental, emotional, nervous, or substance use disorders or conditions for outpatient treatment or to wait longer than 20 business days between requesting a repeat or follow-up appointment and being seen by the facility or provider of mental, emotional, nervous, or substance use disorders or conditions for outpatient treatment; however, subject to the protections of paragraph (3) of this subsection, a network plan shall not be held responsible if the beneficiary or provider voluntarily chooses to schedule an appointment outside of these required time frames.

(B) For beneficiaries residing in Illinois counties other than those counties listed in subparagraph (A) of this paragraph, network adequacy standards for timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions means a beneficiary shall not have to travel longer than 60 minutes or 60 miles from the beneficiary's residence to receive outpatient treatment for mental, emotional, nervous, or substance use disorders or conditions. Beneficiaries shall not be required to wait longer than 10 business days between requesting an initial appointment and being seen by the facility or provider of mental, emotional, nervous, or substance use disorders or conditions for outpatient treatment or to wait longer than 20 business days between requesting a repeat or follow-up appointment and being seen by the facility or provider of mental, emotional, nervous, or substance use disorders or conditions for outpatient treatment; however, subject to the protections of paragraph (3) of this subsection, a network plan shall not be held responsible if the beneficiary or provider voluntarily chooses to schedule an appointment outside of these required time frames.

(2) For beneficiaries residing in all Illinois counties, network adequacy standards for timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions means a beneficiary shall not have to travel longer than 60 minutes or 60 miles from the beneficiary's residence to receive inpatient or residential treatment for mental, emotional, nervous, or substance use disorders or conditions.

(3) If there is no in-network facility or provider available for a beneficiary to receive timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions in accordance with the network adequacy standards outlined in this subsection, the insurer shall provide necessary exceptions to its network to ensure admission and treatment with a provider or at a treatment facility in accordance with the network adequacy standards in this subsection.

(e) Except for network plans solely offered as a group health plan, these ratio and time and distance standards apply to the lowest cost-sharing tier of any tiered network.

(f) The network plan may consider use of other health care service delivery options, such as telemedicine or telehealth, mobile clinics, and centers of excellence, or other ways of delivering care to partially meet the requirements set under this Section.

(g) Except for the requirements set forth in subsection (d-5), insurers who are not able to comply with the provider ratios and time and distance standards established by the Department may request an exception to these requirements from the Department. The Department may grant an exception in the following circumstances:

(1) if no providers or facilities meet the specific time and distance standard in a specific service area and the insurer (i) discloses information on the distance and travel time points that beneficiaries would have to travel beyond the required criterion to reach the next closest contracted provider outside of the service area and (ii) provides contact information, including names, addresses, and phone numbers for the next closest contracted provider or facility;

(2) if patterns of care in the service area do not support the need for the requested number of provider or facility type and the insurer provides data on local patterns of care, such as claims data, referral patterns, or local provider interviews, indicating where the beneficiaries currently seek this type of care or where the physicians currently refer beneficiaries, or both; or

(3) other circumstances deemed appropriate by the Department consistent with the requirements of this Act.

(h) Insurers are required to report to the Director any material change to an approved network plan within 15 days after the change occurs and any change that would result in failure to meet the requirements of this Act. Upon notice from the insurer, the Director shall reevaluate the network plan's compliance with the network adequacy and transparency standards of this Act.

(Source: P.A. 102-144, eff. 1-1-22; 102-901, eff. 7-1-22; revised 9-2-22.)

Section 5-20. 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, 355.2, 355.3, 355b, 356q, 356v, 356z.4, 356z.4a, 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. Nothing in this Section shall require a limited health care plan to cover any service that is not a limited health service. 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.)

Article 6.

Section 6-5. 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, 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, 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. 86-1475.)

Article 7.

Section 7-5. The Medical Practice Act of 1987 is amended by changing Sections 22 as follows:

(225 ILCS 60/22) (from Ch. 111, par. 4400-22)

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

Sec. 22. Disciplinary action.

(A) The Department may revoke, suspend, place on probation, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action as the Department may deem proper with regard to the license or permit of any person issued under this Act, including imposing fines not to exceed \$10,000 for each violation, upon any of the following grounds:

(1) (Blank).

(2) (Blank).

(3) A plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, 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 of any crime that is a felony.

(4) Gross negligence in practice under this Act.

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

(6) Obtaining any fee by fraud, deceit, or misrepresentation.

(7) Habitual or excessive use or abuse of drugs defined in law as controlled substances, of alcohol, or of any other substances which results in the inability to practice with reasonable judgment, skill, or safety.

(8) Practicing under a false or, except as provided by law, an assumed name.

(9) 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.

(10) Making a false or misleading statement regarding their skill or the efficacy or value of the medicine, treatment, or remedy prescribed by them at their direction in the treatment of any disease or other condition of the body or mind.

(11) Allowing another person or organization to use their license, procured under this Act, to practice.

(12) Adverse action taken by another state or jurisdiction against a license or other authorization to practice as a medical doctor, doctor of osteopathy, doctor of osteopathic medicine, or doctor of chiropractic, a certified copy of the record of the action taken by the other state or jurisdiction being prima facie evidence thereof. This includes any adverse action taken by a State or federal agency that prohibits a medical doctor, doctor of osteopathy, doctor of osteopathic medicine, or doctor of chiropractic from providing services to the agency's participants.

(13) Violation of any provision of this Act or of the Medical Practice Act prior to the repeal of that Act, or violation of the rules, or a final administrative action of the Secretary, after consideration of the recommendation of the Medical Board.

(14) Violation of the prohibition against fee splitting in Section 22.2 of this Act.

(15) A finding by the Medical Board that the registrant after having his or her license placed on probationary status or subjected to conditions or restrictions violated the terms of the probation or failed to comply with such terms or conditions.

(16) Abandonment of a patient.

(17) Prescribing, selling, administering, distributing, giving, or self-administering any drug classified as a controlled substance (designated product) or narcotic for other than medically accepted therapeutic purposes.

(18) Promotion of the sale of drugs, devices, appliances, or goods provided for a patient in such manner as to exploit the patient for financial gain of the physician.

(19) Offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine, or the treating, operating, or prescribing for any human condition by a method, means, or procedure which the licensee refuses to divulge upon demand of the Department.

(20) 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.

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

(22) Willful omission to file or record, or willfully impeding the filing or recording, or inducing another person to omit to file or record, medical reports as required by law, or willfully failing to report an instance of suspected abuse or neglect as required by law.

(23) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under 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.

(24) Solicitation of professional patronage by any corporation, agents, or persons, or profiting from those representing themselves to be agents of the licensee.

(25) Gross and willful and continued overcharging for professional services, including filing false statements for collection of fees for which services are not rendered, including, but not limited to, filing such false statements for collection of monies for services not rendered from the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(26) A pattern of practice or other behavior which demonstrates incapacity or incompetence to practice under this Act.

(27) Mental illness or disability which results in the inability to practice under this Act with reasonable judgment, skill, or safety.

(28) Physical illness, including, but not limited to, deterioration through the aging process, or loss of motor skill which results in a physician's inability to practice under this Act with reasonable judgment, skill, or safety.

(29) Cheating on or attempting to subvert the licensing examinations administered under this Act.

(30) Willfully or negligently violating the confidentiality between physician and patient except as required by law.

(31) The use of any false, fraudulent, or deceptive statement in any document connected with practice under this Act.

(32) Aiding and abetting an individual not licensed under this Act in the practice of a profession licensed under this Act.

(33) Violating ~~State~~ state or federal laws or regulations relating to controlled substances, legend drugs, or ephedra as defined in the Ephedra Prohibition Act.

(34) Failure to report to the Department any adverse final action taken against them by another licensing jurisdiction (any other state or any territory of the United States or any foreign state or country), by any peer review body, by any health care institution, by any professional society or

association related to practice under this Act, by any governmental agency, by any law enforcement agency, or by any court for acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(35) Failure to report to the Department surrender of a license or authorization to practice as a medical doctor, a doctor of osteopathy, a doctor of osteopathic medicine, or doctor of chiropractic in another state or jurisdiction, or surrender of membership on any medical staff or in any medical or professional association or society, while under disciplinary investigation by any of those authorities or bodies, for acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(36) Failure to report to the Department any adverse judgment, settlement, or award arising from a liability claim related to acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(37) Failure to provide copies of medical records as required by law.

(38) Failure to furnish the Department, its investigators or representatives, relevant information, legally requested by the Department after consultation with the Chief Medical Coordinator or the Deputy Medical Coordinator.

(39) Violating the Health Care Worker Self-Referral Act.

(40) ~~(Blank). Willful failure to provide notice when notice is required under the Parental Notice of Abortion Act of 1995.~~

(41) Failure to establish and maintain records of patient care and treatment as required by this law.

(42) Entering into an excessive number of written collaborative agreements with licensed advanced practice registered nurses resulting in an inability to adequately collaborate.

(43) Repeated failure to adequately collaborate with a licensed advanced practice registered nurse.

(44) Violating the Compassionate Use of Medical Cannabis Program Act.

(45) Entering into an excessive number of written collaborative agreements with licensed prescribing psychologists resulting in an inability to adequately collaborate.

(46) Repeated failure to adequately collaborate with a licensed prescribing psychologist.

(47) Willfully failing to report an instance of suspected abuse, neglect, financial exploitation, or self-neglect of an eligible adult as defined in and required by the Adult Protective Services Act.

(48) Being named as an abuser in a verified report by the Department on Aging under the Adult Protective Services Act, and upon proof by clear and convincing evidence that the licensee abused, neglected, or financially exploited an eligible adult as defined in the Adult Protective Services Act.

(49) Entering into an excessive number of written collaborative agreements with licensed physician assistants resulting in an inability to adequately collaborate.

(50) Repeated failure to adequately collaborate with a physician assistant.

Except for actions involving the ground numbered (26), 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 next 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 the grounds numbered (8), (9), (26), and (29), no action shall be commenced more than 10 years after the date of the incident or act alleged to have violated this Section. For actions involving the ground numbered (26), a pattern of practice or other behavior includes all incidents alleged to be part of the pattern of practice or other behavior that occurred, or a report pursuant to Section 23 of this Act received, within the 10-year period preceding the filing of the complaint. In the event of the settlement of any claim or cause of action in favor of the claimant or the reduction to final judgment of any civil action in favor of the plaintiff, such claim, cause of action, or civil action being grounded on the allegation that a person licensed under this Act was negligent in providing care, the Department shall have an additional period of 2 years from the date of notification to the Department under Section 23 of this Act of such settlement or final judgment in which to investigate and commence formal disciplinary proceedings under Section 36 of this Act, except as otherwise provided by law. 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.

The entry of an order or judgment by any circuit court establishing that any person holding a license under this Act is a person in need of mental treatment operates as a suspension of that license. That person

may resume his or her practice only upon the entry of a Departmental order based upon a finding by the Medical Board that the person has been determined to be recovered from mental illness by the court and upon the Medical Board's recommendation that the person be permitted to resume his or her practice.

The Department may refuse to issue or take disciplinary action concerning 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 as determined by the Illinois Department of Revenue.

The Department, upon the recommendation of the Medical Board, shall adopt rules which set forth standards to be used in determining:

- (a) when a person will be deemed sufficiently rehabilitated to warrant the public trust;
- (b) what constitutes dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;
- (c) what constitutes 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; and
- (d) what constitutes gross negligence in the practice of medicine.

However, no such rule shall be admissible into evidence in any civil action except for review of a licensing or other disciplinary action under this Act.

In enforcing this Section, the Medical Board, upon a showing of a possible violation, may compel any individual who is licensed to practice under this Act or holds a permit to practice under this Act, or any individual who has applied for licensure or a permit pursuant to this Act, to submit to a mental or physical examination and evaluation, or both, which may include a substance abuse or sexual offender evaluation, as required by the Medical Board and at the expense of the Department. The Medical Board shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation, or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing. The Medical Board or the Department may order the examining physician or any member of the multidisciplinary team to provide to the Department or the Medical Board any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Medical Board or the Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the licensee, permit holder, or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee, permit holder, or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee, permit holder, or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any individual to submit to mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension, without hearing, until such time as the individual submits to the examination. If the Medical Board finds a physician unable to practice following an examination and evaluation because of the reasons set forth in this Section, the Medical Board shall require such physician to submit to care, counseling, or treatment by physicians, or other health care professionals, approved or designated by the Medical Board, as a condition for issued, continued, reinstated, or renewed licensure to practice. Any physician, whose license was granted pursuant to ~~Section Sections~~ 9, 17, or 19 of this Act, or, continued, reinstated, renewed, disciplined, or supervised, subject to such terms, conditions, or restrictions who shall fail to comply with such terms, conditions, or restrictions, or to complete a required program of care, counseling, or treatment,

as determined by the Chief Medical Coordinator or Deputy Medical Coordinators, shall be referred to the Secretary for a determination as to whether the licensee shall have his or her license suspended immediately, pending a hearing by the Medical Board. In instances in which the Secretary immediately suspends a license under this Section, a hearing upon such person's license must be convened by the Medical Board within 15 days after such suspension and completed without appreciable delay. The Medical Board shall have the authority to review the subject physician's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act, affected under this Section, shall be afforded an opportunity to demonstrate to the Medical Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

The Department may promulgate rules for the imposition of fines in disciplinary cases, not to exceed \$10,000 for each violation of this Act. Fines may be imposed in conjunction with other forms of disciplinary action, but shall not be the exclusive disposition of any disciplinary action arising out of conduct resulting in death or injury to a patient. Any funds collected from such fines shall be deposited in the Illinois State Medical Disciplinary Fund.

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.

(B) The Department shall revoke the license or permit issued under this Act to practice medicine or a chiropractic physician who has been convicted a second time of committing any felony under the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act, or who has been convicted a second time of committing a Class 1 felony under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A person whose license or permit is revoked under this subsection B shall be prohibited from practicing medicine or treating human ailments without the use of drugs and without operative surgery.

(C) The Department shall not revoke, suspend, place on probation, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice medicine to a physician:

(1) based solely upon the recommendation of the physician to an eligible patient regarding, or prescription for, or treatment with, an investigational drug, biological product, or device; ~~or~~

(2) for experimental treatment for Lyme disease or other tick-borne diseases, including, but not limited to, the prescription of or treatment with long-term antibiotics; ~~or~~

(3) based solely upon the physician providing, authorizing, recommending, aiding, assisting, referring for, or otherwise participating in any health care service, so long as the care was not unlawful under the laws of this State, regardless of whether the patient was a resident of this State or another state; or

(4) based upon the physician's license being revoked or suspended, or the physician being otherwise disciplined by any other state, if that revocation, suspension, or other form of discipline was based solely on the physician violating another state's laws prohibiting the provision of, authorization of, recommendation of, aiding or assisting in, referring for, or participation in any health care service if that health care service as provided would not have been unlawful under the laws of this State and is consistent with the standards of conduct for the physician if it occurred in Illinois.

~~(D) (Blank). The Medical Board shall recommend to the Department civil penalties and any other appropriate discipline in disciplinary cases when the Medical Board finds that a physician willfully performed an abortion with actual knowledge that the person upon whom the abortion has been performed is a minor or an incompetent person without notice as required under the Parental Notice of Abortion Act of 1995. Upon the Medical Board's recommendation, the Department shall impose, for the first violation, a civil penalty of \$1,000 and for a second or subsequent violation, a civil penalty of \$5,000.~~

(E) The conduct specified in subsection (C) shall not trigger reporting requirements under Section 23, constitute grounds for suspension under Section 25, or be included on the physician's profile required under Section 10 of the Patients' Right to Know Act.

(F) An applicant seeking licensure, certification, or authorization pursuant to this Act and who has been subject to disciplinary action by a duly authorized professional disciplinary agency of another jurisdiction solely on the basis of having provided, authorized, recommended, aided, assisted, referred for, or otherwise participated in health care shall not be denied such licensure, certification, or authorization, unless the Department determines that the action would have constituted professional misconduct in this State; however, nothing in this Section shall be construed as prohibiting the Department from evaluating the

conduct of the applicant and making a determination regarding the licensure, certification, or authorization to practice a profession under this Act.

(G) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 101-13, eff. 6-12-19; 101-81, eff. 7-12-19; 101-363, eff. 8-9-19; 102-20, eff. 1-1-22; 102-558, eff. 8-20-21; 102-813, eff. 5-13-22.)

Section 7-10. The Nurse Practice Act is amended by changing Sections 65-65 and 70-5 as follows:
(225 ILCS 65/65-65) (was 225 ILCS 65/15-55)

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

Sec. 65-65. Reports relating to APRN professional conduct and capacity.

(a) Entities Required to Report.

(1) Health Care Institutions. The chief administrator or executive officer of a health care institution licensed by the Department of Public Health, which provides the minimum due process set forth in Section 10.4 of the Hospital Licensing Act, shall report to the Board when an advanced practice registered nurse's organized professional staff clinical privileges are terminated or are restricted based on a final determination, in accordance with that institution's bylaws or rules and regulations, that (i) a person has either committed an act or acts that may directly threaten patient care and that are not of an administrative nature or (ii) that a person may have a mental or physical disability that may endanger patients under that person's care. The chief administrator or officer shall also report if an advanced practice registered nurse accepts voluntary termination or restriction of clinical privileges in lieu of formal action based upon conduct related directly to patient care and not of an administrative nature, or in lieu of formal action seeking to determine whether a person may have a mental or physical disability that may endanger patients under that person's care. The Department shall provide by rule for the reporting to it of all instances in which a person licensed under this Article, who is impaired by reason of age, drug, or alcohol abuse or physical or mental impairment, is under supervision and, where appropriate, is in a program of rehabilitation. Reports submitted under this subsection shall be strictly confidential and may be reviewed and considered only by the members of the Board or authorized staff as provided by rule of the Department. Provisions shall be made for the periodic report of the status of any such reported person not less than twice annually in order that the Board shall have current information upon which to determine the status of that person. Initial and periodic reports of impaired advanced practice registered nurses shall not be considered records within the meaning of the State Records Act and shall be disposed of, following a determination by the Board that such reports are no longer required, in a manner and at an appropriate time as the Board shall determine by rule. The filing of reports submitted under this subsection shall be construed as the filing of a report for purposes of subsection (c) of this Section.

(2) Professional Associations. The President or chief executive officer of an association or society of persons licensed under this Article, operating within this State, shall report to the Board when the association or society renders a final determination that a person licensed under this Article has committed unprofessional conduct related directly to patient care or that a person may have a mental or physical disability that may endanger patients under the person's care.

(3) Professional Liability Insurers. Every insurance company that offers policies of professional liability insurance to persons licensed under this Article, or any other entity that seeks to indemnify the professional liability of a person licensed under this Article, shall report to the Board the settlement of any claim or cause of action, or final judgment rendered in any cause of action, that alleged negligence in the furnishing of patient care by the licensee when the settlement or final judgment is in favor of the plaintiff. Such insurance company shall not take any adverse action, including, but not limited to, denial or revocation of coverage, or rate increases, against a person licensed under this Act with respect to coverage for services provided in Illinois if based solely on the person providing, authorizing, recommending, aiding, assisting, referring for, or otherwise participating in health care services this State in violation of another state's law, or a revocation or other adverse action against the person's license in another state for violation of such law if that health care service as provided would have been lawful and consistent with the standards of conduct for registered nurses and advanced practice registered nurses if it occurred in Illinois. Notwithstanding this provision, it is against public policy to require coverage for an illegal action.

(4) State's Attorneys. The State's Attorney of each county shall report to the Board all instances in which a person licensed under this Article is convicted or otherwise found guilty of the commission of a felony.

(5) State Agencies. All agencies, boards, commissions, departments, or other instrumentalities of the government of this State shall report to the Board any instance arising in connection with the operations of the agency, including the administration of any law by the agency, in which a person licensed under this Article has either committed an act or acts that may constitute a violation of this Article, that may constitute unprofessional conduct related directly to patient care, or that indicates that a person licensed under this Article may have a mental or physical disability that may endanger patients under that person's care.

(b) Mandatory Reporting. All reports required under items (16) and (17) of subsection (a) of Section 70-5 shall be submitted to the Board in a timely fashion. The reports shall be filed in writing within 60 days after a determination that a report is required under this Article. All reports shall contain the following information:

- (1) The name, address, and telephone number of the person making the report.
- (2) The name, address, and telephone number of the person who is the subject of the report.
- (3) The name or other means of identification of any patient or patients whose treatment is a subject of the report, except that no medical records may be revealed without the written consent of the patient or patients.
- (4) A brief description of the facts that gave rise to the issuance of the report, including, but not limited to, the dates of any occurrences deemed to necessitate the filing of the report.
- (5) If court action is involved, the identity of the court in which the action is filed, the docket number, and date of filing of the action.
- (6) Any further pertinent information that the reporting party deems to be an aid in the evaluation of the report.

Nothing contained in this Section shall be construed to in any way waive or modify the confidentiality of medical reports and committee reports to the extent provided by law. Any information reported or disclosed shall be kept for the confidential use of the Board, the Board's attorneys, the investigative staff, and authorized clerical staff and shall be afforded the same status as is provided information concerning medical studies in Part 21 of Article VIII of the Code of Civil Procedure.

(c) Immunity from Prosecution. An individual or organization acting in good faith, and not in a willful and wanton manner, in complying with this Section by providing a report or other information to the Board, by assisting in the investigation or preparation of a report or information, by participating in proceedings of the Board, or by serving as a member of the Board shall not, as a result of such actions, be subject to criminal prosecution or civil damages.

(d) Indemnification. Members of the Board, the Board's attorneys, the investigative staff, advanced practice registered nurses or physicians retained under contract to assist and advise in the investigation, and authorized clerical staff shall be indemnified by the State for any actions (i) occurring within the scope of services on the Board, (ii) performed in good faith, and (iii) not willful and wanton in nature. The Attorney General shall defend all actions taken against those persons unless he or she determines either that there would be a conflict of interest in the representation or that the actions complained of were not performed in good faith or were willful and wanton in nature. If the Attorney General declines representation, the member shall have the right to employ counsel of his or her choice, whose fees shall be provided by the State, after approval by the Attorney General, unless there is a determination by a court that the member's actions were not performed in good faith or were willful and wanton in nature. The member shall notify the Attorney General within 7 days of receipt of notice of the initiation of an action involving services of the Board. Failure to so notify the Attorney General shall constitute an absolute waiver of the right to a defense and indemnification. The Attorney General shall determine within 7 days after receiving the notice whether he or she will undertake to represent the member.

(e) Deliberations of Board. Upon the receipt of a report called for by this Section, other than those reports of impaired persons licensed under this Article required pursuant to the rules of the Board, the Board shall notify in writing by certified or registered mail or by email to the email address of record the person who is the subject of the report. The notification shall be made within 30 days of receipt by the Board of the report. The notification shall include a written notice setting forth the person's right to examine the report. Included in the notification shall be the address at which the file is maintained, the name of the custodian of the reports, and the telephone number at which the custodian may be reached. The person who is the subject

of the report shall submit a written statement responding to, clarifying, adding to, or proposing to amend the report previously filed. The statement shall become a permanent part of the file and shall be received by the Board no more than 30 days after the date on which the person was notified of the existence of the original report. The Board shall review all reports received by it and any supporting information and responding statements submitted by persons who are the subject of reports. The review by the Board shall be in a timely manner but in no event shall the Board's initial review of the material contained in each disciplinary file be less than 61 days nor more than 180 days after the receipt of the initial report by the Board. When the Board makes its initial review of the materials contained within its disciplinary files, the Board shall, in writing, make a determination as to whether there are sufficient facts to warrant further investigation or action. Failure to make that determination within the time provided shall be deemed to be a determination that there are not sufficient facts to warrant further investigation or action. Should the Board find that there are not sufficient facts to warrant further investigation or action, the report shall be accepted for filing and the matter shall be deemed closed and so reported. The individual or entity filing the original report or complaint and the person who is the subject of the report or complaint shall be notified in writing by the Board of any final action on their report or complaint.

(f) (Blank).

(g) Any violation of this Section shall constitute a Class A misdemeanor.

(h) If a person violates the provisions of this Section, an action may be brought in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois, for an order enjoining the violation or for an order enforcing compliance with this Section. Upon filing of a petition in court, the court may issue a temporary restraining order without notice or bond and may preliminarily or permanently enjoin the violation, and if it is established that the person has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this subsection shall be in addition to, and not in lieu of, all other remedies and penalties provided for by this Section.

(i) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 99-143, eff. 7-27-15; 100-513, eff. 1-1-18.)

(225 ILCS 65/70-5) (was 225 ILCS 65/10-45)

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

Sec. 70-5. Grounds for disciplinary action.

(a) The Department may refuse to issue or to renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including fines not to exceed \$10,000 per violation, with regard to a license for any one or combination of the causes set forth in subsection (b) below. All fines collected under this Section shall be deposited in the Nursing Dedicated and Professional Fund.

(b) Grounds for disciplinary action include the following:

(1) Material deception in furnishing information to the Department.

(2) Material violations of any provision of this Act or violation of the rules of or final administrative action of the Secretary, after consideration of the recommendation of the Board.

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of 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: (i) that is a felony; or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

(4) A pattern of practice or other behavior which demonstrates incapacity or incompetency to practice under this Act.

(5) Knowingly aiding or assisting another person in violating any provision of this Act or rules.

(6) Failing, within 90 days, to provide a response to a request for information in response to a written request made by the Department by certified or registered mail or by email to the email address of record.

(7) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public, as defined by rule.

(8) Unlawful taking, theft, selling, distributing, or manufacturing of any drug, narcotic, or prescription device.

(9) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that could result in a licensee's inability to practice with reasonable judgment, skill, or safety.

(10) 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 in this Section.

(11) A finding that the licensee, after having her or his license placed on probationary status or subject to conditions or restrictions, has violated the terms of probation or failed to comply with such terms or conditions.

(12) Being named as a perpetrator in an indicated report by the Department of Children and Family Services and under 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.

(13) Willful omission to file or record, or willfully impeding the filing or recording or inducing another person to omit to file or record medical reports as required by law.

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

(14) Gross negligence in the practice of practical, professional, or advanced practice registered nursing.

(15) Holding oneself out to be practicing nursing under any name other than one's own.

(16) Failure of a licensee to report to the Department any adverse final action taken against him or her by another licensing jurisdiction of the United States or any foreign state or country, any peer review body, any health care institution, any professional or nursing society or association, any governmental agency, any law enforcement agency, or any court or a nursing liability claim related to acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this Section.

(17) Failure of a licensee to report to the Department surrender by the licensee of a license or authorization to practice nursing or advanced practice registered nursing in another state or jurisdiction or current surrender by the licensee of membership on any nursing staff or in any nursing or advanced practice registered nursing or professional association or society while under disciplinary investigation by any of those authorities or bodies for acts or conduct similar to acts or conduct that would constitute grounds for action as defined by this Section.

(18) Failing, within 60 days, to provide information in response to a written request made by the Department.

(19) Failure to establish and maintain records of patient care and treatment as required by law.

(20) Fraud, deceit, 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.

(21) Allowing another person or organization to use the licensee's license to deceive the public.

(22) Willfully making or filing false records or reports in the licensee's practice, including, but not limited to, false records to support claims against the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(23) Attempting to subvert or cheat on a licensing examination administered under this Act.

(24) Immoral conduct in the commission of an act, including, but not limited to, sexual abuse, sexual misconduct, or sexual exploitation, related to the licensee's practice.

(25) Willfully or negligently violating the confidentiality between nurse and patient except as required by law.

(26) Practicing under a false or assumed name, except as provided by law.

(27) The use of any false, fraudulent, or deceptive statement in any document connected with the licensee's practice.

(28) Directly or indirectly giving to or receiving from a person, firm, corporation, partnership, or association a fee, commission, rebate, or other form of compensation for professional services not actually or personally rendered. Nothing in this paragraph (28) 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

paragraph (28) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(29) A violation of the Health Care Worker Self-Referral Act.

(30) Physical illness, mental illness, or disability that results in the inability to practice the profession with reasonable judgment, skill, or safety.

(31) Exceeding the terms of a collaborative agreement or the prescriptive authority delegated to a licensee by his or her collaborating physician or podiatric physician in guidelines established under a written collaborative agreement.

(32) Making a false or misleading statement regarding a licensee's skill or the efficacy or value of the medicine, treatment, or remedy prescribed by him or her in the course of treatment.

(33) Prescribing, selling, administering, distributing, giving, or self-administering a drug classified as a controlled substance (designated product) or narcotic for other than medically accepted therapeutic purposes.

(34) Promotion of the sale of drugs, devices, appliances, or goods provided for a patient in a manner to exploit the patient for financial gain.

(35) Violating State or federal laws, rules, or regulations relating to controlled substances.

(36) Willfully or negligently violating the confidentiality between an advanced practice registered nurse, collaborating physician, dentist, or podiatric physician and a patient, except as required by law.

(37) Willfully failing to report an instance of suspected abuse, neglect, financial exploitation, or self-neglect of an eligible adult as defined in and required by the Adult Protective Services Act.

(38) Being named as an abuser in a verified report by the Department on Aging and under the Adult Protective Services Act, and upon proof by clear and convincing evidence that the licensee abused, neglected, or financially exploited an eligible adult as defined in the Adult Protective Services Act.

(39) A violation of any provision of this Act or any rules adopted under this Act.

(40) Violating the Compassionate Use of Medical Cannabis Program Act.

(b-5) The Department shall not revoke, suspend, summarily suspend, place on probation, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a registered nurse or an advanced practice registered nurse based solely upon the registered nurse or advanced practice registered nurse providing, authorizing, recommending, aiding, assisting, referring for, or otherwise participating in any health care service, so long as the care was not unlawful under the laws of this State, regardless of whether the patient was a resident of this State or another state.

(b-10) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a registered nurse or an advanced practice registered nurse based upon the registered nurse's or advanced practice registered nurse's license being revoked or suspended, or the registered nurse or advanced practice registered nurse being otherwise disciplined by any other state, if that revocation, suspension, or other form of discipline was based solely on the registered nurse or advanced practice registered nurse violating another state's laws prohibiting the provision of, authorization of, recommendation of, aiding or assisting in, referring for, or participation in any health care service if that health care service as provided would not have been unlawful under the laws of this State and is consistent with the standards of conduct for the registered nurse or advanced practice registered nurse practicing in Illinois.

(b-15) The conduct specified in subsections (b-5) and (b-10) shall not trigger reporting requirements under Section 65-65 or constitute grounds for suspension under Section 70-60.

(b-20) An applicant seeking licensure, certification, or authorization under this Act who has been subject to disciplinary action by a duly authorized professional disciplinary agency of another jurisdiction solely on the basis of having provided, authorized, recommended, aided, assisted, referred for, or otherwise participated in health care shall not be denied such licensure, certification, or authorization, unless the Department determines that such action would have constituted professional misconduct in this State; however, nothing in this Section shall be construed as prohibiting the Department from evaluating the conduct of such applicant and making a determination regarding the licensure, certification, or authorization to practice a profession under this Act.

(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, as amended, operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient; and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume his or her practice.

(d) The Department may refuse to issue or may suspend or otherwise discipline 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 the tax, penalty, or interest as required by any tax Act administered by the Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(e) In enforcing this Act, the Department, upon a showing of a possible violation, may compel an individual licensed to practice under this Act or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. Failure of an individual to submit to a mental or physical examination, when directed, shall result in an automatic suspension without hearing.

All substance-related violations shall mandate an automatic substance abuse assessment. Failure to submit to an assessment by a licensed physician who is certified as an addictionist or an advanced practice registered nurse with specialty certification in addictions may be grounds for an automatic suspension, as defined by rule.

If the Department finds an individual unable to practice or unfit for duty because of the reasons set forth in this subsection (e), the Department may require that individual to submit to a substance abuse evaluation or treatment by individuals or programs approved or designated by the Department, as a condition, term, or restriction for continued, restored, or renewed licensure to practice; or, in lieu of evaluation or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. An individual whose license was granted, continued, restored, renewed, disciplined, or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department.

In instances in which the Secretary immediately suspends a person's license under this subsection (e), a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this subsection (e) shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with nursing standards under the provisions of his or her license.

(f) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 101-363, eff. 8-9-19; 102-558, eff. 8-20-21.)

Section 7-15. The Pharmacy Practice Act is amended by changing Sections 30 and 30.1 as follows:

(225 ILCS 85/30) (from Ch. 111, par. 4150)

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

Sec. 30. Refusal, revocation, suspension, or other discipline.

(a) The Department may refuse to issue or renew, or may revoke a license, or may suspend, place on probation, fine, or take any disciplinary or non-disciplinary action as the Department may deem proper, including fines not to exceed \$10,000 for each violation, with regard to any licensee for any one or combination of the following causes:

1. Material misstatement in furnishing information to the Department.
2. Violations of this Act, or the rules promulgated hereunder.

3. Making any misrepresentation for the purpose of obtaining licenses.
4. A pattern of conduct which demonstrates incompetence or unfitness to practice.
5. Aiding or assisting another person in violating any provision of this Act or rules.
6. Failing, within 60 days, to respond to a written request made by the Department for information.
7. Engaging in unprofessional, dishonorable, or unethical conduct of a character likely to deceive, defraud or harm the public as defined by rule.
8. Adverse action taken by another state or jurisdiction against a license or other authorization to practice as a pharmacy, pharmacist, registered certified pharmacy technician, or registered pharmacy technician that is the same or substantially equivalent to those set forth in this Section, a certified copy of the record of the action taken by the other state or jurisdiction being prima facie evidence thereof.
9. Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate or other form of compensation for any professional services not actually or personally rendered. Nothing in this item 9 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 9 shall be construed to require an employment arrangement to receive professional fees for services rendered.
10. A finding by the Department that the licensee, after having his license placed on probationary status, has violated the terms of probation.
11. Selling or engaging in the sale of drug samples provided at no cost by drug manufacturers.
12. Physical illness, including, but not limited to, deterioration through the aging process, or loss of motor skill which results in the inability to practice the profession with reasonable judgment, skill or safety.
13. A finding that licensure or registration has been applied for or obtained by fraudulent means.
14. Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, 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 is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of pharmacy; or involves controlled substances.
15. Habitual or excessive use or addiction to alcohol, narcotics, stimulants or any other chemical agent or drug which results in the inability to practice with reasonable judgment, skill or safety.
16. Willfully making or filing false records or reports in the practice of pharmacy, including, but not limited to, false records to support claims against the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Public Aid Code.
17. Gross and willful overcharging for professional services including filing false statements for collection of fees for which services are not rendered, including, but not limited to, filing false statements for collection of monies for services not rendered from the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Public Aid Code.
18. Dispensing prescription drugs without receiving a written or oral prescription in violation of law.
19. Upon a finding of a substantial discrepancy in a Department audit of a prescription drug, including controlled substances, as that term is defined in this Act or in the Illinois Controlled Substances Act.
20. Physical or mental illness or any other impairment or disability, including, without limitation: (A) deterioration through the aging process or loss of motor skills that results in the inability to practice with reasonable judgment, skill or safety; or (B) mental incompetence, as declared by a court of competent jurisdiction.
21. Violation of the Health Care Worker Self-Referral Act.

22. Failing to sell or dispense any drug, medicine, or poison in good faith. "Good faith", for the purposes of this Section, has the meaning ascribed to it in subsection (u) of Section 102 of the Illinois Controlled Substances Act. "Good faith", as used in this item (22), shall not be limited to the sale or dispensing of controlled substances, but shall apply to all prescription drugs.

23. Interfering with the professional judgment of a pharmacist by any licensee under this Act, or the licensee's agents or employees.

24. Failing to report within 60 days to the Department any adverse final action taken against a pharmacy, pharmacist, registered pharmacy technician, or registered certified pharmacy technician by another licensing jurisdiction in any other state or any territory of the United States or any foreign jurisdiction, any governmental agency, any law enforcement agency, or any court for acts or conduct similar to acts or conduct that would constitute grounds for discipline as defined in this Section.

25. Failing to comply with a subpoena issued in accordance with Section 35.5 of this Act.

26. Disclosing protected health information in violation of any State or federal law.

27. Willfully failing to report an instance of suspected abuse, neglect, financial exploitation, or self-neglect of an eligible adult as defined in and required by the Adult Protective Services Act.

28. Being named as an abuser in a verified report by the Department on Aging under the Adult Protective Services Act, and upon proof by clear and convincing evidence that the licensee abused, neglected, or financially exploited an eligible adult as defined in the Adult Protective Services Act.

29. Using advertisements or making solicitations that may jeopardize the health, safety, or welfare of patients, including, but not ~~be~~ limited to, the use of advertisements or solicitations that:

(A) are false, fraudulent, deceptive, or misleading; or

(B) include any claim regarding a professional service or product or the cost or price thereof that cannot be substantiated by the licensee.

30. Requiring a pharmacist to participate in the use or distribution of advertisements or in making solicitations that may jeopardize the health, safety, or welfare of patients.

31. Failing to provide a working environment for all pharmacy personnel that protects the health, safety, and welfare of a patient, which includes, but is not limited to, failing to:

(A) employ sufficient personnel to prevent fatigue, distraction, or other conditions that interfere with a pharmacist's ability to practice with competency and safety or creates an environment that jeopardizes patient care;

(B) provide appropriate opportunities for uninterrupted rest periods and meal breaks;

(C) provide adequate time for a pharmacist to complete professional duties and responsibilities, including, but not limited to:

(i) drug utilization review;

(ii) immunization;

(iii) counseling;

(iv) verification of the accuracy of a prescription; and

(v) all other duties and responsibilities of a pharmacist as listed in the rules of the

Department.

32. Introducing or enforcing external factors, such as productivity or production quotas or other programs against pharmacists, student pharmacists or pharmacy technicians, to the extent that they interfere with the ability of those individuals to provide appropriate professional services to the public.

33. Providing an incentive for or inducing the transfer of a prescription for a patient absent a professional rationale.

(b) 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.

(c) The Department shall revoke any license issued under the provisions of this Act or any prior Act of this State of any person who has been convicted a second time of committing any felony under the Illinois Controlled Substances Act, or who has been convicted a second time of committing a Class 1 felony under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A person whose license issued under the provisions of this Act or any prior Act of this State is revoked under this subsection (c) shall be prohibited from engaging in the practice of pharmacy in this State.

(c-5) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a pharmacist, registered pharmacy technician, or registered certified pharmacy technician based solely upon the pharmacist, registered pharmacy technician, or registered certified pharmacy technician providing, authorizing, recommending, aiding, assisting, referring for, or otherwise participating in any health care service, so long as the care was not unlawful under the laws of this State, regardless of whether the patient was a resident of this State or another state.

(c-10) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a pharmacist, registered pharmacy technician, or registered certified pharmacy technician based upon the pharmacist's, registered pharmacy technician's, or registered certified pharmacy technician's license being revoked or suspended, or the pharmacist being otherwise disciplined by any other state, if that revocation, suspension, or other form of discipline was based solely on the pharmacist, registered pharmacy technician, or registered certified pharmacy technician violating another state's laws prohibiting the provision of, authorization of, recommendation of, aiding or assisting in, referring for, or participation in any health care service if that health care service as provided would not have been unlawful under the laws of this State and is consistent with the standards of conduct for a pharmacist, registered pharmacy technician, or registered certified pharmacy technician practicing in Illinois.

(c-15) The conduct specified in subsections (c-5) and (c-10) shall not constitute grounds for suspension under Section 35.16.

(c-20) An applicant seeking licensure, certification, or authorization pursuant to this Act who has been subject to disciplinary action by a duly authorized professional disciplinary agency of another jurisdiction solely on the basis of having provided, authorized, recommended, aided, assisted, referred for, or otherwise participated in health care shall not be denied such licensure, certification, or authorization, unless the Department determines that such action would have constituted professional misconduct in this State; however, nothing in this Section shall be construed as prohibiting the Department from evaluating the conduct of such applicant and making a determination regarding the licensure, certification, or authorization to practice a profession under this Act.

(d) Fines may be imposed in conjunction with other forms of disciplinary action, but shall not be the exclusive disposition of any disciplinary action arising out of conduct resulting in death or injury to a patient. Fines shall be paid within 60 days or as otherwise agreed to by the Department. Any funds collected from such fines shall be deposited in the Illinois State Pharmacy Disciplinary Fund.

(e) The entry of an order or judgment by any circuit court establishing that any person holding a license or certificate under this Act is a person in need of mental treatment operates as a suspension of that license. A licensee may resume his or her practice only upon the entry of an order of the Department based upon a finding by the Board that he or she has been determined to be recovered from mental illness by the court and upon the Board's recommendation that the licensee be permitted to resume his or her practice.

(f) The Department shall issue quarterly to the Board a status of all complaints related to the profession received by the Department.

(g) In enforcing this Section, the Board or the Department, upon a showing of a possible violation, may compel any licensee or applicant for licensure under this Act to submit to a mental or physical examination or both, as required by and at the expense of the Department. The examining physician, or multidisciplinary team involved in providing physical and mental examinations led by a physician consisting of one or a combination of licensed physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff, shall be those specifically designated by the Department. The Board or the Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this mental or physical examination of the licensee or applicant. No information, report, or other documents in any way related to the examination shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee or applicant and the examining physician or any member of the multidisciplinary team. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any individual to submit to a mental or physical examination when directed shall result in the automatic suspension of his or her license until such time as the individual submits to the examination. If the Board or Department finds a pharmacist, registered certified pharmacy technician, or registered pharmacy technician unable to practice

because of the reasons set forth in this Section, the Board or Department shall require such pharmacist, registered certified pharmacy technician, or registered pharmacy technician to submit to care, counseling, or treatment by physicians or other appropriate health care providers approved or designated by the Department as a condition for continued, restored, or renewed licensure to practice. Any pharmacist, registered certified pharmacy technician, or registered pharmacy technician whose license was granted, continued, restored, renewed, disciplined, or supervised, subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions or to complete a required program of care, counseling, or treatment, as determined by the chief pharmacy coordinator, shall be referred to the Secretary for a determination as to whether the licensee shall have his or her license suspended immediately, pending a hearing by the Board. In instances in which the Secretary immediately suspends a license under this subsection (g), a hearing upon such person's license must be convened by the Board within 15 days after such suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject pharmacist's, registered certified pharmacy technician's, or registered pharmacy technician's record of treatment and counseling regarding the impairment.

(h) An individual or organization acting in good faith, and not in a willful and wanton manner, in complying with this Section by providing a report or other information to the Board, by assisting in the investigation or preparation of a report or information, by participating in proceedings of the Board, or by serving as a member of the Board shall not, as a result of such actions, be subject to criminal prosecution or civil damages. Any person who reports a violation of this Section to the Department is protected under subsection (b) of Section 15 of the Whistleblower Act.

(i) Members of the Board shall have no liability in any action based upon any disciplinary proceedings or other activity performed in good faith as a member of the Board. The Attorney General shall defend all such actions unless he or she determines either that there would be a conflict of interest in such representation or that the actions complained of were not in good faith or were willful and wanton.

If the Attorney General declines representation, the member shall have the right to employ counsel of his or her choice, whose fees shall be provided by the State, after approval by the Attorney General, unless there is a determination by a court that the member's actions were not in good faith or were willful and wanton.

The member must notify the Attorney General within 7 days of receipt of notice of the initiation of any action involving services of the Board. Failure to so notify the Attorney General shall constitute an absolute waiver of the right to a defense and indemnification.

The Attorney General shall determine, within 7 days after receiving such notice, whether he or she will undertake to represent the member.

(j) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 101-621, eff. 1-1-20; 102-882, eff. 1-1-23; revised 12-9-22.)

(225 ILCS 85/30.1)

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

Sec. 30.1. Reporting.

(a) When a pharmacist, registered certified pharmacy technician, or a registered pharmacy technician licensed by the Department is terminated for actions which may have threatened patient safety, the pharmacy or pharmacist-in-charge, pursuant to the policies and procedures of the pharmacy at which he or she is employed, shall report the termination to the chief pharmacy coordinator. Such reports shall be strictly confidential and may be reviewed and considered only by the members of the Board or by authorized Department staff. Such reports, and any records associated with such reports, are exempt from public disclosure and the Freedom of Information Act. Although the reports are exempt from disclosure, any formal complaint filed against a licensee or registrant by the Department or any order issued by the Department against a licensee, registrant, or applicant shall be a public record, except as otherwise prohibited by law. A pharmacy shall not take any adverse action, including, but not limited to, disciplining or terminating a pharmacist, registered certified pharmacy technician, or registered pharmacy technician, as a result of an adverse action against the person's license or clinical privileges or other disciplinary action by another state or health care institution that resulted from the pharmacist's, registered certified pharmacy technician's, or registered pharmacy technician's provision of, authorization of, recommendation of, aiding or assistance with, referral for, or participation in any health care service, if the adverse action was based solely on a violation of the other state's law prohibiting the provision such health care and related services in the state or for a resident of the state.

(b) The report shall be submitted to the chief pharmacy coordinator in a timely fashion. Unless otherwise provided in this Section, the reports shall be filed in writing, on forms provided by the Department, within 60 days after a pharmacy's determination that a report is required under this Act. All reports shall contain only the following information:

(1) The name, address, and telephone number of the person making the report.

(2) The name, license number, and last known address and telephone number of the person who is the subject of the report.

(3) A brief description of the facts which gave rise to the issuance of the report, including dates of occurrence.

(c) The contents of any report and any records associated with such report shall be strictly confidential and may only be reviewed by:

(1) members of the Board of Pharmacy;

(2) the Board of Pharmacy's designated attorney;

(3) administrative personnel assigned to open mail containing reports, to process and distribute reports to authorized persons, and to communicate with senders of reports;

(4) Department investigators and Department prosecutors; or

(5) attorneys from the Office of the Illinois Attorney General representing the Department in litigation in response to specific disciplinary action the Department has taken or initiated against a specific individual pursuant to this Section.

(d) Whenever a pharmacy or pharmacist-in-charge makes a report and provides any records associated with that report to the Department, acts in good faith, and not in a willful and wanton manner, the person or entity making the report and the pharmacy or health care institution employing him or her shall not, as a result of such actions, be subject to criminal prosecution or civil damages.

(e) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 99-863, eff. 8-19-16.)

Article 8.

Section 8-1. 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; temporary licenses for health care. To provide for the expeditious and timely implementation of Section 66 of the Medical Practice Act of 1987, Section 65-11.5 of the Nurse Practice Act, and Section 9.7 of the Physician Assistant Practice Act of 1987, emergency rules implementing the issuance of temporary permits to applicants who are licensed to practice as a physician, advanced practice registered nurse, or physician assistant in another state may be adopted in accordance with Section 5-45 by the Department of Financial and Professional Regulation. 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 102nd General Assembly.

Section 8-5. The Physician Assistant Practice Act of 1987 is amended by changing Sections 4, 21, 22.2, 22.3, 22.5, 22.6, 22.7, 22.8, 22.9, and 22.10 and by adding Section 9.7 as follows:

(225 ILCS 95/4) (from Ch. 111, par. 4604)

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

Sec. 4. Definitions. In this Act:

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

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

3. "Physician assistant" means any person not holding an active license or permit issued by the Department pursuant to the Medical Practice Act of 1987 who has been certified as a physician assistant by the National Commission on the Certification of Physician Assistants or equivalent successor agency and performs procedures in collaboration with a physician as defined in this Act. A physician assistant may perform such procedures within the specialty of the collaborating physician, except that such physician shall exercise such direction, collaboration, and control over such physician assistants as will assure that patients

shall receive quality medical care. Physician assistants shall be capable of performing a variety of tasks within the specialty of medical care in collaboration with a physician. Collaboration with the physician assistant shall not be construed to necessarily require the personal presence of the collaborating physician at all times at the place where services are rendered, as long as there is communication available for consultation by radio, telephone or telecommunications within established guidelines as determined by the physician/physician assistant team. The collaborating physician may delegate tasks and duties to the physician assistant. Delegated tasks or duties shall be consistent with physician assistant education, training, and experience. The delegated tasks or duties shall be specific to the practice setting and shall be implemented and reviewed under a written collaborative agreement established by the physician or physician/physician assistant team. A physician assistant, acting as an agent of the physician, shall be permitted to transmit the collaborating physician's orders as determined by the institution's by-laws, policies, procedures, or job description within which the physician/physician assistant team practices. Physician assistants shall practice only in accordance with a written collaborative agreement.

Any person who holds an active license or permit issued pursuant to the Medical Practice Act of 1987 shall have that license automatically placed into inactive status upon issuance of a physician assistant license. Any person who holds an active license as a physician assistant who is issued a license or permit pursuant to the Medical Practice Act of 1987 shall have his or her physician assistant license automatically placed into inactive status.

3.5. "Physician assistant practice" means the performance of procedures within the specialty of the collaborating physician. Physician assistants shall be capable of performing a variety of tasks within the specialty of medical care of the collaborating physician. Collaboration with the physician assistant shall not be construed to necessarily require the personal presence of the collaborating physician at all times at the place where services are rendered, as long as there is communication available for consultation by radio, telephone, telecommunications, or electronic communications. The collaborating physician may delegate tasks and duties to the physician assistant. Delegated tasks or duties shall be consistent with physician assistant education, training, and experience. The delegated tasks or duties shall be specific to the practice setting and shall be implemented and reviewed under a written collaborative agreement established by the physician or physician/physician assistant team. A physician assistant shall be permitted to transmit the collaborating physician's orders as determined by the institution's bylaws, policies, or procedures or the job description within which the physician/physician assistant team practices. Physician assistants shall practice only in accordance with a written collaborative agreement, except as provided in Section 7.5 of this Act.

4. "Board" means the Medical Licensing Board constituted under the Medical Practice Act of 1987.

5. (Blank). ~~"Disciplinary Board" means the Medical Disciplinary Board constituted under the Medical Practice Act of 1987.~~

6. "Physician" means a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987.

7. "Collaborating physician" means the physician who, within his or her specialty and expertise, may delegate a variety of tasks and procedures to the physician assistant. Such tasks and procedures shall be delegated in accordance with a written collaborative agreement.

8. (Blank).

9. "Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department's licensure maintenance unit.

10. "Hospital affiliate" means a corporation, partnership, joint venture, limited liability company, or similar organization, other than a hospital, that is devoted primarily to the provision, management, or support of health care services and that directly or indirectly controls, is controlled by, or is under common control of the hospital. For the purposes of this definition, "control" means having at least an equal or a majority ownership or membership interest. A hospital affiliate shall be 100% owned or controlled by any combination of hospitals, their parent corporations, or physicians licensed to practice medicine in all its branches in Illinois. "Hospital affiliate" does not include a health maintenance organization regulated under the Health Maintenance Organization Act.

11. "Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department's licensure maintenance unit.

(Source: P.A. 99-330, eff. 1-1-16; 100-453, eff. 8-25-17.)

(225 ILCS 95/9.7 new)

Sec. 9.7. Temporary permit for health care.

(a) The Department may issue a temporary permit to an applicant who is licensed to practice as a physician assistant in another state. The temporary permit will authorize the practice of providing health care to patients in this State, with a collaborating physician in this State, if all of the following apply:

(1) The Department determines that the applicant's services will improve the welfare of Illinois residents and non-residents requiring health care services.

(2) The applicant has obtained certification by the National Commission on Certification of Physician Assistants or its successor agency; the applicant has submitted verification of licensure status in good standing in the applicant's current state or territory of licensure; and the applicant can furnish the Department with a certified letter upon request from that jurisdiction attesting to the fact that the applicant has no pending action or violations against the applicant's license.

The Department will not consider a physician assistant's license being revoked or otherwise disciplined by any state or territory based solely on the physician providing, authorizing, recommending, aiding, assisting, referring for, or otherwise participating in any health care service that is unlawful or prohibited in that state or territory, if the provision of, authorization of, or participation in that health care service, medical service, or procedure related to any health care service is not unlawful or prohibited in this State.

(3) The applicant has sufficient training and possesses the appropriate core competencies to provide health care services, and is physically, mentally, and professionally capable of practicing as a physician assistant with reasonable judgment, skill, and safety and in accordance with applicable standards of care.

(4) The applicant has met the written collaborative agreement requirements under subsection (a) of Section 7.5.

(5) The applicant will be working pursuant to an agreement with a sponsoring licensed hospital, medical office, clinic, or other medical facility providing health care services. Such agreement shall be executed by an authorized representative of the licensed hospital, medical office, clinic, or other medical facility, certifying that the physician assistant holds an active license and is in good standing in the state in which they are licensed. If an applicant for a temporary permit has been previously disciplined by another jurisdiction, except as described in paragraph (2) of subsection (a), further review may be conducted pursuant to the Civil Administrative Code of Illinois and this Act. The application shall include the physician assistant's name, contact information, state of licensure, and license number.

(6) Payment of a \$75 fee.

The sponsoring licensed hospital, medical office, clinic, or other medical facility engaged in the agreement with the applicant shall notify the Department should the applicant at any point leave or become separate from the sponsor.

The Department may adopt rules to carry out this Section.

(b) A temporary permit under this Section shall expire 2 years after the date of issuance. The temporary permit may be renewed for a \$45 fee for an additional 2 years. A holder of a temporary permit may only renew one time.

(c) The temporary permit shall only permit the holder to practice as a physician assistant with a collaborating physician who provides health care services with the sponsor specified on the permit.

(d) An application for the temporary permit shall be made to the Department, in writing, on forms prescribed by the Department, and shall be accompanied by a non-refundable fee of \$75. The Department shall grant or deny an applicant a temporary permit within 60 days of receipt of a completed application. The Department shall notify the applicant of any deficiencies in the applicant's application materials requiring corrections in a timely manner.

(e) An applicant for a temporary permit may be requested to appear before the Board to respond to questions concerning the applicant's qualifications to receive the permit. An applicant's refusal to appear before the Board may be grounds for denial of the application by the Department.

(f) The Secretary may summarily cancel any temporary permit issued pursuant to this Section, without a hearing, if the Secretary finds that evidence in his or her possession indicates that a permit holder's continuation in practice would constitute an imminent danger to the public or violate any provision of this Act or its rules. If the Secretary summarily cancels a temporary permit issued pursuant to this Section or Act, the permit holder may petition the Department for a hearing in accordance with the provisions of Section 22.11 to restore his or her permit, unless the permit holder has exceeded his or her renewal limit.

(g) In addition to terminating any temporary permit issued pursuant to this Section or Act, the Department may issue a monetary penalty not to exceed \$10,000 upon the temporary permit holder and may notify any state in which the temporary permit holder has been issued a permit that his or her Illinois permit has been terminated and the reasons for that termination. The monetary penalty shall be paid within 60 days after the effective date of the order imposing the penalty. The order shall constitute a judgment and may be filed, and execution had thereon in the same manner as any judgment from any court of record. It is the intent of the General Assembly that a permit issued pursuant to this Section shall be considered a privilege and not a property right.

(h) While working in Illinois, all temporary permit holders are subject to all statutory and regulatory requirements of this Act in the same manner as a licensee. Failure to adhere to all statutory and regulatory requirements may result in revocation or other discipline of the temporary permit.

(i) If the Department becomes aware of a violation occurring at the licensed hospital, medical office, clinic, or other medical facility, or occurring via telehealth services, the Department shall notify the Department of Public Health.

(j) The Department may adopt emergency rules pursuant to this Section. The General Assembly finds that the adoption of rules to implement a temporary permit for health care services is deemed an emergency and necessary for the public interest, safety, and welfare.

(225 ILCS 95/21) (from Ch. 111, par. 4621)

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

Sec. 21. Grounds for disciplinary action.

(a) The Department may refuse to issue or to renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action with regard to any license issued under this Act as the Department may deem proper, including the issuance of fines not to exceed \$10,000 for each violation, for any one or combination of the following causes:

(1) Material misstatement in furnishing information to the Department.

(2) Violations of this Act, or the rules adopted under this Act.

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, 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 is: (i) a felony; or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

(4) Making any misrepresentation for the purpose of obtaining licenses.

(5) Professional incompetence.

(6) Aiding or assisting another person in violating any provision of this Act or its rules.

(7) Failing, within 60 days, to provide information in response to a written request made by the Department.

(8) Engaging in dishonorable, unethical, or unprofessional conduct, as defined by rule, of a character likely to deceive, defraud, or harm the public.

(9) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a physician assistant's inability to practice with reasonable judgment, skill, or safety.

(10) Discipline by another U.S. jurisdiction or foreign nation, if at least one of the grounds for discipline is the same or substantially equivalent to those set forth in this Section.

(11) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate or other form of compensation for any professional services not actually or personally rendered. Nothing in this paragraph (11) affects any bona fide independent contractor or employment arrangements, which may include provisions for compensation, health insurance, pension, or other employment benefits, with persons or entities authorized under this Act for the provision of services within the scope of the licensee's practice under this Act.

(12) A finding by the ~~Disciplinary~~ Board that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(13) Abandonment of a patient.

(14) Willfully making or filing false records or reports in his or her practice, including but not limited to false records filed with ~~State~~ state agencies or departments.

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

(16) Physical illness, or mental illness or impairment that results in the inability to practice the profession with reasonable judgment, skill, or safety, including, but not limited to, deterioration through the aging process or loss of motor skill.

(17) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under 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.

(18) (Blank).

(19) Gross negligence resulting in permanent injury or death of a patient.

(20) Employment of fraud, deception or any unlawful means in applying for or securing a license as a physician assistant.

(21) Exceeding the authority delegated to him or her by his or her collaborating physician in a written collaborative agreement.

(22) Immoral conduct in the commission of any act, such as sexual abuse, sexual misconduct, or sexual exploitation related to the licensee's practice.

(23) Violation of the Health Care Worker Self-Referral Act.

(24) Practicing under a false or assumed name, except as provided by law.

(25) Making a false or misleading statement regarding his or her skill or the efficacy or value of the medicine, treatment, or remedy prescribed by him or her in the course of treatment.

(26) Allowing another person to use his or her license to practice.

(27) Prescribing, selling, administering, distributing, giving, or self-administering a drug classified as a controlled substance for other than medically accepted therapeutic purposes.

(28) Promotion of the sale of drugs, devices, appliances, or goods provided for a patient in a manner to exploit the patient for financial gain.

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

(30) Violating State or federal laws or regulations relating to controlled substances or other legend drugs or ephedra as defined in the Ephedra Prohibition Act.

(31) Exceeding the prescriptive authority delegated by the collaborating physician or violating the written collaborative agreement delegating that authority.

(32) Practicing without providing to the Department a notice of collaboration or delegation of prescriptive authority.

(33) Failure to establish and maintain records of patient care and treatment as required by law.

(34) Attempting to subvert or cheat on the examination of the National Commission on Certification of Physician Assistants or its successor agency.

(35) Willfully or negligently violating the confidentiality between physician assistant and patient, except as required by law.

(36) Willfully failing to report an instance of suspected abuse, neglect, financial exploitation, or self-neglect of an eligible adult as defined in and required by the Adult Protective Services Act.

(37) Being named as an abuser in a verified report by the Department on Aging under the Adult Protective Services Act and upon proof by clear and convincing evidence that the licensee abused, neglected, or financially exploited an eligible adult as defined in the Adult Protective Services Act.

(38) Failure to report to the Department an adverse final action taken against him or her by another licensing jurisdiction of the United States or a foreign state or country, a peer review body, a health care institution, a professional society or association, a governmental agency, a law enforcement agency, or a court acts or conduct similar to acts or conduct that would constitute grounds for action under this Section.

(39) Failure to provide copies of records of patient care or treatment, except as required by law.

(40) Entering into an excessive number of written collaborative agreements with licensed physicians resulting in an inability to adequately collaborate.

(41) Repeated failure to adequately collaborate with a collaborating physician.

(42) Violating the Compassionate Use of Medical Cannabis Program Act.

(b) The Department may, without a hearing, refuse to issue or renew 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 the 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.

(b-5) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a physician assistant based solely upon the physician assistant providing, authorizing, recommending, aiding, assisting, referring for, or otherwise participating in any health care service, so long as the care was not unlawful under the laws of this State, regardless of whether the patient was a resident of this State or another state.

(b-10) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a physician assistant based upon the physician assistant's license being revoked or suspended, or the physician assistant being otherwise disciplined by any other state, if that revocation, suspension, or other form of discipline was based solely on the physician assistant violating another state's laws prohibiting the provision of, authorization of, recommendation of, aiding or assisting in, referring for, or participation in any health care service if that health care service as provided would not have been unlawful under the laws of this State and is consistent with the standards of conduct for a physician assistant practicing in Illinois.

(b-15) The conduct specified in subsections (b-5) and (b-10) shall not constitute grounds for suspension under Section 22.13.

(b-20) An applicant seeking licensure, certification, or authorization pursuant to this Act who has been subject to disciplinary action by a duly authorized professional disciplinary agency of another jurisdiction solely on the basis of having provided, authorized, recommended, aided, assisted, referred for, or otherwise participated in health care shall not be denied such licensure, certification, or authorization, unless the Department determines that such action would have constituted professional misconduct in this State; however, nothing in this Section shall be construed as prohibiting the Department from evaluating the conduct of such applicant and making a determination regarding the licensure, certification, or authorization to practice a profession under this Act.

(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient, and upon the recommendation of the ~~Disciplinary~~ Board to the Secretary that the licensee be allowed to resume his or her practice.

(d) In enforcing this Section, the Department upon a showing of a possible violation may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, which may include a substance abuse or sexual offender evaluation, as required by and at the expense of the Department.

The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed.

The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning the mental or physical examination of the licensee or applicant. No information, report, record, or other documents in any way related to the examination shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee or applicant ordered to undergo an examination for the examining physician or

any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation.

The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. However, that physician shall be present only to observe and may not interfere in any way with the examination.

Failure of an individual to submit to a mental or physical examination, when ordered, shall result in an automatic suspension of his or her license until the individual submits to the examination.

If the Department finds an individual unable to practice because of the reasons set forth in this Section, the Department may require that individual to submit to care, counseling, or treatment by physicians approved or designated by the Department, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling, or treatment, the Department may file a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. An individual whose license was granted, continued, reinstated, renewed, disciplined, or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 30 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(e) An individual or organization acting in good faith, and not in a willful and wanton manner, in complying with this Section by providing a report or other information to the Board, by assisting in the investigation or preparation of a report or information, by participating in proceedings of the Board, or by serving as a member of the Board, shall not be subject to criminal prosecution or civil damages as a result of such actions.

(f) Members of the Board ~~and the Disciplinary Board~~ shall be indemnified by the State for any actions occurring within the scope of services on the ~~Disciplinary Board or~~ Board, done in good faith and not willful and wanton in nature. The Attorney General shall defend all such actions unless he or she determines either that there would be a conflict of interest in such representation or that the actions complained of were not in good faith or were willful and wanton.

If the Attorney General declines representation, the member has the right to employ counsel of his or her choice, whose fees shall be provided by the State, after approval by the Attorney General, unless there is a determination by a court that the member's actions were not in good faith or were willful and wanton.

The member must notify the Attorney General within 7 days after receipt of notice of the initiation of any action involving services of the ~~Disciplinary~~ Board. Failure to so notify the Attorney General constitutes an absolute waiver of the right to a defense and indemnification.

The Attorney General shall determine, within 7 days after receiving such notice, whether he or she will undertake to represent the member.

(g) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 101-363, eff. 8-9-19; 102-558, eff. 8-20-21.)

(225 ILCS 95/22.2) (from Ch. 111, par. 4622.2)

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

Sec. 22.2. Investigation; notice; hearing. The Department may investigate the actions of any applicant or of any person or persons holding or claiming to hold a license. The Department shall, before suspending, revoking, placing on probationary status, or taking any other disciplinary action as the Department may deem proper with regard to any license, at least 30 days prior to the date set for the hearing, notify the applicant or licensee in writing of any charges made and the time and place for a hearing of the charges before the ~~Disciplinary~~ Board, direct him or her to file his or her written answer thereto to the ~~Disciplinary~~ Board under oath within 20 days after the service on him or her of such notice and inform him or her that if he or she fails to file such answer default will be taken against him or her and his or her license may be suspended, revoked, placed on probationary status, or have other disciplinary action, including limiting the

scope, nature or extent of his or her practice, as the Department may deem proper taken with regard thereto. Written or electronic notice may be served by personal delivery, email, or mail to the applicant or licensee at his or her address of record or email address of record. At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present such statements, testimony, evidence, and argument as may be pertinent to the charges or to the defense thereto. The Department may continue such hearing from time to time. In case the applicant or licensee, after receiving notice, fails to file an answer, his or her license may in the discretion of the Secretary, having received first the recommendation of the ~~Disciplinary~~ Board, be suspended, revoked, placed on probationary status, or the Secretary may take whatever disciplinary action as he or she may deem proper, including limiting the scope, nature, or extent of such person's practice, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act.

(Source: P.A. 100-453, eff. 8-25-17.)

(225 ILCS 95/22.3) (from Ch. 111, par. 4622.3)

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

Sec. 22.3. The Department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case involving the refusal to issue, renew or discipline of a license. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the ~~Disciplinary~~ Board or hearing officer and orders of the Department shall be the record of such proceeding.

(Source: P.A. 85-981.)

(225 ILCS 95/22.5) (from Ch. 111, par. 4622.5)

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

Sec. 22.5. Subpoena power; oaths. The Department shall have power to subpoena and bring before it any person and to take testimony either orally or by deposition or both, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in circuit courts of this State.

The Secretary, the designated hearing officer, and any member of the ~~Disciplinary~~ Board designated by the Secretary shall each have power to administer oaths to witnesses at any hearing which the Department is authorized to conduct under this Act and any other oaths required or authorized to be administered by the Department under this Act.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/22.6) (from Ch. 111, par. 4622.6)

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

Sec. 22.6. At the conclusion of the hearing, the ~~Disciplinary~~ Board shall present to the Secretary a written report of its findings of fact, conclusions of law, and recommendations. The report shall contain a finding whether or not the accused person violated this Act or failed to comply with the conditions required in this Act. The ~~Disciplinary~~ Board shall specify the nature of the violation or failure to comply, and shall make its recommendations to the Secretary.

The report of findings of fact, conclusions of law, and recommendation of the ~~Disciplinary~~ Board shall be the basis for the Department's order or refusal or for the granting of a license or permit. If the Secretary disagrees in any regard with the report of the ~~Disciplinary~~ Board, the Secretary may issue an order in contravention thereof. The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and finding are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 100-453, eff. 8-25-17.)

(225 ILCS 95/22.7) (from Ch. 111, par. 4622.7)

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

Sec. 22.7. Hearing officer. Notwithstanding the provisions of Section 22.2 of this Act, the Secretary shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue or renew, or for discipline of, a license. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings of fact, conclusions of law, and recommendations to the ~~Disciplinary~~ Board and the Secretary. The ~~Disciplinary~~ Board shall have 60 days from receipt of the report to review the report of the hearing officer and present their findings of fact, conclusions of law, and recommendations to the Secretary. If the ~~Disciplinary~~ Board fails to present its report within the 60-day period, the respondent may request in writing a direct appeal to the Secretary, in which case the Secretary may issue an order based upon the report of the hearing officer and the record of the proceedings or issue an order remanding the matter back to the hearing officer for

additional proceedings in accordance with the order. Notwithstanding any other provision of this Section, if the Secretary, upon review, determines that substantial justice has not been done in the revocation, suspension, or refusal to issue or renew a license or other disciplinary action taken as the result of the entry of the hearing officer's report, the Secretary may order a rehearing by the same or other examiners. If the Secretary disagrees in any regard with the report of the ~~Disciplinary~~ Board or hearing officer, he or she may issue an order in contravention thereof.

(Source: P.A. 100-453, eff. 8-25-17.)

(225 ILCS 95/22.8) (from Ch. 111, par. 4622.8)

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

Sec. 22.8. In any case involving the refusal to issue, renew or discipline of a license, a copy of the ~~Disciplinary~~ Board's report shall be served upon the respondent by the Department, either personally or as provided in this Act for the service of the notice of hearing. Within 20 days after such service, the respondent may present to the Department a motion in writing for a rehearing, which motion shall specify the particular grounds therefor. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion for rehearing is denied, then upon such denial the Secretary may enter an order in accordance with recommendations of the ~~Disciplinary~~ Board except as provided in Section 22.6 or 22.7 of this Act. If the respondent shall order from the reporting service, and pay for a transcript of the record within the time for filing a motion for rehearing, the 20 day period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/22.9) (from Ch. 111, par. 4622.9)

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

Sec. 22.9. Whenever the Secretary is satisfied that substantial justice has not been done in the revocation, suspension or refusal to issue or renew a license, the Secretary may order a rehearing by the same or another hearing officer or ~~Disciplinary~~ Board.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/22.10) (from Ch. 111, par. 4622.10)

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

Sec. 22.10. Order or certified copy; prima facie proof. An order or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary, shall be prima facie proof that:

- (a) the signature is the genuine signature of the Secretary;
- (b) the Secretary is duly appointed and qualified; and
- (c) the ~~Disciplinary~~ Board and the members thereof are qualified to act.

(Source: P.A. 95-703, eff. 12-31-07.)

Section 8-10. The Medical Practice Act of 1987 is amended by changing Section 2 and by adding Section 66 as follows:

(225 ILCS 60/2) (from Ch. 111, par. 4400-2)

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

Sec. 2. Definitions. For purposes of this Act, the following definitions shall have the following meanings, except where the context requires otherwise:

"Act" means the Medical Practice Act of 1987.

"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.

"Chiropractic physician" means a person licensed to treat human ailments without the use of drugs and without operative surgery. Nothing in this Act shall be construed to prohibit a chiropractic physician from providing advice regarding the use of non-prescription products or from administering atmospheric oxygen. Nothing in this Act shall be construed to authorize a chiropractic physician to prescribe drugs.

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

"Disciplinary action" means revocation, suspension, probation, supervision, practice modification, reprimand, required education, fines or any other action taken by the Department against a person holding a license.

"Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department's licensure maintenance unit.

"Final determination" means the governing body's final action taken under the procedure followed by a health care institution, or professional association or society, against any person licensed under the Act in accordance with the bylaws or rules and regulations of such health care institution, or professional association or society.

"Fund" means the Illinois State Medical Disciplinary Fund.

"Impaired" means the inability to practice medicine with reasonable skill and safety due to physical or mental disabilities as evidenced by a written determination or written consent based on clinical evidence including deterioration through the aging process or loss of motor skill, or abuse of drugs or alcohol, of sufficient degree to diminish a person's ability to deliver competent patient care.

"Medical Board" means the Illinois State Medical Board.

"Physician" means a person licensed under the Medical Practice Act to practice medicine in all of its branches or a chiropractic physician.

"Professional association" means an association or society of persons licensed under this Act, and operating within the State of Illinois, including but not limited to, medical societies, osteopathic organizations, and chiropractic organizations, but this term shall not be deemed to include hospital medical staffs.

"Program of care, counseling, or treatment" means a written schedule of organized treatment, care, counseling, activities, or education, satisfactory to the Medical Board, designed for the purpose of restoring an impaired person to a condition whereby the impaired person can practice medicine with reasonable skill and safety of a sufficient degree to deliver competent patient care.

"Reinstate" means to change the status of a license or permit from inactive or nonrenewed status to active status.

"Restore" means to remove an encumbrance from a license due to probation, suspension, or revocation.

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

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 60/66 new)

Sec. 66. Temporary permit for health care.

(a) The Department may issue a temporary permit to an applicant who is licensed to practice as a physician in another state. The temporary permit will authorize the practice of providing health care to patients in this State if all of the following apply:

(1) The Department determines that the applicant's services will improve the welfare of Illinois residents and non-residents requiring health care services.

(2) The applicant has graduated from a medical program officially recognized by the jurisdiction in which it is located for the purpose of receiving a license to practice medicine in all of its branches, and maintains an equivalent authorization to practice medicine in good standing in the applicant's current state or territory of licensure; and the applicant can furnish the Department with a certified letter upon request from that jurisdiction attesting to the fact that the applicant has no pending action or violations against the applicant's license.

The Department will not consider a physician's license being revoked or otherwise disciplined by any state or territory based solely on the physician providing, authorizing, recommending, aiding, assisting, referring for, or otherwise participating in any health care service that is unlawful or prohibited in that state or territory, if the provision of, authorization of, or participation in that health care, medical service, or procedure related to any health care service is not unlawful or prohibited in this State.

(3) The applicant has sufficient training and possesses the appropriate core competencies to provide health care services, and is physically, mentally, and professionally capable of practicing medicine with reasonable judgment, skill, and safety and in accordance with applicable standards of care.

(4) The applicant will be working pursuant to an agreement with a sponsoring licensed hospital, medical office, clinic, or other medical facility providing abortion or other health care services. Such agreement shall be executed by an authorized representative of the licensed hospital, medical office, clinic, or other medical facility, certifying that the physician holds an active license and is in good standing in the state in which they are licensed. If an applicant for a temporary permit has been previously disciplined by another jurisdiction, except as described in paragraph (2) of subsection (a), further review may be conducted pursuant to the Civil Administrative Code of Illinois and this Act.

The application shall include the physician's name, contact information, state of licensure, and license number.

(5) Payment of a \$75 fee.

The sponsoring licensed hospital, medical office, clinic, or other medical facility engaged in the agreement with the applicant shall notify the Department should the applicant at any point leave or become separate from the sponsor.

The Department may adopt rules pursuant to this Section.

(b) A temporary permit under this Section shall expire 2 years after the date of issuance. The temporary permit may be renewed for a \$45 fee for an additional 2 years. A holder of a temporary permit may only renew one time.

(c) The temporary permit shall only permit the holder to practice medicine within the scope of providing health care services at the location or locations specified on the permit.

(d) An application for the temporary permit shall be made to the Department, in writing, on forms prescribed by the Department, and shall be accompanied by a non-refundable fee of \$75. The Department shall grant or deny an applicant a temporary permit within 60 days of receipt of a completed application. The Department shall notify the applicant of any deficiencies in the applicant's application materials requiring corrections in a timely manner.

(e) An applicant for temporary permit may be requested to appear before the Board to respond to questions concerning the applicant's qualifications to receive the permit. An applicant's refusal to appear before the Illinois State Medical Board may be grounds for denial of the application by the Department.

(f) The Secretary may summarily cancel any temporary permit issued pursuant to this Section, without a hearing, if the Secretary finds that evidence in his or her possession indicates that a permit holder's continuation in practice would constitute an imminent danger to the public or violate any provision of this Act or its rules. If the Secretary summarily cancels a temporary permit issued pursuant to this Section or Act, the permit holder may petition the Department for a hearing in accordance with the provisions of Section 43 of this Act to restore his or her permit, unless the permit holder has exceeded his or her renewal limit.

(g) In addition to terminating any temporary permit issued pursuant to this Section or Act, the Department may issue a monetary penalty not to exceed \$10,000 upon the temporary permit holder and may notify any state in which the temporary permit holder has been issued a permit that his or her Illinois permit has been terminated and the reasons for the termination. The monetary penalty shall be paid within 60 days after the effective date of the order imposing the penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record. It is the intent of the General Assembly that a permit issued pursuant to this Section shall be considered a privilege and not a property right.

(h) While working in Illinois, all temporary permit holders are subject to all statutory and regulatory requirements of this Act in the same manner as a licensee. Failure to adhere to all statutory and regulatory requirements may result in revocation or other discipline of the temporary permit.

(i) If the Department becomes aware of a violation occurring at the licensed hospital, medical office, clinic, or other medical facility or via telehealth practice, the Department shall notify the Department of Public Health.

(j) The Department may adopt emergency rules pursuant to this Section. The General Assembly finds that the adoption of rules to implement a temporary permit for health care services is deemed an emergency and necessary for the public interest, safety, and welfare.

Section 8-15. The Nurse Practice Act is amended by adding Sections 65-11 and 65-11.5 as follows:
(225 ILCS 65/65-11 new)

Sec. 65-11. Temporary permit for advanced practice registered nurses for health care.

(a) The Department may issue a temporary permit to an applicant who is licensed to practice as an advanced practice registered nurse in another state. The temporary permit will authorize the practice of providing health care to patients in this State, with a collaborating physician in this State, if all of the following apply:

(1) The Department determines that the applicant's services will improve the welfare of Illinois residents and non-residents requiring health care services.

(2) The applicant has obtained a graduate degree appropriate for national certification in a clinical advanced practice registered nursing specialty or a graduate degree or post-master's certificate

from a graduate level program in a clinical advanced practice registered nursing specialty; the applicant has submitted verification of licensure status in good standing in the applicant's current state or territory of licensure; and the applicant can furnish the Department with a certified letter upon request from that jurisdiction attesting to the fact that the applicant has no pending action or violations against the applicant's license.

The Department will not consider an advanced practice registered nurse's license being revoked or otherwise disciplined by any state or territory based solely on the advanced practice registered nurse providing, authorizing, recommending, aiding, assisting, referring for, or otherwise participating in any health care service that is unlawful or prohibited in that state or territory, if the provision of, authorization of, or participation in that health care, medical service, or procedure related to any health care service is not unlawful or prohibited in this State.

(3) The applicant has sufficient training and possesses the appropriate core competencies to provide health care services, and is physically, mentally, and professionally capable of practicing as an advanced practice registered nurse with reasonable judgment, skill, and safety and in accordance with applicable standards of care.

(4) The applicant has met the written collaborative agreement requirements under Section 65-35.

(5) The applicant will be working pursuant to an agreement with a sponsoring licensed hospital, medical office, clinic, or other medical facility providing health care services. Such agreement shall be executed by an authorized representative of the licensed hospital, medical office, clinic, or other medical facility, certifying that the advanced practice registered nurse holds an active license and is in good standing in the state in which they are licensed. If an applicant for a temporary permit has been previously disciplined by another jurisdiction, except as described in paragraph (2) of subsection (a), further review may be conducted pursuant to the Civil Administrative Code of Illinois and this Act. The application shall include the advanced practice registered nurse's name, contact information, state of licensure, and license number.

(6) Payment of a \$75 fee.

The sponsoring licensed hospital, medical office, clinic, or other medical facility engaged in the agreement with the applicant shall notify the Department should the applicant at any point leave or become separate from the sponsor.

The Department may adopt rules to carry out this Section.

(b) A temporary permit under this Section shall expire 2 years after the date of issuance. The temporary permit may be renewed for a \$45 fee for an additional 2 years. A holder of a temporary permit may only renew one time.

(c) The temporary permit shall only permit the holder to practice as an advanced practice registered nurse with a collaborating physician who provides health care services at the location or locations specified on the permit or via telehealth.

(d) An application for the temporary permit shall be made to the Department, in writing, on forms prescribed by the Department, and shall be accompanied by a non-refundable fee of \$75. The Department shall grant or deny an applicant a temporary permit within 60 days of receipt of a completed application. The Department shall notify the applicant of any deficiencies in the applicant's application materials requiring corrections in a timely manner.

(e) An applicant for temporary permit may be requested to appear before the Board to respond to questions concerning the applicant's qualifications to receive the permit. An applicant's refusal to appear before the Board of Nursing may be grounds for denial of the application by the Department.

(f) The Secretary may summarily cancel any temporary permit issued pursuant to this Section, without a hearing, if the Secretary finds that evidence in his or her possession indicates that a permit holder's continuation in practice would constitute an imminent danger to the public or violate any provision of this Act or its rules.

If the Secretary summarily cancels a temporary permit issued pursuant to this Section or Act, the permit holder may petition the Department for a hearing in accordance with the provisions of Section 70-125 to restore his or her permit, unless the permit holder has exceeded his or her renewal limit.

(g) In addition to terminating any temporary permit issued pursuant to this Section or Act, the Department may issue a monetary penalty not to exceed \$10,000 upon the temporary permit holder and may notify any state in which the temporary permit holder has been issued a permit that his or her Illinois permit has been terminated and the reasons for the termination. The monetary penalty shall be paid within 60 days

after the effective date of the order imposing the penalty. The order shall constitute a judgment and may be filed, and execution had thereon in the same manner as any judgment from any court of record. It is the intent of the General Assembly that a permit issued pursuant to this Section shall be considered a privilege and not a property right.

(h) While working in Illinois, all temporary permit holders are subject to all statutory and regulatory requirements of this Act in the same manner as a licensee. Failure to adhere to all statutory and regulatory requirements may result in revocation or other discipline of the temporary permit.

(i) If the Department becomes aware of a violation occurring at the licensed hospital, medical office, clinic, or other medical facility, or via telehealth service, the Department shall notify the Department of Public Health.

(j) The Department may adopt emergency rules pursuant to this Section. The General Assembly finds that the adoption of rules to implement a temporary permit for health care services is deemed an emergency and necessary for the public interest, safety, and welfare.

(225 ILCS 65/65-11.5 new)

Sec. 65-11.5. Temporary permit for full practice advanced practice registered nurses for health care.

(a) The Department may issue a full practice advanced practice registered nurse temporary permit to an applicant who is licensed to practice as an advanced practice registered nurse in another state. The temporary permit will authorize the practice of providing health care to patients in this State if all of the following apply:

(1) The Department determines that the applicant's services will improve the welfare of Illinois residents and non-residents requiring health care services.

(2) The applicant has obtained a graduate degree appropriate for national certification in a clinical advanced practice registered nursing specialty or a graduate degree or post-master's certificate from a graduate level program in a clinical advanced practice registered nursing specialty; the applicant is certified as a nurse practitioner, nurse midwife, or clinical nurse specialist; the applicant has submitted verification of licensure status in good standing in the applicant's current state or territory of licensure; and the applicant can furnish the Department with a certified letter upon request from that jurisdiction attesting to the fact that the applicant has no pending action or violations against the applicant's license.

The Department shall not consider an advanced practice registered nurse's license being revoked or otherwise disciplined by any state or territory for the provision of, authorization of, or participation in any health care, medical service, or procedure related to an abortion on the basis that such health care, medical service, or procedure related to an abortion is unlawful or prohibited in that state or territory, if the provision of, authorization of, or participation in that health care, medical service, or procedure related to an abortion is not unlawful or prohibited in this State.

(3) The applicant has sufficient training and possesses the appropriate core competencies to provide health care services, and is physically, mentally, and professionally capable of practicing as an advanced practice registered nurse with reasonable judgment, skill, and safety and in accordance with applicable standards of care.

(4) The applicant will be working pursuant to an agreement with a sponsoring licensed hospital, medical office, clinic, or other medical facility providing health care services. Such agreement shall be executed by an authorized representative of the licensed hospital, medical office, clinic, or other medical facility, certifying that the advanced practice registered nurse holds an active license and is in good standing in the state in which they are licensed. If an applicant for a temporary permit has been previously disciplined by another jurisdiction, except as described in paragraph (2) of subsection (a), further review may be conducted pursuant to the Civil Administrative Code of Illinois and this Act. The application shall include the advanced practice registered nurse's name, contact information, state of licensure, and license number.

(5) Payment of a \$75 fee.

The sponsoring licensed hospital, medical office, clinic, or other medical facility engaged in the agreement with the applicant shall notify the Department should the applicant at any point leave or become separate from the sponsor.

The Department may adopt rules to carry out this Section.

(b) A temporary permit under this Section shall expire 2 years after the date of issuance. The temporary permit may be renewed for a \$45 fee for an additional 2 years. A holder of a temporary permit may only renew one time.

(c) The temporary permit shall only permit the holder to practice as a full practice advanced practice registered nurse within the scope of providing health care services at the location or locations specified on the permit or via telehealth service.

(d) An application for the temporary permit shall be made to the Department, in writing, on forms prescribed by the Department, and shall be accompanied by a non-refundable fee of \$75.

(e) An applicant for temporary permit may be requested to appear before the Board to respond to questions concerning the applicant's qualifications to receive the permit. An applicant's refusal to appear before the Board of Nursing may be grounds for denial of the application by the Department.

(f) The Secretary may summarily cancel any temporary permit issued pursuant to this Section, without a hearing, if the Secretary finds that evidence in his or her possession indicates that a permit holder's continuation in practice would constitute an imminent danger to the public or violate any provision of this Act or its rules.

If the Secretary summarily cancels a temporary permit issued pursuant to this Section or Act, the permit holder may petition the Department for a hearing in accordance with the provisions of Section 70-125 of this Act to restore his or her permit, unless the permit holder has exceeded his or her renewal limit.

(g) In addition to terminating any temporary permit issued pursuant to this Section or Act, the Department may issue a monetary penalty not to exceed \$10,000 upon the temporary permit holder and may notify any state in which the temporary permit holder has been issued a permit that his or her Illinois permit has been terminated and the reasons for the termination. The monetary penalty shall be paid within 60 days after the effective date of the order imposing the penalty. The order shall constitute a judgment and may be filed, and execution had thereon in the same manner as any judgment from any court of record. It is the intent of the General Assembly that a permit issued pursuant to this Section shall be considered a privilege and not a property right.

(h) While working in Illinois, all temporary permit holders are subject to all statutory and regulatory requirements of this Act in the same manner as a licensee. Failure to adhere to all statutory and regulatory requirements may result in revocation or other discipline of the temporary permit.

(i) If the Department becomes aware of a violation occurring at the licensed hospital, medical office, clinic, or other medical facility, or via telehealth service, the Department shall notify the Department of Public Health.

(j) The Department may adopt emergency rules pursuant to this Section. The General Assembly finds that the adoption of rules to implement a temporary permit for health care services is deemed an emergency and necessary for the public interest, safety, and welfare.

Article 9.

Section 9-5. The Behavior Analyst Licensing Act is amended by changing Section 60 as follows:
(225 ILCS 6/60)

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

Sec. 60. Grounds for disciplinary action.

(a) The Department may refuse to issue or renew a license, or may suspend, revoke, place on probation, reprimand, or take any other disciplinary or nondisciplinary action deemed appropriate by the Department, including the imposition of fines not to exceed \$10,000 for each violation, with regard to any license issued under the provisions of this Act for any one or a combination of the following grounds:

(1) material misstatements in furnishing information to the Department or to any other State agency or in furnishing information to any insurance company with respect to a claim on behalf of a licensee or a patient;

(2) violations or negligent or intentional disregard of this Act or its rules;

(3) conviction of or entry of a plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, 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 is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of behavior analysis;

(4) fraud or misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal or restoration of a license under this Act;

(5) professional incompetence;

(6) gross negligence in practice under this Act;
 (7) aiding or assisting another person in violating any provision of this Act or its rules;
 (8) failing to provide information within 60 days in response to a written request made by the Department;

(9) engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public as defined by the rules of the Department or violating the rules of professional conduct adopted by the Department;

(10) habitual or excessive use or abuse of drugs defined in law as controlled substances, of alcohol, or of any other substances that results in the inability to practice with reasonable judgment, skill, or safety;

(11) adverse action taken by another state or jurisdiction if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section;

(12) directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional service not actually rendered; nothing in this paragraph 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 paragraph shall be construed to require an employment arrangement to receive professional fees for services rendered;

(13) a finding by the Department that the licensee, after having the license placed on probationary status, has violated the terms of probation or failed to comply with those terms;

(14) abandonment, without cause, of a client;

(15) willfully making or filing false records or reports relating to a licensee's practice, including, but not limited to, false records filed with federal or State agencies or departments;

(16) willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act;

(17) being named as a perpetrator in an indicated report by the Department of Children and Family Services under 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;

(18) physical illness, mental illness, or any other impairment or disability, including, but not limited to, deterioration through the aging process, or loss of motor skills that results in the inability to practice the profession with reasonable judgment, skill, or safety;

(19) solicitation of professional services by using false or misleading advertising;

(20) violation of the Health Care Worker Self-Referral Act;

(21) willfully failing to report an instance of suspected abuse, neglect, financial exploitation, or self-neglect of an eligible adult as defined in and required by the Adult Protective Services Act; or

(22) being named as an abuser in a verified report by the Department on Aging under the Adult Protective Services Act, and upon proof by clear and convincing evidence that the licensee abused, neglected, or financially exploited an eligible adult as defined in the Adult Protective Services Act.

(b) The determination by a court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code shall result in an automatic suspension of the licensee's license. The suspension shall end upon a finding by a court that the licensee is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient, and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume professional practice.

(c) The Department shall refuse to issue or renew or may suspend the license of a person who (i) fails to file a tax return, pay the tax, penalty, or interest shown in a filed tax return, or pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Department of Revenue, until the requirements of the tax Act are satisfied or (ii) has failed to pay any court-ordered child support as determined by a court order or by referral from the Department of Healthcare and Family Services.

(c-1) The Department shall not revoke, suspend, place on probation, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act based solely upon the licensed behavior analyst recommending, aiding, assisting, referring for, or

participating in any health care service, so long as the care was not unlawful under the laws of this State, regardless of whether the patient was a resident of this State or another state.

(c-2) The Department shall not revoke, suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a licensed behavior analyst based upon the licensed behavior analyst's license being revoked or suspended, or the licensed behavior analyst being otherwise disciplined by any other state, if that revocation, suspension, or other form of discipline was based solely on the licensed behavior analyst violating another state's laws prohibiting the provision of, authorization of, recommendation of, aiding or assisting in, referring for, or participation in any health care service if that health care service as provided would not have been unlawful under the laws of this State and is consistent with the standards of conduct for a licensed behavior analyst practicing in Illinois.

(c-3) The conduct specified in subsections (c-1) and (c-2) shall not constitute grounds for suspension under Section 125.

(c-4) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a licensed behavior analyst based solely upon the license of a licensed behavior analyst being revoked or the licensed behavior analyst being otherwise disciplined by any other state or territory other than Illinois for the referral for or having otherwise participated in any health care service, if the revocation or disciplinary action was based solely on a violation of the other state's law prohibiting such health care services in the state, for a resident of the state, or in any other state.

(d) In enforcing this Section, the Department, upon a showing of a possible violation, may compel a person licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, which may include a substance abuse or sexual offender evaluation, as required by and at the expense of the Department.

(1) The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed clinical psychologists, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

(2) The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this mental or physical examination of the licensee or applicant. No information, report, record, or other documents in any way related to the examination shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee or applicant ordered to undergo an examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation.

(3) The person to be examined may have, at the person's own expense, another physician of the person's choice present during all aspects of the examination. However, that physician shall be present only to observe and may not interfere in any way with the examination.

(4) The failure of any person to submit to a mental or physical examination without reasonable cause, when ordered, shall result in an automatic suspension of the person's license until the person submits to the examination.

(e) If the Department finds a person unable to practice because of the reasons set forth in this Section, the Department or Board may require that person to submit to care, counseling, or treatment by physicians approved or designated by the Department or Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling, or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, or otherwise discipline the license of the person. Any person whose license was granted, continued, reinstated, renewed, disciplined, or supervised subject to the terms, conditions, or restrictions, and who fails to comply

with the terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the person shall have the person's license suspended immediately, pending a hearing by the Department.

(f) All fines imposed 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.

If the Secretary immediately suspends a person's license under this subsection, a hearing on that person's license must be convened by the Department within 30 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject person's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

A person licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department or Board that the person can resume practice in compliance with acceptable and prevailing standards under the provisions of the person's license.

(g) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

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

Section 9-10. The Clinical Psychologist Licensing Act is amended by changing Section 15 as follows:
(225 ILCS 15/15) (from Ch. 111, par. 5365)

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

Sec. 15. Disciplinary action; grounds.

(a) The Department may refuse to issue, refuse to renew, suspend, or revoke any license, or may place on probation, reprimand, or take other disciplinary or non-disciplinary action deemed appropriate by the Department, including the imposition of fines not to exceed \$10,000 for each violation, with regard to any license issued under the provisions of this Act for any one or a combination of the following reasons:

(1) Conviction of, or entry of a plea of guilty or nolo contendere to, any crime that is a felony under the laws of the United States or any state or territory thereof or that is a misdemeanor of which an essential element is dishonesty, or any crime that is directly related to the practice of the profession.

(2) Gross negligence in the rendering of clinical psychological services.

(3) Using fraud or making any misrepresentation in applying for a license or in passing the examination provided for in this Act.

(4) Aiding or abetting or conspiring to aid or abet a person, not a clinical psychologist licensed under this Act, in representing himself or herself as so licensed or in applying for a license under this Act.

(5) Violation of any provision of this Act or the rules promulgated thereunder.

(6) Professional connection or association with any person, firm, association, partnership or corporation holding himself, herself, themselves, or itself out in any manner contrary to this Act.

(7) Unethical, unauthorized or unprofessional conduct as defined by rule. In establishing those rules, the Department shall consider, though is not bound by, the ethical standards for psychologists promulgated by recognized national psychology associations.

(8) Aiding or assisting another person in violating any provisions of this Act or the rules promulgated thereunder.

(9) Failing to provide, within 60 days, information in response to a written request made by the Department.

(10) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a clinical psychologist's inability to practice with reasonable judgment, skill or safety.

(11) Discipline by another state, territory, the District of Columbia or foreign country, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein.

(12) Directly or indirectly giving or receiving from any person, firm, corporation, association or partnership any fee, commission, rebate, or other form of compensation for any professional service not actually or personally rendered. Nothing in this paragraph (12) 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

paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(13) A finding that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(14) Willfully making or filing false records or reports, including but not limited to, false records or reports filed with State agencies or departments.

(15) Physical illness, including but not limited to, deterioration through the aging process, mental illness or disability that results in the inability to practice the profession with reasonable judgment, skill and safety.

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

(17) 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.

(18) Violation of the Health Care Worker Self-Referral Act.

(19) Making a material misstatement in furnishing information to the Department, any other State or federal agency, or any other entity.

(20) Failing to report to the Department any adverse judgment, settlement, or award arising from a liability claim related to an act or conduct similar to an act or conduct that would constitute grounds for action as set forth in this Section.

(21) Failing to report to the Department any adverse final action taken against a licensee or applicant by another licensing jurisdiction, including any other state or territory of the United States or any foreign state or country, or any peer review body, health care institution, professional society or association related to the profession, governmental agency, law enforcement agency, or court for an act or conduct similar to an act or conduct that would constitute grounds for disciplinary action as set forth in this Section.

(22) Prescribing, selling, administering, distributing, giving, or self-administering (A) any drug classified as a controlled substance (designated product) for other than medically accepted therapeutic purposes or (B) any narcotic drug.

(23) Violating state or federal laws or regulations relating to controlled substances, legend drugs, or ephedra as defined in the Ephedra Prohibition Act.

(24) Exceeding the terms of a collaborative agreement or the prescriptive authority delegated to a licensee by his or her collaborating physician or established under a written collaborative agreement.

The entry of an order by any circuit court establishing that any person holding a license under this Act is subject to involuntary admission or judicial admission as provided for in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension of that license. That person may have his or her license restored only upon the determination by a circuit court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient and upon the Board's recommendation to the Department that the license be restored. Where the circumstances so indicate, the Board may recommend to the Department that it require an examination prior to restoring any license so automatically suspended.

The Department shall refuse to issue or 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 the 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.

In enforcing this Section, the Department or Board upon a showing of a possible violation may compel any person licensed to practice under this Act, or who has applied for licensure or certification pursuant to this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The examining physicians or clinical psychologists shall be those specifically designated by the Department. The Board or the Department may order the examining physician or clinical psychologist to present testimony concerning this mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician or clinical psychologist. The person to be examined may have, at his or her own expense, another physician or clinical psychologist of his or her choice present during all aspects of the examination. Failure of any person to submit to a mental or

physical examination, when directed, shall be grounds for suspension of a license until the person submits to the examination if the Department or Board finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Department or Board finds a person unable to practice because of the reasons set forth in this Section, the Department or Board may require that person to submit to care, counseling or treatment by physicians or clinical psychologists approved or designated by the Department, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling or treatment, the Board may recommend to the Department to file or the Department may file a complaint to immediately suspend, revoke or otherwise discipline the license of the person. Any person whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions or restrictions, and who fails to comply with such terms, conditions or restrictions, shall be referred to the Secretary for a determination as to whether the person shall have his or her license suspended immediately, pending a hearing by the Board.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Board within 15 days after the suspension and completed without appreciable delay. The Board shall have the authority to review the subject person's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

A person licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(b) The Department shall not revoke, suspend, place on probation, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act based solely upon the licensed clinical psychologist recommending, aiding, assisting, referring for, or participating in any health care service, so long as the care was not unlawful under the laws of this State, regardless of whether the patient was a resident of this State or another state.

(c) The Department shall not revoke, suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a licensed clinical psychologist based upon the licensed clinical psychologist's license being revoked or suspended, or the licensed clinical psychologist being otherwise disciplined by any other state, if that revocation, suspension, or other form of discipline was based solely on the licensed clinical psychologist violating another state's laws prohibiting the provision of, authorization of, recommendation of, aiding or assisting in, referring for, or participation in any health care service if that health care service as provided would not have been unlawful under the laws of this State and is consistent with the standards of conduct for a licensed clinical psychologist practicing in Illinois.

(d) The conduct specified in subsections (b) and (c) shall not constitute grounds for suspension under Section 21.6.

(e) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a licensed clinical psychologist based solely upon the license of a licensed clinical psychologist being revoked or the licensed clinical psychologist being otherwise disciplined by any other state or territory other than Illinois for the referral for or having otherwise participated in any health care service, if the revocation or disciplinary action was based solely on a violation of the other state's law prohibiting such health care services in the state, for a resident of the state, or in any other state.

(f) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 98-668, eff. 6-25-14; 99-572, eff. 7-15-16.)

Section 9-15. The Clinical Social Work and Social Work Practice Act is amended by changing Section 19 as follows:

(225 ILCS 20/19) (from Ch. 111, par. 6369)

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

Sec. 19. Grounds for disciplinary action.

(1) The Department may refuse to issue or renew a license, or may suspend, revoke, place on probation, reprimand, or take any other disciplinary or non-disciplinary action deemed appropriate by the

Department, including the imposition of fines not to exceed \$10,000 for each violation, with regard to any license issued under the provisions of this Act for any one or a combination of the following grounds:

(a) material misstatements in furnishing information to the Department or to any other State agency or in furnishing information to any insurance company with respect to a claim on behalf of a licensee or a patient;

(b) violations or negligent or intentional disregard of this Act, or any of the rules promulgated hereunder;

(c) conviction of or entry of a plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, 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 is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the clinical social work or social work professions;

(d) fraud or misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal or restoration of a license under this Act;

(e) professional incompetence;

(f) gross negligence in practice under this Act;

(g) aiding or assisting another person in violating any provision of this Act or its rules;

(h) failing to provide information within 60 days in response to a written request made by the Department;

(i) engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public as defined by the rules of the Department, or violating the rules of professional conduct adopted by the Department;

(j) habitual or excessive use or abuse of drugs defined in law as controlled substances, of alcohol, or of any other substances that results in the inability to practice with reasonable judgment, skill, or safety;

(k) adverse action taken by another state or jurisdiction, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section;

(l) directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate or other form of compensation for any professional service not actually rendered. Nothing in this paragraph (l) 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 paragraph (l) shall be construed to require an employment arrangement to receive professional fees for services rendered;

(m) a finding by the Department that the licensee, after having the license placed on probationary status, has violated the terms of probation or failed to comply with such terms;

(n) abandonment, without cause, of a client;

(o) willfully making or filing false records or reports relating to a licensee's practice, including, but not limited to, false records filed with Federal or State agencies or departments;

(p) willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act;

(q) being named as a perpetrator in an indicated report by the Department of Children and Family Services under 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;

(r) physical illness, mental illness, or any other impairment or disability, including, but not limited to, deterioration through the aging process, or loss of motor skills that results in the inability to practice the profession with reasonable judgment, skill or safety;

(s) solicitation of professional services by using false or misleading advertising;

(t) violation of the Health Care Worker Self-Referral Act;

(u) willfully failing to report an instance of suspected abuse, neglect, financial exploitation, or self-neglect of an eligible adult as defined in and required by the Adult Protective Services Act; or

(v) being named as an abuser in a verified report by the Department on Aging under the Adult Protective Services Act, and upon proof by clear and convincing evidence that the licensee abused, neglected, or financially exploited an eligible adult as defined in the Adult Protective Services Act.

(2) (Blank).

(3) The determination by a court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, will result in an automatic suspension of his license. Such suspension will end upon a finding by a court that the licensee is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient, and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume professional practice.

(4) The Department shall refuse to issue or renew or may suspend the license of a person who (i) fails to file a return, pay the tax, penalty, or interest shown in a filed return, or pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Department of Revenue, until the requirements of the tax Act are satisfied or (ii) has failed to pay any court-ordered child support as determined by a court order or by referral from the Department of Healthcare and Family Services.

(4.5) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against a license or permit issued under this Act based solely upon the licensed clinical social worker authorizing, recommending, aiding, assisting, referring for, or otherwise participating in any health care service, so long as the care was not unlawful under the laws of this State, regardless of whether the patient was a resident of this State or another state.

(4.10) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a licensed clinical social worker based upon the licensed clinical social worker's license being revoked or suspended, or the licensed clinical social worker being otherwise disciplined by any other state, if that revocation, suspension, or other form of discipline was based solely on the licensed clinical social worker violating another state's laws prohibiting the provision of, authorization of, recommendation of, aiding or assisting in, referring for, or participation in any health care service if that health care service as provided would not have been unlawful under the laws of this State and is consistent with the standards of conduct for a licensed clinical social worker practicing in Illinois.

(4.15) The conduct specified in subsections (4.5) and (4.10) shall not constitute grounds for suspension under Section 32.

(4.20) An applicant seeking licensure, certification, or authorization pursuant to this Act who has been subject to disciplinary action by a duly authorized professional disciplinary agency of another jurisdiction solely on the basis of having authorized, recommended, aided, assisted, referred for, or otherwise participated in health care shall not be denied such licensure, certification, or authorization, unless the Department determines that such action would have constituted professional misconduct in this State; however, nothing in this Section shall be construed as prohibiting the Department from evaluating the conduct of such applicant and making a determination regarding the licensure, certification, or authorization to practice a profession under this Act.

(5)(a) In enforcing this Section, the Department or Board, upon a showing of a possible violation, may compel a person licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, which may include a substance abuse or sexual offender evaluation, as required by and at the expense of the Department.

(b) The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

(c) The Board or the Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this mental or physical examination of the licensee

or applicant. No information, report, record, or other documents in any way related to the examination shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee or applicant ordered to undergo an examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation.

(d) The person to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. However, that physician shall be present only to observe and may not interfere in any way with the examination.

(e) Failure of any person to submit to a mental or physical examination without reasonable cause, when ordered, shall result in an automatic suspension of his or her license until the person submits to the examination.

(f) If the Department or Board finds a person unable to practice because of the reasons set forth in this Section, the Department or Board may require that person to submit to care, counseling, or treatment by physicians approved or designated by the Department or Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, or otherwise discipline the license of the person. Any person whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the person shall have his or her license suspended immediately, pending a hearing by the Department.

(g) All fines imposed 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.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 30 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject person's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

A person licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(h) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 100-414, eff. 8-25-17.)

Section 9-20. The Marriage and Family Therapy Licensing Act is amended by changing Section 85 as follows:

(225 ILCS 55/85) (from Ch. 111, par. 8351-85)

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

Sec. 85. Refusal, revocation, or suspension.

(a) The Department may refuse to issue or renew a license, or may revoke, suspend, reprimand, place on probation, or take any other disciplinary or non-disciplinary action as the Department may deem proper, including the imposition of fines not to exceed \$10,000 for each violation, with regard to any license issued under the provisions of this Act for any one or combination of the following grounds:

(1) Material misstatement in furnishing information to the Department.

(2) Violation of any provision of this Act or its rules.

(3) Conviction of or entry of a plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, 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 is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty or that is directly related to the practice of the profession.

(4) Fraud or misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal or restoration of a license under this Act or its rules.

(5) Professional incompetence.

(6) Gross negligence in practice under this Act.

(7) Aiding or assisting another person in violating any provision of this Act or its rules.

(8) Failing, within 60 days, to provide information in response to a written request made by the Department.

(9) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud or harm the public as defined by the rules of the Department, or violating the rules of professional conduct adopted by the Department.

(10) Habitual or excessive use or abuse of drugs defined in law as controlled substances, of alcohol, or any other substance that results in the inability to practice with reasonable judgment, skill, or safety.

(11) Discipline by another jurisdiction if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.

(12) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered. Nothing in this paragraph (12) 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 paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(13) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation or failed to comply with the terms.

(14) Abandonment of a patient without cause.

(15) Willfully making or filing false records or reports relating to a licensee's practice, including but not limited to false records filed with State agencies or departments.

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

(17) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under 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.

(18) Physical illness or mental illness or impairment, including, but not limited to, deterioration through the aging process or loss of motor skill that results in the inability to practice the profession with reasonable judgment, skill, or safety.

(19) Solicitation of professional services by using false or misleading advertising.

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

(21) Practicing under a false or assumed name, except as provided by law.

(22) Gross, willful, and continued overcharging for professional services, including filing false statements for collection of fees or moneys for which services are not rendered.

(23) Failure to establish and maintain records of patient care and treatment as required by law.

(24) Cheating on or attempting to subvert the licensing examinations administered under this Act.

(25) Willfully failing to report an instance of suspected abuse, neglect, financial exploitation, or self-neglect of an eligible adult as defined in and required by the Adult Protective Services Act.

(26) Being named as an abuser in a verified report by the Department on Aging and under the Adult Protective Services Act and upon proof by clear and convincing evidence that the licensee abused, neglected, or financially exploited an eligible adult as defined in the Adult Protective Services Act.

(b) (Blank).

(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will terminate only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient, and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume

his or her practice as a licensed marriage and family therapist or an associate licensed marriage and family therapist.

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

(d-5) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a marriage and family therapist or associate licensed marriage and family therapist based solely upon the marriage and family therapist or associate licensed marriage and family therapist authorizing, recommending, aiding, assisting, referring for, or otherwise participating in any health care service, so long as the care was not Unlawful under the laws of this State, regardless of whether the patient was a resident of this State or another state.

(d-10) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a marriage and family therapist or associate licensed marriage and family therapist based upon the marriage and family therapist's or associate licensed marriage and family therapist's license being revoked or suspended, or the marriage and family therapist or associate licensed marriage and family therapist being otherwise disciplined by any other state, if that revocation, suspension, or other form of discipline was based solely on the marriage and family therapist or associate licensed marriage and family therapist violating another state's laws prohibiting the provision of, authorization of, recommendation of, aiding or assisting in, referring for, or participation in any health care service if that health care service as provided would not have been unlawful under the laws of this State and is consistent with the standards of conduct for a marriage and family therapist or an associate licensed marriage and family therapist practicing in Illinois.

(d-15) The conduct specified in subsections (d-5) or (d-10) shall not constitute grounds for suspension under Section 145.

(d-20) An applicant seeking licensure, certification, or authorization pursuant to this Act who has been subject to disciplinary action by a duly authorized professional disciplinary agency of another jurisdiction solely on the basis of having authorized, recommended, aided, assisted, referred for, or otherwise participated in health care shall not be denied such licensure, certification, or authorization, unless the Department determines that such action would have constituted professional misconduct in this State; however, nothing in this Section shall be construed as prohibiting the Department from evaluating the conduct of such applicant and making a determination regarding the licensure, certification, or authorization to practice a profession under this Act.

(e) In enforcing this Section, the Department or Board upon a showing of a possible violation may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, which may include a substance abuse or sexual offender evaluation, as required by and at the expense of the Department.

The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, licensed marriage and family therapists, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed.

The Department or Board may order the examining physician or any member of the multidisciplinary team to present testimony concerning the mental or physical examination of the licensee or applicant. No information, report, record, or other documents in any way related to the examination shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or

applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee or applicant ordered to undergo an examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation.

The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. However, that physician shall be present only to observe and may not interfere in any way with the examination.

Failure of an individual to submit to a mental or physical examination, when ordered, shall result in an automatic suspension of his or her license until the individual submits to the examination.

If the Department or Board finds an individual unable to practice because of the reasons set forth in this Section, the Department or Board may require that individual to submit to care, counseling, or treatment by physicians approved or designated by the Department or Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling, or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. An individual whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 30 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(f) A fine 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.

(g) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 100-372, eff. 8-25-17; 100-872, eff. 8-14-18.)

Section 9-25. The Professional Counselor and Clinical Professional Counselor Licensing and Practice Act is amended by changing Section 80 as follows:

(225 ILCS 107/80)

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

Sec. 80. Grounds for discipline.

(a) The Department may refuse to issue, renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department deems appropriate, including the issuance of fines not to exceed \$10,000 for each violation, with regard to any license for any one or more of the following:

(1) Material misstatement in furnishing information to the Department or to any other State agency.

(2) Violations or negligent or intentional disregard of this Act or rules adopted under this Act.

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of 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: (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

(4) Fraud or any misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act.

(5) Professional incompetence or gross negligence in the rendering of professional counseling or clinical professional counseling services.

(6) Malpractice.

(7) Aiding or assisting another person in violating any provision of this Act or any rules.

(8) Failing to provide information within 60 days in response to a written request made by the Department.

(9) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public and violating the rules of professional conduct adopted by the Department.

(10) Habitual or excessive use or abuse of drugs as defined in law as controlled substances, alcohol, or any other substance which results in inability to practice with reasonable skill, judgment, or safety.

(11) Discipline by another jurisdiction, the District of Columbia, territory, county, or governmental agency, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section.

(12) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate or other form of compensation for any professional service not actually rendered. Nothing in this paragraph (12) 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 paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(13) A finding by the Board that the licensee, after having the license placed on probationary status, has violated the terms of probation.

(14) Abandonment of a client.

(15) Willfully filing false reports relating to a licensee's practice, including but not limited to false records filed with federal or State agencies or departments.

(16) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act and in matters pertaining to suspected abuse, neglect, financial exploitation, or self-neglect of adults with disabilities and older adults as set forth in the Adult Protective Services Act.

(17) 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.

(18) Physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of abilities and skills which results in the inability to practice the profession with reasonable judgment, skill, or safety.

(19) Solicitation of professional services by using false or misleading advertising.

(20) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.

(21) A finding that licensure has been applied for or obtained by fraudulent means.

(22) Practicing under a false or, except as provided by law, an assumed name.

(23) Gross and willful overcharging for professional services including filing statements for collection of fees or monies for which services are not rendered.

(24) Rendering professional counseling or clinical professional counseling services without a license or practicing outside the scope of a license.

(25) Clinical supervisors failing to adequately and responsibly monitor supervisees.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine.

(b) (Blank).

(b-5) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any person who fails to file a return, pay the tax, penalty, or interest shown in a filed return, or pay any final assessment of the 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 in accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(b-10) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(c) The determination by a court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code will result in an automatic suspension of his or her license. The suspension will end upon a finding by a court that the licensee is no longer subject to involuntary admission or judicial admission, the issuance of an order so finding and discharging the patient, and the recommendation of the Board to the Secretary that the licensee be allowed to resume professional practice.

(c-1) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a professional counselor or clinical professional counselor based solely upon the professional counselor or clinical professional counselor authorizing, recommending, aiding, assisting, referring for, or otherwise participating in any health care service, so long as the care was not unlawful under the laws of this State, regardless of whether the patient was a resident of this State or another state.

(c-2) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a professional counselor or clinical professional counselor based upon the professional counselor's or clinical professional counselor's license being revoked or suspended, or the professional counselor or clinical professional counselor being otherwise disciplined by any other state, if that revocation, suspension, or other form of discipline was based solely on the professional counselor or clinical professional counselor violating another state's laws prohibiting the provision of, authorization of, recommendation of, aiding or assisting in, referring for, or participation in any health care service if that health care service as provided would not have been unlawful under the laws of this State and is consistent with the standards of conduct for a professional counselor or clinical professional counselor practicing in Illinois.

(c-3) The conduct specified in subsections (c-1) and (c-2) shall not constitute grounds for suspension under Section 145.

(c-4) An applicant seeking licensure, certification, or authorization pursuant to this Act who has been subject to disciplinary action by a duly authorized professional disciplinary agency of another jurisdiction solely on the basis of having authorized, recommended, aided, assisted, referred for, or otherwise participated in health care shall not be denied such licensure, certification, or authorization, unless the Department determines that such action would have constituted professional misconduct in this State; however, nothing in this Section shall be construed as prohibiting the Department from evaluating the conduct of such applicant and making a determination regarding the licensure, certification, or authorization to practice a profession under this Act.

(c-5) In enforcing this Act, the Department, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. The examination shall be performed by a physician licensed to practice medicine in all its branches. Failure of an individual to submit to a mental or physical examination, when directed, shall result in an automatic suspension without hearing.

All substance-related violations shall mandate an automatic substance abuse assessment. Failure to submit to an assessment by a licensed physician who is certified as an addictionist or an advanced practice registered nurse with specialty certification in addictions may be grounds for an automatic suspension.

If the Department finds an individual unable to practice or unfit for duty because of the reasons set forth in this subsection (c-5), the Department may require that individual to submit to a substance abuse evaluation or treatment by individuals or programs approved or designated by the Department, as a condition, term, or restriction for continued, restored, or renewed licensure to practice; or, in lieu of evaluation or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. An individual whose license was granted, continued, restored, renewed, disciplined, or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department.

A person holding a license under this Act or who has applied for a license under this Act who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling, or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(d) (Blank).

(e) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 102-878, eff. 1-1-23.)

Section 9-30. The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act is amended by changing Section 75 as follows:

(225 ILCS 130/75)

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

Sec. 75. Grounds for disciplinary action.

(a) The Department may refuse to issue, renew, or restore a registration, may revoke or suspend a registration, or may place on probation, reprimand, or take other disciplinary or non-disciplinary action with regard to a person registered under this Act, including but not limited to the imposition of fines not to exceed \$10,000 for each violation and the assessment of costs as provided for in Section 90, for any one or combination of the following causes:

(1) Making a material misstatement in furnishing information to the Department.

(2) Violating a provision of this Act or rules adopted under this Act.

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of 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 is (i) a felony or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

(4) Fraud or misrepresentation in applying for, renewing, restoring, reinstating, or procuring a registration under this Act.

(5) Aiding or assisting another person in violating a provision of this Act or its rules.

(6) Failing to provide information within 60 days in response to a written request made by the Department.

(7) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public, as defined by rule of the Department.

(8) Discipline by another United States jurisdiction, governmental agency, unit of government, or foreign nation, if at least one of the grounds for discipline is the same or substantially equivalent to those set forth in this Section.

(9) Directly or indirectly giving to or receiving from a person, firm, corporation, partnership, or association a fee, commission, rebate, or other form of compensation for professional services not actually or personally rendered. Nothing in this paragraph (9) 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 registrant's practice under this Act. Nothing in this paragraph (9) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(10) A finding by the Department that the registrant, after having his or her registration placed on probationary status, has violated the terms of probation.

(11) Willfully making or filing false records or reports in his or her practice, including but not limited to false records or reports filed with State agencies.

(12) Willfully making or signing a false statement, certificate, or affidavit to induce payment.

(13) Willfully failing to report an instance of suspected child abuse or neglect as required under the Abused and Neglected Child Reporting Act.

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

(15) (Blank).

(16) Failure to report to the Department (A) any adverse final action taken against the registrant by another registering or licensing jurisdiction, government agency, law enforcement agency, or any court or (B) liability for conduct that would constitute grounds for action as set forth in this Section.

(17) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substance that results in the inability to practice with reasonable judgment, skill, or safety.

(18) Physical or mental illness, including but not limited to deterioration through the aging process or loss of motor skills, which results in the inability to practice the profession for which he or she is registered with reasonable judgment, skill, or safety.

(19) Gross malpractice.

(20) Immoral conduct in the commission of an act related to the registrant's practice, including but not limited to sexual abuse, sexual misconduct, or sexual exploitation.

(21) Violation of the Health Care Worker Self-Referral Act.

(b) The Department may refuse to issue or may suspend without hearing the registration of a person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay a final assessment of the tax, penalty, or interest as required by a tax Act administered by the Department of Revenue, until the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Department of Regulation Law of the Civil Administrative Code of Illinois.

(b-1) The Department shall not revoke, suspend, summarily suspend, place on probation, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license issued under this Act to practice as a registered surgical assistant or registered surgical technologist based solely upon the registered surgical assistant or registered surgical technologist providing, authorizing, recommending, aiding, assisting, referring for, or otherwise participating in any health care service, so long as the care was not unlawful under the laws of this State, regardless of whether the patient was a resident of this State or another state.

(b-2) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license issued under this Act to practice as a registered surgical assistant or registered surgical technologist based upon the registered surgical assistant's or registered surgical technologist's license being revoked or suspended, or the registered surgical assistant's or registered surgical technologist's being otherwise disciplined by any other

state, if that revocation, suspension, or other form of discipline was based solely on the registered surgical assistant or registered surgical technologist violating another state's laws prohibiting the provision of, authorization of, recommendation of, aiding or assisting in, referring for, or participation in any health care service if that health care service as provided would not have been unlawful under the laws of this State and is consistent with the standards of conduct for the registered surgical assistant or registered surgical technologist practicing in this State.

(b-3) The conduct specified in subsection (b-1) or (b-2) shall not constitute grounds for suspension under Section 145.

(b-4) An applicant seeking licensure, certification, or authorization pursuant to this Act who has been subject to disciplinary action by a duly authorized professional disciplinary agency of another jurisdiction solely on the basis of having provided, authorized, recommended, aided, assisted, referred for, or otherwise participated in health care shall not be denied such licensure, certification, or authorization, unless the Department determines that such action would have constituted professional misconduct in this State. Nothing in this Section shall be construed as prohibiting the Department from evaluating the conduct of such applicant and making a determination regarding the licensure, certification, or authorization to practice a profession under this Act.

(c) The determination by a circuit court that a registrant is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. The suspension will end only upon (1) a finding by a court that the patient is no longer subject to involuntary admission or judicial admission, (2) issuance of an order so finding and discharging the patient, and (3) filing of a petition for restoration demonstrating fitness to practice.

(d) (Blank).

(e) In cases where the Department of Healthcare and Family Services has previously determined a registrant or a potential registrant is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's registration or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with paragraph (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(f) In enforcing this Section, the Department, upon a showing of a possible violation, may compel any individual registered under this Act or any individual who has applied for registration to submit to a mental or physical examination and evaluation, or both, that may include a substance abuse or sexual offender evaluation, at the expense of the Department. The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation, or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the registrant or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the registrant or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the registrant or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination.

Failure of any individual to submit to mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension without a hearing until such time as the individual submits to the examination. If the Department finds a registrant unable to practice because of the reasons set forth in this Section, the Department shall require such registrant to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition for continued, reinstated, or renewed registration.

When the Secretary immediately suspends a registration under this Section, a hearing upon such person's registration must be convened by the Department within 15 days after such suspension and completed without appreciable delay. The Department shall have the authority to review the registrant's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Individuals registered under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their registration.

(g) 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.

(f) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 100-872, eff. 8-14-18.)

Section 9-35. The Genetic Counselor Licensing Act is amended by changing Section 95 as follows:
(225 ILCS 135/95)

(Section scheduled to be repealed on January 1, 2025)

Sec. 95. Grounds for discipline.

(a) The Department may refuse to issue, renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department deems appropriate, including the issuance of fines not to exceed \$10,000 for each violation, with regard to any license for any one or more of the following:

(1) Material misstatement in furnishing information to the Department or to any other State agency.

(2) Violations or negligent or intentional disregard of this Act, or any of its rules.

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, 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: (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of genetic counseling.

(4) Making any misrepresentation for the purpose of obtaining a license, or violating any provision of this Act or its rules.

(5) Negligence in the rendering of genetic counseling services.

(6) Failure to provide genetic testing results and any requested information to a referring physician licensed to practice medicine in all its branches, advanced practice registered nurse, or physician assistant.

(7) Aiding or assisting another person in violating any provision of this Act or any rules.

(8) Failing to provide information within 60 days in response to a written request made by the Department.

(9) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public and violating the rules of professional conduct adopted by the Department.

(10) Failing to maintain the confidentiality of any information received from a client, unless otherwise authorized or required by law.

(10.5) Failure to maintain client records of services provided and provide copies to clients upon request.

(11) Exploiting a client for personal advantage, profit, or interest.

(12) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug which results in inability to practice with reasonable skill, judgment, or safety.

(13) Discipline by another governmental agency or unit of government, by any jurisdiction of the United States, or by a foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section.

(14) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional service not actually rendered. Nothing in this paragraph (14) 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 paragraph (14) shall be construed to require an employment arrangement to receive professional fees for services rendered.

(15) A finding by the Department that the licensee, after having the license placed on probationary status, has violated the terms of probation.

(16) Failing to refer a client to other health care professionals when the licensee is unable or unwilling to adequately support or serve the client.

(17) Willfully filing false reports relating to a licensee's practice, including but not limited to false records filed with federal or State agencies or departments.

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

(19) 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.

(20) Physical or mental disability, including deterioration through the aging process or loss of abilities and skills which results in the inability to practice the profession with reasonable judgment, skill, or safety.

(21) Solicitation of professional services by using false or misleading advertising.

(22) Failure to file a return, or to pay the tax, penalty of 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 or any successor agency or the Internal Revenue Service or any successor agency.

(23) Fraud or making any misrepresentation in applying for or procuring a license under this Act or in connection with applying for renewal of a license under this Act.

(24) Practicing or attempting to practice under a name other than the full name as shown on the license or any other legally authorized name.

(25) Gross overcharging for professional services, including filing statements for collection of fees or monies for which services are not rendered.

(26) (Blank).

(27) Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered.

(28) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.

(b) (Blank).

(b-5) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a genetic counselor based solely upon the genetic counselor authorizing, recommending, aiding, assisting, referring for, or otherwise participating in any health care service, so long as the care was not unlawful under the laws of this State, regardless of whether the patient was a resident of this State or another state.

(b-10) The Department shall not revoke, suspend, summarily suspend, place on prohibition, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action against the license or permit issued under this Act to practice as a genetic counselor based upon the genetic counselor's license being revoked or suspended, or the genetic counselor being otherwise disciplined by any other state, if that revocation, suspension, or other form of discipline was based solely on the genetic counselor violating another state's laws prohibiting the provision of, authorization of, recommendation of, aiding or

assisting in, referring for, or participation in any health care service if that health care service as provided would not have been unlawful under the laws of this State and is consistent with the standards of conduct for the genetic counselor if it occurred in Illinois.

(b-15) The conduct specified in subsections (b-5) and (b-10) shall not constitute grounds for suspension under Section 160.

(b-20) An applicant seeking licensure, certification, or authorization pursuant to this Act who has been subject to disciplinary action by a duly authorized professional disciplinary agency of another jurisdiction solely on the basis of having authorized, recommended, aided, assisted, referred for, or otherwise participated in health care shall not be denied such licensure, certification, or authorization, unless the Department determines that such action would have constituted professional misconduct in this State; however, nothing in this Section shall be construed as prohibiting the Department from evaluating the conduct of such applicant and making a determination regarding the licensure, certification, or authorization to practice a profession under this Act.

(c) The determination by a court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code will result in an automatic suspension of his or her license. The suspension will end upon a finding by a court that the licensee is no longer subject to involuntary admission or judicial admission, the issuance of an order so finding and discharging the patient, and the determination of the Secretary that the licensee be allowed to resume professional practice.

(d) The Department may refuse to issue or renew or may suspend without hearing the license of any person who fails to file a return, to pay the tax penalty or interest shown in a filed return, or to pay any final assessment of the tax, penalty, or interest as required by any Act regarding the payment of taxes administered by the Illinois Department of Revenue until the requirements of the Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(e) In cases where the Department of Healthcare and Family Services has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

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

(g) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 99-173, eff. 7-29-15; 99-633, eff. 1-1-17; 100-201, eff. 8-18-17; 100-513, eff. 1-1-18; 100-872, eff. 8-14-18.)

Article 11.

Section 11-5. The Reproductive Health Act is amended by changing Section 1-25 as follows:

(775 ILCS 55/1-25)

Sec. 1-25. Reporting of abortions performed by health care professionals.

(a) A health care professional may provide abortion care in accordance with the health care professional's professional judgment and training and based on accepted standards of clinical practice consistent with the scope of his or her practice under the Medical Practice Act of 1987, the Nurse Practice Act, or the Physician Assistant Practice Act of 1987. An advanced practice registered nurse or physician assistant as defined in this Act may perform aspiration abortion procedures that do not require general anesthesia, consistent with their training and standards of clinical practice and, if applicable, consistent with any collaborative agreement. If the health care professional determines that there is fetal viability, the health care professional may provide abortion care only if, in the professional judgment of the health care professional, the abortion is necessary to protect the life or health of the patient.

(b) A report of each abortion performed by a health care professional shall be made to the Department on forms prescribed by it. Such reports shall be transmitted to the Department on a quarterly basis ~~not later than 10 days following the end of the month in which the abortion is performed.~~

(c) The abortion reporting forms prescribed by the Department shall not request or require information that identifies a patient or health care professional by name or any other identifying information, and the Department shall secure anonymity of all patients and health care professionals.

(d) All reports received by the Department pursuant to this Section shall be treated as confidential and exempt from the Freedom of Information Act. Such reports shall not be admissible as evidence or discoverable in any action of any kind, in any court, or before any tribunal, board, agency or person. Access to such reports shall be limited to authorized Department staff who shall use the reports for statistical purposes only. Such reports must be destroyed within 2 years after date of receipt. The Department may make aggregate data derived from the reports publicly available so long as such disclosure does not reveal any identifying information about a patient or health care professional.

(Source: P.A. 101-13, eff. 6-12-19.)

Article 12.

Section 12-5. The Telehealth Act is amended by changing Sections 10 and 15 as follows:

(225 ILCS 150/10)

Sec. 10. Practice authority. A health care professional treating a patient located in this State through telehealth services must be licensed or authorized to practice in Illinois. A health care professional with a temporary permit for full practice advanced practice registered nurse for health care, a temporary permit for advanced practice registered nurse for health care, or a temporary permit for health care may treat a patient located in this State through telehealth services in a manner consistent with the health care professional's scope of practice and agreement with a sponsoring entity.

(Source: P.A. 102-104, eff. 7-22-21.)

(225 ILCS 150/15)

Sec. 15. Use of telehealth services.

(a) A health care professional may engage in the practice of telehealth services in Illinois to the extent of his or her scope of practice as established in his or her respective licensing Act consistent with the standards of care for in-person services. This Act shall not be construed to alter the scope of practice of any health care professional or authorize the delivery of health care services in a setting or in a manner not otherwise authorized by the laws of this State.

(b) Telehealth services provided pursuant to this Section shall be consistent with all federal and State privacy, security, and confidentiality laws, rules, or regulations.

(c) A health care professional with a temporary permit for full practice advanced practice registered nurse for health care, a temporary permit for advanced practice registered nurse for health care, or a temporary permit for health care may treat a patient located in this State through telehealth services in a manner consistent with the health care professional's scope of practice and agreement with a sponsoring entity.

(Source: P.A. 102-104, eff. 7-22-21.)

Article 14.

Section 14-5. The Medical Practice Act of 1987 is amended by changing Section 49.5 as follows:

(225 ILCS 60/49.5)

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

Sec. 49.5. Telemedicine.

(a) The General Assembly finds and declares that because of technological advances and changing practice patterns the practice of medicine is occurring with increasing frequency across state lines and across increasing geographical distances within the State of Illinois and that certain technological advances in the practice of medicine are in the public interest. The General Assembly further finds and declares that the practice of medicine is a privilege and that the licensure by this State of practitioners outside this State engaging in medical practice within this State and the ability to discipline those practitioners is necessary for the protection of the public health, welfare, and safety.

(b) A person who engages in the practice of telemedicine without a license or permit issued under this Act shall be subject to penalties provided in Section 59. A person with a temporary permit for health care may treat a patient located in this State through telehealth services in a manner consistent with the person's scope of practice and agreement with a sponsoring entity.

(c) For purposes of this Act, "telemedicine" means the performance of any of the activities listed in Section 49, including, but not limited to, rendering written or oral opinions concerning diagnosis or treatment of a patient in Illinois by a person in a different location than the patient as a result of transmission of individual patient data by telephonic, electronic, or other means of communication. "Telemedicine" does not include the following:

- (1) periodic consultations between a person licensed under this Act and a person outside the State of Illinois;
- (2) a second opinion provided to a person licensed under this Act;
- (3) diagnosis or treatment services provided to a patient in Illinois following care or treatment originally provided to the patient in the state in which the provider is licensed to practice medicine; and
- (4) health care services provided to an existing patient while the person licensed under this Act or patient is traveling.

(d) Whenever the Department has reason to believe that a person has violated this Section, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

(e) An out-of-state person providing a service listed in Section 49 to a patient residing in Illinois through the practice of telemedicine submits himself or herself to the jurisdiction of the courts of this State. (Source: P.A. 100-317, eff. 1-1-18.)

Article 16.

Section 16-1. Short title. This Article may be cited as the Abortion Care Clinical Training Program Act. References in this Article to "this Act" mean this Article.

Section 16-5. Intent. The Program established under this Act is intended to protect access to abortion care in Illinois by ensuring there are a sufficient number of health care professionals appropriately trained to provide abortion care and other reproductive health care services.

Section 16-10. Definitions. As used in this Act:

"Abortion" has the meaning given to that term in Section 1-10 of the Reproductive Health Act.

"Coordinating organization" means a nonprofit entity in good standing in any state or jurisdiction in which the organization is registered or incorporated that has demonstrated experience in coordinating or providing abortion care training programs at community-based and hospital-based provider sites.

"Department" means the Department of Public Health.

"Fund" means the Abortion Care Clinical Training Program Fund.

"Health care professional" has the meaning given to that term in Section 1-10 of the Reproductive Health Act.

"Program" means the Abortion Care Clinical Training Program.

"Reproductive health care" has the meaning given to that term in Section 1-10 of the Reproductive Health Act.

"Transportation hub" means an area easily accessible by interstate or interregional transportation, including roadways, railways, buses, air travel, and public transportation.

"Underserved community" means a community that lacks a sufficient number of health care providers or facilities to meet the demand for abortion care without waiting periods more than 3 days.

Section 16-15. Program administration and reporting.

(a) Subject to appropriation to the Fund, the Department shall contract with at least one coordinating organization to administer the Program. The Department shall use the Fund to contract with the coordinating organization.

(b) A coordinating organization contracted by the Department to administer the Program shall:

- (1) submit an annual report to the Department regarding Program performance, including the number of participants enrolled, the demographics of Program participants, the number of participants

who successfully complete the Program, the outcome of successful Program participants, and the level of involvement of the participants in providing abortion and other forms of reproductive health care in Illinois; and

(2) meet any other requirements established by the Department that are not inconsistent with this Act.

(c) The Department shall release the name of any coordinating organization it coordinates with and any entity receiving funds to assist in the implementation of this Program through the coordinating organization. The Department shall not release the name of any individual person or health care professional administering services through or participating in the Program. The Department shall, by rule, establish procedures to ensure that sensitive Program information, including any personal information and information that, if released, could endanger the life or physical safety of program participants, remains confidential.

(d) Any coordinating organization or other entity receiving funds to implement this Program is subject to the requirements of the Grant Accountability and Transparency Act.

Section 16-20. Coordinating organization duties. A coordinating organization contracted by the Department to administer the Program shall assume the following duties:

(1) Administer grants to develop and sustain abortion care training programs at a minimum of 2 community-based provider sites. When selecting community-based provider sites, the coordinating organization shall prioritize sites near transportation hubs and underserved communities.

(2) If funding is available, administer grants to:

(A) other community-based sites;

(B) hospital-based provider sites; and

(C) continuing education programs for reproductive health care, including through professional associations and other clinical education programs.

(3) Establish training Program requirements that:

(A) are consistent with evidence-based training standards;

(B) comply with any applicable State or federal law and regulations; and

(C) focus on providing culturally congruent care and include implicit bias training.

(4) Support abortion care clinical training to health care professionals or individuals seeking to become health care professionals, consistent with the appropriate scope of clinical practice, intended to:

(A) expand the number of health care professionals with abortion care training; and

(B) increase diversity among health care professionals with abortion care training.

(5) Support the identification, recruitment, screening, and placement of qualified reproductive health care professionals at training sites.

Section 16-25. Rules. The Department is authorized to adopt rules pursuant to the Illinois Administrative Procedure Act to implement this Act.

Section 16-30. Abortion Care Clinical Training Program Fund. The Abortion Care Clinical Training Program Fund is established as a special fund in the State Treasury. The Fund may accept moneys from any public source in the form of grants, deposits, and transfers, and shall be used for administration and implementation of the Abortion Care Clinical Training Program.

Section 16-90. The State Finance Act is amended by adding Section 5.990 as follows:

(30 ILCS 105/5.990 new)

Sec. 5.990. The Abortion Care Clinical Training Program Fund.

Article 21.

Section 21-5. The Pharmacy Practice Act is amended by changing Section 43 as follows:

(225 ILCS 85/43)

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

Sec. 43. Dispensation of hormonal contraceptives.

(a) The dispensing of hormonal contraceptives to a patient shall be pursuant to a valid prescription, or pursuant to a standing order by a physician licensed to practice medicine in all its branches, a standing order

by ~~or~~ the medical director of a local health department, or a standing order by the Department of Public Health pursuant to the following:

(1) a pharmacist may dispense no more than a 12-month supply of hormonal contraceptives to a patient;

(2) a pharmacist must complete an educational training program accredited by the Accreditation Council for Pharmacy Education and approved by the Department that is related to the patient self-screening risk assessment, patient assessment contraceptive counseling and education, and dispensation of hormonal contraceptives;

(3) a pharmacist shall have the patient complete the self-screening risk assessment tool; the self-screening risk assessment tool is to be based on the most current version of the United States Medical Eligibility Criteria for Contraceptive Use published by the federal Centers for Disease Control and Prevention;

(4) based upon the results of the self-screening risk assessment and the patient assessment, the pharmacist shall use his or her professional and clinical judgment as to when a patient should be referred to the patient's physician or another health care provider;

(5) a pharmacist shall provide, during the patient assessment and consultation, counseling and education about all methods of contraception, including methods not covered under the standing order, and their proper use and effectiveness;

(6) the patient consultation shall take place in a private manner; and

(7) a pharmacist and pharmacy must maintain appropriate records.

(b) The Department may adopt rules to implement this Section.

(c) Nothing in this Section shall be interpreted to require a pharmacist to dispense hormonal contraception under a standing order issued by a physician licensed to practice medicine in all its branches or the medical director of a local health department.

(d) Notwithstanding any other provision of the law to the contrary, a pharmacist may dispense hormonal contraceptives in conformance with standing orders issued pursuant to this Section without prior establishment of a relationship between the pharmacist and the person receiving hormonal contraception.

(e) No employee of the Department of Public Health issuing a standing order pursuant to this Section shall, as a result of the employee's acts or omissions in issuing the standing order pursuant to this Section, be subject to (i) any disciplinary or other adverse action under the Medical Practice Act of 1987, (ii) any civil liability, or (iii) any criminal liability.

(Source: P.A. 102-103, eff. 1-1-22; 102-813, eff. 5-13-22.)

Article 22.

Section 22-5. The Birth Center Licensing Act is amended by changing Sections 5 and 30 as follows:
(210 ILCS 170/5)

Sec. 5. Definitions. In this Act:

"Birth center" means a designated site, other than a hospital:

(1) in which births are planned to occur following a normal, uncomplicated, and low-risk pregnancy;

(2) that is not the pregnant person's usual place of residence;

(3) that is ~~exclusively~~ dedicated to serving the childbirth-related needs of pregnant persons and their newborns, and has no more than 10 beds;

(4) that offers prenatal care and community education services and coordinates these services with other health care services available in the community; and

(5) that does not provide general anesthesia or surgery.

"Certified nurse midwife" means an advanced practice registered nurse licensed in Illinois under the Nurse Practice Act with full practice authority or who is delegated such authority as part of a written collaborative agreement with a physician who is associated with the birthing center or who has privileges at a nearby birthing hospital.

"Department" means the Illinois Department of Public Health.

"Hospital" does not include places where pregnant females are received, cared for, or treated during delivery if it is in a licensed birth center, nor include any facility required to be licensed as a birth center.

"Licensed certified professional midwife" means a person who has successfully met the requirements under Section 45 of the Licensed Certified Professional Midwife Practice Act and holds an active license to practice as a licensed certified professional midwife in Illinois.

"Physician" means a physician licensed to practice medicine in all its branches in Illinois.

(Source: P.A. 102-518, eff. 8-20-21; 102-964, eff. 1-1-23.)

(210 ILCS 170/30)

Sec. 30. Minimum standards.

(a) The Department's rules adopted pursuant to Section 60 of this Act shall contain minimum standards to protect the health and safety of a patient of a birth center. In adopting rules for birth centers, the Department shall consider:

(1) the Commission for the Accreditation of Birth Centers' Standards for Freestanding Birth Centers;

(2) the American Academy of Pediatrics and American College of Obstetricians and Gynecologists Guidelines for Perinatal Care; and

(3) the Regionalized Perinatal Health Care Code.

(b) Nothing in this Section shall be construed to prohibit a facility licensed as a birth center from offering other reproductive health care subject to any applicable laws, rules, regulations, or licensing requirements for those services. In this subsection, "reproductive health care" has the same meaning as used in Section 1-10 of the Reproductive Health Act.

(Source: P.A. 102-518, eff. 8-20-21; 102-813, eff. 5-13-22.)

Article 24.

Section 24-5. The Counties Code is amended by changing Section 3-4006 as follows:

(55 ILCS 5/3-4006) (from Ch. 34, par. 3-4006)

Sec. 3-4006. Duties of public defender. The Public Defender, as directed by the court, shall act as attorney, without fee, before any court within any county for all persons who are held in custody or who are charged with the commission of any criminal offense, and who the court finds are unable to employ counsel.

The Public Defender shall be the attorney, without fee, when so appointed by the court under ~~Section 1-20 of the Juvenile Court Act or Section 1-5 of the Juvenile Court Act of 1987 or by any court under Section 5(b) of the Parental Notice of Abortion Act of 1983 for any party who the court finds is financially unable to employ counsel.~~

In cases subject to Section 5-170 of the Juvenile Court Act of 1987 involving a minor who was under 15 years of age at the time of the commission of the offense, that occurs in a county with a full-time public defender office, a public defender, without fee or appointment, may represent and have access to a minor during a custodial interrogation. In cases subject to Section 5-170 of the Juvenile Court Act of 1987 involving a minor who was under 15 years of age at the time of the commission of the offense, that occurs in a county without a full-time public defender, the law enforcement agency conducting the custodial interrogation shall ensure that the minor is able to consult with an attorney who is under contract with the county to provide public defender services. Representation by the public defender shall terminate at the first court appearance if the court determines that the minor is not indigent.

Every court shall, with the consent of the defendant and where the court finds that the rights of the defendant would be prejudiced by the appointment of the public defender, appoint counsel other than the public defender, except as otherwise provided in Section 113-3 of the "Code of Criminal Procedure of 1963". That counsel shall be compensated as is provided by law. He shall also, in the case of the conviction of any such person, prosecute any proceeding in review which in his judgment the interests of justice require.

In counties with a population over 3,000,000, the public defender, without fee or appointment and with the concurrence of the county board, may act as attorney to noncitizens in immigration cases. Representation by the public defender in immigration cases shall be limited to those arising in immigration courts located within the geographical boundaries of the county where the public defender has been appointed to office unless the board authorizes the public defender to provide representation outside the county.

(Source: P.A. 102-410, eff. 1-1-22.)

Section 24-10. The Consent by Minors to Health Care Services Act is amended by changing Section 1.5 as follows:

(410 ILCS 210/1.5)

Sec. 1.5. Consent by minor seeking care for limited primary care services.

(a) The consent to the performance of primary care services by a physician licensed to practice medicine in all its branches, a licensed advanced practice registered nurse, a licensed physician assistant, a chiropractic physician, or a licensed optometrist executed by a minor seeking care is not voidable because of such minority, and for such purpose, a minor seeking care is deemed to have the same legal capacity to act and has the same powers and obligations as has a person of legal age under the following circumstances:

(1) the health care professional reasonably believes that the minor seeking care understands the benefits and risks of any proposed primary care or services; and

(2) the minor seeking care is identified in writing as a minor seeking care by:

(A) an adult relative;

(B) a representative of a homeless service agency that receives federal, State, county, or municipal funding to provide those services or that is otherwise sanctioned by a local continuum of care;

(C) an attorney licensed to practice law in this State;

(D) a public school homeless liaison or school social worker;

(E) a social service agency providing services to at risk, homeless, or runaway youth; or

(F) a representative of a religious organization.

(b) A health care professional rendering primary care services under this Section shall not incur civil or criminal liability for failure to obtain valid consent or professional discipline for failure to obtain valid consent if he or she relied in good faith on the representations made by the minor or the information provided under paragraph (2) of subsection (a) of this Section. Under such circumstances, good faith shall be presumed.

(c) The confidential nature of any communication between a health care professional described in Section 1 of this Act and a minor seeking care is not waived (1) by the presence, at the time of communication, of any additional persons present at the request of the minor seeking care, (2) by the health care professional's disclosure of confidential information to the additional person with the consent of the minor seeking care, when reasonably necessary to accomplish the purpose for which the additional person is consulted, or (3) by the health care professional billing a health benefit insurance or plan under which the minor seeking care is insured, is enrolled, or has coverage for the services provided.

(d) Nothing in this Section shall be construed to limit or expand a minor's existing powers and obligations under any federal, State, or local law. ~~Nothing in this Section shall be construed to affect the Parental Notice of Abortion Act of 1995.~~ Nothing in this Section affects the right or authority of a parent or legal guardian to verbally, in writing, or otherwise authorize health care services to be provided for a minor in their absence.

(e) For the purposes of this Section:

"Minor seeking care" means a person at least 14 years of age but less than 18 years of age who is living separate and apart from his or her parents or legal guardian, whether with or without the consent of a parent or legal guardian who is unable or unwilling to return to the residence of a parent, and managing his or her own personal affairs. "Minor seeking care" does not include minors who are under the protective custody, temporary custody, or guardianship of the Department of Children and Family Services.

"Primary care services" means health care services that include screening, counseling, immunizations, medication, and treatment of illness and conditions customarily provided by licensed health care professionals in an out-patient setting, eye care services, excluding advanced optometric procedures, provided by optometrists, and services provided by chiropractic physicians according to the scope of practice of chiropractic physicians under the Medical Practice Act of 1987. "Primary care services" does not include invasive care, beyond standard injections, laceration care, or non-surgical fracture care.

(Source: P.A. 99-173, eff. 7-29-15; 100-378, eff. 1-1-18; 100-513, eff. 1-1-18; 100-863, eff. 8-14-18.)

Section 24-15. The Medical Practice Act of 1987 is amended by changing Section 23 as follows:

(225 ILCS 60/23) (from Ch. 111, par. 4400-23)

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

Sec. 23. Reports relating to professional conduct and capacity.

(A) Entities required to report.

(1) Health care institutions. The chief administrator or executive officer of any health care institution licensed by the Illinois Department of Public Health shall report to the Medical Board when any person's clinical privileges are terminated or are restricted based on a final determination made in accordance with that institution's by-laws or rules and regulations that a person has either committed an act or acts which may directly threaten patient care or that a person may have a mental or physical disability that may endanger patients under that person's care. Such officer also shall report if a person accepts voluntary termination or restriction of clinical privileges in lieu of formal action based upon conduct related directly to patient care or in lieu of formal action seeking to determine whether a person may have a mental or physical disability that may endanger patients under that person's care. The Medical Board shall, by rule, provide for the reporting to it by health care institutions of all instances in which a person, licensed under this Act, who is impaired by reason of age, drug or alcohol abuse or physical or mental impairment, is under supervision and, where appropriate, is in a program of rehabilitation. Such reports shall be strictly confidential and may be reviewed and considered only by the members of the Medical Board, or by authorized staff as provided by rules of the Medical Board. Provisions shall be made for the periodic report of the status of any such person not less than twice annually in order that the Medical Board shall have current information upon which to determine the status of any such person. Such initial and periodic reports of impaired physicians shall not be considered records within the meaning of the State Records Act and shall be disposed of, following a determination by the Medical Board that such reports are no longer required, in a manner and at such time as the Medical Board shall determine by rule. The filing of such reports shall be construed as the filing of a report for purposes of subsection (C) of this Section. Such health care institution shall not take any adverse action, including, but not limited to, restricting or terminating any person's clinical privileges, as a result of an adverse action against a person's license or clinical privileges or other disciplinary action by another state or health care institution that resulted from the person's provision of, authorization of, recommendation of, aiding or assistance with, referral for, or participation in any health care service if the adverse action was based solely on a violation of the other state's law prohibiting the provision of such health care and related services in the state or for a resident of the state if that health care service would not have been unlawful under the laws of this State and is consistent with the standards of conduct for physicians practicing in Illinois.

(1.5) Clinical training programs. The program director of any post-graduate clinical training program shall report to the Medical Board if a person engaged in a post-graduate clinical training program at the institution, including, but not limited to, a residency or fellowship, separates from the program for any reason prior to its conclusion. The program director shall provide all documentation relating to the separation if, after review of the report, the Medical Board determines that a review of those documents is necessary to determine whether a violation of this Act occurred.

(2) Professional associations. The President or chief executive officer of any association or society, of persons licensed under this Act, operating within this State shall report to the Medical Board when the association or society renders a final determination that a person has committed unprofessional conduct related directly to patient care or that a person may have a mental or physical disability that may endanger patients under that person's care.

(3) Professional liability insurers. Every insurance company which offers policies of professional liability insurance to persons licensed under this Act, or any other entity which seeks to indemnify the professional liability of a person licensed under this Act, shall report to the Medical Board the settlement of any claim or cause of action, or final judgment rendered in any cause of action, which alleged negligence in the furnishing of medical care by such licensed person when such settlement or final judgment is in favor of the plaintiff. Such insurance company shall not take any adverse action, including, but not limited to, denial or revocation of coverage, or rate increases, against a person licensed under this Act with respect to coverage for services provided in the State if based solely on the person providing, authorizing, recommending, aiding, assisting, referring for, or otherwise participating in health care services in this State in violation of another state's law, or a revocation or other adverse action against the person's license in another state for violation of such law if that health care service as provided would have been lawful and consistent with the standards of conduct for physicians if it occurred in the State. Notwithstanding this provision, it is against public policy to require coverage for an illegal action.

(4) State's Attorneys. The State's Attorney of each county shall report to the Medical Board, within 5 days, any instances in which a person licensed under this Act is convicted of any felony or Class A misdemeanor. ~~The State's Attorney of each county may report to the Medical Board through a verified complaint any instance in which the State's Attorney believes that a physician has willfully violated the notice requirements of the Parental Notice of Abortion Act of 1995.~~

(5) State agencies. All agencies, boards, commissions, departments, or other instrumentalities of the government of the State of Illinois shall report to the Medical Board any instance arising in connection with the operations of such agency, including the administration of any law by such agency, in which a person licensed under this Act has either committed an act or acts which may be a violation of this Act or which may constitute unprofessional conduct related directly to patient care or which indicates that a person licensed under this Act may have a mental or physical disability that may endanger patients under that person's care.

(B) Mandatory reporting. All reports required by items (34), (35), and (36) of subsection (A) of Section 22 and by Section 23 shall be submitted to the Medical Board in a timely fashion. Unless otherwise provided in this Section, the reports shall be filed in writing within 60 days after a determination that a report is required under this Act. All reports shall contain the following information:

(1) The name, address and telephone number of the person making the report.

(2) The name, address and telephone number of the person who is the subject of the report.

(3) The name and date of birth of any patient or patients whose treatment is a subject of the report, if available, or other means of identification if such information is not available, identification of the hospital or other healthcare facility where the care at issue in the report was rendered, provided, however, no medical records may be revealed.

(4) A brief description of the facts which gave rise to the issuance of the report, including the dates of any occurrences deemed to necessitate the filing of the report.

(5) If court action is involved, the identity of the court in which the action is filed, along with the docket number and date of filing of the action.

(6) Any further pertinent information which the reporting party deems to be an aid in the evaluation of the report.

The Medical Board or Department may also exercise the power under Section 38 of this Act to subpoena copies of hospital or medical records in mandatory report cases alleging death or permanent bodily injury. Appropriate rules shall be adopted by the Department with the approval of the Medical Board.

When the Department has received written reports concerning incidents required to be reported in items (34), (35), and (36) of subsection (A) of Section 22, the licensee's failure to report the incident to the Department under those items shall not be the sole grounds for disciplinary action.

Nothing contained in this Section shall act to, in any way, waive or modify the confidentiality of medical reports and committee reports to the extent provided by law. Any information reported or disclosed shall be kept for the confidential use of the Medical Board, the Medical Coordinators, the Medical Board's attorneys, the medical investigative staff, and authorized clerical staff, as provided in this Act, and shall be afforded the same status as is provided information concerning medical studies in Part 21 of Article VIII of the Code of Civil Procedure, except that the Department may disclose information and documents to a federal, State, or local law enforcement agency pursuant to a subpoena in an ongoing criminal investigation or to a health care licensing body or medical licensing authority of this State or another state or jurisdiction pursuant to an official request made by that licensing body or medical licensing authority. Furthermore, information and documents disclosed to a federal, State, or local law enforcement agency may be used by that agency only for the investigation and prosecution of a criminal offense, or, in the case of disclosure to a health care licensing body or medical licensing authority, only for investigations and disciplinary action proceedings with regard to a license. Information and documents disclosed to the Department of Public Health may be used by that Department only for investigation and disciplinary action regarding the license of a health care institution licensed by the Department of Public Health.

(C) Immunity from prosecution. Any individual or organization acting in good faith, and not in a wilful and wanton manner, in complying with this Act by providing any report or other information to the Medical Board or a peer review committee, or assisting in the investigation or preparation of such information, or by voluntarily reporting to the Medical Board or a peer review committee information regarding alleged errors or negligence by a person licensed under this Act, or by participating in proceedings of the Medical Board or a peer review committee, or by serving as a member of the Medical Board or a peer review committee, shall not, as a result of such actions, be subject to criminal prosecution or civil damages.

(D) Indemnification. Members of the Medical Board, the Medical Coordinators, the Medical Board's attorneys, the medical investigative staff, physicians retained under contract to assist and advise the medical coordinators in the investigation, and authorized clerical staff shall be indemnified by the State for any actions occurring within the scope of services on the Medical Board, done in good faith and not wilful and wanton in nature. The Attorney General shall defend all such actions unless he or she determines either that there would be a conflict of interest in such representation or that the actions complained of were not in good faith or were wilful and wanton.

Should the Attorney General decline representation, the member shall have the right to employ counsel of his or her choice, whose fees shall be provided by the State, after approval by the Attorney General, unless there is a determination by a court that the member's actions were not in good faith or were wilful and wanton.

The member must notify the Attorney General within 7 days of receipt of notice of the initiation of any action involving services of the Medical Board. Failure to so notify the Attorney General shall constitute an absolute waiver of the right to a defense and indemnification.

The Attorney General shall determine within 7 days after receiving such notice, whether he or she will undertake to represent the member.

(E) Deliberations of Medical Board. Upon the receipt of any report called for by this Act, other than those reports of impaired persons licensed under this Act required pursuant to the rules of the Medical Board, the Medical Board shall notify in writing, by mail or email, the person who is the subject of the report. Such notification shall be made within 30 days of receipt by the Medical Board of the report.

The notification shall include a written notice setting forth the person's right to examine the report. Included in such notification shall be the address at which the file is maintained, the name of the custodian of the reports, and the telephone number at which the custodian may be reached. The person who is the subject of the report shall submit a written statement responding, clarifying, adding to, or proposing the amending of the report previously filed. The person who is the subject of the report shall also submit with the written statement any medical records related to the report. The statement and accompanying medical records shall become a permanent part of the file and must be received by the Medical Board no more than 30 days after the date on which the person was notified by the Medical Board of the existence of the original report.

The Medical Board shall review all reports received by it, together with any supporting information and responding statements submitted by persons who are the subject of reports. The review by the Medical Board shall be in a timely manner but in no event, shall the Medical Board's initial review of the material contained in each disciplinary file be less than 61 days nor more than 180 days after the receipt of the initial report by the Medical Board.

When the Medical Board makes its initial review of the materials contained within its disciplinary files, the Medical Board shall, in writing, make a determination as to whether there are sufficient facts to warrant further investigation or action. Failure to make such determination within the time provided shall be deemed to be a determination that there are not sufficient facts to warrant further investigation or action.

Should the Medical Board find that there are not sufficient facts to warrant further investigation, or action, the report shall be accepted for filing and the matter shall be deemed closed and so reported to the Secretary. The Secretary shall then have 30 days to accept the Medical Board's decision or request further investigation. The Secretary shall inform the Medical Board of the decision to request further investigation, including the specific reasons for the decision. The individual or entity filing the original report or complaint and the person who is the subject of the report or complaint shall be notified in writing by the Secretary of any final action on their report or complaint. The Department shall disclose to the individual or entity who filed the original report or complaint, on request, the status of the Medical Board's review of a specific report or complaint. Such request may be made at any time, including prior to the Medical Board's determination as to whether there are sufficient facts to warrant further investigation or action.

(F) Summary reports. The Medical Board shall prepare, on a timely basis, but in no event less than once every other month, a summary report of final disciplinary actions taken upon disciplinary files maintained by the Medical Board. The summary reports shall be made available to the public upon request and payment of the fees set by the Department. This publication may be made available to the public on the Department's website. Information or documentation relating to any disciplinary file that is closed without disciplinary action taken shall not be disclosed and shall be afforded the same status as is provided by Part 21 of Article VIII of the Code of Civil Procedure.

(G) Any violation of this Section shall be a Class A misdemeanor.

(H) If any such person violates the provisions of this Section an action may be brought in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois, for an order enjoining such violation or for an order enforcing compliance with this Section. Upon filing of a verified petition in such court, the court may issue a temporary restraining order without notice or bond and may preliminarily or permanently enjoin such violation, and if it is established that such person has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this paragraph shall be in addition to, and not in lieu of, all other remedies and penalties provided for by this Section.

(I) The Department may adopt rules to implement the changes made by this amendatory Act of the 102nd General Assembly.

(Source: P.A. 102-20, eff. 1-1-22; 102-687, eff. 12-17-21.)

Article 26.

Section 26-5. The Illinois Parentage Act of 2015 is amended by changing Sections 704 and 709 as follows:

(750 ILCS 46/704)

Sec. 704. Withdrawal of consent of intended parent or donor. An intended parent or donor may withdraw consent to use his or her gametes in a writing or legal pleading with notice to the other participants. An intended parent who withdraws consent under this Section prior to the insemination or embryo transfer is not a parent of any resulting child. If a donor withdraws consent to his or her donation prior to the insemination or the combination of gametes, the intended parent is not the parent of any resulting child. If the intended parent or parents no longer wish to use any remaining cryopreserved fertilized ovum for medical purposes, the terms of the most recent informed consent of the intended parent or parents executed at the fertility center or a marital settlement agreement under a judgment of dissolution of marriage, judgment of legal separation, or judgment of dissolution of civil union governs the disposition of the fertilized ovum.

(Source: P.A. 99-763, eff. 1-1-17.)

(750 ILCS 46/709)

Sec. 709. Establishment of parentage; requirements of Gestational Surrogacy Act.

(a) In the event of gestational surrogacy, in addition to the requirements of the Gestational Surrogacy Act, a parent-child relationship is established between a person and a child if all of the following conditions are met prior to the birth of the child:

(1) The gestational surrogate certifies that she did not provide a gamete for the child, and that she is carrying the child for the intended parents.

(2) The spouse, if any, of the gestational surrogate certifies that he or she did not provide a gamete for the child.

(3) Each intended parent, or the parent's legally authorized designee if an intended parent dies, certifies that the child being carried by the gestational surrogate was conceived using at least one of the intended parents' gametes.

(4) A physician licensed in the state in which the fertilized ovum was inseminated or transferred to the gestational surrogate certifies that the child being carried by the gestational surrogate was conceived using the gamete or gametes of at least one of the intended parents, and that neither the gestational surrogate nor the gestational surrogate's spouse, if any, provided gametes for the child being carried by the gestational surrogate.

(5) The attorneys for the intended parents and the gestational surrogate each certify that the parties entered into a gestational surrogacy agreement intended to satisfy the requirements of the Gestational Surrogacy Act.

(b) All certifications under this Section shall be in writing and witnessed by 2 competent adults who are not the gestational surrogate, gestational surrogate's spouse, if any, or an intended parent. Certifications shall be on forms prescribed by the Illinois Department of Public Health and shall be executed prior to the birth of the child. All certifications shall be provided, prior to the birth of the child, to both the hospital where the gestational surrogate anticipates the delivery will occur and to the Illinois Department of Public Health.

(c) Parentage established in accordance with this Section has the full force and effect of a judgment entered under this Act.

(d) The Illinois Department of Public Health shall adopt rules to implement this Section.
(Source: P.A. 99-763, eff. 1-1-17.)

Article 27.

Section 27-5. The Illinois Insurance Code is amended by changing Section 356z.4a as follows:
(215 ILCS 5/356z.4a)

Sec. 356z.4a. Coverage for abortion.

(a) Except as otherwise provided in this Section, no individual or group policy of accident and health insurance that provides pregnancy-related benefits may be issued, amended, delivered, or renewed in this State after the effective date of this amendatory Act of the 101st General Assembly unless the policy provides a covered person with coverage for abortion care. Regardless of whether the policy otherwise provides prescription drug benefits, abortion care coverage must include medications that are obtained through a prescription and used to terminate a pregnancy, regardless of whether there is proof of a pregnancy.

(b) Coverage for abortion care may not impose any deductible, coinsurance, waiting period, or other cost-sharing limitation that is greater than that required for other pregnancy-related benefits covered by the policy.

(c) Except as otherwise authorized under this Section, a policy shall not impose any restrictions or delays on the coverage required under this Section.

(d) This Section does not, pursuant to 42 U.S.C. 18054(a)(6), apply to a multistate plan that does not provide coverage for abortion.

(e) If the Department concludes that enforcement of this Section may adversely affect the allocation of federal funds to this State, the Department may grant an exemption to the requirements, but only to the minimum extent necessary to ensure the continued receipt of federal funds.

(Source: P.A. 101-13, eff. 6-12-19.)

Article 28.

Section 28-5. Short title. This Article may be cited as the Lawful Health Care Activity Act. References in this Article to "this Act" mean this Article.

Section 28-10. Definitions. As used in this Act:

"Lawful health care" means:

(1) reproductive health care that is not unlawful under the laws of this State, 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, 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.

"Reproductive health care" shall have the same meaning as Section 1-10 of the Reproductive Health Act.

Section 28-15. Conflict of law. Notwithstanding any general or special law or common law conflict of law rule to the contrary, the laws of this State shall govern in any case or controversy heard in this State related to lawful health care activity.

Section 28-20. Limits on execution of foreign judgments. In any action filed to enforce the judgment of a foreign state, issued in connection with any litigation concerning lawful health care, the court hearing the action shall not give any force or effect to any judgment issued without jurisdiction.

Section 28-25. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

[January 10, 2023]

Section 28-30. The Uniform Interstate Depositions and Discovery Act is amended by changing Section 3 and by adding Section 3.5 as follows:

(735 ILCS 35/3)

Sec. 3. Issuance of subpoena.

(a) To request issuance of a subpoena under this Section, a party must submit a foreign subpoena to a clerk of court in the county in which discovery is sought to be conducted in this State. A request for the issuance of a subpoena under this Act does not constitute an appearance in the courts of this State.

(b) When a party submits a foreign subpoena to a clerk of court in this State, the clerk, in accordance with that court's procedure, shall promptly issue a subpoena for service upon the person to which the foreign subpoena is directed unless issuance is prohibited by Section 3.5.

(c) A subpoena under subsection (b) must:

(A) incorporate the terms used in the foreign subpoena; and

(B) contain or be accompanied by the names, addresses, and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of any party not represented by counsel.

(Source: P.A. 99-79, eff. 1-1-16.)

(735 ILCS 35/3.5 new)

Sec. 3.5. Unenforceable foreign subpoenas.

(a) If a request for issuance of a subpoena pursuant to this Act seeks documents or information related to lawful health care activity, as defined in the Lawful Health Care Activity Act, or seeks documents in support of any claim that interferes with rights under the Reproductive Health Act, then the person or entity requesting the subpoena shall include an attestation, signed under penalty of perjury, confirming and identifying that an exemption in subsection (c) applies. Any false attestation submitted under this Section or the failure to submit an attestation required by this Section shall be subject to a statutory penalty of \$10,000 per violation. Submission of such attestation shall subject the attestor to the jurisdiction of the courts of this State for any suit, penalty, or damages arising out of a false attestation under this Section.

(b) No clerk of court shall issue a subpoena based on a foreign subpoena that:

(1) requests information or documents related to lawful health care activity, as defined in the Lawful Health Care Activity Act; or

(2) is related to the enforcement of another state's law that would interfere with an individual's rights under the Reproductive Health Act.

(c) A clerk of court may issue the subpoena if the subpoena includes the attestation as described in subsection (a) and the subpoena relates to:

(1) an out-of-state action founded in tort, contract, or statute brought by the patient who sought or received the lawful health care or the patient's authorized legal representative, for damages suffered by the patient or damages derived from an individual's loss of consortium of the patient, and for which a similar claim would exist under the laws of this State; or

(2) an out-of-state action founded in contract brought or sought to be enforced by a party with a contractual relationship with the individual whose documents or information are the subject of the subpoena and for which a similar claim would exist under the laws of this State.

(d) Any person or entity served with a subpoena reasonably believed to be issued in violation of this Section shall not comply with the subpoena.

(e) Any person or entity who is the recipient of, or whose lawful health care is the subject of, a subpoena reasonably believed to be issued in violation of this Section may, but is not required to, move to modify or quash the subpoena.

(f) No court shall issue an order compelling a person or entity to comply with a subpoena found to be in violation of this Section.

(g) As used in this Section, "lawful health care" and "lawful health care activity" have the meanings given to those terms in Section 28-10 of the Lawful Health Care Activity Act.

(h) The Supreme Court shall have jurisdiction to adopt rules for the implementation of this Section.

Section 28-35. The Uniform Act to Secure the Attendance of Witnesses from Within or Without a State in Criminal Proceedings is amended by changing Section 2 as follows:

(725 ILCS 220/2) (from Ch. 38, par. 156-2)

Sec. 2. Summoning witness in this state to testify in another state.

If a judge of a court of record in any state which by its laws has made provision for commanding persons within that state to attend and testify in this state certifies under the seal of such court that there is a criminal prosecution pending in such court, or that a grand jury investigation has commenced or is about to commence, that a person being within this state is a material witness in such prosecution, or grand jury investigation, and his presence will be required for a specified number of days, upon presentation of such certificate to any judge of a court in the county in which such person is, such judge shall fix a time and place for a hearing, and shall make an order directing the witness to appear at a time and place certain for the hearing.

If at a hearing the judge determines that the witness is material and necessary, that it will not cause undue hardship to the witness to be compelled to attend and testify in the prosecution or a grand jury investigation in the other state, and that the laws of the state in which the prosecution is pending, or grand jury investigation has commenced or is about to commence (and of any other state through which the witness may be required to pass by ordinary course of travel), will give to him protection from arrest and the service of civil and criminal process, he shall issue a summons, with a copy of the certificate attached, directing the witness to attend and testify in the court where the prosecution is pending, or where a grand jury investigation has commenced or is about to commence at a time and place specified in the summons. In any such hearing the certificate shall be prima facie evidence of all the facts stated therein.

If said certificate recommends that the witness be taken into immediate custody and delivered to an officer of the requesting state to assure his attendance in the requesting state, such judge may, in lieu of notification of the hearing, direct that such witness be forthwith brought before him for said hearing; and the judge at the hearing being satisfied of the desirability of such custody and delivery, for which determination the certificate shall be prima facie proof of such desirability may, in lieu of issuing subpoena or summons, order that said witness be forthwith taken into custody and delivered to an officer of the requesting state.

No subpoena, summons, or order shall be issued for a witness to provide information or testimony in relation to any proceeding if the charge is based on conduct that involves lawful health care activity, as defined by the Lawful Health Care Activity Act, that is not unlawful under the laws of this State. This limitation does not apply for the purpose of complying with obligations under Brady v. Maryland (373 U.S. 83) or Giglio v. United States (405 U.S. 150).

If the witness, who is summoned as above provided, after being paid or tendered by some properly authorized person the sum of 10 cents a mile for each mile by the ordinary travel route to and from the court where the prosecution is pending and five dollars for each day that he is required to travel and attend as a witness, fails without good cause to attend and testify as directed in the summons, he shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court in this state.

(Source: Laws 1967, p. 3804.)

Section 28-40. The Uniform Criminal Extradition Act is amended by changing Section 6 as follows:
(725 ILCS 225/6) (from Ch. 60, par. 23)

Sec. 6. Extradition of persons not present in demanding state at time of commission of crime.

The Governor of this State may also surrender, on demand of the Executive Authority of any other state, any person in this State charged in such other state in the manner provided in Section 3 with committing an act in this State, or in a third state, intentionally resulting in a crime in the state whose Executive Authority is making the demand. However, the Governor of this State shall not surrender such a person if the charge is based on conduct that involves seeking, providing, receiving, assisting in seeking, providing, or receiving, providing material support for, or traveling to obtain lawful health care, as defined by Section 28-10 of the Lawful Health Care Activity Act, that is not unlawful under the laws of this State, including a charge based on any theory of vicarious, joint, several, or conspiracy liability.

(Source: Laws 1955, p. 1982.)

Article 29.

Section 29-5. Short title. This Article may be cited as the Protecting Reproductive Health Care Services Act. References in this Article to "this Act" mean this Article.

Section 29-10. Definitions. As used in this Act:

[January 10, 2023]

"Advanced practice registered nurse" has the same meaning as it does in Section 50-10 of the Nurse Practice Act.

"Health care professional" means a person who is licensed as a physician, advanced practice registered nurse, or physician assistant.

"Person" includes an individual, a partnership, an association, a limited liability company, or a corporation.

"Physician" means any person licensed to practice medicine in all its branches under the Medical Practice Act of 1987.

"Physician assistant" has the same meaning as it does in Section 4 of the Physician Assistant Practice Act of 1987.

"Reproductive health care services" means health care offered, arranged, or furnished for the purpose of preventing pregnancy, terminating a pregnancy, managing pregnancy loss, or improving maternal health and birth outcomes. "Reproductive health care services" includes, but is not limited to: contraception; sterilization; preconception care; maternity care; abortion care; and counseling regarding reproductive health care.

Section 29-15. Right of action.

(a) When any person has had a judgment entered against such person, in any state, where liability, in whole or in part, is based on the alleged provision, receipt, assistance in receipt or provision, material support for, or any theory of vicarious, joint, several, or conspiracy liability derived therefrom, for reproductive health care services that are permitted under the laws of this State, such person may recover damages from any party that brought the action leading to that judgment or has sought to enforce that judgment.

(b) Any person aggrieved by conduct in subsection (a) shall have a right of action in a State circuit court or as a supplemental claim in federal district court against any party that brought the action leading to that judgment or has sought to enforce that judgment. This lawsuit must be brought not later than 2 years after the violation of subsection (a).

(c) If the court finds that a violation of subsection (a) has occurred, the court may award to the plaintiff:

(1) actual damages created by the action that led to that judgment, including, but not limited to, money damages in the amount of the judgment in that other state and costs, expenses, and reasonable attorney's fees spent in defending the action that resulted in the entry of a judgment in another state; and

(2) costs, expenses, and reasonable attorney's fees, including expert witness fees and other litigation expenses, incurred in bringing an action under this Act as may be allowed by the court.

(d) The provisions of this Act shall not apply to a judgment entered in another state that is based on:

(1) an action founded in tort, contract, or statute, and for which a similar claim would exist under the laws of this State, brought by the patient who received the reproductive health care services upon which the original lawsuit was based or the patient's authorized legal representative, for damages suffered by the patient or damages derived from an individual's loss of consortium of the patient;

(2) an action founded in contract, and for which a similar claim would exist under the laws of this State, brought or sought to be enforced by a party with a contractual relationship with the person that is the subject of the judgment entered in another state; or

(3) an action where no part of the acts that formed the basis for liability occurred in this State.

Article 30.

Section 30-5. The Illinois Insurance Code is amended by adding Section 356z.60 as follows:

(215 ILCS 5/356z.60 new)

Sec. 356z.60. Coverage for abortifacients, hormonal therapy, and human immunodeficiency virus pre-exposure prophylaxis and post-exposure prophylaxis.

(a) As used in this Section:

"Abortifacients" means any medication administered to terminate a pregnancy by a health care professional.

"Health care professional" means a physician licensed to practice medicine in all of its branches, licensed advanced practice registered nurse, or physician assistant.

"Hormonal therapy medication" means hormonal treatment administered to treat gender dysphoria.

"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 that satisfy the following general criteria:

(1) it is approved as safe and effective;

(2) it is a pharmaceutical equivalent in that it:

(A) contains identical amounts of the same active drug ingredient in the same dosage form and route of administration; and

(B) meets compendial or other applicable standards of strength, quality, purity, and identity;

(3) it is bioequivalent in that:

(A) it does not present a known or potential bioequivalence problem and it meets an acceptable in vitro standard; or

(B) if it does present such a known or potential problem, it is shown to meet an appropriate bioequivalence standard;

(4) it is adequately labeled; and

(5) it is manufactured in compliance with Current Good Manufacturing Practice regulations adopted by the United States Food and Drug Administration.

(b) An individual or group policy of accident and health insurance amended, delivered, issued, or renewed in this State after January 1, 2024 shall provide coverage for all abortifacients, hormonal therapy medication, human immunodeficiency virus pre-exposure prophylaxis and post-exposure prophylaxis drugs approved by the United States Food and Drug Administration, and follow-up services related to that coverage, including, but not limited to, management of side effects, medication self-management or adherence counseling, risk reduction strategies, and mental health counseling.

(c) The coverage required under subsection (b) is subject to the following conditions:

(1) If the United States Food and Drug Administration has approved one or more therapeutic equivalent versions of an abortifacient drug, 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.

(2) If an individual's attending provider recommends a particular drug 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 defer to the determination of the attending provider and must cover that service or item without cost sharing.

(3) If a drug 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.

(d) Except as otherwise provided in this Section, a policy subject to this Section shall not impose a deductible, coinsurance, copayment, or any other cost-sharing requirement on the coverage provided. The provisions of this subsection do not apply to coverage of 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.

(e) Except as otherwise authorized under this Section, a policy shall not impose any restrictions or delays on the coverage required under this Section.

(f) The coverage requirements in this Section for abortifacients do not, pursuant to 42 U.S.C. 18054(a)(6), apply to a multistate plan that does not provide coverage for abortion.

(g) If the Department concludes that enforcement of any coverage requirement of this Section for abortifacients may adversely affect the allocation of federal funds to this State, the Department may grant an exemption to that requirement, but only to the minimum extent necessary to ensure the continued receipt of federal funds.

Section 30-10. 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, ~~and 356z.51, and 356z.53~~, 356z.54, 356z.56, 356z.57, 356z.59, and 356z.60 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, ~~and 356z.51, and 356z.53~~, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59, and 356z.60 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; revised 12-13-22.)

Section 30-15. 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, 256z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 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; revised 12-13-22.)

Section 30-20. 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, 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; revised 12-13-22.)

Section 30-25. The Illinois Public Aid Code is amended by changing Section 5-16.8 as follows:

(305 ILCS 5/5-16.8)

Sec. 5-16.8. Required health benefits. The medical assistance program shall (i) 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.5, 356q, 356u, 356w, 356x, 356z.6, 356z.26, 356z.29, 356z.32, 356z.33, 356z.34, 356z.35, 356z.46, 356z.47, ~~and~~ 356z.51, ~~and~~ 356z.53, 356z.56, 356z.59, and 356z.60 of the Illinois Insurance Code, (ii) be subject to the provisions of Sections 356z.19, 356z.44, 356z.49, 364.01, 370c, and 370c.1 of the Illinois Insurance Code, and (iii) be subject to the provisions of subsection (d-5) of Section 10 of the Network Adequacy and Transparency Act.

The Department, by rule, shall adopt a model similar to the requirements of Section 356z.39 of the Illinois Insurance Code.

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

To ensure full access to the benefits set forth in this Section, on and after January 1, 2016, the Department shall ensure that provider and hospital reimbursement for post-mastectomy care benefits required under this Section are no lower than the Medicare reimbursement rate.

(Source: P.A. 101-81, eff. 7-12-19; 101-218, eff. 1-1-20; 101-281, eff. 1-1-20; 101-371, eff. 1-1-20; 101-574, eff. 1-1-20; 101-649, eff. 7-7-20; 102-30, eff. 1-1-22; 102-144, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-530, eff. 1-1-22; 102-642, eff. 1-1-22; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-1093, eff. 1-1-23; revised 12-14-22.)

Article 99.

Section 99-95. 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 99-97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Villanueva offered the following amendment and moved its adoption:

AMENDMENT NO. 6 TO HOUSE BILL 4664

AMENDMENT NO. 6. Amend House Bill 4664, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 5, on page 59, line 4, after the period, by inserting: "Such health care institution shall not take any adverse action, including, but not limited to, restricting or terminating any person's clinical privileges, as a result of an adverse action against a person's license or clinical privileges or other disciplinary action by another state or health care institution that resulted from the person's provision of, authorization of, recommendation of, aiding or assistance with, referral for, or participation in any health care service if the adverse action was based solely on a violation of the other state's law prohibiting the provision of such health care and related services in the state or for a resident of the state if that health care service would not have been unlawful under the laws of this State and is consistent with the standards of conduct for advanced practice registered nurses practicing in Illinois."

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 Villanueva, **House Bill No. 4664** 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 16.

The following voted in the affirmative:

Aquino
Belt

Glowiak Hilton
Hall

Lightford
Loughran Cappel

Stadelman
Tharp

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Bennett	Harris	Martwick	Turner, D.
Castro	Hastings	Mattson	Van Pelt
Cervantes	Holmes	Morrison	Villa
Collins	Hunter	Murphy	Villanueva
Cunningham	Johnson	Pacione-Zayas	Villivalam
Ellman	Jones, E.	Pappas	Mr. President
Feigenholtz	Joyce	Peters	
Fine	Koehler	Simmons	
Gillespie	Landek	Sims	

The following voted in the negative:

Anderson	DeWitte	Rose	Wilcox
Bailey	Fowler	Stoller	
Barickman	McClure	Syverson	
Bryant	McConchie	Tracy	
Curran	Rezin	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 Cunningham, **House Bill No. 2542** 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 32; NAYS 20.

The following voted in the affirmative:

Aquino	Fine	Lightford	Van Pelt
Barickman	Gillespie	Martwick	Villa
Bennett	Hall	Mattson	Villanueva
Castro	Harris	Murphy	Villivalam
Cervantes	Holmes	Pacione-Zayas	Mr. President
Collins	Hunter	Pappas	
Cunningham	Johnson	Peters	
Ellman	Jones, E.	Simmons	
Feigenholtz	Koehler	Sims	

The following voted in the negative:

Anderson	Glowiak Hilton	Rose	Turner, S.
Bailey	Joyce	Stoller	Wilcox
Bryant	Landek	Syverson	
Curran	McClure	Tharp	
DeWitte	McConchie	Tracy	
Fowler	Rezin	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.

On motion of Senator Harmon, **House Bill No. 1064** 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 13.

The following voted in the affirmative:

Aquino	Glowiak Hilton	Martwick	Turner, D.
Belt	Hall	Mattson	Turner, S.
Castro	Harris	McConchie	Villa
Cervantes	Hastings	Morrison	Villanueva
Collins	Hunter	Pacione-Zayas	Villivalam
DeWitte	Johnson	Pappas	Wilcox
Ellman	Jones, E.	Peters	Mr. President
Feigenholtz	Joyce	Simmons	
Fine	Koehler	Sims	
Gillespie	Lightford	Stoller	

The following voted in the negative:

Anderson	Bryant	Rezin	Tracy
Bailey	Curran	Rose	
Barickman	Fowler	Syverson	
Bennett	McClure	Tharp	

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.

Senator Van Pelt asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 1064**.

HOUSE BILL RECALLED

On motion of Senator Harmon, **House Bill No. 969** was recalled from the order of third reading to the order of second reading.

Floor Amendment Nos. 1, 2 and 3 were held in the Committee on Assignments.

Senator Sims offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO HOUSE BILL 969

AMENDMENT NO. 4. Amend House Bill 969, by deleting everything after the enacting clause and inserting the following:

... Article 1

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 100 to Article 35 as follows:

(P.A. 102-0698, Article 35, Section 100)

Sec. 100. The following named lump sum, or so much thereof as may be necessary and remains unexpended from an appropriation made for such purposes in Section 100 of Article 25 Public Act

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~~102-0017, Section 95 of Article 25 Public Act 102-0017~~, as amended, is reappropriated from the General Revenue Fund for expenses in connection with the planning and preparation of redistricting of Legislative and Representative Districts as required by Article IV, Section 3 of the Illinois Constitution of 1970:

To the House Speaker.....	2,471,216
To the House Minority Leader.....	<u>706,990</u>
TOTAL.....	<u>\$3,178,206</u>

Article 2

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 35, 40, 50 and 55 and adding Section 95 to Article 46 as follows

(P.A. 102-0698, Article 46, Section 35)

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay the elected State officers of the Executive Branch of the State Government, at various rates prescribed by law:

For the Governor.....	<u>190,700</u>	<u>205,700</u>
For the Lieutenant Governor.....	<u>145,900</u>	<u>160,900</u>
For the Secretary of State.....	<u>168,300</u>	<u>183,300</u>
For the Attorney General.....	<u>168,300</u>	<u>183,300</u>
For the Comptroller.....	<u>145,900</u>	<u>160,900</u>
For the State Treasurer.....	<u>145,900</u>	<u>160,900</u>
Total.....	<u>\$965,000</u>	<u>1,077,400</u>

(P.A. 102-0698, Article 46, Section 40)

Sec. 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay certain appointed officers of the Executive Branch of the State Government, at the various rates prescribed by law:

From General Revenue Fund:

Department on Aging		
For the Director.....	<u>165,000</u>	<u>142,900</u>
Department of Agriculture		
For the Director.....		0
For the Assistant Director.....		0
Department of Central Management Services		
For the Director.....	<u>195,000</u>	<u>176,000</u>
For 2 Assistant Directors.....	<u>331,500</u>	<u>299,200</u>
Department of Children and Family Services		
For the Director.....		0
Department of Corrections		
For the Director.....	<u>200,000</u>	<u>185,700</u>
For Assistant Director.....	<u>170,000</u>	<u>157,900</u>
Department of Commerce and Economic Opportunity		
For the Director.....	<u>195,000</u>	<u>176,000</u>
For 2 Assistant Directors.....	<u>331,500</u>	<u>149,600</u>
Environmental Protection Agency		
For the Director.....	<u>180,000</u>	<u>164,800</u>
For the Electric Vehicle Coordinator.....		180,000
Department of Financial and Professional Regulation		
For the Secretary.....		0
For the Director.....		0
For the Director.....		0
Department of Human Services		
For the Secretary.....	<u>200,000</u>	<u>185,700</u>
For 3 Assistant Secretaries.....	<u>510,000</u>	<u>473,700</u>

Department of Insurance		
For the Director		0
Department of Juvenile Justice		
For the Director.....	<u>165,000</u>	<u>148,800</u>
Department of Labor		
For the Director.....	<u>180,000</u>	<u>153,400</u>
For the Assistant Director.....	<u>156,600</u>	<u>139,900</u>
For the Chief Factory Inspector.....		56,100
For the Superintendent of Safety Inspection and Education.....		61,700
Illinois State Police		
For the Director.....	<u>200,000</u>	<u>163,900</u>
For the Assistant Director.....		139,800
Department of Military Affairs		
For the Adjutant General.....	<u>165,000</u>	<u>142,900</u>
For two Chief Assistants to the Adjutant General.....	<u>280,500</u>	<u>243,600</u>
Department of Lottery		
For the Superintendent.....		0
Department of Natural Resources		
For the Director.....		0
For the Assistant Director.....		0
For six Mine Officers.....		101,000
For four Miners' Examining Officers.....		55,500
Illinois Labor Relations Board		
For the Chairman.....		112,200
For four State Labor Relations Board members.....		403,800
For two Local Labor Relations Board members.....		201,900
For the Local Labor Relations Board Chairman.....		101,000
Department of Healthcare and Family Services		
For the Director.....	<u>195,000</u>	<u>176,000</u>
For the Assistant Director.....	<u>165,750</u>	<u>149,600</u>
Department of Public Health		
For the Director.....	<u>200,000</u>	<u>185,700</u>
For the Assistant Director.....	<u>170,000</u>	<u>157,900</u>
Department of Revenue		
For the Director.....	<u>195,000</u>	<u>176,000</u>
For the Assistant Director.....	<u>165,750</u>	<u>149,600</u>
Property Tax Appeal Board		
For the Chairman.....		69,600
For four members.....		224,400
Department of Veterans' Affairs		
For the Director.....	<u>200,000</u>	<u>142,900</u>
For the Assistant Director.....	<u>170,000</u>	<u>121,800</u>
Civil Service Commission		
For the Chairman.....		32,700
For four members.....		108,900
Commerce Commission		
For the Chairman.....		144,100
For four members.....		503,200
Court of Claims		
For the Chief Judge.....		69,800
For the six Judges.....		386,400
Commission on Equity and Inclusion		

For the Chairman.....	134,400
For six members.....	767,400
State Board of Elections	
For the Chairman.....	62,900
For the Vice-Chairman.....	51,600
For six members.....	242,300
Illinois Emergency Management Agency	
For the Director.....	0
For the Assistant Director.....	0
Department of Human Rights	
For the Director.....	<u>165,000</u> 142,900
Human Rights Commission	
For the Chairman.....	134,400
For six members.....	767,400
Illinois Workers' Compensation Commission	
For the Chairman.....	0
For nine members.....	0
Liquor Control Commission	
For the Chairman.....	41,900
For six members.....	219,600
For the Secretary.....	40,400
For the Chairman and one member as designated by law, \$200 per diem for work on a license appeal commission.....	55,000
Executive Ethics Commission	
For nine members.....	363,500
Illinois Power Agency	
For the Director.....	0
Pollution Control Board	
For the Chairman.....	130,100
For four members.....	503,200
Prisoner Review Board	
For the Chairman.....	103,100
For fourteen members of the Prisoner Review Board.....	1,292,300
Secretary of State Merit Commission	
For the Chairman.....	0
For four members.....	55,500
Educational Labor Relations Board	
For the Chairman.....	112,200
For four members.....	403,800
Illinois State Police	
For seven members of the Firearm Owner's Identification Card Review Board.....	<u>282,800</u>
For seven members of the State Police Merit Board, \$254 per diem, whichever is applicable in accordance with law, for a maximum of 100 days each.....	177,800
Department of Transportation	
For the Secretary.....	0
For the Assistant Secretary.....	0
Office of Small Business Utility Advocate	
For the small business utility advocate.....	0
Total.....	<u>\$14,145,300</u> 13,117,300

(P.A. 102-0698, Article 46, Section 50)

Sec. 50. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay certain appointed officers of the Executive Branch of the State Government, at the various rates prescribed by law:

Department of Agriculture	
For the Director	
From Feed Control Fund.....	<u>180,000</u> 164,800
For the Assistant Director	
From Feed Control Fund.....	<u>156,600</u> 139,800
Department of Children and Family Services	
For the Director	
From DCFS Children's Services Fund.....	<u>200,000</u> 185,700
Illinois Emergency Management Agency	
For the Director	
From Nuclear Safety Emergency Preparedness Fund	<u>180,000</u> 159,400
For the Assistant Director	
From Radiation Protection Fund.....	<u>156,600</u> 142,900
Department of Financial and Professional Regulation	
From the Professions Indirect Cost Fund	
For the Secretary.....	<u>195,000</u> 167,000
For the Director.....	<u>180,000</u> 142,900
For the Director.....	<u>180,000</u> 153,400
Illinois Power Agency	
For the Director	
From the Illinois Power Agency Operations Fund.....	<u>165,000</u> 128,300
Department of Insurance	
For the Director	
From Insurance Producer Administration Fund.....	<u>180,000</u> 167,000
Department of Lottery	
For the Superintendent	
From State Lottery Fund.....	<u>180,000</u> 175,600
Department of Natural Resources	
Payable from Park and Conservation Fund	
For the Director.....	<u>180,000</u> 164,800
For the Assistant Director.....	<u>156,600</u> 154,000
Payable from Coal Mining Regulatory Fund	
For six Mine Officers.....	0
For four Miners' Examining Officers.....	0
Department of Transportation	
Payable from Road Fund	
For the Secretary.....	<u>200,000</u> 185,700
For the Assistant Secretary.....	<u>170,000</u> 157,900
Illinois Workers' Compensation Commission	
Payable from IWCC Operations Fund	
For the Chairman.....	164,100
For nine members.....	1,406,300
Office of the State Fire Marshal	
For the State Fire Marshal:	
From Fire Prevention Fund.....	<u>165,000</u> 142,900
Illinois Racing Board	
For eleven members of the Illinois	

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Racing Board, \$300 per diem to a maximum \$13,462 as prescribed by law: From the Horse Racing Fund.....	148,100	
Department of Employment Security Payable from Title III Social Security and Employment Service Fund:		
For the Director.....	<u>195,000</u>	<u>176,000</u>
For five members of the Board of Review.....		75,000
Department of Innovation and Technology Payable from Technology Management Revolving Fund:		
For the Secretary.....	<u>200,000</u>	<u>185,700</u>
For the Assistant Secretary.....	<u>170,000</u>	<u>157,500</u>
Department of Real Estate Payable from Real Estate License Administrative Fund:		
For the Director.....	<u>180,000</u>	<u>153,400</u>
Department of Financial and Professional Regulation Payable from Bank and Trust Company Fund:		
For the Director.....	<u>180,000</u>	<u>168,400</u>
Subtotals:		
Feed Control.....	<u>336,600</u>	<u>304,600</u>
DCFS Children's Services Fund.....	<u>200,000</u>	<u>185,700</u>
Nuclear Safety Emergency Preparedness Fund. <u>180,000</u>	<u>159,400</u>	
Radiation Protection Fund.....	<u>156,600</u>	<u>142,900</u>
Professions Indirect Cost Fund.....	<u>555,000</u>	<u>463,200</u>
Illinois Power Agency Operations Fund.....	<u>165,000</u>	<u>128,300</u>
Insurance Producer Administration Fund.....	<u>180,000</u>	<u>167,000</u>
State Lottery Fund.....	<u>180,000</u>	<u>175,600</u>
Park and Conservation Fund.....	<u>336,600</u>	<u>318,800</u>
Coal Mining Regulatory Fund.....		0
Road Fund.....	<u>370,000</u>	<u>343,600</u>
IWCC Operations Fund.....		1,570,400
Fire Prevention.....	<u>165,000</u>	<u>142,900</u>
Horse Racing.....		148,100
Bank and Trust Company Fund.....	<u>180,000</u>	<u>168,400</u>
Title III Social Security and Employment Service Fund.....	<u>270,000</u>	<u>251,000</u>
Technology Management Revolving Fund.....	<u>370,000</u>	<u>343,200</u>
Real Estate License Administrative Fund.... <u>180,000</u>	<u>153,400</u>	
Total.....	<u>\$5,543,300</u>	<u>5,166,600</u>

(P.A. 102-0698, Article 46, Section 55)

Sec. 55. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the State Comptroller in connection with the payment of salaries for officers of the Executive and Legislative Branches of State Government:

For State Contribution to State Employees'

Retirement System:

From Horse Racing Fund.....	0
From Fire Prevention Fund.....	<u>91,900</u> <u>80,200</u>
From Bank and Trust Company Fund.....	<u>100,700</u> <u>94,500</u>
From Title III Social Security and Employment Service Fund.....	<u>151,000</u> <u>140,900</u>
From Feed and Control Fund.....	<u>187,900</u> <u>170,900</u>
From DCFS Children's Services Fund.....	<u>111,900</u> <u>104,300</u>

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From Nuclear Safety Emergency Preparedness Fund.....	100,400	89,500
From Radiation Protection Fund.....	<u>87,500</u>	80,200
From Professions Indirect Cost Fund.....	<u>308,700</u>	260,000
From Illinois Power Agency Operations Fund... <u>91,400</u>	72,000	
From Insurance Producer Administration Fund.. <u>100,600</u>	93,700	
From State Lottery Fund.....	100,900	98,500
From Park and Conservation Fund.....	<u>188,400</u>	178,900
From Coal Mining Regulatory Fund.....		0
From Road Fund.....	<u>206,900</u>	192,900
From IWCC Operations Fund.....		881,400
From Technology Management Revolving Fund.. <u>206,600</u>	192,600	
From Real Estate License Administrative Fund. <u>100,200</u>	86,100	
Total.....	<u>\$3,016,400</u>	\$2,816,600
For State Contribution to Social Security:		
From General Revenue Fund.....	<u>1,368,800</u>	1,286,300
From Horse Racing Fund.....		11,400
From Fire Prevention Fund.....	<u>12,700</u>	11,000
From Bank and Trust Company Fund.....	<u>12,500</u>	11,600
From Title III Social Security and Employment Service Fund.....	19,000	17,500
From Feed Control Fund.....	<u>24,700</u>	22,000
From DCFS Children's Services Fund.....	<u>13,000</u>	11,900
From Nuclear Safety Emergency Preparedness Fund.....	<u>13,100</u>	11,500
From Radiation Protection Fund.....	<u>12,100</u>	11,000
From Professions Indirect Cost Fund.....	<u>41,100</u>	33,900
From Illinois Power Agency Operations Fund... <u>12,800</u>	9,900	
From Insurance Producer Administration Fund.. <u>12,600</u>	11,600	
From State Lottery Fund.....	<u>12,100</u>	11,700
From Park and Conservation Fund.....	<u>24,400</u>	22,900
From Coal Mining Regulatory Fund.....		0
From Road Fund.....	<u>25,400</u>	23,300
From IWCC Operations Fund.....		120,200
From Technology Management Revolving Fund... <u>25,400</u>	23,300	
From Real Estate License Administrative Fund. <u>13,500</u>	11,400	
Total.....	<u>\$1,774,800</u>	\$1,676,400
For Group Insurance:		
From Fire Prevention Fund.....		24,700
From Bank and Trust Company Fund.....		24,700
From Title III Social Security and Employment Service Fund.....		24,700
From Feed Control Fund.....		49,400
From DCFS Children's Services Fund.....		24,700
From Nuclear Safety Emergency Preparedness Fund.....		24,700
From Radiation Protection Fund.....		24,700
From Professions Indirect Cost Fund.....		74,100
From Illinois Power Agency Operations Fund.....		24,700
From Insurance Producer Administration Fund.....		24,700
From State Lottery Fund.....		24,700
From Park and Conservation Fund.....		49,400
From Coal Mining Regulatory Fund.....		0
From Road Fund.....		49,400
From IWCC Operations Fund.....		247,000
From Technology Management Revolving Fund.....		49,400

From Real Estate License Administrative Fund.....	24,700
Total.....	<u>\$765,700</u>

ARTICLE 3

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing section 5 of Article 54 as follows:

(P.A. 102-0698, Article 54, Section 5)

Sec. 5. The sum of \$66,119,500 ~~63,428,100~~, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Central Management Services for ordinary and contingent expenses.

ARTICLE 4

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing section 30 of Article 56 as follows:

(P.A. 102-0698, Article 56, Section 30)

Sec. 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services for payments for care of children served by the Department of Children and Family Services:

GRANTS-IN-AID

REGIONAL OFFICES

PAYABLE FROM GENERAL REVENUE FUND

For Foster Homes and Specialized

Foster Care and Prevention₂

including prior year costs..... 420,731,200

For Counseling and Auxiliary Services..... 15,184,100

For Institution and Group Home Care and

Prevention, including prior year costs..... 215,172,600

For Services Associated with the Foster

Care Initiative..... 6,139,900

For Purchase of Adoption and

Guardianship Services..... 153,274,000

For Cash Assistance and Housing

Locator Service to Families in the

Class Defined in the Norman Consent Order..... 3,313,700

For Youth in Transition Program..... 2,708,600

For Assisting in the Development

of Children's Advocacy Centers..... 1,998,600

For Family Preservation Services..... 37,912,600

Total..... \$856,435,300

PAYABLE FROM DCFS CHILDREN'S SERVICES FUND

For Foster Homes and Specialized

Foster Care and Prevention₂

including prior year costs..... 185,603,500

For Cash Assistance and Housing Locator

Services to Families in the

Class Defined in the Norman

Consent Order..... 4,071,300

For Counseling and Auxiliary Services..... 16,469,100

For Institution and Group Home Care and

Prevention, including prior year costs..... 67,236,800

For Assisting in the development

of Children's Advocacy Centers.....	1,500,100
For Psychological Assessments Including Operations and Administrative Expenses.....	3,100,400
For Children's Personal and Physical Maintenance.....	3,971,800
For Services Associated with the Foster Care Initiative.....	1,705,600
For Purchase of Adoption and Guardianship Services.....	35,060,100
For Family Preservation Services.....	44,125,300
For Family Centered Services Initiative.....	17,198,400
For a Grant to the Illinois Association of Court Appointed Special Advocates.....	4,674,400
Total.....	\$383,716,800

ARTICLE 5

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 35, 60, 170, 190, 275, 450, 475, 510, 520, 525 and 535 and adding Sections 1, 526, 540, 545, 550, 555, 560, 565, 570, and 575 of Article 57 as follows:

(P.A. 102-0698, Article 57, Section 35)

Sec. 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF ENTREPRENEURSHIP, INNOVATION AND TECHNOLOGY
GRANTS

Payable from the General Revenue Fund:

For grants, contracts, and administrative expenses associated with the Illinois Office of Entrepreneurship, Innovation and Technology, including prior year costs.....	1,500,000
For a grant associated with Job Training to the Illinois Manufacturing Excellence Center for matching costs associated with the administration of the U.S. Department of Commerce's NIST Manufacturing Extension Partnership (MEP) program, the Baldrige Performance Excellence Program, and other federal funds awarded in support of Illinois economic development, including prior year costs.....	<u>2,170,645</u> 2,000,000
For grants, contracts, and administrative expenses associated with DCEO Technology Projects and Programs, including prior year costs.....	<u>2,500,000</u>
Total.....	\$6,000,000

Payable from the Small Business Environmental
Assistance Fund:

For grants and administrative expenses of the Small Business Environmental Assistance Program, including prior year costs.....	500,000
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Payable from the Workforce, Technology,
and Economic Development Fund:

For Grants, Contracts, and Administrative Expenses Pursuant to 20 ILCS 605/	
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605-420, including prior year costs.....	2,000,000
Payable from the Commerce and Community Affairs Assistance Fund:	
For grants, contracts and administrative expenses of the Procurement Technical Assistance Center Program, including prior year costs.....	1,000,000
For Grants, Contracts, and Administrative Expenses Pursuant to 20 ILCS 605/605-500, including prior year costs.....	15,000,000
For Grants, Contracts, and Administrative Expenses Pursuant to 20 ILCS 605/605-30, including prior year costs	8,500,000
Total.....	<u>\$27,170,645</u> 27,000,000

(P.A. 102-0698, Article 57, Section 60)

Sec. 60. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:

OFFICE OF COMMUNITY AND ENERGY ASSISTANCE
GRANTS

Payable from the Water and Sewer Low-Income Assistance Fund:

For purposes of administrative costs, grants, and financial assistance pursuant to the Water and Sewer Financial Assistance Act Pursuant to 305 ILCS 21.....	3,000,000
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Payable from Supplemental Low-Income Energy Assistance Fund:

For Grants and Administrative Expenses Pursuant to Section 13 of the Energy Assistance Act of 1989, as Amended, including refunds and prior year costs.....	<u>250,000,000</u> 200,000,000
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Payable from Energy Administration Fund:

For Grants, Contracts and Administrative Expenses associated with DCEO Weatherization Programs, including refunds and prior year costs.....	60,000,000
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Payable from Low-Income Home Energy Assistance Block Grant Fund:

For Grants, Contracts and Administrative Expenses associated with the Low-Income Home Energy Assistance Act of 1981, including refunds and prior year costs.....	480,000,000
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Payable from the Community Services Block Grant Fund:

For Administrative Expenses and Grants to Eligible Recipients as Defined in the Community Services Block Grant Act, including refunds and prior year costs.....	118,000,000
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For all costs associated with the administration of the Low Income Household Water Assistance Program as authorized by the American Rescue Plan Act of 2021 (ARPA) and the Consolidated Appropriations Act, 2021 (CAA).....	55,000,000
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(P.A. 102-0698 Article 57, Section 170)

Section 170. The sum of \$30,250,000, or so much thereof as may be necessary is appropriated to the Department of Commerce and Economic Opportunity from the General Revenue Fund for grants to the following units of local government for community development, violence prevention and administrative costs:

City of Rockford.....	\$1,500,000	
City of Loves Park.....	\$1,500,000	\$500,000
City of Belvidere.....		\$1,000,000
City of East Moline.....		\$1,500,000
City of Moline.....		\$1,500,000
City of Champaign.....		\$2,000,000
City of Urbana.....		\$2,000,000
City of Danville.....		\$1,000,000
City of Peoria.....		\$3,000,000
City of East Peoria.....		\$500,000
Village of Peoria Heights.....		\$250,000
City of West Peoria.....		\$250,000
Village of Bartonville.....		\$250,000
City of Bloomington.....		\$500,000
Town of Normal.....		\$500,000
City of Springfield.....		\$3,000,000
City of Decatur.....		\$1,000,000
City of Alton.....		\$1,000,000
City of Granite City.....		\$1,000,000
City of East St. Louis.....		\$3,000,000
City of Cahokia Heights.....		\$3,000,000
Venice Township.....		\$250,000
Village of Washington Park.....		\$250,000
Village of Brooklyn.....		\$250,000
Village of Fairmont.....		\$250,000
City of Cairo.....		\$500,000
City of Carbondale.....		\$500,000

(P.A. 102-0698, Article 57, Section 190)

Section 190. The sum of \$300,000 or so much thereof may be necessary, is appropriated to the Department of Commerce and Economic Opportunity from the General Revenue Fund for a grant to Village of Bridgeview North Riverside for costs associated with the Regional 911 Dispatch Center capital improvements to West Central Consolidated Communication Dispatch Center serving the Villages of Riverside, North Riverside, Brookfield and McCook.

(P.A. 102-0698, Article 57, Section 275)

Sec. 275. The sum of \$1,000,000, or so much thereof may be necessary, is appropriated to the Department of Commerce and Economic Opportunity from the General Revenue Fund for a grant to Kankakee County for costs associated with infrastructure improvements in the following units of local government:

Kankakee Valley Park District.....	\$150,000
Bourbonnais.....	\$50,000
Chebanse Township.....	\$50,000
Bradley.....	\$100,000 \$0,000
Essex.....	\$50,000
Pilot Township.....	\$50,000
Reddick.....	\$50,000
South Wilmington.....	\$50,000
Braceville.....	\$50,000
Herscher.....	\$100,000
Union Hill.....	\$100,000

City of Kankakee..... \$200,000

(P.A. 102-0698 Article 57, Section 450)

Section 450. The sum of \$2,600,000 or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to Workforce Connection in Rockford for job training ~~AAR Rockford~~.

(P.A. 102-0698, Article 57, Section 475)

Sec. 475. The sum of \$300,000 or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grants to the Illinois Retail Merchants Association ~~statewide association exclusively representing retailers~~ for creating and operating an organized retail crime association to combat organized retail crime.

(P.A. 102-0698, Article 57, Section 510)

Sec. 510. The sum of \$550,000, or so much thereof may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to Wings Program Inc. for ~~prior year infrastructure improvements~~ operating expenses, including all prior incurred costs.

(P.A. 102-0698, Article 57, Section 520)

Section 520. The sum of \$45,000,000 or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for grants to the following named entities including non-profits and units of local government for violence interruption, community development and operational expenses and administrative costs. Each grant shall equal the approximate amounts below:

United Way of St Louis.....	\$500,000
Greater Auburn Gresham CDC.....	\$450,000
Urban Growers Collective.....	\$150,000
Demoiselle 2 Femme, NFP.....	\$150,000
Target Area Development.....	\$150,000
Kindness Campaign.....	\$150,000
RAGE (Resident Association of Greater Englewood...)	\$350,000
Englewood First Responders.....	\$150,000
A Knock At Midnight.....	\$250,000
Teamwork Englewood.....	\$350,000
Public Equity.....	\$150,000
GoodKidsMadCity-Englewood.....	\$250,000
TGI Movement.....	\$150,000
Ex-Cons for Community Social Change.....	\$250,000
Stay Lit Youth Services.....	\$150,000
Teatro Tariakuri Dance and Theatre.....	\$150,000
Community Youth Development Institute (CYDI).....	\$250,000
Inner-City Muslim Action Network (IMAN).....	\$150,000
Woodlawn Restorative Justice Hub.....	\$150,000
Precious Blood Ministry of Reconciliation.....	\$150,000
Southside Together Organizing for Power (STOP)....	\$250,000
LaTanya & The Youth of Englewood.....	\$150,000
Grow Greater Englewood.....	\$150,000
Teamwork Englewood.....	\$150,000
Greater Englewood CDC.....	\$150,000
Le Penseur Youth & Family Services.....	\$150,000
Purpose Over Pain.....	\$150,000
Bounce for Joy Project.....	\$150,000
Project Simeon 2000.....	\$150,000
Gresham Community Center.....	\$150,000

House of James.....	\$1,000,000
Outreach Christian Community Development Corp... \$1,000,000	
Christian Community Health Center.....	\$1,000,000
Positive Moves NFP.....	\$1,000,000
After The Game Inc.....	\$1,000,000
Ada S. McKinley.....	\$5,000,000
The African American Museum at the England Manor.. \$200,000	
Black Chamber of Commerce of Lake County.....	\$200,000
Lake County Chamber of Commerce.....	\$200,000
Cory Douglas Scholastic Academy.....	\$250,000
Lions Math & Science Christian Academy.....	\$250,000
Westside Community Center, Inc.....	\$200,000
Step by Step Daycare.....	\$400,000
Christopher D. Redding Youth Asthma Foundation.... \$400,000	
GiveNKind.....	\$500,000
Waukegan Park District.....	\$350,000
Foss Park District.....	\$350,000
Mundelein Park District.....	\$350,000
Vista Medical Center East in Waukegan.....	\$650,000
Brushwood Center at Ryerson Woods.....	\$700,000
Hyde Park Neighborhood Club.....	\$250,000
South Shore Chamber.....	\$250,000
Centro de Trabajadores.....	\$250,000
Quad Communities Development Corp.....	\$250,000
DuSable Museum.....	\$700,000
Rogers Park Business Alliance.....	\$500,000
Andersonville Chamber of Commerce.....	\$500,000
Uptown United.....	\$500,000
Lincoln Square Ravenswood Chamber of Commerce.....	\$500,000
Edgewater Chamber of Commerce.....	\$500,000
A Just Harvest.....	\$500,000
Heartland Health Centers.....	\$500,000
Edgewater Community Development Corporation.....	\$500,000
Chicago Community Bond Fund.....	\$250,000
People's Music School.....	\$250,000
Refugee One.....	\$250,000
Ethiopian Community Association.....	\$250,000
African American History Museum.....	\$275,000
Decatur Boys & Girls Club.....	\$350,000
African American Genealogy & Cultural Society.....	\$275,000
Springfield Urban League.....	\$500,000
Springfield ICON.....	\$150,000
Metro Black Chamber of Commerce.....	\$200,000
Springfield Project.....	\$200,000
Fifth Street Renaissance.....	\$1,500,000
Downtown Springfield Inc.....	\$300,000
The LYNC.....	\$100,000
Greater All Nations Tabernacle.....	\$550,000
Pure Haven Family Resource Center.....	\$200,000
Mount Pilgrim Development Corp.....	\$500,000
People's Community Development Association.....	\$500,000
Greater Rock Development Corp.....	\$500,000
Acclivus Inc.....	\$250,000
Westside Health Authority.....	\$500,000
Boxing Out Negativity.....	\$350,000
Family Cares (AFC) Mission.....	\$2,400,000

Cottage Grove Heights Community Coalition.....	\$50,000
Global Girls Inc.....	\$50,000
Majestic Florist.....	\$50,000
True to Life Foundation.....	\$100,000
Rosemoor Community Association.....	\$100,000
West Chesterfield Community Association.....	\$100,000
Dolton School District #149.....	\$150,000
Hegewisch Business Association.....	\$250,000
Greater Roseland Chamber of Commerce.....	\$250,000
Thornton Township.....	\$500,000
Chatham Business Association.....	\$750,000
Southeast Chicago Chamber of Commerce.....	\$750,000
South Central Community Service.....	\$750,000
Southside Business Incubator.....	\$1,000,000
Treatment Alternatives for Safe Communities.....	\$2,000,000
Champs Male Mentoring Program – Chirise.....	\$100,000
South Technical Center.....	\$50,000

(P.A. 102-0698, Article 57, Section 525)

Sec. 525. The sum of \$5,975,000 ~~6,000,000~~ or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for grants to non-profits and units of local government for violence interruption, community development and operational expenses.

(P.A. 102-0698, Article 57, Section 535)

Sec. 535. The sum of \$312,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to ~~Utopia Connect Foundation~~ Nonprofit Utopia, LLC for the purpose of operating assistance.

(P.A. 102-0698, Article 57, Section 1, new)

Sec. 1. The sum of \$500,000,000, or so much thereof as may be necessary, is appropriated to the Department of Commerce and Economic Opportunity from the Large Business Attraction Fund for grants, contracts, and administrative expenses in accordance with the Invest in Illinois Program Act, including prior year costs.

(P.A. 102-0698, Article 57, Section 526, new)

Sec. 526. The sum of \$25,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to South Chicago Heights Police Department for costs associated with a police body camera program.

(P.A. 102-0698, Article 57, Section 540, new)

Sec. 540. The sum of \$360,000 or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to St. Joseph Academy for all costs associated with repairs, maintenance, and other capital improvements, as well as operations and services.

(P.A. 102-0698 Article 57, Section 545, new)

Section 545. The sum of \$500,000 or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to Casa Central for costs associated with operating expenses.

(P.A. 102-0698 Article 57, Section 550, new)

Sec. 550. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department Of Commerce And Economic Opportunity for a grant to the Joliet Area Historical Museum for purposes including, but not limited to, property acquisition and operating expenses.

(P.A. 102-0698 Article 57, Section 560, new)

Section 560. The sum of \$3,000,000, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Commerce and Economic Opportunity for grants to support state-designated cultural districts as defined by Public Act 102-0628, for purposes allowed by Section 9901 of the American Rescue Plan Act of 2021 and any associated federal guidance.

(P.A. 102-0698, Article 57, Section 565, new)

Sec. 565. The sum of \$500,000, or so much thereof may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to Peoria Civic Center for audience building seed investment.

(P.A. 102-0698, Article 57, Section 570, new)

Sec. 570. The sum of \$500,000, or so much thereof may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to the Peoria Riverfront Museum for operating assistance.

(P.A. 102-0698, Article 57, Section 575, new)

Sec. 575. The sum of \$50,000, or so much thereof may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to Big Picture Peoria for a mural project.

Section 2. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 20 and adding Sections 21, 22, 23, and 24 of Article 138 as follows:

(P.A. 102-0698, Article 138, Section 20)

Sec. 20. The amount of \$200,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, less \$20,000,000 to be lapsed, from an appropriation heretofore made for such purpose in Article 127, Section 35 of Public Act 102-0017, as amended, is reappropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Commerce and Economic Opportunity for all costs associated with the Back to Business Grant Program pursuant to 20 ILCS 605/605-1050 including administration, technical assistance, and the awarding of grants to qualifying businesses, including prior year costs in the approximate amounts below:

For businesses that submitted a valid application under a previous funding round of the program but did not receive an award.....	\$25,000,000
To fund start-up costs for businesses during the COVID-19 public health emergency and fund businesses or organizations engaging in the recovery effort to reactivate vacant spaces in high traffic areas like downtowns.....	\$50,000,000

(P.A. 102-0698, Article 138, Section 21, new)

Sec. 21. The amount of \$7,500,000, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Commerce and Economic Opportunity for grants, contracts, and operational costs associated with the Tourism Attraction Development Grant Program Pursuant to 20 ILCS 665/8a(2), including prior year costs.

(P.A. 102-0698, Article 138, Section 22, new)

Sec. 22. The amount of \$7,500,000, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Commerce and Economic Opportunity for grants, contracts, and operational costs associated with promotion of and advertising Illinois

as a tourism destination as allowed by Section 9901 of the American Rescue Plan Act of 2021 and any associated federal guidance, including prior year costs.

(P.A. 102-0698, Article 138, Section 23, new)

Sec. 23. The amount of \$5,000,000, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Commerce and Economic Opportunity for grants, contracts, and operational costs associated with local chambers of commerce recovery grants pursuant to 20 ILCS 605/605-1105 as allowed by Section 9901 of the American Rescue Plan Act of 2021 and any associated federal guidance, including prior year costs.

(P.A. 102-0698, Article 138, Section 24, new)

Sec. 24. The sum of \$5,000,000, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Commerce and Economic Opportunity for a grant to the Here to Stay Community Land Trust for acquisition and rehabilitation of properties and other operational expenses, for purposes allowed by Section 9901 of the American Rescue Plan Act of 2021 and any associated federal guidance.

Section 206. The sum of \$75,000 or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Human Services for a grant to Peoria County for residential safety improvements ~~youth outreach~~ for purposes permitted by Section 9901 of the American Rescue Plan Act of 2021 and related federal guidance.

Section 207. The sum of \$50,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to Peoria County for costs associated with residential safety improvements.

ARTICLE 6

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 30 of Article 62 as follows:

(P.A. 102-0698, Article 62, Section 30)

Sec. 30. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Corrections:

EDUCATION SERVICES

For Personal Services.....	15,200,000
For Student, Member and Inmate Compensation.....	0
For State Contributions to Social Security	1,106,500
For Contractual Services.....	11,848,500
For Travel.....	1,000
For Commodities.....	325,000
For Printing.....	35,300
For Equipment.....	10,000
For Telecommunications Services.....	1,000
For Operation of Auto Equipment.....	2,000
<u>For the pilot program for remote learning for individuals in the custody of the Department of Corrections created under Public Act 102-966, effective May 27, 2022.....</u>	<u>250,000</u>
Total.....	<u>\$28,779,300</u> 28,529,300

PAROLE

For Personal Services.....	37,058,300
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For State Contributions to Social Security.....	2,990,000
For Contractual Services.....	11,463,500
For Travel.....	122,700
For Travel and Allowances for Committed, Paroled and Discharged Prisoners.....	43,200
For Commodities.....	57,300
For Printing.....	3,000
For Equipment.....	50,000
For Telecommunications Services.....	5,980,000
For Operation of Auto Equipment.....	805,000
Total.....	\$58,573,000

RE-ENTRY SERVICES

For Personal Services.....	9,000,500
For Student, Member and Inmate Compensation.....	35,000
For State Contributions to Social Security.....	724,400
For Contractual Services.....	20,348,500
For Travel.....	6,000
For Commodities.....	69,800
For Printing.....	3,000
For Equipment.....	50,000
For Telecommunications Services.....	36,100
For Operation of Auto Equipment.....	29,000
Total.....	\$30,302,300

FIELD SERVICES

For Personal Services.....	9,800,500
For State Contributions to Social Security.....	699,000
For Contractual Services.....	35,975,900
For Travel.....	65,000
For Commodities.....	750,000
For Printing.....	5,000
For Equipment.....	100,000
For Telecommunications Services.....	3,000,000
For Operation of Auto Equipment.....	216,000
Total.....	\$50,611,400

ARTICLE 7

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding new Section 145 of Article 66 as follows:

(P.A. 102-0698, Article 66, Section 145 new)

Sec. 145. The amount of \$10,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Financial and Professional Regulation for the implementation and administration of a new licensing system.

ARTICLE 8

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding new Sections 11 and 12 to Article 68 as follows:

(P.A. 102-0698, Article 68, Section 11 new)

Sec. 11. The sum of \$5,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Rights for deposit into the Hate Crimes and Bias Incident and Response Fund.

(P.A. 102-0698, Article 68, Section 12 new)

Sec. 12. The sum of \$5,000,000, or so much thereof as may be necessary, is appropriated from the Hate Crimes and Bias Incident and Response Fund to the Department of Human Rights for grants and administrative expenses associated with the eradication of hate crimes and bias incidents.

ARTICLE 9

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 13, 15, 70, 155, 170, 181, 210, 255, 265, 385, adding new Sections 182, 500, 505, 510, 515, 520, 530, 535, 540, 545, 550, 560, 565, 570, 575, 580, 585, 590, 595 and 600 and repealing Sections 245 and 255 of Article 69 as follows:

(P.A. 102-0698, Article 69, Section 13)

Sec. 13. The sum of ~~\$130,000,000~~ \$0,000,000, or so much thereof as may necessary is appropriated to the Department of Human Services from the DHS State Projects Fund for ordinary and contingent expenses, grants and administrative expenses of the department including COVID-19 response and mitigation, including prior year costs.

(P.A. 102-0698, Article 69, Section 15)

Sec. 15. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Human Services for income assistance and related distributive purposes, including such Federal funds as are made available by the Federal Government for the following purposes:

DISTRIBUTIVE ITEMS

GRANTS-IN-AID

Payable from General Revenue Fund:

For Aid to Aged, Blind or Disabled under Article III.....	31,504,700
For Temporary Assistance for Needy Families under Article IV and other social services including Emergency Assistance for families with Dependent Children.....	150,000,000
For Refugees.....	1,126,700
For Funeral and Burial Expenses under Articles III, IV, and V, including prior year costs.....	5,000,000
For grants and administrative expenses associated with Child Care Services, including prior year costs.....	410,599,000
For grants and administrative expenses associated with Refugee Social Services.....	204,000
For grants and administrative expenses associated with Immigrant Integration Services and for other Immigrant Services pursuant to 305 ILCS 5/12-4.34.....	38,000,000
For grants and administrative expenses associated with the Illinois Welcoming Centers.....	<u>115,000,000</u> 25,000,000
Total.....	<u>\$751,434,400</u> 653,434,400

The Department, with the consent in writing from the Governor, may reapportion not more than ten percent of the total appropriation of General Revenue Funds in Section 15 above "For Income Assistance and Related Distributive Purposes" among the various purposes therein enumerated.

(P.A. 102-0698, Article 69, Section 70)

Sec. 70. The sum of \$275,717,500 ~~250,717,500~~, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for expenses associated with the operation of State Operated Mental Health Facilities or the costs associated with services for the transition of State Operated Mental Health Facilities residents to alternative community settings.

(P.A. 102-0698, Article 69, Section 90)

Section 90. The following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to the Department of Human Services for Grants-In-Aid and Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

**DEVELOPMENTAL DISABILITIES GRANTS AND PROGRAM SUPPORT
GRANTS-IN-AID AND PURCHASED CARE**

Payable from the General Revenue Fund:

For SSM St. Mary's Hospital for providing autism services for children in the Metro East and Southern Illinois areas through an autism center.....	1,500,000
For a grant to the ARC of Illinois for the Life Span Project.....	471,400
For a grant to Best Buddies.....	977,500
For Dental Grants for people with Developmental Disabilities.....	995,900
For grants associated with Epilepsy Services.....	2,098,000
For grants associated with Respite Services.....	6,744,300
For a grant to the Autism Program for an Autism Diagnosis Education Program for Individuals.....	4,800,000
For grants and administrative expenses for Community-Based Services for Persons with Developmental Disabilities and for Intermediate Care Facilities for the Developmentally Disabled and Alternative Community Programs, including prior year costs.....	1,756,595,100
For grants and administrative expenses associated with the provision of Specialized Services to Persons with Developmental Disabilities, including prior year costs.....	7,675,800
For grants and administrative expenses associated with Developmental Disability Quality Assurance Waiver, including prior year costs.....	480,600
For grants and administrative expenses associated with Developmental Disability Community Transitions or State Operated Facilities, including prior year costs.....	5,201,600

For grants and administrative costs associated with young adults Transitioning from the Department of Children and Family Services to the Developmental Disability Service System, including prior year costs.....	2,471,600
Payable from the Mental Health Fund: For Community-Based Services for Persons with Developmental Disabilities, including prior year costs.....	9,965,600
Payable from the Special Olympics Illinois and Special Children's Charities Fund: For grants to Special Olympics Illinois.....	1,000,000 1,500,000
For grants to Special Children's Charities.....	1,000,000 500,000
Payable from the Developmental Disabilities Awareness Fund: For Developmental Disabilities Legal Aid Grants.....	100,000
Payable from the Community Developmental Disability Services Medicaid Trust Fund: For grants and administrative expenses associated with Community-Based Services for Persons with Developmental Disabilities, including prior year costs.....	90,000,000
Payable from the Autism Research Checkoff Fund: For grants and administrative expenses associated with autism research.....	25,000
Payable from the Care Provider Fund for Persons with a Developmental Disability: For grants and administrative expenses associated with Intermediate Care Facilities for the Developmentally Disabled and Alternative Community Programs, including prior year costs.....	45,000,000
Payable from the Health and Human Services Medicaid Trust Fund: For grants and administrative expenses associated with developmental and/or mental health programs, including prior year costs.....	42,400,000
Payable from the Autism Care Fund: For grants to the Autism Society of Illinois.....	50,000
Payable from the Autism Awareness Fund: For grants and administrative expenses associated with autism awareness.....	50,000
Payable from the Department of Human Services Community Services Fund: For grant and administrative expenses associated with Community-Based Services for persons with developmental disabilities and system rebalancing initiatives, including prior year costs.....	52,000,000
Payable from the Special Olympics Illinois Fund: For grants and administrative expenses	

associated with Special Olympics..... 50,000

The Department, with the consent in writing from the Governor, may reapportion General Revenue Funds in Section 90 "For Developmental Disabilities Grants and Program Support Grants-in-Aid and Purchased Care" to Section 60 "For Home Services Program Grants-in-Aid" and Section 80 "For Mental Health Grants and Program Support Grants-in-Aid and Purchased Care" as a result of transferring clients to the appropriate community-based service system.

(Public Act 102-0698, Article 69, Section 91 new)

Section 91. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to Special Children's Charities for costs associated with operating expenses.

(P.A. 102-0698, Article 69, Section 155)

Sec. 155. The following named amounts, or so much thereof as may be necessary, respectively, for the objects hereinafter named, are appropriated to the Department of Human Services for Family and Community Services and related distributive purposes, including such Federal funds as are made available by the Federal government for the following purposes:

FAMILY AND COMMUNITY SERVICES
GRANTS-IN-AID

Payable from the General Revenue Fund:

For a grant to the Chicago Westside Branch NAACP for all costs associated with organization programs and services.....	250,000
For a grant to the Phalanx Family Services for all costs associated with organization programs and services.....	\$500,000
For a grant to the Southern Illinois University Center for Rural Health for all costs associated with providing mental health and support services to farm owners.....	\$500,000
For a grant to Urban Autism Solutions for all costs associated with the West Side Transition Academy	\$400,000 <u>750,000</u>
For a grant to Children's Place for costs associated with specialized child care for families affected by HIV/AIDS.....	381,200
For grants to provide assistance to Sexual Assault Victims and for Sexual Assault Prevention Activities.....	7,659,700
For grants to community providers and local governments for youth employment programs.....	19,000,000
For grants and administration expenses associated with Employability Development Services and related distributive purposes.....	6,199,500
For grants and administration expenses associated with Food Stamp Employment Training and related distributive purposes.....	3,651,000
For grants and administration expenses associated with Domestic Violence Shelters and Services program.....	70,910,100
For grants and administrative expenses associated with Homeless Youth Services.....	7,403,100
For grants and administrative expenses associated with Westside Health Authority	

Crisis Intervention.....	1,000,000
For grants and administrative expenses of the Comprehensive Community-Based Services to Youth.....	21,309,900
For grants and administrative expenses associated with Redeploy Illinois.....	14,373,600
For grants and administrative expenses associated with Homelessness Prevention programs including but not limited to pilot program to address homelessness and homelessness prevention capacity building programs.....	20,000,000
For grants and administrative expenses associated with Supportive Housing Services.....	16,490,100
For grants and administrative expenses associated with Community Services.....	7,513,800
For grants and administrative expenses associated with Teen Reach After-School Programs.....	16,812,400
For grants and administrative expenses associated with Programs to Reduce Infant Mortality, provide Case Management and Outreach Services, and for the Intensive Prenatal Performance Project.....	29,722,900
For a grant to Austin Childcare Provider's Network for all costs associated with early childhood teacher training program.....	250,000
For a grant to Fathers Who Care.....	250,000
For a grant to Black Men United to fight Homelessness and hunger.....	250,000
For a grant to ART Inc in Peoria to support Academic and STEAM programming.....	300,000
For grants and administrative expenses of Youth Summer Job programming.....	3,200,000
For a grant to Club Apaseo el Alto.....	350,000
For a grant to Chicago Survivors.....	1,000,000
For a grant to West Austin Development Center for all costs associated with childcare, education, and development programs.....	620,000
For a grant to Touched by an Angel Community Enrichment Center NFP for all costs associated with developing and operating programs for single parents.....	350,000
For a grant to The Answer Inc., for all costs associated with program services for families living with autism and developmental disabilities.....	250,000
For a grant to Black Girls Break Bread for all costs associated with organization programs and services.....	100,000
For a grant to Prevention Partnership, Inc., for all costs associated with organization programs and services.....	750,000
Payable from the Assistance to the Homeless Fund: For grants and administrative expenses associated to Providing Assistance to the	

Homeless.....	1,000,000
Payable from the Specialized Services for Survivors of Human Trafficking Fund:	
For grants to organizations to prevent Prostitution and Human Trafficking.....	100,000
Payable from the Sexual Assault Services and Prevention Fund:	
For grants and administrative expenses associated with Sexual Assault Services and Prevention Programs.....	600,000
Payable from the Children's Wellness Charities Fund:	
For grants to Children's Wellness Charities.....	50,000
Payable from the Housing for Families Fund:	
For grants to Housing for Families.....	50,000
Payable from the Illinois Affordable Housing Trust Fund:	
For Homeless Youth Services.....	1,000,000
For grants and administrative expenses associated with Homelessness Prevention.....	4,000,000
For grants and administrative expenses associated with Emergency and Transitional Housing.....	10,383,700
Payable from the Serve Illinois Commission Fund:	
For expenses associated with Community Services and Volunteer activities, including prior year costs.....	15,000,000
Payable from the Employment and Training Fund:	
For grants and administrative expenses associated with Employment and Training Programs, income assistance, and other social services, including prior year costs.....	35,000,000
Payable from the Health and Human Services Medicaid Trust Fund:	
For grants for Supportive Housing Services.....	3,382,500
Payable from the Sexual Assault Services Fund:	
For Grants Related to the Sexual Assault Services Program.....	200,000
Payable from the Gaining Early Awareness and Readiness for Undergraduate Programs Fund:	
For grants and administrative expenses including refunds associated with G.E.A.R.U.P.....	3,516,800
Payable from the DHS Special Purposes Trust Fund:	
For grants and administrative expenses Associated with the SNAP to Success Program.....	3,000,000
For Community Grants.....	7,257,800
For grants and administrative expenses associated with Family Violence Prevention Services.....	33,018,200
For grants and administrative expenses associated with Emergency Food Program Transportation and Distribution.....	25,163,800

For grants and administrative expenses associated with SNAP Outreach.....	5,000,000
For grants and administrative expenses associated with SSI Advocacy Services.....	1,009,400
For grants and administrative expenses associated with SNAP Education.....	30,000,000
For grants and administrative expenses associated with Federal/State Employment Programs and Related Services.....	5,000,000
For grants and administrative expenses Associated with the SNAP Program.....	40,000,000
For grants and administrative expenses associated with Refugee Resettlement Purchase of Services.....	50,611,200
For grants and administrative expenses associated with Race to the Top Program.....	5,000,000
For grants and administrative expenses associated with JTED-SNAP Pilot Employment and Training Program.....	5,000,000
Payable from the Domestic Violence Abuser Services Fund:	
For grants and administrative expenses associated with Domestic Violence Abuser Services.....	250,000
Payable from the DHS Federal Projects Fund:	
For grants and administrative expenses associated with implementing Public Health Programs.....	10,742,300
For grants and administrative expenses associated with the Emergency Solutions Grants Program, including prior year costs.....	60,000,000
For grants and administrative expenses associated with COVID-19 Prevention Programs, including prior year costs.....	20,000,000
Payable from the USDA Women, Infants and Children Fund:	
For Grants for the Federal Commodity Supplemental Food Program.....	1,400,000
For Grants for Free Distribution of Food Supplies and for Grants for Nutrition Program Food Centers under the USDA Women, Infants, and Children (WIC) Nutrition Program.....	230,000,000
For grants and administrative expenses associated with the USDA Farmer's Market Nutrition Program.....	500,000
For grants and administrative expenses associated with administering the USDA Women, Infants, and Children (WIC) Nutrition Program, including grants to public and private agencies.....	75,049,000
Payable from the Hunger Relief Fund:	
For Grants for food banks for the purchase of food and related supplies for low income persons.....	250,000
Payable from the Tobacco Settlement	

Recovery Fund:	
For a Grant to the Coalition for	
Technical Assistance and Training.....	250,000
For grants and administrative expenses	
associated with Children's Health Programs.....	1,138,800
Payable from the Thriving Youth Income Tax	
Checkoff Fund:	
For grants to Non-Medicaid community-based	
youth programs.....	150,000
Payable from the Local Initiative Fund:	
For grants and administrative expenses	
associated with the Donated Funds	
Initiative Program.....	22,729,400
Payable from the Domestic Violence Shelter	
and Service Fund:	
For grants and administrative expenses	
associated with Domestic Violence Shelters	
and Services Program.....	952,200
Payable from the Homelessness Prevention	
Revenue Fund:	
For grants related to Homelessness	
Prevention.....	2,000,000
Payable from the Juvenile Justice Trust Fund:	
For Grants and administrative expenses	
associated with Juvenile Justice	
Planning and Action Grants for Local	
Units of Government and Non-Profit	
Organizations, including prior year costs.....	3,000,000

(P.A. 102-0698, Article 69, Section 181)

Sec. 181. The sum of \$10,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for deposit into the First Responder Behavioral Health Grant Fund. grants and administrative expenses associated with mental health screenings for local police departments.

(P.A. 102-0698, Article 69, Section 210)

Sec. 210. The sum of \$3,570,000 or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to the implement Guaranteed Income Pilot for costs associated with operational expenses.

(P.A. 102-0698, Article 69, Section 240)

Sec. 240. The sum of \$2,000,000, or so much thereof may be necessary, is appropriated to the Department of Human Services from the General Revenue Fund for a grant to the Chicago Police Memorial Foundation First Responders for costs associated with first responders mental health programs.

(P.A. 102-0698, Article 69, Section 265)

Sec. 265. The sum of \$2,400,000, or so much thereof may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to the Asthma and Allergy Foundation of America, St. Louis Chapter schools for costs associated with providing Albuterol, related equipment, and training in Illinois Schools asthma inhalers.

(P.A. 102-0698, Article 69, Section 385)

Sec. 385. The sum of \$700,000 or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to the Black Researchers Collective Ellis Park Youth Engagement Committee for operating expenses.

(P.A. 102-0698, Article 69, Section 182 new)

Sec. 182. The sum of \$10,000,000, or so much thereof as may be necessary, is appropriated from the First Responder Behavioral Health Grant Fund to the Department of Human Services for grants and administrative expenses associated with the First Responder Behavioral Health Grant Program pursuant to Public Act 102-0911.

(P.A. 102-0698, Article 69, Section 500 new)

Sec. 500. The sum of \$75,000, or so much thereof as may be necessary, is appropriated from the Ronald McDonald House Charities Fund to the Department of Human Services for a grant to the Ronald McDonald House Charities of Chicagoland and Northwest Indiana.

(P.A. 102-0698, Article 69, Section 505 new)

Sec. 505. The sum of \$75,000, or so much thereof as may be necessary, is appropriated from the Ronald McDonald House Charities Fund to the Department of Human Services for a grant to the Ronald McDonald House Charities of Central Illinois.

(P.A. 102-0698, Article 69, Section 510 new)

Sec. 510. The sum of \$2,000,000, or so much of that amount as may be necessary, is appropriated from the Off-Hours Child Care Program Fund to the Department of Human Services for costs associated with the Off-Hours Child Care Program created by Public Act 102-0912.

(PA 102-0698, Article 69, Section 515 new)

Sec. 515. The sum of \$40,000,000, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Human Services for the Illinois Housing Development Authority for the purpose of making grants, forgivable loans, or loans, and administrative expenses to support the acquisition, and/or development of permanent supportive housing units and/or beds in non-congregate and congregate settings for purposes allowed by Section 9901 of the American Rescue Plan Act of 2021 and any associated federal guidance.

(PA 102-0698, Article 69, Section 520 new)

Sec. 520. The sum of \$20,000,000, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Human Services for administration by the Illinois Housing Development Authority for grants, forgivable loans, loans and administrative expenses associated with the Authority's Opening Doors Program, for purposes allowed by Section 9901 of the American Rescue Plan Act of 2021 and any associated federal guidance.

(PA 102-0698, Article 69, Section 530 new)

Sec. 530. The sum of \$1,038,370, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Human Services to make grants to agencies funded by the Emergency and Transitional Housing Program for the purpose of employee recruitment and retention, including, but not limited to bonuses for current staff.

(PA 102-0698, Article 69, Section 535 new)

Sec. 535. The sum of \$1,100,000, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Human Services to make grants to agencies funded by the Homelessness Prevention Program for the purpose of employee recruitment and retention, including, but not limited to bonuses for current staff.

(PA 102-0698, Article 69, Section 540 new)

Sec. 540. The sum of \$840,310, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent

Remediation Emergency Fund to the Department of Human Services to make grants to agencies funded by the Homeless Youth Program for the purpose of employee recruitment and retention, including, but not limited to bonuses for current staff.

(PA 102-0698, Article 69, Section 545 new)

Sec. 545. The sum of \$2,271,380, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Human Services to make grants to agencies funded by the Supportive MI Housing (Division of Mental Health) for the purpose of employee recruitment and retention, including, but not limited to bonuses for current staff.

(PA 102-0698, Article 69, Section 550 new)

Sec. 550. The sum of \$1,987,260 or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Human Services to make grants to agencies funded by the Supportive Housing Services (Bureau of Homeless Services) for the purpose of employee recruitment and retention, including, but not limited to bonuses for current staff.

(PA 102-0698, Article 69, Section 555 new)

Sec. 555. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Human Services for administration by the Illinois Housing Development Authority for purposes allowed by Section 9901 of the American Rescue Plan Act of 2021 and any associated federal guidance for the ordinary and contingent expenses of Carter Temple Community Development Corporation.

(P.A. 102-0698, Article 69, Section 560, new)

Section 560. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to Chicago Recovering Communities Coalition for costs associated with the South Side Heroin/Opioid Task Force including, but not limited to, operations and preventative educational programs.

(P.A. 102-0698, Article 69, Section 565, new)

Section 565. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to the Oak Park River Forest Infant Welfare Society for costs associated with operating expenses.

(P.A. 102-0698, Article 69, Section 570, new)

Section 570. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to the Greater St. John Baptist Church for costs associated with operating expenses.

(P.A. 102-0698, Article 69, Section 575, new)

Section 575. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to the Wonder Works Children's Museum for costs associated with operating expenses.

(P.A. 102-0698, Article 69, Section 580, new)

Section 580. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to the Prevention Partnership Inc. for costs associated with operating expenses.

(P.A. 102-0698, Article 69, Section 585, new)

Section 585. The sum of \$20,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to the City of Chicago for costs

associated with legal representation, technological assistance, shelter, transportation, basic health and first aid, food, case management, COVID-19 testing interpretation/translation/ESL, workplace readiness for asylum seekers.

(P.A. 102-0698, Article 69, Section 590, new)

Section 590. The sum of \$200,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to the Joliet United Cerebral Palsy Center for costs associated with operating expenses.

(P.A. 102-0698, Article 69, Section 595, new)

Section 595. The sum of \$125,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to the Chicago Center for Torah and Chesed for costs associated with operating expenses.

(P.A. 102-0698, Article 69, Section 600, new)

Section 600. The sum of \$1,400,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for a grant to the Illinois Health Practice Alliance for costs associated with operating expenses.

(P.A. 102-0698, Article 69, Section 245, rep.)

Section. 5. Section 245 of Article 69 of Public Act 102-0698, approved April 19, 2022, is repealed.

(P.A. 102-0698, Article 69, Section 255, rep.)

Section. 10. Section 255 of Article 69 of Public Act 102-0698, approved April 19, 2022, is repealed.

ARTICLE 10

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding Section 35 of Article 72 as follows:

(P.A. 102-0698, Article 72, Section 35 new)

Sec. 35. The sum of \$100,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Innovation and Technology for deposit into the Technology Management Revolving Fund.

ARTICLE 11

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 10, 15, 25 and 30 of Article 76 as follows:

(P.A. 102-0698, Article 76, Section 10)

Sec. 10. The amount of \$1,194,150,000 ~~998,150,000~~, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the General Revenue Fund for deposit into the Healthcare Provider Relief Fund.

(P.A. 102-0698, Article 76, Section 15)

Sec. 15. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance and Administrative Expenditures:

for medical assistance under acts including the illinois public aid code, the children's health insurance program act, the covering all kids health insurance act, the long term acute care hospital quality improvement transfer program act, and the individual care grant program as transferred by public act 99-479.

Payable from General Revenue Fund:
For Medical Assistance Providers and

Related Operating and Administrative
Costs..... \$6,860,982,400

In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Healthcare and Family Services for Medical Assistance under Acts including the Illinois Public Aid Code, the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, and the Long Term Acute Care Hospital Quality Improvement Transfer Program Act for reimbursement or coverage of prescribed drugs, other pharmacy products, and payments to managed care organizations as defined in Section 5-30.1 of the Illinois Public Aid Code including related administrative and operation costs:
Payable from Drug Rebate Fund.... 2,700,000,000 ~~4,300,000,000~~

In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Healthcare and Family Services for costs related to the operation of the Health Benefits for Workers with Disabilities Program:
Payable from Medicaid Buy-In Program
Revolving Fund..... 678,100

(P.A. 102-0698, Article 76, Section 25)

Sec. 25. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance and Administrative Expenditures:

FOR MEDICAL ASSISTANCE UNDER ACTS INCLUDING THE ILLINOIS PUBLIC AID CODE, THE CHILDREN'S HEALTH INSURANCE PROGRAM ACT, THE COVERING ALL KIDS HEALTH INSURANCE ACT AND THE LONG TERM ACUTE CARE HOSPITAL QUALITY IMPROVEMENT TRANSFER PROGRAM ACT

Payable from Care Provider Fund for Persons
with a Developmental Disability:
For Administrative Expenditures..... 300,000
Payable from Long-Term Care Provider Fund:
For Skilled, Intermediate, and Other Related
Long-Term Care Services..... 950,000,000 ~~875,000,000~~
For Administrative Expenditures..... 6,109,600
Total..... \$956,109,600 ~~881,109,600~~

Payable from Hospital Provider Fund:
For Hospitals, Capitated Managed Care
Organizations as necessary to comply
With Article V-A of the
Illinois Public Aid Code, and Related
Operating and
Administrative Costs..... 4,500,000,000 ~~3,700,000,000~~

Payable from Tobacco Settlement Recovery Fund:
For Medical Assistance Providers..... 245,000,000

Payable from Healthcare Provider Relief Fund:
For Medical Assistance Providers
and Related Operating and
Administrative Costs..... 15,522,000,000 ~~15,032,000,000~~

(P.A. 102-0698, Article 76, Section 30)

Sec. 30. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Healthcare and Family Services for Medical Assistance and Administrative Expenditures:

FOR MEDICAL ASSISTANCE UNDER ACTS INCLUDING THE ILLINOIS PUBLIC AID CODE, THE CHILDREN'S HEALTH INSURANCE PROGRAM ACT, AND THE COVERING ALL KIDS HEALTH INSURANCE ACT

Payable from County Provider Trust Fund:

For Medical Services.....	<u>3,400,000,000</u> 3,200,000,000
For Administrative Expenditures Including	
Pass-through of Federal Matching Funds.....	25,000,000
Total.....	<u>\$3,425,000,000</u> 3,225,000,000

ARTICLE 12

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 131 and adding Sections 170 to Article 77 as follows:

(P.A. 102-0698, Article 77, Section 131)

Sec. 131. The sum of \$9,000,000, or so much thereof as may be necessary, is appropriated to the Department of Public Health from the General Revenue Fund for a grant to the Illinois Association of Free and Charitable Clinics for the following, including prior year costs:

- (1) Grants and other expenses of free and charitable clinics in Illinois that assist in or make referrals for prevention, vaccination, and testing of COVID-19.
- (2) Grants and other expenses of free and charitable clinics that assist uninsured or underinsured people living with acute and chronic health issues through medical care, outreach, health education, screening and testing, oral health care and behavioral health services.

(P.A. 102-0698, Article 77, Section 170, new)

Section 170. The sum of \$500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Public Health for a grant to the Illinois chapter of the American Academy of Pediatrics for the Reach Out and Read Program.

Section 10. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 441 and 455 and adding Section 442 and 1210 of Article 138 as follows:

(P.A. 102-0698 Article 138, Section 441)

Section 441. Sec. 441. The sum of ~~\$60,000,000~~ 43,498,920, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Healthcare and Family Services for purposes permitted by Section 9901 of the American Rescue Plan Act of 2021 and related federal guidance to provide support to Illinois ~~non-safety net~~ hospitals including support in the approximate amounts below:

<u>Community First Medical Center – Chicago.....</u>	<u>\$4,095,097</u>
<u>Holy Cross Hospital – Chicago.....</u>	<u>\$1,586,992</u>
<u>Humboldt Park Health – Chicago.....</u>	<u>\$345,300</u>
<u>Insight Hospital Medical Center – Chicago.....</u>	<u>\$4,313,679</u>
<u>Jackson Park Hospital & Medical</u>	
<u>Center – Chicago.....</u>	<u>\$1,846,998</u>
<u>La Rabida Children's Hospital – Chicago.....</u>	<u>\$2,000,000</u>
<u>Loretto Hospital – Chicago.....</u>	<u>\$2,854,935</u>
<u>Thorek Memorial Hospital –</u>	
<u>Andersonville – Chicago.....</u>	<u>\$3,676,421</u>
<u>Roseland Community Hospital – Chicago.....</u>	<u>\$3,127,166</u>
<u>Mount Sinai Hospital – Chicago.....</u>	<u>\$7,500,000</u>
<u>St. Bernard Hospital & Health Care</u>	
<u>Ctr – Chicago.....</u>	<u>\$614,399</u>
<u>South Shore Hospital.....</u>	<u>\$4,582,198</u>
<u>Thorek Memorial Hospital – Chicago.....</u>	<u>\$2,445,489</u>
<u>Touchette Regional Hospital – Centerville.....</u>	<u>\$3,323,655</u>
<u>West Suburban Medical Center - Oak Park.....</u>	<u>\$1,186,589</u>

(P.A. 102-0698 Article 138, Section 442)

Section 442. The amount of \$16,501,080, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Healthcare and Family Services for purposes permitted by Section 9901 of the American Rescue Plan Act of 2021 And any associated federal guidance for the ordinary and contingent expenses to Illinois non-safety net hospitals.

(P.A. 102-0698 Article 138, Section 455)

Section 455. The amount of \$82,325,000, or so much thereof as may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Illinois Criminal Justice Information Authority for administrative costs and grants to the following named entities for purposes allowed by Section 9901 of the American Rescue Plan Act of 2021 and any associated federal guidance. The combined cost of grants and administrative expenses associated with each grant shall equal the approximate amounts below:

For a grant to Puerto Rican Cultural Center.....	\$2,000,000
For a grant to North River Commission.....	\$500,000
For a grant to Kedzie Center.....	\$250,000
For a grant to Concordia Place.....	\$200,000
For a grant to ASPIRA.....	\$350,000
For a grant to Israel's Gifts of Hope.....	\$25,000
For a grant to Communities United.....	\$500,000
For a grant to Association House.....	\$200,000
For a grant to Alternative Schools Network.....	\$1,075,000
For a grant to Envision Community Services.....	\$300,000
For a grant to Brighton Park Neighborhood Council.....	\$750,000
For a grant to Enlace Chicago.....	\$750,000
For a grant to Enlace Chicago.....	\$2,000,000
For a grant to New Life Community Centers.....	\$1,000,000
For a grant to Chicago Youth Boxing Club.....	\$300,000
For a grant to Telpochcalli Community Education Project.....	\$200,000
For a grant to Beyond the Ball.....	\$250,000
For a grant to Un Nuevo Despertar.....	\$200,000
For a grant to Central State SER.....	\$300,000
For a grant to Peace and Education Coalition.....	\$300,000
For a grant to La Casa Norte.....	\$250,000
For a grant to West Chicago Elementary SD 33.....	\$50,000
For a grant to Back of the Yards Neighborhood Council.....	\$250,000
For a grant to Southwest Organizing Project.....	\$350,000
For a grant to Gads Hill Center.....	\$250,000
For a grant to Pilsen Neighbors Community Council.....	\$200,000
For a grant to Union League Boys & Girls Club.....	\$250,000
For a grant to True Value Boys & Girls Club.....	\$250,000
For a grant to Rauner Family YMCA of Metro Chicago.....	\$250,000
For a grant to Corazon Community Services.....	\$250,000
For a grant to Youth Crossroads.....	\$250,000
For a grant to Boys Club of Cicero.....	\$250,000
For a grant to Institute for Community.....	\$250,000
For a grant to Fairmont Community Partnership Group Inc.....	\$250,000
For a grant to Spanish Community Center.....	\$250,000
For a grant to Southwest Suburban Immigrant Project.....	\$250,000
For a grant to Alive Center.....	\$50,000

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For a grant to Simply Destinee.....	\$50,000
For a grant to East Aurora SD 131.....	\$1,000,000
For a grant to Elgin SD U46.....	\$50,000
For a grant to Kane County State's Attorney's Office.....	\$150,000
For a grant to The City of Aurora.....	\$200,000
For a grant to Rincon Family Services.....	\$750,000
For a grant to ALSO.....	\$750,000
For a grant to Laureus Sport for Good Foundation USA.....	\$5,000,000
For a grant to Arthur Johnson Foundation.....	\$200,000
For a grant to House of Miles, East St Louis.....	\$400,000
For a grant to Inner Ear Youth Orchestra.....	\$400,000
For a grant to Quad City Community Development....	\$400,000
For a grant to Community Concepts.....	\$200,000
For a grant to Impact Church St Louis.....	\$400,000
For a grant to Cahokia Unit School District 187...	\$600,000
For a grant to East St. Louis School District.....	\$600,000
For a grant to Madison CUSD#12.....	\$500,000
For a grant to Village of Fairmont City.....	\$300,000
For a grant to St. Sabina Church.....	\$1,500,000
For a grant to Black Fire Brigade.....	\$1,000,000
For a grant to Target Area Development.....	\$500,000
For a grant to A Knock at Midnight.....	\$350,000
For a grant to Black Star Project.....	\$500,000
For a grant to Judah Production Consulting NFP....	\$350,000
For a grant to East St. Louis School District.....	\$600,000
For a grant to Wiz Kid.....	\$500,000
For a grant to House of James.....	\$500,000
For a grant to After the Game In.....	\$1,000,000
For a grant to Acclivus.....	\$500,000
For a grant to Positive Moves NFP.....	\$500,000
For a grant to The Poor People Campaign Inc.....	\$500,000
For a grant to Organizing Leaders.....	\$500,000
For a grant to Ada S. Mckinley Community Services.....	\$4,000,000
For a grant to Black Lives Matter Lake County.....	\$300,000
For a grant to City of North Chicago.....	\$600,000
For a grant to Soaring Eagle Community Development Corporation.....	\$200,000
For a grant to Legacy Reentry Foundation.....	\$300,000
For a grant to City of Waukegan.....	\$500,000
For a grant to Lake County State's Attorney Violence Interruption Program.....	\$500,000
For a grant to B.A.M. 4 the Mind.....	\$400,000
For a grant to F.O.C.U.S.....	\$400,000
For a grant to Guitars Over Guns.....	\$400,000
For a grant to Antmound Foundation.....	\$400,000
For a grant to Trinity United Church of Christ...	\$1,000,000
For a grant to Reach Community Development Corporation.....	\$1,000,000
For a grant to Roseland Ceasefire Project.....	\$1,000,000
For a grant to Grand Champions NFP.....	\$500,000
For a grant to Muay Thai Self Defense Academy (Hudson Academy Foundation).....	\$1,000,000
For a grant to Community Assistance Programs....	\$1,500,000

For a grant to Angel's Helping Hands Creative Spirits CDC.....	\$1,000,000
For a grant to West Cook County Youth Club.....	\$500,000
For a grant to Tender Care Early Learning Center...\$500,000	
For a grant to DLD For Youth.....	\$300,000
For a grant to Changing Oasis.....	\$300,000
For a grant to Westside Health Authority.....	\$300,000
For a grant to Ebenezer Community Outreach.....	\$500,000
For a grant to Village of Maywood Park District... \$250,000	
For a grant to Black Men United.....	\$300,000
For a grant to Save The Hampton House.....	\$250,000
For a grant to Fathers Who Care.....	\$500,000
For a grant to Bethal New Life.....	\$300,000
For a grant to Dreamchasers United.....	\$250,000
For a grant to Jehovah Jireh 1.....	\$250,000
For a grant to Just Want To Be Heard.....	\$250,000
For a grant to Habilitative Systems Inc.....	\$250,000
For a grant to Ezra Community Development Corp... \$500,000	
For a grant to Friday Night Place (NFP).....	\$250,000
For a grant to SD 89 Education Foundation.....	\$250,000
For a grant to People Made Visible.....	\$25,000
For a grant to Breakthrough Urban Ministry.....	\$500,000
For a grant to Oak Park Youth.....	\$250,000
For a grant to Claretian Associates.....	\$1,000,000
For a grant to Neighborhood Network Association.....	\$1,000,000
For a grant to Good Kids Maad City.....	\$1,000,000
For a grant to Brightstar.....	\$1,500,000
For a grant to Moms on a Mission.....	\$1,000,000
For a grant to Howard Area Community Center.....	\$500,000
For a grant to Becoming A Man.....	\$500,000
For a grant to Trilogy.....	\$250,000
For a grant to Center on Halsted.....	\$250,000
For a grant to Alternatives.....	\$250,000
For a grant to Girl Forward.....	\$250,000
For a grant to Ex-cons for Community & Social Change.....	\$500,000
For a grant to Circles and Ciphers.....	\$500,000
For a grant to Chicago Therapy Collective.....	\$500,000
For a grant to ONE Northside.....	\$500,000
For a grant to South Central Community Service... \$750,000	
For a grant to Project Syncere.....	\$250,000
For a grant to South Shore Drill Team.....	\$100,000
For a grant to Artist Life.....	\$100,000
For a grant to Target Area Network.....	\$200,000
For a grant to True to Life Foundation.....	\$200,000
For a grant to Global Girls.....	\$100,000
For a grant to Kids off the Block.....	\$100,000
For a grant to Imani Works.....	\$200,000
For a grant to Chatham Business Association.....	\$1,000,000
For a grant to Black Community Provider Network... \$1,000,000	
For a grant to Northwest Side Housing Center.....	\$250,000
For a grant to Mu Delta Lambda Charitable Foundation.....	\$50,000
For a grant to The Ink Spot.....	\$500,000
For a grant to Mrs. K's Community Center.....	\$250,000

For a grant to Springfield Memorial Hospital.....	\$400,000
For a grant to EnRich Programs.....	\$400,000
For a grant to Skywalker Outreach Services.....	\$300,000
For a grant to Shemilah Outreach Center.....	\$300,000
For a grant to Youth with a Positive Direction... \$200,000	
For a grant to One in a Million.....	\$200,000
For a grant to Route History Institute.....	\$400,000
For a grant to The Outlet, Inc.....	\$200,000
For a grant to J Morris Enterprise.....	\$150,000
For a grant to Phi Beta Sigma Fraternity Inc.....	\$150,000
For a grant to Springfield SD #186.....	\$100,000
For a grant to Better Life Better Living for Kidz... \$75,000	
For a grant to Springfield Urban League.....	\$475,000
For a grant to City of Springfield.....	\$300,000
For a grant to Family Cares AFC Mission.....	\$4,000,000
For a grant to Boys and Girls Club of Elgin, Inc. \$1,000,000	
For a grant to Boys and Girls of Dundee Township.. \$500,000	

(P.A. 102-0698 Article 138, Section 1210, new)

Section 1210. The sum of \$1,500,000, or so much thereof may be necessary, is appropriated from the State Coronavirus Urgent Remediation Emergency Fund to the Illinois State Board of Education for a grant to Virtual Learning Systems for costs associated with expenses to provide social studies curriculum to include African American history chapters to all schools statewide, for purposes permitted by Section 9901 of the American Rescue Plan Act of 2021 and related federal guidance.

ARTICLE 13

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding Section 87 to Article 79 as follows:

(P.A. 102-0698, Article 79, Section 87 new)

Sec. 87. The sum of \$500,000 or so much thereof as may be necessary to the Illinois State Police from the State Police Firearm Services Fund to provide logistical and administrative assistance to the Firearm Owner's Identification Card Review Board.

ARTICLE 14

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 30 and 35 of Article 48 as follows:

(P.A. 102-0698, Article 48, Section 30)

Sec. 30. The following named amounts, or so much thereof as may be necessary, are appropriated to the Court of Claims for payment of claims as follows:

For claims under the Crime Victims

Compensation Act:

Payable from General Revenue Fund... \$17,000,000 ~~7,000,000~~

For claims other than Crime Victims:

Payable from the General Revenue Fund..... 16,000,000

Total..... \$33,000,000 ~~23,000,000~~

(P.A. 102-0698, Article 48, Section 35)

Sec. 35. The following named sums, or so much thereof as may be necessary, respectively, are appropriated Court of Claims for payment of claims as follows:

For Claims under the Crime Victims

Compensation Act:

Payable from the Road Fund..... \$500,000

Payable from the DCFS Children's Services Fund.....	2,500,000	<u>3,500,000</u>
Payable from the Facilities Management Revolving Fund.....		<u>2,000,000</u>
Total.....	\$5,000,000	<u>\$6,000,000</u>

ARTICLE 15

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 40, 115, 130, 170 and 190 of Article 94 as follows:

(P.A. 102-0698, Article 94, Section 40)

Sec. 40. The following named amounts, or so much thereof as may be necessary, are appropriated from the Electric Vehicle Rebate Fund to the Environmental Protection Agency for the purpose of administering the Electric Vehicle Rebate Program and the Ethanol Fuel Research Program:

For Personal Services and Other Expenses.....		225,000
For Grants and Rebates, including costs in prior years.....	20,500,000	<u>18,500,000</u>
Total.....	\$20,725,000	<u>8,725,000</u>

(P.A. 102-0698, Article 94, Section 115)

Sec. 115. The sum of \$3,200,000, or so much thereof as may be necessary, is appropriated from the Drycleaner Environmental Response Trust Fund to the Environmental Protection Agency for use in accordance with the Drycleaner Environmental Response Trust Fund Act, including prior year costs.

(P.A. 102-0698, Article 94, Section 130)

Sec 130. The following named sums, or so much thereof as may be necessary, are appropriated to the Environmental Protection Agency for use in accordance with Section 22.2 of the Environmental Protection Act:

Payable from the Hazardous Waste Fund:
For all expenses related to Hazardous Waste

Remediation, <u>including prior year costs</u>		17,430,000
For Refunds.....		50,000
Total.....		\$17,480,000

(P.A. 102-0698, Article 94, Section 170)

Sec. 170. The sum of \$6,400,300, or so much thereof as may be necessary, is appropriated from the Federal Energy Fund to the Environmental Protection Agency for costs associated with State Energy Programs as authorized by Title I of Division D ~~of the of the~~ in Section 40109 of the Infrastructure and Investment and Jobs Act (IIJA), in accordance with Section 242 of the Energy Policy Act of 2005.

(P.A. 102-0698, Article 94, Section 190)

Sec. 190. The following named amounts, or so much thereof as may be necessary, respectively, for objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Environmental Protection Agency for:

BUREAU OF WATER

Payable from U.S. Environmental Protection Fund:

For all expenses related to non-point source pollution management and special water pollution studies and other environmental projects as defined by federal assistance awards including costs in prioryears.....		8,950,000
For Use by the Department of Public Health.....		830,000

For Expenses Related to federal Grants and awards, including prior year costs.....	13,468,100
For Water Quality Planning, including costs in prior years.....	900,000
For Use by	
The Department of Agriculture.....	160,000
Total.....	\$24,308,100

ARTICLE 16

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 30 and adding Section 45 to Article 109 as follows:

(P.A. 102-0698, Article 109, Section 30)

Sec. 30. The amount of \$10,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Law Enforcement Training Standards Board for deposit into the Law Enforcement Recruitment and Retention Fund for grants and administrative expenses to hire or retain law enforcement officers pursuant to Public Act 102-755. ~~a law enforcement officer retention pilot program.~~

(P.A. 102-0698, Article 109, Section 45 new)

Sec. 45. The amount of \$10,000,000 or so much thereof as may be necessary, is appropriated from the Law Enforcement Recruitment and Retention Fund to the Law Enforcement Training Standards Board for grants and administrative expenses to hire or retain law enforcement officers pursuant to Public Act 102-755.

ARTICLE 17

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 10 and 90 of Article 114 as follows:

(P.A. 102-0698, Article 114, Section 10)

Sec. 10. The following amounts, or so much thereof as may be necessary, which shall be used by the Illinois State Board of Education exclusively for the foregoing purposes and not, under any circumstances, for personal services expenditures or other operational or administrative costs, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2022:

From the General Revenue Fund:

For a grant to Learning

 Ally for services for Blind/Dyslexic Persons..... 846,000

For Disabled Student Transportation

Reimbursement..... 415,719,300

For Disabled Student Tuition,

 Private Tuition,

 including prior year costs..... 182,900,000

For District Consolidation Costs/

 Supplemental Payments to School Districts..... 191,000

For a grant to Illinois

 State University for Autism Training & Technical

Assistance..... 100,000

For the Philip J. Rock Center and School..... 3,777,800

For Reimbursement for the Free Breakfast/

 Lunch Program..... 9,000,000

For Tax-Equivalent Grants, 18-4.4..... 275,000

For Transportation-Regular/Vocational

 Common School Transportation

 Reimbursement, 29-5 of the School Code..... 0

For a grant to Chicago Lighthouse

for Visually Impaired/Educational Materials Coordinating Unit, 14-11.01 of the School Code.....	1,421,100
For Regular Education Reimbursement Per 18-3 of the School Code, including prior year costs.....	9,900,000
For Special Education Reimbursement Per 14-7.03 of the School Code, including prior year costs.....	107,019,800
For all costs associated with Alternative Education/Regional Safe Schools.....	6,300,000
For Truants' Alternative and Optional Education Program.....	11,500,000
For a grant to Teach for America for the Teach for America Program.....	1,000,000
For Agriculture Education Programs.....	7,050,000
For Career and Technical Education.....	43,062,100
For a grant to Illinois State University for its National Board Resource Center for National Board Certified Teachers.....	1,500,000
From the Education Assistance Fund: For Transportation-Regular/Vocational Common School Transportation Reimbursement, 29-5 of the School Code.....	305,000,000
For Disabled Student Tuition, Private Tuition, including prior year costs.....	0
For Disabled Student Transportation Reimbursement.....	0

(P.A. 102-0698, Article 114, Section 90.)

The amount of \$4,400,000 ~~\$5,500,000~~, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for a grant to Peoria Public School District 150 for fine arts and other related programs.

ARTICLE 18

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 55 of Article 123 as follows:

(P.A. 102-0698, Article 123, Section 55)

Sec. 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Office of the State Fire Marshal, as follows:

GRANTS

Payable from the Fire Prevention Fund:

For Chicago Fire Department Training Program.....	3,418,200
For payment to local governmental agencies or individuals that which participate in the State Training Programs.....	<u>1,450,000</u>
Total.....	<u>\$4,868,200</u>

ARTICLE 19

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding Section 25 to Article 42 as follows:

(P.A. 102-0698, Article 42, Section 25, new)

Sec. 25. The amount of \$10,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Appellate Defender for all costs associated with pretrial release pursuant to 725 ILCS 5/110-2.

ARTICLE 20

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding Section 1 to Article 43 as follows:

(P.A. 102-0698, Article 43, Section 1, new)

Sec. 1. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated to the Office of the State's Attorneys Appellate Prosecutor for the objects and purposes hereinafter named to meet its ordinary and contingent expenses for the fiscal year ending June 30, 2023:

Payable from the General Revenue Fund:

For Personal Services:

Collective Bargaining Unit.....	\$5,537,300
Administrative Unit.....	\$1,578,800

For State Contribution to the State Employees' Retirement System Pick Up:

Collective Bargaining Unit.....	\$221,500
Administrative Unit.....	\$63,200

For State Contribution to Social Security:

Collective Bargaining Unit.....	\$423,600
Administrative Unit.....	\$120,800

For Contractual Services:

General Contractual Services.....	\$138,000
Tax Objection Casework:.....	\$3,500

For Rental of Real Property:..... \$168,100

For Travel:

General Travel.....	\$8,800
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For Commodities:

General Commodities.....	\$12,000
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For Printing:..... \$5,000

For Equipment:

General Equipment.....	\$4,000
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For Electronic Data Processing:..... \$2,000

For Telecommunications:..... \$24,300

For Operation of Auto:

General Operation of Auto.....	\$25,000
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For Continuing Legal Education:..... \$4,600

For Expenses Pursuant to P.A. 84-1340, which

requires the Office of the State's Attorneys Appellate Prosecutor to conduct training

programs for Illinois State's Attorneys, Assistant State's Attorneys and Law Enforcement

Officers on techniques and methods of eliminating or reducing the trauma of

testifying in criminal proceedings for children who serve as witnesses in such

proceedings; and other authorized criminal justice training programs:.....

\$67,100

For Appropriation to the State's Attorneys

Appellate Prosecutor for a grant to the Cook County State's Attorney for expenses

incurred in filing appeals in Cook

County.....	\$3,400,000
<u>For all costs associated with pretrial</u>	
<u>Release pursuant to</u>	
<u>725 ILCS 5/110-2.....</u>	<u>\$10,000,000</u>
General Revenue Total:.....	<u>\$21,807,600</u> 11,807,600

ARTICLE 21

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding Sections 50 and 55 to Article 38 as follows:

(P.A. 102-0698, Article 38, Section 50 new)

Sec. 50. The sum of \$10,000,000 or so much thereof as maybe necessary, is appropriated from the General Revenue Fund to the Supreme Court for deposit into the Public Defender Fund.

(P.A. 102-0698, Article 38, Section 55 new)

Sec. 55. The sum of \$10,000,000, or so much thereof as may be necessary, is appropriated from the Public Defender Fund to the Supreme Court to establish and administer a grant program for counties with a population of 3,000,000 or less for the purpose of training and hiring attorneys on contract to assist the county public defender in pretrial detention hearings.

ARTICLE 22

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 15 of Article 36 as follows:

(P.A. 102-0698, Article 36, Section 15)

Sec. 15. The sum of \$1,819,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Architect of the Capitol to meet its ordinary and contingent expenses ~~operational expenses~~ for the fiscal year ending June 30, 2023.

(P.A. 102-0698, Article 36, Section 16)

Section 16. The sum of \$500,000, or so much there of as may be necessary, is appropriated from the Build Illinois Bond Fund to the Architect of the Capitol for costs associated with the acquisition, placement, and maintenance of the statue of the Reverend Dr. Martin Luther King Jr.

ARTICLE 23

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding Section 140 of Article 124 as follows:

(P.A. 102-0698, Article 124, Section 140 new)

Sec. 140. The sum of \$2,340,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for administrative costs and grants to the following named universities for purposes of administering the Mental Health Early Action on Campus Act, in the approximate amounts below:

<u>For Chicago State University.....</u>	<u>64,633</u>
<u>For Eastern Illinois University.....</u>	<u>135,143</u>
<u>For Governors State University.....</u>	<u>112,362</u>
<u>For Illinois State University.....</u>	<u>165,017</u>
<u>For Northeastern Illinois University.....</u>	<u>140,369</u>
<u>For Northern Illinois University.....</u>	<u>118,606</u>
<u>For Southern Illinois University – Edwardsville.....</u>	<u>94,916</u>
<u>For Southern Illinois University – Carbondale.....</u>	<u>164,565</u>
<u>For Southern Illinois University – School of</u>	
<u>Medicine.....</u>	<u>7,623</u>

For University of Illinois – Chicago.....	360,619
For University of Illinois – Springfield.....	29,831
For University of Illinois – Urbana-Champaign.....	379,876
For Western Illinois University.....	123,300
For Technical Assistance Center.....	443,140
Total.....	\$2,340,000

Article 23.5

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding Section 85 of Article 85 as follows:

Section 85. The sum of \$7,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Revenue for costs associated with property tax replacement pursuant to the Veterans Property Tax Relief Reimbursement Pilot Program.

ARTICLE 24

Section 1. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding Section 130 of Article 134 as follows:

(P.A. 102-0698, Article 134, Section 130 new)

Sec. 130. The sum of \$6,660,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for administrative costs and grants to the following named community colleges purposes of administering the Mental Health Early Action on Campus Act, in the approximate amounts below:

For Black Hawk College.....	97,307
For Carl Sandburg College.....	126,281
For College of DuPage.....	76,755
For College of Lake County.....	641,304
For Danville Area Community College.....	18,581
For Elgin Community College.....	190,839
For Harold Washington College.....	151,905
For Harry S. Truman College.....	240,197
For Heartland Community College.....	166,303
For Highland Community College.....	94,560
For Illinois Central College.....	624,334
For Illinois Eastern Community Colleges.....	196,630
For Illinois Valley Community College.....	39,007
For John A. Logan College.....	93,532
For John Wood Community College.....	11,199
For Joliet Junior College.....	206,568
For Kankakee Community College.....	44,040
For Kaskaskia College.....	111,672
For Kennedy-King College.....	111,378
For Kishwaukee College.....	53,687
For Lake Land College.....	142,186
For Lewis & Clark Community College.....	90,387
For Lincoln Land Community College.....	69,205
For Malcolm X College.....	331,413
For McHenry County College.....	106,954
For Moraine Valley Community College.....	102,760
For Morton College.....	30,405
For Oakton Community College.....	39,950
For Olive-Harvey College.....	185,302
For Parkland College.....	234,879

For Prairie State College.....	49,073
For Rend Lake College.....	39,563
For Richard J. Daley College.....	373,190
For Richland Community College.....	75,497
For Rock Valley College.....	70,439
For Sauk Valley Community College.....	93,742
For Shawnee Community College.....	38,797
For South Suburban College.....	174,062
For Southeastern Illinois College.....	30,560
For Southwestern Illinois College.....	177,837
For Spoon River College.....	71,512
For Triton College.....	206,400
For Waubesa Community College.....	41,943
For Wilbur Wright College.....	396,546
For William Rainey Harper College.....	191,318
Total.....	\$6,660,000

Article 24.5

Section 5. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 90 of Article 82 as follows:

Section 90. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Veterans' Affairs for ~~all~~ costs associated with dental ~~grants~~ care for veterans in the five state-run veterans' homes.

ARTICLE 25

Section 5. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 2175 and 2305 of Article 144 as follows:

(P.A. 102-0698, Article 144, Section 2175)

Sec. 2175. ~~The sum of \$4,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 137, Section 2175 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for home renovation grants. The sum of \$4,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of East St. Louis for home renovation grants.~~

(P.A. 102-0698, Article 144, Section 2305)

Sec. 2305. The sum of \$10,000,000, or so much thereof as may be necessary, is appropriated from the Rebuild Illinois Projects Fund to the Department of Commerce and Economic Opportunity for grants to the Jackie Joyner-Kersey Foundation for costs associated with the expansion of the Jackie Joyner- Kersey community center in East Saint Louis.

Section 10. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 120 of Article 149 as follows:

(P.A. 102-0698, Article 149, Section 120)

Sec. 120. ~~The sum of \$2,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2022, from the reappropriation heretofore made in Article 143, Section 115 of Public Act 102-0017, as amended, is reappropriated from the Road Fund to the Department of Transportation for costs associated with Phase I and Phase II of the 44th Street Project in Mt. Vernon. The sum of \$2,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the~~

Department of Transportation for costs associated with Phase I and Phase II of the 44th Street Project in Mt. Vernon, including prior incurred costs.

Section 15. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 5535 of Article 177 as follows:

(P.A. 102-0698, Article 177, Section 5535)

Sec. 5535. The sum of \$112,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 160, Section 5535 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for sidewalks and lighting in the 9th Ward. The sum of \$112,500, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for sidewalks and lighting in the 6th Ward.

Section 20. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 730, 2070, 4781, 5000, 5560, 5890, and 6720 of Article 178 as follows:

(P.A. 102-0698, Article 178, Section 730)

Sec. 730. The sum of \$350,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 161, Section 730 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Urbana Park District for costs associated with Crystal Lake shoreline rehabilitation. The sum of \$350,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Urbana Park District for costs associated with Crystal Lake shoreline rehabilitation and/or other infrastructure improvements, including all prior incurred costs.

(P.A. 102-0698, Article 178, Section 2070)

Sec. 2070. The sum of \$22,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 161, Section 2070 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Vernon Area Public Library for costs associated with capital improvements. The sum of \$22,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Vernon Area Public Library District for costs associated with capital improvements, including all prior incurred costs.

(P.A. 102-0698, Article 178, Section 4781)

Sec. 4781. The sum of \$300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 161, Section 4781 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elgin Math and Science Academy for costs associated with sewer upgrades. The sum of \$300,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Elgin Charter School Initiative dba Elgin Charter and Science Academy for costs associated with sewer upgrades, including all prior incurred costs.

(P.A. 102-0698, Article 178, Section 5560)

Sec. 5560. The sum of \$1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 161, Section 5560 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago Public School District #299 for costs associated with gymnasium improvements at Hansberry College Prep. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to

the Department of Commerce and Economic Opportunity for a grant to the Noble Network of Charter Schools for costs associated with gymnasium improvements at Hansberry College Prep.

(P.A. 102-0698, Article 178, Section 5890)

Sec. 5890. The sum of \$185,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 161, Section 5890 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Channahon Park District for costs associated with the construction of a restroom facility at Arroyo Trails Park. The sum of \$185,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Channahon Park District for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 178, Section 6720)

Sec. 6720. The sum of \$1,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 161, Section 6720 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with parking lot improvements at Leone Park. The sum of \$1,500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with fieldhouse improvements at Leone Park.

Section 25. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 12, 450, 2871, 2980, 3070, 4350, 4670 6180, 7410, 8080, and repealing Sections 360, 4340, 6860, and 8283 of Article 178 as follows:

(P.A. 102-0698, Article 178, Section 12)

Sec. 12. The \$1,189,860, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 161, Section 12 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for costs associated with the reconstruction of Bluff Road in the jurisdiction of DuPage Township. The sum of \$1,189,860, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to DuPage Township for costs associated with the reconstruction of Bluff Road in the jurisdiction of DuPage Township.

(P.A. 102-0698, Article 178, Section 450)

Sec. 450. The sum of \$150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 161, Section 450 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Robbins for costs associated with capital improvements. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Robbins for costs associated with capital improvements.

(P.A. 102-0698, Article 178, Section 2871)

Sec. 2871. The sum of \$150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 161, Section 2871 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Saint Mikes for costs associated with Security improvements. The sum of \$150,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St. Michael's School in Orland Park for costs associated with Security improvements.

(P.A. 102-0698, Article 178, Section 2980)

[January 10, 2023]

Sec. 2980. The sum of \$150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 161, Section 2980 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Kellogg CPS for costs associated with Capital Improvements. The sum of \$155,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with capital improvements to Kellogg School.

(P.A. 102-0698, Article 178, Section 3070)

Sec. 3070. The sum of \$100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 161, Section 3070 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the McKiernan Park for costs associated with Capital Improvements. The sum of \$100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for capital improvements at McKiernan Park.

(P.A. 102-0698, Article 178, Section 4350)

Sec. 4350. The sum of \$70,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 161, Section 4350 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin African American Business Networking Association for costs associated with capital improvements. The sum of \$400,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Food Prenuer Shared Kitchen for capital improvements.

(P.A. 102-0698, Article 178, Section 4670, new)

Section 4670. The sum of \$900,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 161, Section 4670 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Jesus Name Apostolic Church for costs associated with capital improvements. The sum of \$900,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Jesus Name Apostolic Church for costs associated with capital improvements including prior incurred cost.

(P.A. 102-0698, Article 178, Section 5000)

Sec. 5000. The sum of \$150,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 161, Section 5000 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the NEBC Employment Services for costs associated with capital improvements as it relates to workforce development. The sum of \$50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Neighborhood Empowerments for Better Communities Employment Services for costs associated with capital improvements as it relates to workforce development.

(P.A. 102-0698, Article 178, Section 6180)

Sec. 6180. The sum of \$120,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 161, Section 6180 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Love Park for costs associated with Infrastructure improvements. The sum of \$120,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Loves Park for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 178, Section 7410)

Sec. 7410. The sum of \$550,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 161, Section 7410 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Little Village Community Foundation for costs associated with capital improvements for Xquina Café. The sum of \$885,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Little Village Community Foundation for costs associated with capital improvements for Xquina Café.

(P.A. 102-0698, Article 178, Section 8080)

Sec. 8080. The sum of \$100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 161, Section 8080 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Old Town Neighborhood Foundation for costs associated with capital improvements at Orleans Park. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with capital improvements to Oz Park.

(P.A. 102-0698, Article 178, Section 360, rep.)

Section 30. Section 360 of Article 178 of Public Act 102-0698, approved April 19, 2022, is repealed.

(P.A. 102-0698, Article 178, Section 4340, rep.)

Section 35. Section 4340 of Article 178 of Public Act 102-0698, approved April 19, 2022, is repealed.

(P.A. 102-0698, Article 178, Section 6860, rep.)

Section 40. Section 6860 of Article 178 of Public Act 102-0698, approved April 19, 2022, is repealed.

(P.A. 102-0698, Article 178, Section 8283, rep.)

Section 45. Section 8283 of Article 178 of Public Act 102-0698, approved April 19, 2022, is repealed.

Section 50. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 50 and 160 and adding Sections 51, 52, 615, 620 and 625, of Article 179 as follows:

(P.A. 102-0698, Article 179, Section 50)

Section 50. The sum of \$11,000,000, or so much thereof as may be necessary, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of East St. Louis for costs associated with the construction of a trauma recovery center. ~~The sum of \$15,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 162, Section 50 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of East St. Louis for costs associated with the construction of a trauma recovery center.~~

(P.A. 102-0698, Article 179, Section 51, New)

Section 51. The sum of \$2,000,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Impact Church STL in Cahokia Heights for costs associated with property acquisition and building renovations.

(P.A. 102-0698, Article 179, Section 52, New)

Section 52. The sum of \$2,000,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Power of

Change Christian Center in Cahokia Heights for costs associated with property acquisition and building renovations.

(P.A. 102-0698, Article 179, Section 160)

Sec. 160. Section 160. The sum of \$1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 162, Section 160 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Common Pantry for costs associated with building acquisition. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Common Pantry for costs associated with building acquisition and/or renovations, including all prior incurred costs.

(P.A. 102-0698, Article 179, Section 615, New)

Section 615. The sum of \$12,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Bellwood for capital improvements as it relates to the Downtown St. Charles Road Project.

(P.A. 102-0698, Article 179, Section 620, New)

Section 620. The sum of \$500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Hope Academy for building renovations.

(P.A. 102-0698, Article 179, Section 625, New)

Section 625. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Muthusami Paravel Foundation for tornado damage remediation.

Section 55. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 90, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 135, 136, 137, 292, 296, 575, and 580, and adding Sections 118 and 119 of Article 179 as follows:

(P.A. 102-0698, Article 179, Section 90)

Sec. 90. The sum of \$20,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 162, Section 90 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Woodlawn for costs associated with the Workforce Development Community Family Center project. The sum of \$30,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Woodlawn Central for planning and feasibility of a community center.

(P.A. 102-0698, Article 179, Section 120)

Sec. 120. The sum of \$27,400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 120 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago and the Village of River Forest, and the Village of Elmwood Park for costs associated with North Avenue streetscape and business development. The sum of \$27,400,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with North Avenue streetscape and business development.

(P.A. 102-0698, Article 179, Section 121)

Sec. 121. The sum of \$600,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162,

Section 121 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Madison Street Theater for costs associated with build out capital improvements. The sum of \$200,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Madison Street Theater for costs associated with build out capital improvements.

(P.A. 102-0698, Article 179, Section 122)

Sec. 122. The sum of \$21,400,000 or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 122 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with North Avenue streetscape and business development. The sum of \$21,400,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to River Forest, Melrose Park, River Grove, Oak Park, and Elmwood Park for costs associated with North Avenue streetscape and business development.

(P.A. 102-0698, Article 179, Section 123)

Sec. 123. The sum of \$21,400,000 or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 123 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago Urban Smoke Cafe for costs associated with building improvements. The sum of \$600,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with building improvements and mixed use facility construction and/or acquisition.

(P.A. 102-0698, Article 179, Section 124)

Sec. 124. The sum of \$1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 124 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin Family Center/ YMCA for costs associated with capital improvements. The sum of \$140,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin Community Family Center for costs associated with capital improvements.

(P.A. 102-0698, Article 179, Section 125)

Sec. 125. The sum of \$20,250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 125 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin African American Business Network Association for costs associated with land acquisition and capital improvements. The sum of \$18,700,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Austin African American Business Network Association for costs associated with land acquisition and capital improvements.

(P.A. 102-0698, Article 179, Section 126)

Sec. 126. The sum of \$1,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 126 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with building renovations at 2748 N Lincoln Ave, Chicago, IL 60614. The sum of \$1,500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with building renovations in the Soul City Corridor on Chicago Avenue.

(P.A. 102-0698, Article 179, Section 127)

Sec. 127. The sum of \$1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 127 of Public Act 102-0017, as amended, is reappropriated from the from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with the development of a mixed use facility at 957 W Chicago Ave, Chicago, IL 60651. The sum of \$800,000, or so much thereof as may be necessary, is appropriated from the from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with the development of a mixed use facility at 5957 W Chicago Avenue.

(P.A. 102-0698, Article 179, Section 128)

Sec. 128. The sum of \$5,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 128 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Soul City Community Market for costs associated with building improvements and other capital improvements. The sum of \$5,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Westside Health Authority for costs associated with building improvements and other capital improvements.

(P.A. 102-0698, Article 179, Section 129)

Sec. 129. The sum of \$1,250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 129 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Community Resolution Solution for costs associated with mixed use facility construction and acquisition. The sum of \$1,250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Chicago for costs associated with mixed use facility construction and/or acquisition in the Soul City Corridor on Chicago Avenue.

(P.A. 102-0698, Article 179, Section 135)

Sec. 135. The sum \$2,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 161, Section 135 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kenwood High School for costs associated with drainage improvements. The sum \$2,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with drainage improvements at Kenwood High School.

(P.A. 102-0698, Article 179, Section 136)

Sec. 136. The sum \$5,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article ~~162~~ 161, Section 136 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with King High School capital improvements.

(P.A. 102-0698, Article 179, Section 137)

Sec. 137. The sum \$7,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article ~~162~~ 161, Section 137 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with land development for Price School for the development of an athletic field and additional capital improvements.

(P.A. 102-0698, Article 179, Section 292)

Section 292. The sum of \$5,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 292 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for costs associated with the shoreline restoration from 67th to 73rd Street. The sum of \$5,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Department of Transportation for costs associated with the shoreline restoration from 67th to 73rd Place.

(P.A. 102-0698, Article 179, Section 296)

Sec. 296. The sum of \$35,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 296 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Lane Tech High School for costs associated with capital improvements. The sum of \$35,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Board of Education for costs associated with capital improvements at Lane Tech College Prep High School.

(P.A. 102-0698, Article 179, Section 575)

Sec. 575. The sum of \$500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 575 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hoffman Estates for costs associated with implementation of green infrastructure improvements and storm water improvements at Chino Park and the Children's Advocacy Center. The sum of \$650,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hoffman Estates for costs associated with implementation of green infrastructure improvements and storm water improvements at Chino Park and the Children's Advocacy Center.

(P.A. 102-0698, Article 179, Section 580)

Sec. 580. The sum of \$500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 162, Section 580 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Alexius Medical Center for costs associated with emergency department improvements. The sum of \$3,500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Alexius Medical Center for costs associated with emergency department improvements.

(P.A. 102-0698, Article 179, Section 118, new)

Sec. 118. The sum of \$1,500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Jackson Action Coalition for costs associated with a mixed use facility construction and/or acquisition at 5849-51 West Chicago Avenue.

(P.A. 102-0698, Article 179, Section 119, new)

Sec. 119. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Single Room Housing Assistance Corporation for costs associated with capital improvements.

Section 60. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 235, 1015, 1150, 2650, and 3375 of Article 181 as follows:

[January 10, 2023]

(P.A. 102-0698, Article 181, Section 235)

Sec. 235. The sum of \$400,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 164, Section 235 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Hoopeston for sewer and/or general infrastructure improvements. The sum of \$400,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Hoopeston for sewer and/or general infrastructure improvements, including all prior incurred costs.

(P.A. 102-0698, Article 181, Section 1015)

Sec. 1015. The sum of \$25,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 164, Section 1015 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Francis High School in Wheaton for parking lot improvements and/or other general infrastructure improvements. The sum of \$25,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the St. Francis High School in Wheaton for parking lot improvements and/or other general infrastructure improvements, including all prior incurred costs.

(P.A. 102-0698, Article 181, Section 1150)

Sec. 1150. The sum of \$50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 164, Section 1150 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wheaton Sanitary District for sewer infrastructure improvements. The sum of \$50,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Wheaton Sanitary District for sewer infrastructure improvements, including all prior incurred costs.

(P.A. 102-0698, Article 181, Section 2650)

Sec. 2650. The sum of \$100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 164, Section 2650 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Herrin for general infrastructure improvements. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Herrin for general infrastructure improvements, including all prior incurred costs.

(P.A. 102-0698, Article 181, Section 3375)

Sec. 3375. The sum of \$250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 164, Section 3375 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Aurora for the construction of a sound barrier. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Aurora for the construction of a sound barrier, including all prior incurred costs.

Section 65. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 1806 of Article 144 as follows:

(P.A. 102-0698, Article 144, Section 1806)

Sec. 1806. The sum of \$ 4,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 137, Section 1806 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for capital improvements at parks as approximated below: Douglas Park (\$1,000,000); Thebes Park (\$1,000,000); Garfield Park/Golden Dome (\$1,000,000); Altgeld Park/Special Olympics (\$1,000,000). The sum of \$ 4,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District for capital improvements at parks as approximated below: Douglas Park (\$1,000,000); Thebes Park (\$1,000,000); Garfield Park/Conservatory (\$1,000,000); Altgeld Park/Special Olympics (\$1,000,000).

Section 70. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 560, 1095, 2177, 4190, 5210 and 5525 of Article 184 as follows:

(P.A. 102-0698, Article 184, Section 560)

Sec. 560. The sum of \$500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 167, Section 560 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rantoul for costs associated with construction of a capital improvements. The sum of \$500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Rantoul for costs associated with capital improvements.

(P.A. 102-0698, Article 184, Section 1095)

Sec. 1095. The sum of \$524,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 167, Section 1095 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Granite City for costs associated with storm water improvements. The sum of \$524,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Granite City for costs associated with storm water improvements, including all prior incurred costs.

(P.A. 102-0698, Article 184, Section 2177)

Sec. 2177. The sum of \$27,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 167, Section 2177 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to House in Austin for costs associated with infrastructure improvement. The sum of \$27,500, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to A House in Austin, Inc. for costs associated with infrastructure improvement, including all prior incurred costs.

(P.A. 102-0698, Article 184, Section 2320)

Section 2320. The sum of \$300,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 167, Section 2320 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the LAS Holdings LLC for costs associated with capital improvements. The sum of \$300,000, or so much thereof as may be necessary, appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Posen for costs associated with capital improvements.

(P.A. 102-0698, Article 184, Section 4190)

Sec. 4190. The sum of \$500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 167, Section 4190 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to

the Department of Commerce and Economic Opportunity for a grant to Misericordia for costs associated with the purchase of a new building and general infrastructure upgrades. The sum of \$500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Misericordia Home for costs associated with the purchase of a building and/or land, and/or for general infrastructure upgrades, including all prior incurred costs.

(P.A. 102-0698, Article 184, Section 5210)

Sec. 5210. The sum of \$250,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2021, from an appropriation heretofore made for such purpose in Article 40, Section 5210 of Public Act 101-0638, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Enlace Chicago for costs associated with the purchase of a building and construction of a new community center in Little Village neighborhood of Chicago. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Enlace Chicago for costs associated with the purchase of a building and construction of, and/or renovations to or for, a new community center in the Little Village neighborhood of Chicago.

(P.A. 102-0698, Article 184, Section 5525)

Sec. 5525. The sum of \$550,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 167, Section 5525 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for costs associated with a grant to WINGS Program, Inc. in Chicago for the reimbursements of construction costs. The sum of \$550,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for costs associated with a grant to WINGS Program, Inc. for the reimbursements of construction costs, including all prior incurred costs.

Section 75. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 70 of Article 186 as follows:

(P.A. 102-0698, Article 186, Section 70)

Sec. 70. The sum of \$5,125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 169, Section 70 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Thornton Township for costs associated with infrastructure improvements. The sum of \$5,125,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Thornton Township for costs associated with infrastructure improvements, including all prior incurred costs.

Section 80. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Sections 1585, 1990, 2030, 3120, and 3210 of Article 182 as follows:

(P.A. 102-0698, Article 182, Section 1585)

Sec. 1585. The sum of \$500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 165, Section 1585 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Aurora for all costs associated with the installation of sound barriers for Orchard Road. The sum of \$500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Aurora for all costs associated with the installation of sound barriers for Orchard Road, including all prior incurred costs.

(P.A. 102-0698, Article 182, Section 1990)

Sec. 1990. The sum of \$180,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 165, Section 1990 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Spring Grove for all costs associated with infrastructure improvements including, but not limited to, parking and sidewalk upgrades. The sum of \$180,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Spring Grove for all costs associated with infrastructure improvements including, but not limited to, parking and sidewalk upgrades, including all prior incurred costs.

(P.A. 102-0698, Article 182, Section 2030)

Sec. 2030. The sum of \$300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 165, Section 2030 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Prairie Grove for all costs associated with infrastructure improvements including, but not limited to, improvements and reconstruction of Ames Road. The sum of \$300,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Prairie Grove for all costs associated with infrastructure improvements including, but not limited to, improvements and reconstruction of Ames Road and/or Tamarack Trail.

(P.A. 102-0698, Article 182, Section 3120)

Sec. 3120. The sum of \$75,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 165, Section 3120 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willow Springs for all costs associated with infrastructure improvements. The sum of \$75,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Willow Springs for all costs associated with infrastructure improvements, including all prior incurred costs.

(P.A. 102-0698, Article 182, Section 3210)

Sec. 3210. The sum of \$291,900, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 165, Section 3210 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Jacksonville for all costs associated with a road project on East State Street. The sum of \$291,900, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the City of Jacksonville for all costs associated with a road project on East State Street, including all prior incurred costs.

ARTICLE 26

Section 2. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by changing Section 20 of Article 151 as follows:

(P.A. 102-0698, Article 151, Section 20)

Sec. 20. The sum of ~~\$2,000,000~~ \$7,000,000, or so much thereof as may be necessary, is appropriated from the Water Revolving Fund to the Environmental Protection Agency for grants to units of local government for costs associated with lead service line replacement inventories and technical assistance for Water Revolving Fund application.

ARTICLE 27

[January 10, 2023]

Section 1. "An ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding Sections 426, 1601, 2107, 2108, 2109, 2111, 2112, 2114, 2116, 2117, 2118, 2119, 2347 and 2348, 2350 and changing Sections 1272, 1273, 1649, 1653, 1656, 1871 and 1928, and repealing Section 425, and 1789 of Article 144 as follows:

(P.A. 102-0698, Article 144, Section 426, new)

Section 426. The sum of \$2,500,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Niles for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 144, Section 1601, new)

Sec. 1601. The sum of \$1,200,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to The National Public Housing Museum in Chicago for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 144, Section 1871)

Section 1871. The sum of \$2,000,000, or so much thereof as may be necessary, is appropriated from the ~~Build Illinois Bond Fund~~ Rebuild Illinois Projects Fund to the Department of Commerce and Economic Opportunity for costs associated with a grant to the Chicago Police Memorial Foundation for costs associated with the infrastructure improvement and purchase of equipment, including vehicles.

(P.A. 102-0698 Article 144, Section 2107, new)

Sec. 2107. The sum of \$1,500,000, is appropriated from the Rebuild Illinois Projects Fund to the Department of Commerce and Economic Opportunity for a grant to The Growing Season for costs associated with the planning, acquisition, and construction of The Aux Evanston, and other capital improvements.

(P.A. 102-0698 Article 144, Section 2108, new)

Sec. 2108. The sum of \$4,000,000, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the YWCA of the Quad Cities for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 144, Section 2109, new)

Sec. 2109. The sum of \$500,000, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Association for Individual Development for costs associated with the purchase of, and/or renovations to, one or more facilities that house programs and services or individuals with developmental disabilities and/or mental health challenges.

(P.A. 102-0698, Article 144, Section 2111, new)

Sec. 2111. The sum of \$1,500,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Urban Transformation Network for costs associated with the purchase of a building and/or land, and/or for general infrastructure upgrades, including all prior costs.

(P.A. 102-0698, Article 144, Section 2112, new)

Sec. 2112. The sum of \$3,000,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Housing Forward for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 144, Section 2114, new)

Sec. 2114. The sum of \$300,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Food for Greater Elgin for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 144, Section 2116, new)

Sec. 2116. The sum of \$500,000, is appropriated from the Rebuild Illinois Projects Fund to the Department of Commerce and Economic Opportunity for a grant to AID in Elgin for costs associated with the renovation of a building and other capital improvements.

(P.A. 102-0698, Article 144, Section 2117, new)

Sec. 2117. The sum of \$1,450,000, is appropriated from the Rebuild Illinois Projects Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Maywood for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 144, Section 2118, new)

Sec. 2118. The sum of \$2,000,000, is appropriated from the Rebuild Illinois Projects Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Public School District #299 for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 144, Section 2119, new)

Sec. 2119. The sum of \$1,550,000, is appropriated from the Rebuild Illinois Projects Fund to the Department of Commerce and Economic Opportunity for a grants to local governments, school districts and community based providers for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 144, Section 2347, new)

Sec. 2347. The sum of \$549,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Hartford for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 144, Section 2348, new)

Sec. 2348. The sum of \$8,800,000 or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Metropolitan Pier and Exposition Authority for costs associated with infrastructure improvements at the Hyatt Regency McCormick Place.

(P.A. 102-0698, Article 144, Section 2350, New)

Section 2350. The sum of \$2,600,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Greenville College for construction of an engineering facility.

(P.A. 102-0698, Article 144, Section 2355, New)

Section 2355. The sum of \$5,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Journeymen Apprenticeship Training Fund for the purchase of a building and/or infrastructure improvements.

(P.A. 102-0698, Article 144, Section 1272)

Sec. 1272. The sum of ~~\$1,000,000~~ \$400,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 137, Section 1272 of Public Act 102-0017, as a mended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Park District and DuSable Park Advisory Council for costs associated with the creation of a Jean Baptiste Point DuSable full body statue.

(P.A. 102-0698, Article 144, Section 1273)

Sec. 1273. The sum of ~~\$1,000,000~~ \$400,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 137, Section 1273 of Public Act 102-0017, as a mended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Harold Washington Legacy Committee for costs associated with the creation of Harold Washington full body statue to be erected at the Illinois State capitol building.

(P.A. 102-0698, Article 144, Section 1649)

Sec. 1649. The sum of \$500,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 137, Section 1649 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to God First Church and Ministries for costs associated with capital improvements. The sum of \$1,500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to God First Church and Ministries for costs associated with capital improvements.

(P.A. 102-0698, Article 144, Section 1653)

Sec. 1653. The sum of \$500,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 137, Section 1653 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to IMAN Chicago for costs associated with capital improvements. The sum of \$500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Inner City Muslim Action Network for costs associated with capital improvements.

(P.A. 102-0698, Article 144, Section 1656)

Sec. 1656. The sum of \$1,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 137, Section 1656 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the African International House and Ministries for costs associated with capital improvements. The sum of \$1,500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the African International House and Ministries for costs associated with capital improvements.

(P.A. 102-0698, Article 144, Section 1928)

Section. 1928 The sum of \$500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 137, Section ~~1928~~ 1928 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond fund to the Department of Commerce and Economic Opportunity for a grant to Tender Care Early Learning Center for costs associated with capital improvements.

(P.A. 102-0698, Article 144, Section 425, rep.)

Section 5. Section 425 of Article 144 of Public Act 102-0698, approved April 19, 2022, is repealed.

(P.A. 102-0698, Article 144, Section 1789, rep.)

Section 5. Section 1789 of Article 144 of Public Act 102-0698, approved April 19, 2022, is repealed.

ARTICLE 28

Section 1. "An ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding Sections 326 and 327 and changing Sections 345 and 370 and repealing Section 325 of Article 186 as follows:

(P.A. 102-0698, Article 186, Section 326, new)

Section 326. The sum of \$2,000,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Skokie for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 186, Section 327, new)

Section 327. The sum of \$2,100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Morton Grove for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 186, Section 345)

Sec. 345. The sum of \$4,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 169, Section 345 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Chicago Federation of Labor for costs associated with construction of a new facility. The sum of \$4,500,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to HIRE 360 for costs associated with a building purchase and other capital improvements.

(P.A. 102-0698, Article 186, Section 370)

Sec. 370. The sum of \$2,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 169, Section 370 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant the United Way of Metropolitan Chicago for costs associated with capital improvements. The sum of \$2,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to HIRE 360 for costs associated with purchase of land and other capital improvements.

(P.A. 102-0698, Article 186, Section 325, rep.)

Section 5. Section 325 of Article 186 of Public Act 102-0698, approved April 19, 2022, is repealed.

ARTICLE 29

Section 1. "An ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding Sections 391, 3721, 3726, 3727, 3728, 3729, 3731, 3732, 3733, 5626, 5645, 5556, 5557, 5558 and 5650 and changing Sections 230, 3620, 3720, 5555 and 5560, and repealing Sections 390, 3700, and 4195 of Article 184 as follows:

(P.A. 102-0698, Article 184, Section 230)

Section 230. The sum of \$125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 167, Section 230 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Fund to the Department of Commerce and Economic Opportunity for a grant to the Christian Activity Center for costs associated with restoration of the Old East St Louis Library. The sum of \$125,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Urban Reimagined Inc for costs associated with restoration of the Old East St Louis Library.

(P.A. 102-0698, Article 184, Section 2395)

Section 2395. The sum of \$100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 167, Section 2395 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Forum Bronzeville for costs associated with infrastructure improvements. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Senses to Soul for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 184, Section 391, new)

Section 391. The sum of \$2,450,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Mt. Sinai Development Corporation for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 184, Section 3721, new)

Sec. 3721. The sum of \$40,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Logan Square Preservation for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 184, Section 3726, new)

Sec. 3726. The sum of \$300,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Casa Puertorriquena for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 184, Section 3727, new)

Sec. 3727. The sum of \$40,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Bickerdike Redevelopment Corporation for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 184, Section 3728, new)

Sec. 3728. The sum of \$45,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Kimball Brown Line Station for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 184, Section 3729, new)

Sec. 3729. The sum of \$300,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Foreman High School for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 184, Section 3731, new)

Sec. 3731. The sum of \$100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Barry Elementary for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 184, Section 3732, new)

Sec. 3732. The sum of \$100,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Chicago Park District for costs associated with infrastructure improvements to Haas Park.

(P.A. 102-0698, Article 184, Section 3733, new)

Sec. 3733. The sum of \$25,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Haugan Elementary School for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 184, Section 5626, new)

Sec. 5626. The sum of \$75,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to St Martin's Episcopal Church for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 184, Section 5645, new)

Section 5645. The sum of \$200,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Village of Machesney Park for costs associated with capital improvements.

(P.A. 102-0698, Article 184, Section 5650, new)

Section 5650. The sum of \$250,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Rockford Park District for costs associated with capital improvements.

(P.A. 102-0698, Article 184, Section 3620)

Sec. 3620. The sum of ~~\$400,000~~ \$50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 167, Section 3620 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Logan Square Neighborhood Association for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 184, Section 3720)

Sec. 3720. The sum of \$300,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from an appropriation heretofore made for such purpose in Article 167, Section 3720 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Milwaukee Health Center Humboldt Park Health for costs associated with infrastructure improvements.

(P.A. 102-0698, Article 184, Section 5555)

Section 5555. ~~The sum of \$50,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 167, Section 5555 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for costs associated with a grant to the American Legion Dormna Dunn Post 547 for costs associated with renovations and repairs. The sum of \$150,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for costs associated with a grant to the American Legion Dormna-Dunn Post 547 for costs associated with renovations and repairs.~~

(P.A. 102-0698, Article 184, Section 5556)

Section 5556. The sum of \$200,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for costs associated with a grant to the Donny Marquez Foundation for infrastructure improvements.

(P.A. 102-0698, Article 184, Section 5557)

Section 5557. The sum of \$50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for costs associated with a grant to the VFW Post 5079 for infrastructure improvements.

(P.A. 102-0698, Article 184, Section 5558)

Section 5558. The sum of \$50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for costs associated with a grant to the American Legion Post 1017 for infrastructure improvements.

(P.A. 102-0698, Article 184, Section 5560)

Section 5560. ~~The sum of \$100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2022, from a reappropriation heretofore made for such purpose in Article 167, Section 5560 of Public Act 102-0017, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for costs associated with a grant to Casa Michoacana in Chicago for costs associated with renovations and repairs. The sum of \$50,000, or so much thereof as may be necessary is appropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for costs associated with a grant to the American Legion Cicero Post #0096 for infrastructure improvements.~~

(P.A. 102-0698, Article 184, Section 390, rep.)

Section. 5. Section 390 of Article 184 of Public Act 102-0698, approved April 19, 2022, is repealed.

(P.A. 102-0698, Article 184, Section 3700, rep.)

Section. 10. Section 3700 of Article 184 of Public Act 102-0698, approved April 19, 2022, is repealed.

(P.A. 102-0698, Article 184, Section 4195, rep.)

Section. 15. Section 4195 of Article 184 of Public Act 102-0698, approved April 19, 2022, is repealed.

Article 30

Section 1. "An ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended repealing Sections 3765, 3768, and 4715 of Article 185 as follows:

(P.A. 102-0698, Article 185, Section 3765, rep.)

Section. 5. Section 3765 of Article 185 of Public Act 102-0698, approved April 19, 2022, is repealed.

(P.A. 102-0698, Article 185, Section 3768, rep.)

Section. 10. Section 3768 of Article 185 of Public Act 102-0698, approved April 19, 2022, is repealed.

(P.A. 102-0698, Article 185, Section 4715, rep.)

Section. 15. Section 4715 of Article 185 of Public Act 102-0698, approved April 19, 2022, is repealed.

Section 20. "AN ACT concerning appropriations", Public Act 102-0698, approved April 19, 2022, is amended by adding Section 1 to a new Article 998 as follows:

(P.A. 102-0698, Article 998, new, Section 1, new)

ARTICLE 998

Sec. 1. Appropriations authorized in Articles 144, 177, 178, 179, 184, 185, 186, 188 and 189 may be used for costs incurred in prior years.

Article 999

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Sims offered the following amendment and moved its adoption:

AMENDMENT NO. 5 TO HOUSE BILL 969

AMENDMENT NO. 5. Amend House Bill 969, AS AMENDED, on page 41 of HB 969 Amendment No. 4 by replacing line 21 with the following "550, 560, 565, 570, 580, 585, 590, 595, 600, and 605" and Adding on Page 67 immediately after line 4 of HB 969 Amendment No. 4 the following "(P.A. 102-0698, Article 69, Section 605 new)"

Section 600. The sum of \$12,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for grants and administrative expenses associated with payments to organizations providing community-based services for persons with developmental disabilities and for intermediate care facilities for the developmentally disabled and alternative community programs for worker recruitment and retention, including but not limited to bonuses, for front-line personnel, including, but not limited to, direct support persons, aides, front-line supervisors, qualified intellectual disabilities professionals, nurses, and non-administrative support staff."

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 Sims, as chief co-sponsor pursuant to Senate Rule 5-1(b)(i), **House Bill No. 969** 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 30; NAYS 21; Present 1.

The following voted in the affirmative:

Aquino	Gillespie	Landek	Tharp
Castro	Hall	Lightford	Van Pelt
Cervantes	Harris	Mattson	Villa
Collins	Holmes	Morrison	Villanueva
Cunningham	Hunter	Pacione-Zayas	Villivalam
Ellman	Johnson	Pappas	Mr. President
Feigenholtz	Jones, E.	Peters	
Fine	Koehler	Sims	

The following voted in the negative:

Anderson	Fowler	McConchie	Turner, D.
Bailey	Glowiak Hilton	Rezin	Turner, S.
Barickman	Joyce	Rose	Wilcox
Bryant	Loughran Cappel	Stoller	
Curran	Martwick	Syverson	
DeWitte	McClure	Tracy	

The following voted present:

Bennett

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.

PRESENTATION OF RESOLUTIONS

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

SENATE RESOLUTION NO. 1387

WHEREAS, Senator Jason Barickman has represented the residents of central Illinois with distinction in the General Assembly for nearly 12 years; and

WHEREAS, Sen. Barickman has served with honor in the Senate since January 2013 and in the House of Representatives from January 2011 to December 2012; and

[January 10, 2023]

WHEREAS, Sen. Barickman has striven to be an independent voice in favor of limited and responsible governance for our State and has demonstrated that there is space for independent and thoughtful representation in our increasingly polarized political climate; and

WHEREAS, Sen. Barickman was selected to participate in the inaugural class of the 2012 Edgar Fellows Leadership Program, which works to help future leaders bridge bipartisan divides and work together, and he continues to be active in that program; and

WHEREAS, Sen. Barickman has played an important role in bringing historic changes to the State of Illinois, as he has worked to make the State of Illinois a better place; and

WHEREAS, Sen. Barickman has been a leader of education reform initiatives, including legislation providing school choice to families struggling to escape failing districts, and he played an instrumental role in fixing the education funding disparities across the State, ensuring that all children, regardless of their zip code, have access to a high-quality education; and

WHEREAS, Sen. Barickman embraced a pro-growth mindset and supported initiatives that fostered new economic opportunities in Illinois, including his negotiation of legislation that legalized adult-use cannabis, publicly stating that adult use of cannabis is largely a personal choice; he has regularly been honored for his work in the Illinois General Assembly from agriculture and business groups; and

WHEREAS, Sen. Barickman championed the notion that government should give individuals freedom over their life decisions and fairness under the law; in supporting Marriage Equality, he said it was simply the right thing to do; and

WHEREAS, Sen. Barickman sought to engage our youth in the political process and created the Senator Barickman Youth Advisory Council, in which hundreds of central Illinois high school students participated and were encouraged to be active and engaged citizens; the program has been expanded throughout the State; and

WHEREAS, As the Floor Leader for the Senate Republican Caucus, Sen. Barickman has been able to serve as an important voice for his Republican colleagues on numerous important and controversial bills; and

WHEREAS, Sen. Barickman has embraced the notion of a citizen legislator, continuously maintaining his professional endeavors outside of the General Assembly, including as a partner in a real estate company and as an attorney, as well as an occasional adjunct college professor at his alma matter, Illinois State University; and

WHEREAS, Sen. Barickman was born on May 1, 1975 and raised on a family farm near Streator; he is the son of Jim and Judy Barickman and brother to Joel Barickman; and

WHEREAS, Sen. Barickman is a proud veteran and served as an infantry soldier in the Illinois Army National Guard; and

WHEREAS, Sen. Barickman and his wife, Kristin, have three young children, August who is eleven years old, Walter who is ten years old, and Lianna who is five years old; and

WHEREAS, In his tenure as a lawmaker, Sen. Barickman has been able to serve with distinction; and

WHEREAS, Lawmakers and legislative staff alike know and appreciate Sen. Barickman for his commitment to the people of Illinois and to good public policy; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Senator Jason Barickman on his retirement from the Illinois General Assembly after more than a decade of honorable and dedicated service; and be it further

[January 10, 2023]

RESOLVED, That a suitable copy of this resolution be presented to Sen. Barickman with our friendship, our gratitude for his hard work, and our best wishes for his future endeavors.

Senator Harmon offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 1388

WHEREAS, Residents of the 16th District and across Illinois are among the many beneficiaries of Senator Jacqueline Y. Collins' 20 years of service in the Illinois Senate; and

WHEREAS, Sen. Collins was born in McComb, Mississippi and moved to the South Side neighborhood of Englewood when she was a child; and

WHEREAS, Sen. Collins majored in Journalism at Northwestern University, is a graduate of Harvard's John F. Kennedy School of Government and Harvard Divinity School, and earned her Juris Doctor from Loyola University Chicago School of Law; and

WHEREAS, Sen. Collins is a proud member of The Faith Community of Saint Sabina Church; and

WHEREAS, A former journalist and Emmy award-nominated editor at CBS, Sen. Collins has used her experience to support a progressive agenda to create economic and social welfare policies that reduce inequality, expand opportunity, and strengthen communities; and

WHEREAS, Sen. Collins' major legislative accomplishments include making Illinois the first in the Midwest to ban "ghost guns", the historic Predatory Loan Prevention Act, the Illinois Community Reinvestment Act, the Mortgage Rescue Fraud Act, the landmark Sudan Divestment Act, and the 2005 Payday Loan Reform Act; and

WHEREAS, Sen. Collins served as chair of the Senate Criminal Law Committee and served on the Senate Financial Institutions and Transportation Committees; and

WHEREAS, Sen. Collins has served in leadership positions for the Illinois Senate Democratic Caucus since 2017 as Majority Caucus Whip, Deputy Majority Caucus Chair, and finally as Assistant Majority Leader; and

WHEREAS, Sen. Collins is retiring her seat in the Illinois Senate after nearly 20 years of public service but will continue to be an active advocate on behalf of her community; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we thank Senator Jacqueline Y. Collins for her service and devotion to her community and the people of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Sen. Collins as a symbol of our gratitude and respect.

Senator Harmon offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 1389

WHEREAS, Students, families, and seniors in the 56th Senate District are among the many fortunate beneficiaries of State Senator Rachele Crowe's years of service in the Illinois Senate; and

WHEREAS, Sen. Crowe demonstrated a profound interest in helping young people seize available opportunities and reach their full potential through education and hard work; and

WHEREAS, Because Sen. Crowe wholeheartedly believes law enforcement officers deserve the utmost respect for protecting our communities, she partnered with police groups to advance laws to support them and their families; and

WHEREAS, Sen. Crowe passed laws to fund bikeway, road, and bridge projects as well as vertical infrastructure throughout the Metro East, including a plan to renovate Lewis and Clark Community College's Main Complex to permit operations to continue safely at the 1890 facility; and

WHEREAS, Using her experience as a violent crimes prosecutor, Sen. Crowe has been a champion for victims, crime survivors, and their families by advancing numerous laws to strengthen protections, enhance penalties, secure justice, and reduce the DNA backlog; and

WHEREAS, As an advocate for education, Sen. Crowe supported initiatives to raise teacher salaries, address the teacher shortage, and increase the tax credit for educators who purchase school supplies for their classrooms; and

WHEREAS, When the COVID-19 pandemic interrupted the daily lives of her constituency, Sen. Crowe worked to connect families with unemployment benefits, to offer support to school districts to implement e-learning, to uplift health care workers and other frontline employees; and

WHEREAS, Sen. Crowe helped secure millions of dollars to support small business owners, employees, and operations following closures due to the COVID-19 pandemic; and

WHEREAS, As a friend to veterans, Sen. Crowe hosted breakfast events, organized card drives, advocated for automatic property tax relief, and worked to provide resources to support happy, healthy lives after service; and

WHEREAS, Sen. Crowe led the state effort to strengthen protections for seniors, to deny inheritance to abusers, and to update practices through her work as chair of the Elder Abuse Task Force; and

WHEREAS, With strong family roots in the trades, Sen. Crowe voted against local right-to-work laws, toured several facilities, partnered with the aviation repair industry to save jobs, and advocated for use of Illinois-made products such as steel; and

WHEREAS, Because Sen. Crowe believes education and workforce training programs should be within reach for all, she advanced laws to create scholarship opportunities, to support adult literacy programs, and more; and

WHEREAS, Sen. Crowe believes that literacy is a fundamental skill and that creativity aids in innovative development, so she partnered with local libraries to host an annual summer book club event and other art contests for students throughout the district; and

WHEREAS, To provide resources for the Metro East community, Sen. Crowe organized food, clothing, and toy drives, hosted meal giveaways, provided shred equipment, and coordinated blood drives in honor of local first responders; and

WHEREAS, Sen. Crowe is a champion for women's health and supported monumental changes so that life-saving procedures would be covered by state insurance companies; and

WHEREAS, To improve outcomes for youth, Sen. Crowe passed laws to support mothers who need donated breast milk for their sick infants and also worked with a constituent to require insurance companies to provide heart and lung monitors for children; and

WHEREAS, Sen. Crowe was the first woman in Illinois history to lead the Senate Judiciary Committee as chair; and

WHEREAS, Sen. Crowe bids farewell to the Illinois Senate after three years of service to the 56th Senate District and the people of Illinois, during which she established a reputation as a knowledgeable, pragmatic, and committed public servant; and

WHEREAS, Sen. Crowe's public service began when she was an assistant state's attorney in the Madison County State's Attorney's Office; and

WHEREAS, Sen. Crowe's family has roots in the Illinois Metro East, and they instilled in her a deep respect and appreciation for teachers, education, and hard work; and

WHEREAS, Sen. Crowe was confirmed by the United States Senate to serve as the U.S. Attorney for the Southern District of Illinois; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we thank Senator Rachele Crowe for her dedicated service to the people of Illinois and her significant contributions to the State; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Sen. Crowe as a symbol of our gratitude with our best wishes for her future endeavors.

Senator Koehler offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 1390

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that a Committee of three members of the Senate be appointed, two members to be appointed by the President and one member to be appointed by the Minority Leader, to approve the final Journals of the Senate of the One Hundred Second General Assembly where such journals have not, prior to the adjournment sine die, been approved by the body as a whole.

At the hour of 5:58 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 6:05 o'clock p.m., the Senate resumed consideration of business.
Senator Koehler, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its January 10, 2023 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Resolutions Numbered 1387, 1388, 1389 and 1390

The foregoing resolutions were placed on the Senate Calendar.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Harmon moved that **Senate Resolution No. 1389**, on the Secretary's Desk, be taken up for immediate consideration.

[January 10, 2023]

The motion prevailed.
 Senator Harmon moved that Senate Resolution No. 1389 be adopted.
 The motion prevailed.
 And the resolution was adopted.

Senator Harmon moved that **Senate Resolution No. 1388**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.
 Senator Harmon moved that Senate Resolution No. 1388 be adopted.
 The motion prevailed.
 And the resolution was adopted.

LEGISLATIVE MEASURE 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 1563

MESSAGE FROM THE HOUSE

A message from the House by
 Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2951

A bill for AN ACT concerning revenue.

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. 3 to SENATE BILL NO. 2951

Passed the House, as amended, January 10, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 3 TO SENATE BILL 2951

AMENDMENT NO. 3 . Amend Senate Bill 2951 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Invest in Illinois Act.

Section 5. Purpose. The General Assembly finds that the State must encourage and promote the retention and expansion of existing businesses and industry within the State and recruit and attract new businesses and industry to the State by providing businesses with ready access to the capital and incentives needed to stimulate economic activity and create new jobs.

Section 10. Definitions. As used in this Act:

"Agreement" means an agreement between an applicant and the Department under Section 30 of this Act.

"Applicant" means a taxpayer that operates or plans to operate an eligible business in the State.

"Business" means a sole proprietorship, partnership, corporation, or limited liability company.

"Capital improvement" means (i) the purchase, renovation, rehabilitation, or construction, at an approved project site in the State, of land, buildings, structures, equipment, or furnishings and (ii) goods or services that are normally capitalized, including organizational costs and research and development costs incurred in Illinois. "Capital improvement" does not include land, buildings, structures, and equipment that are leased, unless the term of the lease equals or exceeds the term of the agreement. For land, buildings, structures, and equipment that are leased and are considered capital improvements, the cost of the property

shall be determined from the present value of the lease payments, using the corporate interest rate prevailing at the time of the application.

"Capital investment" means the expenditure of money for capital improvements.

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of Commerce and Economic Opportunity.

"Eligible business" means a business that is engaged in manufacturing, processing, assembling, warehousing, or distributing products, conducting research and development, providing tourism services, or providing commercial services in office industries or agricultural processing. "Eligible business" does not include a retailer or a provider of health services or professional services.

"Full-time employee" means an individual who is employed for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment. Annually scheduled periods for inventory or repairs, vacations, holidays, and paid time for sick leave, vacation, or other leave shall be included in this computation of full-time employment. An individual for whom a W-2 is issued by a Professional Employer Organization is a full-time employee if employed in the service of the applicant for consideration for at least 35 hours each week.

"Project" means for-profit economic development activity or activities at a single site. For-profit economic development activity or activities of one or more taxpayers at multiple sites may be considered a project if the economic activities are vertically integrated and designated by the Department as a project and as the subject of an agreement that includes capital improvement requirements and job creation requirements and, if applicable, job retention requirements for the project location or locations. The employees subject to the agreement must be assigned to a specific project location and work there as their primary location.

"Qualified investment" means investment in this State related to a project subject to an agreement under this Act.

"Taxpayer" means a business that is subject to any tax or fee collected by the Department of Revenue or that will be subject to any tax or fee collected by the Department of Revenue upon the location of the business in the State.

Section 15. Eligibility.

(a) The Department may make non-competitive economic incentive awards, including, but not limited to, grants and loans, to assist applicants that pledge to make capital investments and create new jobs in this State or retain jobs in this State.

(b) To qualify for economic incentives under this Act, an applicant must:

(1) be in good standing under the laws of this State and the laws of all other states where the applicant was formed or is organized; and

(2) owe no delinquent taxes to the State.

(c) The Department may not award economic incentives to an applicant that (i) closes operations at one location in the State or reduces those operations by more than 50% and (ii) relocates substantially the same operations to another location in the State. This prohibition does not apply if (i) the applicant moves its operations from one location in the State to another location in the State for the purpose of expanding its operations in the State and (ii) the Department determines that expansion could not reasonably be accommodated within the municipality or county where the business was located prior to the relocation. In making its determination, the Department shall confer with the chief executive officer of the municipality or county where the business was located prior to the relocation and take into consideration any evidence offered by the municipality or county regarding its ability to accommodate expansion within the municipality or county.

(d) Notwithstanding subsection (c), the Department shall not award economic incentives to a professional sports organization that moves its operations from one location in the State to another location in the State.

(e) Nothing in this Act will diminish or remove diversity, equity, inclusion, or jobs goals and commitments in other State Programs related to any development project supported by this Act.

Section 20. Application. An applicant seeking an economic incentive under this Act shall submit a detailed application to the Department. The application must, at a minimum, contain the following information:

(1) the location of the project;

- (2) the amount of the capital investment the applicant will make in the project;
- (3) the number of new jobs that will be created as a result of the project;
- (4) the number of jobs retained by an existing applicant; and
- (5) the average salary of the jobs to be created or retained.

Section 25. Review of application. The Department shall determine which projects will benefit the State and are eligible to receive an economic incentive under this Act. In making this determination, the Department may consider:

- (1) the number of jobs to be created by the applicant;
- (2) the number of jobs to be retained by the applicant;
- (3) the average salary of jobs created by the applicant;
- (4) the average salary of jobs retained by the applicant;
- (5) the total capital investment to be made by the applicant;
- (6) the likelihood of other businesses locating within the same vicinity or within the State as a result of the business activity to be conducted by the applicant receiving the economic incentive;
- (7) the impact on the economy of the area or community where the project is located; and
- (8) any other factors the Department determines to be relevant to accomplish the purposes of this Act.

Section 30. Agreement.

(a) Upon approval of an application under this Act, the Department shall enter into an agreement with the applicant that shall include, at a minimum, the following:

- (1) a detailed description of the project that is the subject of the agreement, as well as the performance conditions, including the required amount of capital investment and the number of jobs required to be created or retained;
- (2) the performance conditions that must be met to obtain the award, including, but not limited to, the number of new jobs created, the average salary, and the total capital investment;
- (3) the schedule of payments;
- (4) a requirement that the applicant maintain operations at the project location for a minimum number of years;
- (5) a specific method for determining the number of new employees and, if applicable, the number of retained employees, to be employed during each taxable year covered by the agreement;
- (6) a requirement that the taxpayer annually report to the Department the number of new employees and any other information the Department deems necessary and appropriate to perform its duties under this Act;
- (7) a detailed description of the number of new employees to be hired and the occupation and payroll of full-time jobs to be created or retained because of the project;
- (8) the minimum capital investment the taxpayer will make, the time period for placing the property in service, and the designated location in Illinois for the capital investment;
- (9) a requirement that the taxpayer provide written notice to the Director and the Director's designee not more than 30 days after the taxpayer determines that the minimum job creation, job retention, employment payroll, or capital investment is no longer or will no longer be achieved or maintained as required in the agreement and include in that notice the number of layoffs, the date of the layoffs, and the taxpayer's efforts to provide career and training counseling to the impacted workers with industry-related certifications and trainings;
- (10) a claw-back provision to recapture incentive amounts for failure to meet the provisions contained in the agreement; and
- (11) a provision that the agreement shall not take effect, nor may any funds be expended or transferred under the agreement, if the Department fails to comply with the notification requirements under Section 32 or if the Speaker of the House of Representatives or the Senate President (or their designees, if applicable) submit a letter of rejection under Section 32.

(b) Subject to the provisions of Section 32, the Department may issue the incentive to the applicant within the time period the Department deems appropriate in order to ensure that the applicant achieves the performance conditions set forth in the agreement.

Section 32. General Assembly notification. The Department shall notify the President of the Senate, or his or her designee, and the Speaker of the House of Representatives, or his or her designee, when awards for the purposes of this Act are nearing final negotiation with an applicant. The notification shall include the prospective amount of the award and other relevant information related to the application. The President of the Senate and the Speaker of the House, or their designees, if applicable, shall certify that they have been notified of the planned awards and that they do not object. If there is no objection certified from the President of the Senate and the Speaker of the House, the Department may enter into an agreement under this Act for the award amount contained in the notification. If the Department enters into an agreement under this Act for an award in an amount that is different than the amount contained in the notification, it shall deliver a copy of the agreement to both the Speaker of the House of Representatives, or his or her designee, and the Senate President, or his or her designee, within 2 days after the agreement is executed. Notwithstanding any other provision of this Act, an agreement entered into under this Act shall not take effect, nor may any funds be expended or transferred under that agreement, if the Speaker of the House of Representatives and the Senate President, or their designees, if applicable, submit a letter to the Department noting an objection to the agreement in writing within 2 days after the notification is delivered to the Speaker of the House of Representatives and the Senate President, or their designees, if applicable.

Section 35. Penalties.

(a) If the applicant fails to comply with the performance conditions set forth in an agreement entered into under this Act, then the applicant may be required to repay some or all of the grant, loan, or other economic incentive awarded to the applicant, along with any applicable interest to the State at the agreed upon rate and on the agreed terms set forth in the agreement.

(b) The Department may also assess specified penalties for noncompliance against the applicant. Those penalties shall be contained in the Agreement.

(c) If the applicant fails to comply with the terms of an agreement, then the State may:

(1) obtain a lien or other interest in the capital improvements in proportion to the percentage of the incentive amount used to pay for those capital improvements; and

(2) require the recipient of the incentive, if the capital improvements are sold, to:

(A) repay to the State the funds used to pay for the capital improvement, with interest at the rate and according to the other terms provided by the agreement; and

(B) share with the State a proportionate amount of any profit realized from the sale.

Section 40. Powers of the Department. The Department, in addition to those powers granted under the Civil Administrative Code of Illinois, is granted and shall have all the powers necessary or convenient to administer the program established under this Act and to carry out and effectuate the purposes and provisions of this Act, including, but not limited to, the power and authority to:

(1) adopt emergency and permanent rules deemed necessary and appropriate for the administration of this Act;

(2) establish forms for applications, notifications, contracts, or any other agreements and accept applications at any time during the year;

(3) assist applicants pursuant to the provisions of this Act and cooperate with taxpayers that are parties to agreements under this Act to promote, foster, and support economic development, capital investment, and job creation and retention within the State;

(4) establish, negotiate, and effectuate agreements and other documents and terms with any person as necessary or appropriate to accomplish the purposes of this Act and to consent, subject to the provisions of an agreement with another party, to the modification or restructuring of any agreement to which the Department is a party;

(5) provide for sufficient personnel to permit administration, staffing, operation, and related support required to adequately discharge its duties and responsibilities described in this Act from funds made available through charges to applicants or from funds as may be appropriated by the General Assembly for the administration of this Act;

(6) take whatever actions are necessary or appropriate to protect the State's interest in the event of bankruptcy, default, foreclosure, or noncompliance with the terms and conditions of financial assistance or participation required under this Act, including the power to sell, dispose, lease, or rent, upon terms and conditions determined by the Director to be appropriate, real or personal property that the Department may receive as a result of these actions.

Section 45. Annual report. On or before July 1 of each year, the Department shall submit to the General Assembly and the Governor a report on the program established under this Act. The report shall include information on the number of agreements that were entered into under this Act during the preceding calendar year, a description of the project that is the subject of each agreement, an update on the status of projects under agreements entered into before the preceding calendar year, and the amount of funds awarded under this Act.

The report must include, for each agreement:

- (1) the number of new jobs to be created and, if applicable, the number of retained jobs;
- (2) any relevant modifications to existing agreements;
- (3) a statement of the progress made by each applicant in meeting the terms of the original agreement;
- (4) a statement of wages paid to full-time employees and, if applicable, retained employees in the State; and
- (5) a copy of the original agreement or a link to the agreement on the Department's website.

Section 50. Statutory exemptions. Awards of economic incentives made pursuant to this Act are exempt from the Corporate Accountability for Tax Expenditures Act, the Illinois Works Jobs Program Act, and Section 45 of the State Finance Act, and any rules adopted under those authorities. In addition, non-competitive awards of economic incentives made pursuant to this Act are exempt from the public notice of funding opportunity (NOFO), merit review, audit, and grant payment method provisions of the Grant Accountability and Transparency Act (GATA) and the corresponding GATA rules associated with NOFOs, merit reviews, audits, and grant payment methods.

Section 55. Vendor diversity report. Each applicant shall, no later than April 15 of each taxable year for which an agreement under this Act between the applicant and the Department is in effect, report on the diversity of the vendors used by the applicant. The report shall be published on the Department's website and shall include the following information:

- (1) a point of contact for potential vendors to register with the applicant's project;
- (2) certifications that the applicant accepts or recognizes for minority-owned businesses and women-owned businesses as entities;
- (3) the applicant's goals to contract with diverse vendors, if any, for the next fiscal year for the entire budget of the applicant's project;
- (4) for the last fiscal year, the actual contractual spending for the entire budget of the project and the actual spending for minority-owned businesses and women-owned businesses, expressed as a percentage of the total budget for actual spending for the project;
- (5) a narrative explaining the results of the report and the applicant's plan to address the voluntary goals for the next fiscal year; and
- (6) a copy of the applicant's submission of vendor diversity information to the federal government, including but not limited to vendor diversity goals and actual contractual spending for minority-owned businesses and women-owned businesses, if the applicant is a federal contractor and is required by the federal government to submit that information to the federal government.

Section 900. 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. To provide for the expeditious and timely implementation of the Invest in Illinois Act, emergency rules implementing the Invest in Illinois Act may be adopted in accordance with Section 5-45 by the Department of Commerce and Economic Opportunity. 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 102nd General Assembly.

Section 905. The Illinois Enterprise Zone Act is amended by changing Sections 4, 5.5, and 6 as follows:

(20 ILCS 655/4) (from Ch. 67 1/2, par. 604)

Sec. 4. Qualifications for enterprise zones.

(1) An area is qualified to become an enterprise zone which:

(a) is a contiguous area, provided that a zone area may exclude wholly surrounded territory within its boundaries;

(b) comprises a minimum of one-half square mile and not more than ~~14 1/2~~ square miles, or ~~20 1/2~~ square miles if the zone is located within the jurisdiction of 4 or more counties or municipalities, in total area, exclusive of lakes and waterways; however, in such cases where the enterprise zone is a joint effort of three or more units of government, or two or more units of government if situated in a township which is divided by a municipality of 1,000,000 or more inhabitants, and where the certification has been in effect at least one year, the total area shall comprise a minimum of one-half square mile and not more than ~~16~~ ~~thirteen~~ square miles in total area exclusive of lakes and waterways;

(c) (blank);

(d) (blank);

(e) is (1) entirely within a municipality or (2) entirely within the unincorporated areas of a county, except where reasonable need is established for such zone to cover portions of more than one municipality or county or (3) both comprises (i) all or part of a municipality and (ii) an unincorporated area of a county; and

(f) meets 3 or more of the following criteria:

(1) all or part of the local labor market area has had an annual average unemployment rate of at least 120% of the State's annual average unemployment rate for the most recent calendar year or the most recent fiscal year as reported by the Department of Employment Security;

(2) designation will result in the development of substantial employment opportunities by creating or retaining a minimum aggregate of 1,000 full-time equivalent jobs due to an aggregate investment of \$100,000,000 or more, and will help alleviate the effects of poverty and unemployment within the local labor market area;

(3) all or part of the local labor market area has a poverty rate of at least 20% according to American Community Survey; 35% or more of families with children in the area are living below 130% of the poverty line, according to the latest American Community Survey; or 20% or more households in the local labor market area receive food stamps or assistance under Supplemental Nutrition Assistance Program ("SNAP") according to the latest American Community Survey;

(4) an abandoned coal mine, a brownfield (as defined in Section 58.2 of the Environmental Protection Act), or an inactive nuclear-powered electrical generation facility where spent nuclear fuel is stored on-site is located in the proposed zone area, or all or a portion of the proposed zone was declared a federal disaster area in the 3 years preceding the date of application;

(5) the local labor market area contains a presence of large employers that have downsized over the years, the labor market area has experienced plant closures in the 5 years prior to the date of application affecting more than 50 workers, or the local labor market area has experienced State or federal facility closures in the 5 years prior to the date of application affecting more than 50 workers;

(6) based on data from Multiple Listing Service information or other suitable sources, the local labor market area contains a high floor vacancy rate of industrial or commercial properties, vacant or demolished commercial and industrial structures are prevalent in the local labor market area, or industrial structures in the local labor market area are not used because of age, deterioration, relocation of the former occupants, or cessation of operation;

(7) the applicant demonstrates a substantial plan for using the designation to improve the State and local government tax base, including income, sales, and property taxes, including a plan for disposal of publicly-owned real property by the methods described in Section 10 of this Act;

(8) significant public infrastructure is present in the local labor market area in addition to a plan for infrastructure development and improvement;

(9) high schools or community colleges located within the local labor market area are engaged in ACT Work Keys, Manufacturing Skills Standard Certification, or other industry-based credentials that prepare students for careers;

(10) (blank); or

(11) the applicant demonstrates a substantial plan for using the designation to encourage:

(i) participation by businesses owned by minorities, women, and persons with disabilities, as those terms are defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act; and (ii) the hiring of minorities, women, and persons with disabilities.

As provided in Section 10-5.3 of the River Edge Redevelopment Zone Act, upon the expiration of the term of each River Edge Redevelopment Zone in existence on August 7, 2012 (the effective date of Public Act 97-905), that River Edge Redevelopment Zone will become available for its previous designee or a new applicant to compete for designation as an enterprise zone. No preference for designation will be given to the previous designee of the zone.

(2) Any criteria established by the Department or by law which utilize the rate of unemployment for a particular area shall provide that all persons who are not presently employed and have exhausted all unemployment benefits shall be considered unemployed, whether or not such persons are actively seeking employment.

(Source: P.A. 101-81, eff. 7-12-19; 102-108, eff. 1-1-22.)

(20 ILCS 655/5.5) (from Ch. 67 1/2, par. 609.1)

Sec. 5.5. High Impact Business.

(a) In order to respond to unique opportunities to assist in the encouragement, development, growth, and expansion of the private sector through large scale investment and development projects, the Department is authorized to receive and approve applications for the designation of "High Impact Businesses" in Illinois, for an initial term of 20 years with an option for renewal for a term not to exceed 20 years, subject to the following conditions:

(1) such applications may be submitted at any time during the year;

(2) such business is not located, at the time of designation, in an enterprise zone designated pursuant to this Act;

(3) the business intends to do one or more of the following:

(A) the business intends to make a minimum investment of \$12,000,000 which will be placed in service in qualified property and intends to create 500 full-time equivalent jobs at a designated location in Illinois or intends to make a minimum investment of \$30,000,000 which will be placed in service in qualified property and intends to retain 1,500 full-time retained jobs at a designated location in Illinois. ~~The business must certify in writing that the investments would not be placed in service in qualified property and the job creation or job retention would not occur without the tax credits and exemptions set forth in subsection (b) of this Section.~~ The terms "placed in service" and "qualified property" have the same meanings as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(B) the business intends to establish a new electric generating facility at a designated location in Illinois. "New electric generating facility", for purposes of this Section, means a newly constructed electric generation plant or a newly constructed generation capacity expansion at an existing electric generation plant, including the transmission lines and associated equipment that transfers electricity from points of supply to points of delivery, and for which such new foundation construction commenced not sooner than July 1, 2001. Such facility shall be designed to provide baseload electric generation and shall operate on a continuous basis throughout the year; and (i) shall have an aggregate rated generating capacity of at least 1,000 megawatts for all new units at one site if it uses natural gas as its primary fuel and foundation construction of the facility is commenced on or before December 31, 2004, or shall have an aggregate rated generating capacity of at least 400 megawatts for all new units at one site if it uses coal or gases derived from coal as its primary fuel and shall support the creation of at least 150 new Illinois coal mining jobs, or (ii) shall be funded through a federal Department of Energy grant before December 31, 2010 and shall support the creation of Illinois coal-mining jobs, or (iii) shall use coal gasification or integrated gasification-combined cycle units that generate electricity or chemicals, or both, and shall support the creation of Illinois coal-mining jobs. ~~The business must certify in writing that the investments necessary to establish a new electric generating facility would not be placed in service and the job creation in~~

~~the case of a coal fueled plant would not occur without the tax credits and exemptions set forth in subsection (b-5) of this Section.~~ The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(B-5) the business intends to establish a new gasification facility at a designated location in Illinois. As used in this Section, "new gasification facility" means a newly constructed coal gasification facility that generates chemical feedstocks or transportation fuels derived from coal (which may include, but are not limited to, methane, methanol, and nitrogen fertilizer), that supports the creation or retention of Illinois coal-mining jobs, and that qualifies for financial assistance from the Department before December 31, 2010. A new gasification facility does not include a pilot project located within Jefferson County or within a county adjacent to Jefferson County for synthetic natural gas from coal; or

(C) the business intends to establish production operations at a new coal mine, re-establish production operations at a closed coal mine, or expand production at an existing coal mine at a designated location in Illinois not sooner than July 1, 2001; provided that the production operations result in the creation of 150 new Illinois coal mining jobs as described in subdivision (a)(3)(B) of this Section, and further provided that the coal extracted from such mine is utilized as the predominant source for a new electric generating facility. ~~The business must certify in writing that the investments necessary to establish a new, expanded, or reopened coal mine would not be placed in service and the job creation would not occur without the tax credits and exemptions set forth in subsection (b-5) of this Section.~~ The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(D) the business intends to construct new transmission facilities or upgrade existing transmission facilities at designated locations in Illinois, for which construction commenced not sooner than July 1, 2001. For the purposes of this Section, "transmission facilities" means transmission lines with a voltage rating of 115 kilovolts or above, including associated equipment, that transfer electricity from points of supply to points of delivery and that transmit a majority of the electricity generated by a new electric generating facility designated as a High Impact Business in accordance with this Section. ~~The business must certify in writing that the investments necessary to construct new transmission facilities or upgrade existing transmission facilities would not be placed in service without the tax credits and exemptions set forth in subsection (b-5) of this Section.~~ The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(E) the business intends to establish a new wind power facility at a designated location in Illinois. For purposes of this Section, "new wind power facility" means a newly constructed electric generation facility, a newly constructed expansion of an existing electric generation facility, or the replacement of an existing electric generation facility, including the demolition and removal of an electric generation facility irrespective of whether it will be replaced, placed in service or replaced on or after July 1, 2009, that generates electricity using wind energy devices, and such facility shall be deemed to include any permanent structures associated with the electric generation facility and all associated transmission lines, substations, and other equipment related to the generation of electricity from wind energy devices. For purposes of this Section, "wind energy device" means any device, with a nameplate capacity of at least 0.5 megawatts, that is used in the process of converting kinetic energy from the wind to generate electricity; or

(E-5) the business intends to establish a new utility-scale solar facility at a designated location in Illinois. For purposes of this Section, "new utility-scale solar power facility" means a newly constructed electric generation facility, or a newly constructed expansion of an existing electric generation facility, placed in service on or after July 1, 2021, that (i) generates electricity using photovoltaic cells and (ii) has a nameplate capacity that is greater than 5,000 kilowatts, and such facility shall be deemed to include all associated transmission lines, substations, energy storage facilities, and other equipment related to the generation and storage of electricity from photovoltaic cells; or

(F) the business commits to (i) make a minimum investment of \$500,000,000, which will be placed in service in a qualified property, (ii) create 125 full-time equivalent jobs at a designated location in Illinois, (iii) establish a fertilizer plant at a designated location in Illinois

that complies with the set-back standards as described in Table 1: Initial Isolation and Protective Action Distances in the 2012 Emergency Response Guidebook published by the United States Department of Transportation, (iv) pay a prevailing wage for employees at that location who are engaged in construction activities, and (v) secure an appropriate level of general liability insurance to protect against catastrophic failure of the fertilizer plant or any of its constituent systems; in addition, the business must agree to enter into a construction project labor agreement including provisions establishing wages, benefits, and other compensation for employees performing work under the project labor agreement at that location; for the purposes of this Section, "fertilizer plant" means a newly constructed or upgraded plant utilizing gas used in the production of anhydrous ammonia and downstream nitrogen fertilizer products for resale; for the purposes of this Section, "prevailing wage" means the hourly cash wages plus fringe benefits for training and apprenticeship programs approved by the U.S. Department of Labor, Bureau of Apprenticeship and Training, health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character on public works; this paragraph (F) applies only to businesses that submit an application to the Department within 60 days after July 25, 2013 (the effective date of Public Act 98-109); and

(4) no later than 90 days after an application is submitted, the Department shall notify the applicant of the Department's determination of the qualification of the proposed High Impact Business under this Section.

(b) Businesses designated as High Impact Businesses pursuant to subdivision (a)(3)(A) of this Section shall qualify for the credits and exemptions described in the following Acts: Section 9-222 and Section 9-222.1A of the Public Utilities Act, subsection (h) of Section 201 of the Illinois Income Tax Act, and Section 1d of the Retailers' Occupation Tax Act; provided that these credits and exemptions described in these Acts shall not be authorized until the minimum investments set forth in subdivision (a)(3)(A) of this Section have been placed in service in qualified properties and, in the case of the exemptions described in the Public Utilities Act and Section 1d of the Retailers' Occupation Tax Act, the minimum full-time equivalent jobs or full-time retained jobs set forth in subdivision (a)(3)(A) of this Section have been created or retained. Businesses designated as High Impact Businesses under this Section shall also qualify for the exemption described in Section 5l of the Retailers' Occupation Tax Act. The credit provided in subsection (h) of Section 201 of the Illinois Income Tax Act shall be applicable to investments in qualified property as set forth in subdivision (a)(3)(A) of this Section.

(b-5) Businesses designated as High Impact Businesses pursuant to subdivisions (a)(3)(B), (a)(3)(B-5), (a)(3)(C), and (a)(3)(D) of this Section shall qualify for the credits and exemptions described in the following Acts: Section 5l of the Retailers' Occupation Tax Act, Section 9-222 and Section 9-222.1A of the Public Utilities Act, and subsection (h) of Section 201 of the Illinois Income Tax Act; however, the credits and exemptions authorized under Section 9-222 and Section 9-222.1A of the Public Utilities Act, and subsection (h) of Section 201 of the Illinois Income Tax Act shall not be authorized until the new electric generating facility, the new gasification facility, the new transmission facility, or the new, expanded, or reopened coal mine is operational, except that a new electric generating facility whose primary fuel source is natural gas is eligible only for the exemption under Section 5l of the Retailers' Occupation Tax Act.

(b-6) Businesses designated as High Impact Businesses pursuant to subdivision (a)(3)(E) or (a)(3)(E-5) of this Section shall qualify for the exemptions described in Section 5l of the Retailers' Occupation Tax Act; any business so designated as a High Impact Business being, for purposes of this Section, a "Wind Energy Business".

(b-7) Beginning on January 1, 2021, businesses designated as High Impact Businesses by the Department shall qualify for the High Impact Business construction jobs credit under subsection (h-5) of Section 201 of the Illinois Income Tax Act if the business meets the criteria set forth in subsection (i) of this Section. The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of Public Act 101-9) shall not exceed \$20,000,000 in any State fiscal year.

(c) High Impact Businesses located in federally designated foreign trade zones or sub-zones are also eligible for additional credits, exemptions and deductions as described in the following Acts: Section 9-221 and Section 9-222.1 of the Public Utilities Act; and subsection (g) of Section 201, and Section 203 of the Illinois Income Tax Act.

(d) Except for businesses contemplated under subdivision (a)(3)(E) or (a)(3)(E-5) of this Section, existing Illinois businesses which apply for designation as a High Impact Business must provide the

Department with the prospective plan for which 1,500 full-time retained jobs would be eliminated in the event that the business is not designated.

(e) Except for new wind power facilities contemplated under subdivision (a)(3)(E) of this Section, new proposed facilities which apply for designation as High Impact Business must provide the Department with proof of alternative non-Illinois sites which would receive the proposed investment and job creation in the event that the business is not designated as a High Impact Business.

(f) Except for businesses contemplated under subdivision (a)(3)(E) of this Section, in the event that a business is designated a High Impact Business and it is later determined after reasonable notice and an opportunity for a hearing as provided under the Illinois Administrative Procedure Act, that the business would have placed in service in qualified property the investments and created or retained the requisite number of jobs without the benefits of the High Impact Business designation, the Department shall be required to immediately revoke the designation and notify the Director of the Department of Revenue who shall begin proceedings to recover all wrongfully exempted State taxes with interest. The business shall also be ineligible for all State funded Department programs for a period of 10 years.

(g) The Department shall revoke a High Impact Business designation if the participating business fails to comply with the terms and conditions of the designation.

(h) Prior to designating a business, the Department shall provide the members of the General Assembly and Commission on Government Forecasting and Accountability with a report setting forth the terms and conditions of the designation and guarantees that have been received by the Department in relation to the proposed business being designated.

(i) High Impact Business construction jobs credit. Beginning on January 1, 2021, a High Impact Business may receive a tax credit against the tax imposed under subsections (a) and (b) of Section 201 of the Illinois Income Tax Act in an amount equal to 50% of the amount of the incremental income tax attributable to High Impact Business construction jobs credit employees employed in the course of completing a High Impact Business construction jobs project. However, the High Impact Business construction jobs credit may equal 75% of the amount of the incremental income tax attributable to High Impact Business construction jobs credit employees if the High Impact Business construction jobs credit project is located in an underserved area.

The Department shall certify to the Department of Revenue: (1) the identity of taxpayers that are eligible for the High Impact Business construction jobs credit; and (2) the amount of High Impact Business construction jobs credits that are claimed pursuant to subsection (h-5) of Section 201 of the Illinois Income Tax Act in each taxable year. Any business entity that receives a High Impact Business construction jobs credit shall maintain a certified payroll pursuant to subsection (j) of this Section.

As used in this subsection (i):

"High Impact Business construction jobs credit" means an amount equal to 50% (or 75% if the High Impact Business construction project is located in an underserved area) of the incremental income tax attributable to High Impact Business construction job employees. The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of Public Act 101-9) shall not exceed \$20,000,000 in any State fiscal year

"High Impact Business construction job employee" means a laborer or worker who is employed by an Illinois contractor or subcontractor in the actual construction work on the site of a High Impact Business construction job project.

"High Impact Business construction jobs project" means building a structure or building or making improvements of any kind to real property, undertaken and commissioned by a business that was designated as a High Impact Business by the Department. The term "High Impact Business construction jobs project" does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.

"Incremental income tax" means the total amount withheld during the taxable year from the compensation of High Impact Business construction job employees.

"Underserved area" means a geographic area that meets one or more of the following conditions:

(1) the area has a poverty rate of at least 20% according to the latest American Community Survey;

(2) 35% or more of the families with children in the area are living below 130% of the poverty line, according to the latest American Community Survey;

(3) at least 20% of the households in the area receive assistance under the Supplemental Nutrition Assistance Program (SNAP); or

(4) the area has an average unemployment rate, as determined by the Illinois Department of Employment Security, that is more than 120% of the national unemployment average, as determined by the U.S. Department of Labor, for a period of at least 2 consecutive calendar years preceding the date of the application.

(j) Each contractor and subcontractor who is engaged in and executing a High Impact Business Construction jobs project, as defined under subsection (i) of this Section, for a business that is entitled to a credit pursuant to subsection (i) of this Section shall:

(1) make and keep, for a period of 5 years from the date of the last payment made on or after June 5, 2019 (the effective date of Public Act 101-9) on a contract or subcontract for a High Impact Business Construction Jobs Project, records for all laborers and other workers employed by the contractor or subcontractor on the project; the records shall include:

- (A) the worker's name;
- (B) the worker's address;
- (C) the worker's telephone number, if available;
- (D) the worker's social security number;
- (E) the worker's classification or classifications;
- (F) the worker's gross and net wages paid in each pay period;
- (G) the worker's number of hours worked each day;
- (H) the worker's starting and ending times of work each day;
- (I) the worker's hourly wage rate;
- (J) the worker's hourly overtime wage rate;
- (K) the worker's race and ethnicity; and
- (L) the worker's gender;

(2) no later than the 15th day of each calendar month, provide a certified payroll for the immediately preceding month to the taxpayer in charge of the High Impact Business construction jobs project; within 5 business days after receiving the certified payroll, the taxpayer shall file the certified payroll with the Department of Labor and the Department of Commerce and Economic Opportunity; a certified payroll must be filed for only those calendar months during which construction on a High Impact Business construction jobs project has occurred; the certified payroll shall consist of a complete copy of the records identified in paragraph (1) of this subsection (j), but may exclude the starting and ending times of work each day; the certified payroll shall be accompanied by a statement signed by the contractor or subcontractor or an officer, employee, or agent of the contractor or subcontractor which avers that:

(A) he or she has examined the certified payroll records required to be submitted by the Act and such records are true and accurate; and

(B) the contractor or subcontractor is aware that filing a certified payroll that he or she knows to be false is a Class A misdemeanor.

A general contractor is not prohibited from relying on a certified payroll of a lower-tier subcontractor, provided the general contractor does not knowingly rely upon a subcontractor's false certification.

Any contractor or subcontractor subject to this subsection, and any officer, employee, or agent of such contractor or subcontractor whose duty as an officer, employee, or agent it is to file a certified payroll under this subsection, who willfully fails to file such a certified payroll on or before the date such certified payroll is required by this paragraph to be filed and any person who willfully files a false certified payroll that is false as to any material fact is in violation of this Act and guilty of a Class A misdemeanor.

The taxpayer in charge of the project shall keep the records submitted in accordance with this subsection on or after June 5, 2019 (the effective date of Public Act 101-9) for a period of 5 years from the date of the last payment for work on a contract or subcontract for the High Impact Business construction jobs project.

The records submitted in accordance with this subsection shall be considered public records, except an employee's address, telephone number, and social security number, and made available in accordance with the Freedom of Information Act. The Department of Labor shall share the information with the Department in order to comply with the awarding of a High Impact Business construction jobs credit. A contractor, subcontractor, or public body may retain records required under this Section in paper or electronic format.

(k) Upon 7 business days' notice, each contractor and subcontractor shall make available for inspection and copying at a location within this State during reasonable hours, the records identified in this

subsection (j) to the taxpayer in charge of the High Impact Business construction jobs project, its officers and agents, the Director of the Department of Labor and his or her deputies and agents, and to federal, State, or local law enforcement agencies and prosecutors.

(1) The changes made to this Section by this amendatory Act of the 102nd General Assembly, other than the changes in subsection (a), apply to high impact businesses that submit applications on or after the effective date of this amendatory Act of the 102nd General Assembly.

(Source: P.A. 101-9, eff. 6-5-19; 102-108, eff. 1-1-22; 102-558, eff. 8-20-21; 102-605, eff. 8-27-21; 102-662, eff. 9-15-21; 102-673, eff. 11-30-21; 102-813, eff. 5-13-22.)

(20 ILCS 655/6) (from Ch. 67 1/2, par. 610)

Sec. 6. Powers and Duties of Department.

(A) General Powers. The Department shall administer this Act and shall have the following powers and duties:

(1) To monitor the implementation of this Act and submit reports evaluating the effectiveness of the program and any suggestions for legislation to the Governor and General Assembly by October 1 of every year preceding a regular Session of the General Assembly and to annually report to the General Assembly initial and current population, employment, per capita income, number of business establishments, dollar value of new construction and improvements, and the aggregate value of each tax incentive, based on information provided by the Department of Revenue, for each Enterprise Zone.

(2) To promulgate all necessary rules and regulations to carry out the purposes of this Act in accordance with The Illinois Administrative Procedure Act.

(3) To assist municipalities and counties in obtaining Federal status as an Enterprise Zone.

(4) To determine the conditions and processes for renewal of high impact business designations, and any incentives associated with that designation, awarded under this Act in accordance with Section 5.5 of this Act.

(B) Specific Duties:

(1) The Department shall provide information and appropriate assistance to persons desiring to locate and engage in business in an enterprise zone, to persons engaged in business in an enterprise zone and to designated zone organizations operating there.

(2) The Department shall, in cooperation with appropriate units of local government and State agencies, coordinate and streamline existing State business assistance programs and permit and license application procedures for Enterprise Zone businesses.

(3) The Department shall publicize existing tax incentives and economic development programs within the Zone and upon request, offer technical assistance in abatement and alternative revenue source development to local units of government which have enterprise Zones within their jurisdiction.

(4) The Department shall work together with the responsible State and Federal agencies to promote the coordination of other relevant programs, including but not limited to housing, community and economic development, small business, banking, financial assistance, and employment training programs which are carried on in an Enterprise Zone.

(5) In order to stimulate employment opportunities for Zone residents, the Department, in cooperation with the Department of Human Services and the Department of Employment Security, is to initiate a test of the following 2 programs within the 12 month period following designation and approval by the Department of the first enterprise zones: (i) the use of aid to families with dependent children benefits payable under Article IV of the Illinois Public Aid Code, General Assistance benefits payable under Article VI of the Illinois Public Aid Code, the unemployment insurance benefits payable under the Unemployment Insurance Act as training or employment subsidies leading to unsubsidized employment; and (ii) a program for voucher reimbursement of the cost of training zone residents eligible under the Targeted Jobs Tax Credit provisions of the Internal Revenue Code for employment in private industry. These programs shall not be designed to subsidize businesses, but are intended to open up job and training opportunities not otherwise available. Nothing in this paragraph

(5) shall be deemed to require zone businesses to utilize these programs. These programs should be designed (i) for those individuals whose opportunities for job-finding are minimal without program participation, (ii) to minimize the period of benefit collection by such individuals, and (iii) to accelerate the transition of those individuals to unsubsidized employment. The Department is to seek

agreement with business, organized labor and the appropriate State Department and agencies on the design, operation and evaluation of the test programs.

A report with recommendations including representative comments of these groups shall be submitted by the Department to the county or municipality which designated the area as an Enterprise Zone, Governor and General Assembly not later than 12 months after such test programs have commenced, or not later than 3 months following the termination of such test programs, whichever first occurs.
(Source: P.A. 97-905, eff. 8-7-12.)

Section 910. The Reimagining Electric Vehicles in Illinois Act is amended by changing Sections 1, 5, 10, 20, 30, 40, and 45 as follows:

(20 ILCS 686/1)

Sec. 1. Short title. This Act may be cited as the Reimagining Energy and Electric Vehicles in Illinois Act.

(Source: P.A. 102-669, eff. 11-16-21.)

(20 ILCS 686/5)

Sec. 5. Purpose. It is the intent of the General Assembly that Illinois should lead the nation in the production of electric vehicles and other products essential to the growth of the renewable energy sector. The General Assembly finds that, through investments in electric vehicle manufacturing and renewable energy manufacturing, Illinois will be on the forefront of emerging technologies that are currently transforming those industries the auto manufacturing industry. This Act will reduce carbon emissions, create good paying jobs, and generate long-term economic investment in the Illinois business economy. Illinois must aggressively adopt new business development investment tools so that Illinois is more competitive in site location decision-making for manufacturing facilities directly related to the electric vehicle and renewable energy industry. Illinois' long-term development benefits from rational, strategic use of State resources in support of development and growth in the electric vehicle and renewable energy industry.

The General Assembly finds that workers are essential to the prosperity of our State's economy and play a critical role in Illinois becoming leader in manufacturing. The General Assembly further finds that, for the prosperity of our State, workers in this industry must be afforded high quality jobs that honor the dignity of work. Therefore, the General Assembly finds that it is in the best interest of Illinois to protect the work conditions, worker safety, and worker rights in the manufacturing industry and further finds that employer workplace policies shall be interpreted broadly to protect employees.

(Source: P.A. 102-669, eff. 11-16-21.)

(20 ILCS 686/10)

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

"Advanced battery" means a battery that consists of a battery cell that can be integrated into a module, pack, or system to be used in energy storage applications, including a battery used in an electric vehicle or the electric grid.

"Advanced battery component" means a component of an advanced battery, including materials, enhancements, enclosures, anodes, cathodes, electrolytes, cells, and other associated technologies that comprise an advanced battery.

"Agreement" means the agreement between a taxpayer and the Department under the provisions of Section 45 of this Act.

"Applicant" means a taxpayer that (i) operates a business in Illinois or is planning to locate a business within the State of Illinois and (ii) is engaged in interstate or intrastate commerce as an for the purpose of manufacturing electric vehicle manufacturer vehicles, an electric vehicle component parts manufacturer, or an electric vehicle power supply equipment manufacturer. For applications for credits under this Act that are submitted on or after the effective date of this amendatory Act of the 102nd General Assembly, "applicant" also includes a taxpayer that (i) operates a business in Illinois or is planning to locate a business within the State of Illinois and (ii) is engaged in interstate or intrastate commerce as a renewable energy manufacturer. "Applicant" does not include a taxpayer who closes or substantially reduces by more than 50% operations at one location in the State and relocates substantially the same operation to another location in the State. This does not prohibit a Taxpayer from expanding its operations at another location in the State. This also does not prohibit a Taxpayer from moving its operations from one location in the State to another location in the State for the purpose of expanding the operation, provided that the Department determines that expansion cannot reasonably be accommodated within the municipality or county in which the business is located, or, in the case of a business located in an incorporated area of the county, within the county in which the

business is located, after conferring with the chief elected official of the municipality or county and taking into consideration any evidence offered by the municipality or county regarding the ability to accommodate expansion within the municipality or county.

"Battery raw materials" means the raw and processed form of a mineral, metal, chemical, or other material used in an advanced battery component.

"Battery raw materials refining service provider" means a business that operates a facility that filters, sifts, and treats battery raw materials for use in an advanced battery.

"Battery recycling and reuse manufacturer" means a manufacturer that is primarily engaged in the recovery, retrieval, processing, recycling, or recirculating of battery raw materials for new use in electric vehicle batteries.

"Capital improvements" means the purchase, renovation, rehabilitation, or construction of permanent tangible land, buildings, structures, equipment, and furnishings in an approved project sited in Illinois and expenditures for goods or services that are normally capitalized, including organizational costs and research and development costs incurred in Illinois. For land, buildings, structures, and equipment that are leased, the lease must equal or exceed the term of the agreement, and the cost of the property shall be determined from the present value, using the corporate interest rate prevailing at the time of the application, of the lease payments.

"Credit" means either a "REV Illinois Credit" or a "REV Construction Jobs Credit" agreed to between the Department and applicant under this Act.

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of Commerce and Economic Opportunity.

"Electric vehicle" means a vehicle that is exclusively powered by and refueled by electricity, including electricity generated through a hydrogen fuel cells or solar technology. "Electric vehicle" does not include hybrid electric vehicles, electric bicycles, or extended-range electric vehicles that are also equipped with conventional fueled propulsion or auxiliary engines.

"Electric vehicle manufacturer" means a new or existing manufacturer that is primarily focused on reequipping, expanding, or establishing a manufacturing facility in Illinois that produces electric vehicles as defined in this Section.

"Electric vehicle component parts manufacturer" means a new or existing manufacturer that is focused on reequipping, expanding, or establishing a manufacturing facility in Illinois that produces parts or accessories used in electric vehicles, as defined by this Section, including advanced battery component parts. The changes to this definition of "electric vehicle component parts manufacturer" apply to agreements under this Act that are entered into on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Electric vehicle power supply equipment" means the equipment used specifically for the purpose of delivering electricity to an electric vehicle, including hydrogen fuel cells or solar refueling infrastructure.

"Electric vehicle power supply manufacturer" means a new or existing manufacturer that is focused on reequipping, expanding, or establishing a manufacturing facility in Illinois that produces electric vehicle power supply equipment used for the purpose of delivering electricity to an electric vehicle, including hydrogen fuel cell or solar refueling infrastructure.

"Energy Transition Area" means a county with less than 100,000 people or a municipality that contains one or more of the following:

(1) a fossil fuel plant that was retired from service or has significant reduced service within 6 years before the time of the application or will be retired or have service significantly reduced within 6 years following the time of the application; or

(2) a coal mine that was closed or had operations significantly reduced within 6 years before the time of the application or is anticipated to be closed or have operations significantly reduced within 6 years following the time of the application.

"Full-time employee" means an individual who is employed for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment. An individual for whom a W-2 is issued by a Professional Employer Organization (PEO) is a full-time employee if employed in the service of the applicant for consideration for at least 35 hours each week.

"Incremental income tax" means the total amount withheld during the taxable year from the compensation of new employees and, if applicable, retained employees under Article 7 of the Illinois Income Tax Act arising from employment at a project that is the subject of an agreement.

"Institution of higher education" or "institution" means any accredited public or private university, college, community college, business, technical, or vocational school, or other accredited educational institution offering degrees and instruction beyond the secondary school level.

"Minority person" means a minority person as defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act.

"New employee" means a newly-hired full-time employee employed to work at the project site and whose work is directly related to the project.

"Noncompliance date" means, in the case of a taxpayer that is not complying with the requirements of the agreement or the provisions of this Act, the day following the last date upon which the taxpayer was in compliance with the requirements of the agreement and the provisions of this Act, as determined by the Director, pursuant to Section 70.

"Pass-through entity" means an entity that is exempt from the tax under subsection (b) or (c) of Section 205 of the Illinois Income Tax Act.

"Placed in service" means the state or condition of readiness, availability for a specifically assigned function, and the facility is constructed and ready to conduct its facility operations to manufacture goods.

"Professional employer organization" (PEO) means an employee leasing company, as defined in Section 206.1 of the Illinois Unemployment Insurance Act.

"Program" means the Reimagining Energy and Electric Vehicles in Illinois Program (the REV Illinois Program) established in this Act.

"Project" or "REV Illinois Project" means a for-profit economic development activity for the manufacture of electric vehicles, electric vehicle component parts, or electric vehicle power supply equipment, or renewable energy products, which is designated by the Department as a REV Illinois Project and is the subject of an agreement.

"Recycling facility" means a location at which the taxpayer disposes of batteries and other component parts in manufacturing of electric vehicles, electric vehicle component parts, or electric vehicle power supply equipment.

"Related member" means a person that, with respect to the taxpayer during any portion of the taxable year, is any one of the following:

(1) An individual stockholder, if the stockholder and the members of the stockholder's family (as defined in Section 318 of the Internal Revenue Code) own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the value of the taxpayer's outstanding stock.

(2) A partnership, estate, trust and any partner or beneficiary, if the partnership, estate, or trust, and its partners or beneficiaries own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the profits, capital, stock, or value of the taxpayer.

(3) A corporation, and any party related to the corporation in a manner that would require an attribution of stock from the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the Taxpayer owns directly, indirectly, beneficially, or constructively at least 50% of the value of the corporation's outstanding stock.

(4) A corporation and any party related to that corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the corporation and all such related parties own in the aggregate at least 50% of the profits, capital, stock, or value of the taxpayer.

(5) A person to or from whom there is an attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code, except, for purposes of determining whether a person is a related member under this paragraph, 20% shall be substituted for 5% wherever 5% appears in Section 1563(e) of the Internal Revenue Code.

"Renewable energy" means energy produced using the materials and sources of energy through which renewable energy resources are generated.

"Renewable energy manufacturer" means a manufacturer whose primary function is to manufacture or assemble: (i) equipment, systems, or products used to produce renewable or nuclear energy; (ii) products used for energy conservation, storage, or grid efficiency purposes; or (iii) component parts for that equipment or those systems or products.

"Renewable energy resources" has the meaning ascribed to that term in Section 1-10 of the Illinois Power Agency Act.

"Retained employee" means a full-time employee employed by the taxpayer prior to the term of the Agreement who continues to be employed during the term of the agreement whose job duties are directly

related to the project. The term "retained employee" does not include any individual who has a direct or an indirect ownership interest of at least 5% in the profits, equity, capital, or value of the taxpayer or a child, grandchild, parent, or spouse, other than a spouse who is legally separated from the individual, of any individual who has a direct or indirect ownership of at least 5% in the profits, equity, capital, or value of the taxpayer. The changes to this definition of "retained employee" apply to agreements for credits under this Act that are entered into on or after the effective date of this amendatory Act of the 102nd General Assembly.

"REV Illinois credit" means a credit agreed to between the Department and the applicant under this Act that is based on the incremental income tax attributable to new employees and, if applicable, retained employees, and on training costs for such employees at the applicant's project.

"REV construction jobs credit" means a credit agreed to between the Department and the applicant under this Act that is based on the incremental income tax attributable to construction wages paid in connection with construction of the project facilities.

"Statewide baseline" means the total number of full-time employees of the applicant and any related member employed by such entities at the time of application for incentives under this Act.

"Taxpayer" means an individual, corporation, partnership, or other entity that has a legal obligation to pay Illinois income taxes and file an Illinois income tax return.

"Training costs" means costs incurred to upgrade the technological skills of full-time employees in Illinois and includes: curriculum development; training materials (including scrap product costs); trainee domestic travel expenses; instructor costs (including wages, fringe benefits, tuition and domestic travel expenses); rent, purchase or lease of training equipment; and other usual and customary training costs. "Training costs" do not include costs associated with travel outside the United States (unless the Taxpayer receives prior written approval for the travel by the Director based on a showing of substantial need or other proof the training is not reasonably available within the United States), wages and fringe benefits of employees during periods of training, or administrative cost related to full-time employees of the taxpayer.

"Underserved area" means any geographic areas as defined in Section 5-5 of the Economic Development for a Growing Economy Tax Credit Act.

(Source: P.A. 102-669, eff. 11-16-21; 102-700, eff. 4-19-22; 102-1112, eff. 12-21-22.)

(20 ILCS 686/20)

Sec. 20. REV Illinois Program; project applications.

(a) The Reimagining Energy and Electric Vehicles in Illinois (REV Illinois) Program is hereby established and shall be administered by the Department. The Program will provide financial incentives to any one or more of the following: (1) eligible manufacturers of electric vehicles, electric vehicle component parts, and electric vehicle power supply equipment; (2) battery recycling and reuse manufacturers; ~~or~~ (3) battery raw materials refining service providers; or (4) renewable energy manufacturers.

(b) Any taxpayer planning a project to be located in Illinois may request consideration for designation of its project as a REV Illinois Project, by formal written letter of request or by formal application to the Department, in which the applicant states its intent to make at least a specified level of investment and intends to hire a specified number of full-time employees at a designated location in Illinois. As circumstances require, the Department shall require a formal application from an applicant and a formal letter of request for assistance.

(c) In order to qualify for credits under the REV Illinois Program, an applicant must:

(1) if the applicant is ~~for~~ an electric vehicle manufacturer:

(A) make an investment of at least \$1,500,000,000 in capital improvements at the project site;

(B) to be placed in service within the State within a 60-month period after approval of the application; and

(C) create at least 500 new full-time employee jobs; or

(2) if the applicant is ~~for~~ an electric vehicle component parts manufacturer or a renewable energy manufacturer:

(A) make an investment of at least \$300,000,000 in capital improvements at the project site;

(B) manufacture one or more parts that are primarily used for electric vehicle manufacturing;

(C) to be placed in service within the State within a 60-month period after approval of the application; and

(D) create at least 150 new full-time employee jobs; or

(3) if the agreement is entered into before the effective date of this amendatory Act of the 102nd General Assembly and the applicant is ~~for~~ an electric vehicle manufacturer, an electric vehicle power supply equipment manufacturer, an electric vehicle component part manufacturer that does not qualify under paragraph (2) above, a battery recycling and reuse manufacturer, or a battery raw materials refining service provider:

(A) make an investment of at least \$20,000,000 in capital improvements at the project site;

(B) for electric vehicle component part manufacturers, manufacture one or more parts that are primarily used for electric vehicle manufacturing;

(C) to be placed in service within the State within a 48-month period after approval of the application; and

(D) create at least 50 new full-time employee jobs; or

(3.1) if the agreement is entered into on or after the effective date of this amendatory Act of the 102nd General Assembly and the applicant is an electric vehicle manufacturer, an electric vehicle power supply equipment manufacturer, an electric vehicle component part manufacturer that does not qualify under paragraph (2) above, a renewable energy manufacturer that does not qualify under paragraph (2) above, a battery recycling and reuse manufacturer, or a battery raw materials refining service provider:

(A) make an investment of at least \$2,500,000 in capital improvements at the project site;

(B) in the case of electric vehicle component part manufacturers, manufacture one or more parts that are used for electric vehicle manufacturing;

(C) to be placed in service within the State within a 48-month period after approval of the application; and

(D) create the lesser of 50 new full-time employee jobs or new full-time employee jobs equivalent to 10% of the Statewide baseline applicable to the taxpayer and any related member at the time of application; or

(4) if the agreement is entered into before the effective date of this amendatory Act of the 102nd General Assembly and the applicant is ~~for~~ an electric vehicle manufacturer or electric vehicle component parts manufacturer with existing operations within Illinois that intends to convert or expand, in whole or in part, the existing facility from traditional manufacturing to primarily electric vehicle manufacturing, electric vehicle component parts manufacturing, or electric vehicle power supply equipment manufacturing:

(A) make an investment of at least \$100,000,000 in capital improvements at the project site;

(B) to be placed in service within the State within a 60-month period after approval of the application; and

(C) create the lesser of 75 new full-time employee jobs or new full-time employee jobs equivalent to 10% of the Statewide baseline applicable to the taxpayer and any related member at the time of application; or -

(4.1) if the agreement is entered into on or after the effective date of this amendatory Act of the 102nd General Assembly and the applicant (i) is an electric vehicle manufacturer, an electric vehicle component parts manufacturer, or a renewable energy manufacturer and (ii) has existing operations within Illinois that the applicant intends to convert or expand, in whole or in part, from traditional manufacturing to electric vehicle manufacturing, electric vehicle component parts manufacturing, renewable energy manufacturing, or electric vehicle power supply equipment manufacturing:

(A) make an investment of at least \$100,000,000 in capital improvements at the project site;

(B) to be placed in service within the State within a 60-month period after approval of the application; and

(C) create the lesser of 50 new full-time employee jobs or new full-time employee jobs equivalent to 10% of the Statewide baseline applicable to the taxpayer and any related member at the time of application.

(d) For agreements entered into prior to April 19, 2022 (the effective date of Public Act 102-700), for any applicant creating the full-time employee jobs noted in subsection (c), those jobs must have a total compensation equal to or greater than 120% of the average wage paid to full-time employees in the county

where the project is located, as determined by the U.S. Bureau of Labor Statistics. For agreements entered into on or after April 19, 2022 (the effective date of Public Act 102-700), for any applicant creating the full-time employee jobs noted in subsection (c), those jobs must have a compensation equal to or greater than 120% of the average wage paid to full-time employees in a similar position within an occupational group in the county where the project is located, as determined by the Department.

(e) For any applicant, within 24 months after being placed in service, it must certify to the Department that it is carbon neutral or has attained certification under one of more of the following green building standards:

- (1) BREEAM for New Construction or BREEAM In-Use;
- (2) ENERGY STAR;
- (3) Envision;
- (4) ISO 50001 - energy management;
- (5) LEED for Building Design and Construction or LEED for Building Operations and Maintenance;
- (6) Green Globes for New Construction or Green Globes for Existing Buildings; or
- (7) UL 3223.

(f) Each applicant must outline its hiring plan and commitment to recruit and hire full-time employee positions at the project site. The hiring plan may include a partnership with an institution of higher education to provide internships, including, but not limited to, internships supported by the Clean Jobs Workforce Network Program, or full-time permanent employment for students at the project site. Additionally, the applicant may create or utilize participants from apprenticeship programs that are approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training. The applicant may apply for apprenticeship education expense credits in accordance with the provisions set forth in 14 Ill. Adm. Code 522. Each applicant is required to report annually, on or before April 15, on the diversity of its workforce in accordance with Section 50 of this Act. For existing facilities of applicants under paragraph (3) of subsection (b) above, if the taxpayer expects a reduction in force due to its transition to manufacturing electric vehicle, electric vehicle component parts, or electric vehicle power supply equipment, the plan submitted under this Section must outline the taxpayer's plan to assist with retraining its workforce aligned with the taxpayer's adoption of new technologies and anticipated efforts to retrain employees through employment opportunities within the taxpayer's workforce.

(g) Each applicant must demonstrate a contractual or other relationship with a recycling facility, or demonstrate its own recycling capabilities, at the time of application and report annually a continuing contractual or other relationship with a recycling facility and the percentage of batteries used in electric vehicles recycled throughout the term of the agreement.

(h) A taxpayer may not enter into more than one agreement under this Act with respect to a single address or location for the same period of time. Also, a taxpayer may not enter into an agreement under this Act with respect to a single address or location for the same period of time for which the taxpayer currently holds an active agreement under the Economic Development for a Growing Economy Tax Credit Act. This provision does not preclude the applicant from entering into an additional agreement after the expiration or voluntary termination of an earlier agreement under this Act or under the Economic Development for a Growing Economy Tax Credit Act to the extent that the taxpayer's application otherwise satisfies the terms and conditions of this Act and is approved by the Department. An applicant with an existing agreement under the Economic Development for a Growing Economy Tax Credit Act may submit an application for an agreement under this Act after it terminates any existing agreement under the Economic Development for a Growing Economy Tax Credit Act with respect to the same address or location. If a project that is subject to an existing agreement under the Economic Development for a Growing Economy Tax Credit Act meets the requirements to be designated as a REV Illinois project under this Act, including for actions undertaken prior to the effective date of this Act, the taxpayer that is subject to that existing agreement under the Economic Development for a Growing Economy Tax Credit Act may apply to the Department to amend the agreement to allow the project to become a designated REV Illinois project. Following the amendment, time accrued during which the project was eligible for credits under the existing agreement under the Economic Development for a Growing Economy Tax Credit Act shall count toward the duration of the credit subject to limitations described in Section 40 of this Act.

(i) If, at any time following the designation of a project as a REV Illinois Project by the Department and prior to the termination or expiration of an agreement under this Act, the project ceases to qualify as a REV Illinois project because the taxpayer is no longer an electric vehicle manufacturer, an electric vehicle

component manufacturer, an electric vehicle power supply equipment manufacturer, a battery recycling and reuse manufacturer, or a battery raw materials refining service provider, that project may receive tax credit awards as described in Section 5-15 and Section 5-51 of the Economic Development for a Growing Economy Tax Credit Act, as long as the project continues to meet requirements to obtain those credits as described in the Economic Development for a Growing Economy Tax Credit Act and remains compliant with terms contained in the Agreement under this Act not related to their status as an electric vehicle manufacturer, an electric vehicle component manufacturer, an electric vehicle power supply equipment manufacturer, a battery recycling and reuse manufacturer, or a battery raw materials refining service provider. Time accrued during which the project was eligible for credits under an agreement under this Act shall count toward the duration of the credit subject to limitations described in Section 5-45 of the Economic Development for a Growing Economy Tax Credit Act.

(Source: P.A. 102-669, eff. 11-16-21; 102-700, eff. 4-19-22; 102-1112, eff. 12-21-22.)

(20 ILCS 686/30)

Sec. 30. Tax credit awards.

(a) Subject to the conditions set forth in this Act, a taxpayer is entitled to a credit against the tax imposed pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act for a taxable year beginning on or after January 1, 2025 if the taxpayer is awarded a credit by the Department in accordance with an agreement under this Act. The Department has authority to award credits under this Act on and after January 1, 2022.

(b) REV Illinois Credits. A taxpayer may receive a tax credit against the tax imposed under subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, not to exceed the sum of (i) 75% of the incremental income tax attributable to new employees at the applicant's project and (ii) 10% of the training costs of the new employees. If the project is located in an underserved area or an energy transition area, then the amount of the credit may not exceed the sum of (i) 100% of the incremental income tax attributable to new employees at the applicant's project; and (ii) 10% of the training costs of the new employees. The percentage of training costs includable in the calculation may be increased by an additional 15% for training costs associated with new employees that are recent (2 years or less) graduates, certificate holders, or credential recipients from an institution of higher education in Illinois, or, if the training is provided by an institution of higher education in Illinois, the Clean Jobs Workforce Network Program, or an apprenticeship and training program located in Illinois and approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training. An applicant is also eligible for a training credit that shall not exceed 10% of the training costs of retained employees for the purpose of upskilling to meet the operational needs of the applicant or the REV Illinois Project. The percentage of training costs includable in the calculation shall not exceed a total of 25%. If an applicant agrees to hire the required number of new employees, then the maximum amount of the credit for that applicant may be increased by an amount not to exceed 75% of the incremental income tax attributable to retained employees at the applicant's project; provided that, in order to receive the increase for retained employees, the applicant must, if applicable, meet or exceed the statewide baseline. If the Project is in an underserved area or an energy transition area, the maximum amount of the credit attributable to retained employees for the applicant may be increased to an amount not to exceed 100% of the incremental income tax attributable to retained employees at the applicant's project; provided that, in order to receive the increase for retained employees, the applicant must meet or exceed the statewide baseline. REV Illinois Credits awarded may include credit earned for incremental income tax withheld and training costs incurred by the taxpayer beginning on or after January 1, 2022. Credits so earned and certified by the Department may be applied against the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act for taxable years beginning on or after January 1, 2025.

(c) REV Construction Jobs Credit. For construction wages associated with a project that qualified for a REV Illinois Credit under subsection (b), the taxpayer may receive a tax credit against the tax imposed under subsections (a) and (b) of Section 201 of the Illinois Income Tax Act in an amount equal to 50% of the incremental income tax attributable to construction wages paid in connection with construction of the project facilities, as a jobs credit for workers hired to construct the project.

The REV Construction Jobs Credit may not exceed 75% of the amount of the incremental income tax attributable to construction wages paid in connection with construction of the project facilities if the project is in an underserved area or an energy transition area.

(d) The Department shall certify to the Department of Revenue: (1) the identity of Taxpayers that are eligible for the REV Illinois Credit and REV Construction Jobs Credit; (2) the amount of the REV Illinois

Credits and REV Construction Jobs Credits awarded in each calendar year; and (3) the amount of the REV Illinois Credit and REV Construction Jobs Credit claimed in each calendar year. REV Illinois Credits awarded may include credit earned for Incremental Income Tax withheld and Training Costs incurred by the Taxpayer beginning on or after January 1, 2022. Credits so earned and certified by the Department may be applied against the tax imposed by Section 201(a) and (b) of the Illinois Income Tax Act for taxable years beginning on or after January 1, 2025.

(e) Applicants seeking certification for a tax credits related to the construction of the project facilities in the State shall require the contractor to enter into a project labor agreement that conforms with the Project Labor Agreements Act.

(f) Any applicant issued a certificate for a tax credit or tax exemption under this Act must annually report to the Department the total project tax benefits received. Reports are due no later than May 31 of each year and shall cover the previous calendar year. The first report is for the 2022 calendar year and is due no later than May 31, 2023. For applicants issued a certificate of exemption under Section 105 of this Act, the report shall be the same as required for a High Impact Business under subsection (a-5) of Section 8.1 of the Illinois Enterprise Zone Act. Each person required to file a return under the Gas Revenue Tax Act, the Electricity Excise Tax Law, or the Telecommunications Excise Tax Act shall file a report containing information about customers that are issued an exemption certificate under Section 95 of this Act in the same manner and form as they are required to report under subsection (b) of Section 8.1 of the Illinois Enterprise Zone Act.

(g) Nothing in this Act shall prohibit an award of credit to an applicant that uses a PEO if all other award criteria are satisfied.

(h) With respect to any portion of a REV Illinois Credit that is based on the incremental income tax attributable to new employees or retained employees, in lieu of the Credit allowed under this Act against the taxes imposed pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, a taxpayer that otherwise meets the criteria set forth in this Section, the taxpayer may elect to claim the credit, on or after January 1, 2025, against its obligation to pay over withholding under Section 704A of the Illinois Income Tax Act. The election shall be made in the manner prescribed by the Department of Revenue and once made shall be irrevocable.

(Source: P.A. 102-669, eff. 11-16-21; 102-1112, eff. 12-21-22.)

(20 ILCS 686/40)

Sec. 40. Amount and duration of the credits; limitation to amount of costs of specified items. The Department shall determine the amount and duration of the REV Illinois Credit awarded under this Act, subject to the limitations set forth in this Act. For a project that qualified under paragraph (1), (2), ~~or (4)~~, or (4.1) of subsection (c) of Section 20, the duration of the credit may not exceed 15 taxable years, with an option to renew the agreement for no more than one term not to exceed an additional 15 taxable years. For project that qualified under paragraph (3) or (3.1) of subsection (c) of Section 20, the duration of the credit may not exceed 10 taxable years, with an option to renew the agreement for no more than one term not to exceed an additional 10 taxable years. The credit may be stated as a percentage of the incremental income tax and training costs attributable to the applicant's project and may include a fixed dollar limitation.

Nothing in this Section shall prevent the Department, in consultation with the Department of Revenue, from adopting rules to extend the sunset of any earned, existing, and unused tax credit or credits a taxpayer may be in possession of, as provided for in Section 605-1055 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois, notwithstanding the carry-forward provisions pursuant to paragraph (4) of Section 211 of the Illinois Income Tax Act.

(Source: P.A. 102-669, eff. 11-16-21; 102-1112, eff. 12-21-22.)

(20 ILCS 686/45)

Sec. 45. Contents of agreements with applicants.

(a) The Department shall enter into an agreement with an applicant that is awarded a credit under this Act. The agreement shall include all of the following:

(1) A detailed description of the project that is the subject of the agreement, including the location and amount of the investment and jobs created or retained.

(2) The duration of the credit, the first taxable year for which the credit may be awarded, and the first taxable year in which the credit may be used by the taxpayer.

(3) The credit amount that will be allowed for each taxable year.

(4) For a project qualified under paragraphs (1), (2), or (4) of subsection (c) of Section 20, a requirement that the taxpayer shall maintain operations at the project location a minimum number of

years not to exceed 15. For project qualified under paragraph (3) of subsection (c) of Section 20, a requirement that the taxpayer shall maintain operations at the project location a minimum number of years not to exceed 10.

(5) A specific method for determining the number of new employees and if applicable, retained employees, employed during a taxable year.

(6) A requirement that the taxpayer shall annually report to the Department the number of new employees, the incremental income tax withheld in connection with the new employees, and any other information the Department deems necessary and appropriate to perform its duties under this Act.

(7) A requirement that the Director is authorized to verify with the appropriate State agencies the amounts reported under paragraph (6), and after doing so shall issue a certificate to the taxpayer stating that the amounts have been verified.

(8) A requirement that the taxpayer shall provide written notification to the Director not more than 30 days after the taxpayer makes or receives a proposal that would transfer the taxpayer's State tax liability obligations to a successor taxpayer.

(9) A detailed description of the number of new employees to be hired, and the occupation and payroll of full-time jobs to be created or retained because of the project.

(10) The minimum investment the taxpayer will make in capital improvements, the time period for placing the property in service, and the designated location in Illinois for the investment.

(11) A requirement that the taxpayer shall provide written notification to the Director and the Director's designee not more than 30 days after the taxpayer determines that the minimum job creation or retention, employment payroll, or investment no longer is or will be achieved or maintained as set forth in the terms and conditions of the agreement. Additionally, the notification should outline to the Department the number of layoffs, date of the layoffs, and detail taxpayer's efforts to provide career and training counseling for the impacted workers with industry-related certifications and trainings.

(12) A provision that, if the total number of new employees falls below a specified level, the allowance of credit shall be suspended until the number of new employees equals or exceeds the agreement amount.

(13) If applicable, a provision that specifies the statewide baseline at the time of application for retained employees. Additionally, the agreement must have a provision addressing if the total number retained employees falls below the statewide baseline, the allowance of the credit shall be suspended until the number of retained employees equals or exceeds the agreement amount.

(14) A detailed description of the items for which the costs incurred by the Taxpayer will be included in the limitation on the Credit provided in Section 40.

(15) A provision stating that if the taxpayer fails to meet either the investment or job creation and retention requirements specified in the agreement during the entire 5-year period beginning on the first day of the first taxable year in which the agreement is executed and ending on the last day of the fifth taxable year after the agreement is executed, then the agreement is automatically terminated on the last day of the fifth taxable year after the agreement is executed, and the taxpayer is not entitled to the award of any credits for any of that 5-year period.

(16) A provision stating that if the taxpayer ceases principal operations with the intent to permanently shut down the project in the State during the term of the Agreement, then the entire credit amount awarded to the taxpayer prior to the date the taxpayer ceases principal operations shall be returned to the Department and shall be reallocated to the local workforce investment area in which the project was located.

(17) A provision stating that the Taxpayer must provide the reports outlined in Sections 50 and 55 on or before April 15 each year.

(18) A provision requiring the taxpayer to report annually its contractual obligations or otherwise with a recycling facility for its operations.

(19) Any other performance conditions or contract provisions the Department determines are necessary or appropriate.

(20) Each taxpayer under paragraph (1) of subsection (c) of Section 20 above shall maintain labor neutrality toward any union organizing campaign for any employees of the taxpayer assigned to work on the premises of the REV Illinois Project Site. This paragraph shall not apply to an electric vehicle manufacturer, electric vehicle component part manufacturer, electric vehicle power supply manufacturer, or renewable energy manufacturer, or any joint venture including an electric vehicle manufacturer, electric vehicle component part manufacturer, ~~and~~ electric vehicle power supply

manufacturer, or renewable energy manufacturer, who is subject to collective bargaining agreement entered into prior to the taxpayer filing an application pursuant to this Act.

(b) The Department shall post on its website the terms of each agreement entered into under this Act. Such information shall be posted within 10 days after entering into the agreement and must include the following:

- (1) the name of the taxpayer;
- (2) the location of the project;
- (3) the estimated value of the credit;
- (4) the number of new employee jobs and, if applicable, number of retained employee jobs at the project; and
- (5) whether or not the project is in an underserved area or energy transition area.

(Source: P.A. 102-669, eff. 11-16-21.)

Section 915. The Build Illinois Act is amended by changing Section 10-6 as follows:

(30 ILCS 750/10-6) (from Ch. 127, par. 2710-6)

Sec. 10-6. Large Business Attraction Fund.

(a) There is created the Large Business Attraction Fund to be held as part of the State Treasury. The Department is authorized to make loans from the Fund for the purposes established under this Article. The State Treasurer shall have custody of the Fund and may invest in securities constituting direct obligations of the United States Government, in obligations the principal of and interest on which are guaranteed by the United States Government, or in certificates of deposit of any State or national bank that are fully secured by obligations guaranteed as to principal and interest by the United States Government. The purpose of the Fund is to offer loans to finance large firms considering the location of a proposed plant in the State and to provide financing to carry out the purposes and provisions of paragraph (h) of Section 10-3. Financing shall be in the form of a loan, mortgage, or other debt instrument. All loans shall be conditioned on the project receiving financing from participating lenders or other sources. Loan proceeds shall be available for project costs associated with an expansion of business capacity and employment, except for debt refinancing. Targeted companies for the program shall primarily consist of established industrial and service companies with proven records of earnings that will sell their product to markets beyond Illinois and have proven multistate location options. New ventures shall be considered only if the entity is protected with adequate security with regard to its financing and operation. The limitations and conditions with respect to the use of this Fund shall not apply in carrying out the purposes and provisions of paragraph (h) of Section 10-3.

(b) Deposits into the Fund shall include, but are not limited to:

(1) Any appropriations, grants, or gifts made to the Fund.

(2) Any income received from interest on investments of amounts from the Fund not currently needed to meet the obligations of the Fund.

(c) The State Comptroller and the State Treasurer shall from time to time, upon the written direction of the Governor, transfer from the Fund to the General Revenue Fund those amounts that the Governor determines are in excess of the amounts required to meet the obligations of the Fund.

(d) Notwithstanding subsection (a) of this Section, the Large Business Attraction Fund may be used for the purposes established under the Invest in Illinois Act, including for awards, grants, loans, contracts, and administrative expenses.

(Source: P.A. 90-372, eff. 7-1-98.)

Section 920. The Illinois Income Tax Act is amended by changing Sections 236, 237, and 704A as follows:

(35 ILCS 5/236)

Sec. 236. Reimagining Energy and Electric Vehicles in Illinois Tax credits.

(a) For tax years beginning on or after January 1, 2025, a taxpayer who has entered into an agreement under the Reimagining Energy and Electric Vehicles in Illinois Act is entitled to a credit against the taxes imposed under subsections (a) and (b) of Section 201 of this Act in an amount to be determined in the Agreement. The taxpayer may elect to claim the credit, on or after January 1, 2025, against its obligation to pay over withholding under Section 704A of this Act as provided in paragraph (6) of subsection (b). If the taxpayer is a partnership or Subchapter S corporation, the credit shall be allowed to the partners or shareholders in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code. The Department, in cooperation with

the Department of Commerce and Economic Opportunity, shall adopt rules to enforce and administer the provisions of this Section. This Section is exempt from the provisions of Section 250 of this Act.

(b) The credit is subject to the conditions set forth in the agreement and the following limitations:

(1) The tax credit may be in the form of either or both the REV Illinois Credit or the REV Construction Jobs Credit (as defined in the Reimagining Energy and Electric Vehicles in Illinois Act) and shall not exceed the percentage of incremental income tax and percentage of training costs permitted in that Act and in the agreement with respect to the project.

(2) The amount of the credit allowed during a tax year plus the sum of all amounts allowed in prior tax years shall not exceed the maximum amount of credit established in the agreement.

(3) The amount of the credit shall be determined on an annual basis. Except as applied in a carryover year pursuant to paragraph (4), the credit may not be applied against any State income tax liability in more than 15 taxable years.

(4) The credit may not exceed the amount of taxes imposed pursuant to subsections (a) and (b) of Section 201 of this Act. Any credit that is unused in the year the credit is computed may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one tax year that are available to offset a liability, the earlier credit shall be applied first.

(5) No credit shall be allowed with respect to any agreement for any taxable year ending after the noncompliance date. Upon receiving notification by the Department of Commerce and Economic Opportunity of the noncompliance of a taxpayer with an agreement, the Department shall notify the taxpayer that no credit is allowed with respect to that agreement for any taxable year ending after the noncompliance date, as stated in such notification. If any credit has been allowed with respect to an agreement for a taxable year ending after the noncompliance date for that agreement, any refund paid to the taxpayer for that taxable year shall, to the extent of that credit allowed, be an erroneous refund within the meaning of Section 912 of this Act.

If, during any taxable year, a taxpayer ceases operations at a project location that is the subject of that agreement with the intent to terminate operations in the State, the tax imposed under subsections (a) and (b) of Section 201 of this Act for such taxable year shall be increased by the amount of any credit allowed under the Agreement for that Project location prior to the date the Taxpayer ceases operations.

(6) Instead of claiming the credit against the taxes imposed under subsections (a) and (b) of Section 201 of this Act, with respect to the portion of a REV Illinois Credit that is calculated based on the Incremental Income Tax attributable to new employees and retained employees, the taxpayer may elect, in accordance with the Reimagining Energy and Electric Vehicles in Illinois Act, to claim the credit, on or after January 1, 2025, against its obligation to pay over withholding under Section 704A of the Illinois Income Tax Act. Any credit for which a Taxpayer makes such an election shall not be claimed against the taxes imposed under subsections (a) and (b) of Section 201 of this Act.

(Source: P.A. 102-669, eff. 11-16-21.)

(35 ILCS 5/237)

Sec. 237. REV Illinois Investment Tax credits.

(a) For tax years beginning on or after the effective date of this amendatory Act of the 102nd General Assembly, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of Section 201 for investment in qualified property which is placed in service at the site of a REV Illinois Project subject to an agreement between the taxpayer and the Department of Commerce and Economic Opportunity pursuant to the Reimagining Energy and Electric Vehicles in Illinois Act. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. The credit shall be 0.5% of the basis for such property. The credit shall be available only in the taxable year in which the property is placed in service and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of Section 201 to below zero. The credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit

shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

(b) The term qualified property means property which:

(1) is tangible, whether new or used, including buildings and structural components of buildings;

(2) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this Section;

(3) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(4) is used at the site of the REV Illinois Project by the taxpayer; and

(5) has not been previously used in Illinois in such a manner and by such a person as would qualify for the credit provided by this Section.

(c) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(d) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service at the site of the REV Illinois Project by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(e) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(f) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved from the REV Illinois Project site within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of Section 201 for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this subsection (f), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(Source: P.A. 102-669, eff. 11-16-21.)

(35 ILCS 5/704A)

Sec. 704A. Employer's return and payment of tax withheld.

(a) In general, every employer who deducts and withholds or is required to deduct and withhold tax under this Act on or after January 1, 2008 shall make those payments and returns as provided in this Section.

(b) Returns. Every employer shall, in the form and manner required by the Department, make returns with respect to taxes withheld or required to be withheld under this Article 7 for each quarter beginning on or after January 1, 2008, on or before the last day of the first month following the close of that quarter.

(c) Payments. With respect to amounts withheld or required to be withheld on or after January 1, 2008:

(1) Semi-weekly payments. For each calendar year, each employer who withheld or was required to withhold more than \$12,000 during the one-year period ending on June 30 of the immediately preceding calendar year, payment must be made:

(A) on or before each Friday of the calendar year, for taxes withheld or required to be withheld on the immediately preceding Saturday, Sunday, Monday, or Tuesday;

(B) on or before each Wednesday of the calendar year, for taxes withheld or required to be withheld on the immediately preceding Wednesday, Thursday, or Friday.

Beginning with calendar year 2011, payments made under this paragraph (1) of subsection (c) must be made by electronic funds transfer.

(2) Semi-weekly payments. Any employer who withholds or is required to withhold more than \$12,000 in any quarter of a calendar year is required to make payments on the dates set forth under item (1) of this subsection (c) for each remaining quarter of that calendar year and for the subsequent calendar year.

(3) Monthly payments. Each employer, other than an employer described in items (1) or (2) of this subsection, shall pay to the Department, on or before the 15th day of each month the taxes withheld or required to be withheld during the immediately preceding month.

(4) Payments with returns. Each employer shall pay to the Department, on or before the due date for each return required to be filed under this Section, any tax withheld or required to be withheld during the period for which the return is due and not previously paid to the Department.

(d) Regulatory authority. The Department may, by rule:

(1) Permit employers, in lieu of the requirements of subsections (b) and (c), to file annual returns due on or before January 31 of the year for taxes withheld or required to be withheld during the previous calendar year and, if the aggregate amounts required to be withheld by the employer under this Article 7 (other than amounts required to be withheld under Section 709.5) do not exceed \$1,000 for the previous calendar year, to pay the taxes required to be shown on each such return no later than the due date for such return.

(2) Provide that any payment required to be made under subsection (c)(1) or (c)(2) is deemed to be timely to the extent paid by electronic funds transfer on or before the due date for deposit of federal income taxes withheld from, or federal employment taxes due with respect to, the wages from which the Illinois taxes were withheld.

(3) Designate one or more depositories to which payment of taxes required to be withheld under this Article 7 must be paid by some or all employers.

(4) Increase the threshold dollar amounts at which employers are required to make semi-weekly payments under subsection (c)(1) or (c)(2).

(e) Annual return and payment. Every employer who deducts and withholds or is required to deduct and withhold tax from a person engaged in domestic service employment, as that term is defined in Section 3510 of the Internal Revenue Code, may comply with the requirements of this Section with respect to such employees by filing an annual return and paying the taxes required to be deducted and withheld on or before the 15th day of the fourth month following the close of the employer's taxable year. The Department may allow the employer's return to be submitted with the employer's individual income tax return or to be submitted with a return due from the employer under Section 1400.2 of the Unemployment Insurance Act.

(f) Magnetic media and electronic filing. With respect to taxes withheld in calendar years prior to 2017, any W-2 Form that, under the Internal Revenue Code and regulations promulgated thereunder, is required to be submitted to the Internal Revenue Service on magnetic media or electronically must also be submitted to the Department on magnetic media or electronically for Illinois purposes, if required by the Department.

With respect to taxes withheld in 2017 and subsequent calendar years, the Department may, by rule, require that any return (including any amended return) under this Section and any W-2 Form that is required to be submitted to the Department must be submitted on magnetic media or electronically.

The due date for submitting W-2 Forms shall be as prescribed by the Department by rule.

(g) For amounts deducted or withheld after December 31, 2009, a taxpayer who makes an election under subsection (f) of Section 5-15 of the Economic Development for a Growing Economy Tax Credit Act for a taxable year shall be allowed a credit against payments due under this Section for amounts withheld during the first calendar year beginning after the end of that taxable year equal to the amount of the credit for the incremental income tax attributable to full-time employees of the taxpayer awarded to the taxpayer by the Department of Commerce and Economic Opportunity under the Economic Development for a Growing Economy Tax Credit Act for the taxable year and credits not previously claimed and allowed to be carried forward under Section 211(4) of this Act as provided in subsection (f) of Section 5-15 of the Economic Development for a Growing Economy Tax Credit Act. The credit or credits may not reduce the taxpayer's obligation for any payment due under this Section to less than zero. If the amount of the credit or credits exceeds the total payments due under this Section with respect to amounts withheld during the calendar year, the excess may be carried forward and applied against the taxpayer's liability under this Section in the succeeding calendar years as allowed to be carried forward under paragraph (4) of Section 211 of this Act. The credit or credits shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one taxable year that are available to offset a liability, the earlier credit shall be applied first. Each employer who deducts and withholds or is required to deduct and withhold tax under this Act and who retains income tax withholdings under subsection (f) of Section 5-15 of the Economic Development for a Growing Economy Tax Credit Act must make a return with respect to such taxes and retained amounts in the form and manner that the Department, by rule, requires and pay to the Department or to a depository designated by the Department those withheld taxes not retained by the taxpayer. For purposes of this subsection (g), the term taxpayer shall include taxpayer and members of the taxpayer's unitary business group as defined under paragraph (27) of subsection (a) of Section 1501 of this Act. This

Section is exempt from the provisions of Section 250 of this Act. No credit awarded under the Economic Development for a Growing Economy Tax Credit Act for agreements entered into on or after January 1, 2015 may be credited against payments due under this Section.

(g-1) For amounts deducted or withheld after December 31, 2024, a taxpayer who makes an election under the Reimagining Energy and Electric Vehicles in Illinois Act shall be allowed a credit against payments due under this Section for amounts withheld during the first quarterly reporting period beginning after the certificate is issued equal to the portion of the REV Illinois Credit attributable to the incremental income tax attributable to new employees and retained employees as certified by the Department of Commerce and Economic Opportunity pursuant to an agreement with the taxpayer under the Reimagining Energy and Electric Vehicles in Illinois Act for the taxable year. The credit or credits may not reduce the taxpayer's obligation for any payment due under this Section to less than zero. If the amount of the credit or credits exceeds the total payments due under this Section with respect to amounts withheld during the quarterly reporting period, the excess may be carried forward and applied against the taxpayer's liability under this Section in the succeeding quarterly reporting period as allowed to be carried forward under paragraph (4) of Section 211 of this Act. The credit or credits shall be applied to the earliest quarterly reporting period for which there is a tax liability. If there are credits from more than one quarterly reporting period that are available to offset a liability, the earlier credit shall be applied first. Each employer who deducts and withholds or is required to deduct and withhold tax under this Act and who retains income tax withholdings this subsection must make a return with respect to such taxes and retained amounts in the form and manner that the Department, by rule, requires and pay to the Department or to a depository designated by the Department those withheld taxes not retained by the taxpayer. For purposes of this subsection (g-1), the term taxpayer shall include taxpayer and members of the taxpayer's unitary business group as defined under paragraph (27) of subsection (a) of Section 1501 of this Act. This Section is exempt from the provisions of Section 250 of this Act.

(g-2) For amounts deducted or withheld after December 31, 2024, a taxpayer who makes an election under the Manufacturing Illinois Chips for Real Opportunity (MICRO) Act shall be allowed a credit against payments due under this Section for amounts withheld during the first quarterly reporting period beginning after the certificate is issued equal to the portion of the MICRO Illinois Credit attributable to the incremental income tax attributable to new employees and retained employees as certified by the Department of Commerce and Economic Opportunity pursuant to an agreement with the taxpayer under the Manufacturing Illinois Chips for Real Opportunity (MICRO) Act for the taxable year. The credit or credits may not reduce the taxpayer's obligation for any payment due under this Section to less than zero. If the amount of the credit or credits exceeds the total payments due under this Section with respect to amounts withheld during the quarterly reporting period, the excess may be carried forward and applied against the taxpayer's liability under this Section in the succeeding quarterly reporting period as allowed to be carried forward under paragraph (4) of Section 211 of this Act. The credit or credits shall be applied to the earliest quarterly reporting period for which there is a tax liability. If there are credits from more than one quarterly reporting period that are available to offset a liability, the earlier credit shall be applied first. Each employer who deducts and withholds or is required to deduct and withhold tax under this Act and who retains income tax withholdings this subsection must make a return with respect to such taxes and retained amounts in the form and manner that the Department, by rule, requires and pay to the Department or to a depository designated by the Department those withheld taxes not retained by the taxpayer. For purposes of this subsection, the term taxpayer shall include taxpayer and members of the taxpayer's unitary business group as defined under paragraph (27) of subsection (a) of Section 1501 of this Act. This Section is exempt from the provisions of Section 250 of this Act.

(h) An employer may claim a credit against payments due under this Section for amounts withheld during the first calendar year ending after the date on which a tax credit certificate was issued under Section 35 of the Small Business Job Creation Tax Credit Act. The credit shall be equal to the amount shown on the certificate, but may not reduce the taxpayer's obligation for any payment due under this Section to less than zero. If the amount of the credit exceeds the total payments due under this Section with respect to amounts withheld during the calendar year, the excess may be carried forward and applied against the taxpayer's liability under this Section in the 5 succeeding calendar years. The credit shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one calendar year that are available to offset a liability, the earlier credit shall be applied first. This Section is exempt from the provisions of Section 250 of this Act.

(i) Each employer with 50 or fewer full-time equivalent employees during the reporting period may claim a credit against the payments due under this Section for each qualified employee in an amount equal to the maximum credit allowable. The credit may be taken against payments due for reporting periods that begin on or after January 1, 2020, and end on or before December 31, 2027. An employer may not claim a credit for an employee who has worked fewer than 90 consecutive days immediately preceding the reporting period; however, such credits may accrue during that 90-day period and be claimed against payments under this Section for future reporting periods after the employee has worked for the employer at least 90 consecutive days. In no event may the credit exceed the employer's liability for the reporting period. Each employer who deducts and withholds or is required to deduct and withhold tax under this Act and who retains income tax withholdings under this subsection must make a return with respect to such taxes and retained amounts in the form and manner that the Department, by rule, requires and pay to the Department or to a depository designated by the Department those withheld taxes not retained by the employer.

For each reporting period, the employer may not claim a credit or credits for more employees than the number of employees making less than the minimum or reduced wage for the current calendar year during the last reporting period of the preceding calendar year. Notwithstanding any other provision of this subsection, an employer shall not be eligible for credits for a reporting period unless the average wage paid by the employer per employee for all employees making less than \$55,000 during the reporting period is greater than the average wage paid by the employer per employee for all employees making less than \$55,000 during the same reporting period of the prior calendar year.

For purposes of this subsection (i):

"Compensation paid in Illinois" has the meaning ascribed to that term under Section 304(a)(2)(B) of this Act.

"Employer" and "employee" have the meaning ascribed to those terms in the Minimum Wage Law, except that "employee" also includes employees who work for an employer with fewer than 4 employees. Employers that operate more than one establishment pursuant to a franchise agreement or that constitute members of a unitary business group shall aggregate their employees for purposes of determining eligibility for the credit.

"Full-time equivalent employees" means the ratio of the number of paid hours during the reporting period and the number of working hours in that period.

"Maximum credit" means the percentage listed below of the difference between the amount of compensation paid in Illinois to employees who are paid not more than the required minimum wage reduced by the amount of compensation paid in Illinois to employees who were paid less than the current required minimum wage during the reporting period prior to each increase in the required minimum wage on January 1. If an employer pays an employee more than the required minimum wage and that employee previously earned less than the required minimum wage, the employer may include the portion that does not exceed the required minimum wage as compensation paid in Illinois to employees who are paid not more than the required minimum wage.

(1) 25% for reporting periods beginning on or after January 1, 2020 and ending on or before December 31, 2020;

(2) 21% for reporting periods beginning on or after January 1, 2021 and ending on or before December 31, 2021;

(3) 17% for reporting periods beginning on or after January 1, 2022 and ending on or before December 31, 2022;

(4) 13% for reporting periods beginning on or after January 1, 2023 and ending on or before December 31, 2023;

(5) 9% for reporting periods beginning on or after January 1, 2024 and ending on or before December 31, 2024;

(6) 5% for reporting periods beginning on or after January 1, 2025 and ending on or before December 31, 2025.

The amount computed under this subsection may continue to be claimed for reporting periods beginning on or after January 1, 2026 and:

(A) ending on or before December 31, 2026 for employers with more than 5 employees; or

(B) ending on or before December 31, 2027 for employers with no more than 5 employees.

"Qualified employee" means an employee who is paid not more than the required minimum wage and has an average wage paid per hour by the employer during the reporting period equal to or greater than his or her average wage paid per hour by the employer during each reporting period for the immediately

preceding 12 months. A new qualified employee is deemed to have earned the required minimum wage in the preceding reporting period.

"Reporting period" means the quarter for which a return is required to be filed under subsection (b) of this Section.

(j) For reporting periods beginning on or after January 1, 2023, if a private employer grants all of its employees the option of taking a paid leave of absence of at least 30 days for the purpose of serving as an organ donor or bone marrow donor, then the private employer may take a credit against the payments due under this Section in an amount equal to the amount withheld under this Section with respect to wages paid while the employee is on organ donation leave, not to exceed \$1,000 in withholdings for each employee who takes organ donation leave. To be eligible for the credit, such a leave of absence must be taken without loss of pay, vacation time, compensatory time, personal days, or sick time for at least the first 30 days of the leave of absence. The private employer shall adopt rules governing organ donation leave, including rules that (i) establish conditions and procedures for requesting and approving leave and (ii) require medical documentation of the proposed organ or bone marrow donation before leave is approved by the private employer. A private employer must provide, in the manner required by the Department, documentation from the employee's medical provider, which the private employer receives from the employee, that verifies the employee's organ donation. The private employer must also provide, in the manner required by the Department, documentation that shows that a qualifying organ donor leave policy was in place and offered to all qualifying employees at the time the leave was taken. For the private employer to receive the tax credit, the employee taking organ donor leave must allow for the applicable medical records to be disclosed to the Department. If the private employer cannot provide the required documentation to the Department, then the private employer is ineligible for the credit under this Section. A private employer must also provide, in the form required by the Department, any additional documentation or information required by the Department to administer the credit under this Section. The credit under this subsection (j) shall be taken within one year after the date upon which the organ donation leave begins. If the leave taken spans into a second tax year, the employer qualifies for the allowable credit in the later of the 2 years. If the amount of credit exceeds the tax liability for the year, the excess may be carried and applied to the tax liability for the 3 taxable years following the excess credit year. The tax credit shall be applied to the earliest year for which there is a tax liability. If there are credits for more than one year that are available to offset liability, the earlier credit shall be applied first.

Nothing in this subsection (j) prohibits a private employer from providing an unpaid leave of absence to its employees for the purpose of serving as an organ donor or bone marrow donor; however, if the employer's policy provides for fewer than 30 days of paid leave for organ or bone marrow donation, then the employer shall not be eligible for the credit under this Section.

As used in this subsection (j):

"Organ" means any biological tissue of the human body that may be donated by a living donor, including, but not limited to, the kidney, liver, lung, pancreas, intestine, bone, skin, or any subpart of those organs.

"Organ donor" means a person from whose body an organ is taken to be transferred to the body of another person.

"Private employer" means a sole proprietorship, corporation, partnership, limited liability company, or other entity with one or more employees. "Private employer" does not include a municipality, county, State agency, or other public employer.

This subsection (j) is exempt from the provisions of Section 250 of this Act.

(Source: P.A. 101-1, eff. 2-19-19; 102-669, eff. 11-16-21; 102-700, Article 30, Section 30-5, eff. 4-19-22; 102-700, Article 110, Section 110-905, eff. 4-19-22; revised 6-1-22.)

Section 925. The Economic Development for a Growing Economy Tax Credit Act is amended by changing Sections 5-5, 5-25, and 5-50 as follows:

(35 ILCS 10/5-5)

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

"Agreement" means the Agreement between a Taxpayer and the Department under the provisions of Section 5-50 of this Act.

"Applicant" means a Taxpayer that is operating a business located or that the Taxpayer plans to locate within the State of Illinois and that is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, assembling, warehousing, or distributing products, conducting research and

development, providing tourism services, or providing services in interstate commerce, office industries, or agricultural processing, but excluding retail, retail food, health, or professional services. "Applicant" does not include a Taxpayer who closes or substantially reduces an operation at one location in the State and relocates substantially the same operation to another location in the State. This does not prohibit a Taxpayer from expanding its operations at another location in the State, provided that existing operations of a similar nature located within the State are not closed or substantially reduced. This also does not prohibit a Taxpayer from moving its operations from one location in the State to another location in the State for the purpose of expanding the operation provided that the Department determines that expansion cannot reasonably be accommodated within the municipality in which the business is located, or in the case of a business located in an incorporated area of the county, within the county in which the business is located, after conferring with the chief elected official of the municipality or county and taking into consideration any evidence offered by the municipality or county regarding the ability to accommodate expansion within the municipality or county.

"Credit" means the amount agreed to between the Department and Applicant under this Act, but not to exceed the lesser of: (1) the sum of (i) 50% of the Incremental Income Tax attributable to New Employees at the Applicant's project and (ii) 10% of the training costs of New Employees; or (2) 100% of the Incremental Income Tax attributable to New Employees at the Applicant's project. However, if the project is located in an underserved area, then the amount of the Credit may not exceed the lesser of: (1) the sum of (i) 75% of the Incremental Income Tax attributable to New Employees at the Applicant's project and (ii) 10% of the training costs of New Employees; or (2) 100% of the Incremental Income Tax attributable to New Employees at the Applicant's project. ~~If the project is not located in an underserved area and the Applicant agrees to hire the required number of New Employees, then the maximum amount of the Credit for that Applicant may be increased by an amount not to exceed 25% of the Incremental Income Tax attributable to retained employees at the Applicant's project; provided that, in order to receive the increase for retained employees, the Applicant must provide the additional evidence required under paragraph (3) of subsection (b) of Section 5-25. If the project is located in an underserved area and the Applicant agrees to hire the required number of New Employees, then the maximum amount of the credit for that Applicant may be increased by an amount not to exceed 50% of the Incremental Income Tax attributable to retained employees at the Applicant's project.~~

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of Commerce and Economic Opportunity.

"Full-time Employee" means an individual who is employed for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment. An individual for whom a W-2 is issued by a Professional Employer Organization (PEO) is a full-time employee if employed in the service of the Applicant for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment to Applicant.

"Incremental Income Tax" means the total amount withheld during the taxable year from the compensation of New Employees and, if applicable, retained employees under Article 7 of the Illinois Income Tax Act arising from employment at a project that is the subject of an Agreement.

"New Construction EDGE Agreement" means the Agreement between a Taxpayer and the Department under the provisions of Section 5-51 of this Act.

"New Construction EDGE Credit" means an amount agreed to between the Department and the Applicant under this Act as part of a New Construction EDGE Agreement that does not exceed 50% of the Incremental Income Tax attributable to New Construction EDGE Employees at the Applicant's project; however, if the New Construction EDGE Project is located in an underserved area, then the amount of the New Construction EDGE Credit may not exceed 75% of the Incremental Income Tax attributable to New Construction EDGE Employees at the Applicant's New Construction EDGE Project.

"New Construction EDGE Employee" means a laborer or worker who is employed by an Illinois contractor or subcontractor in the actual construction work on the site of a New Construction EDGE Project, pursuant to a New Construction EDGE Agreement.

"New Construction EDGE Incremental Income Tax" means the total amount withheld during the taxable year from the compensation of New Construction EDGE Employees.

"New Construction EDGE Project" means the building of a Taxpayer's structure or building, or making improvements of any kind to real property. "New Construction EDGE Project" does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.

"New Employee" means:

(a) A Full-time Employee first employed by a Taxpayer in the project that is the subject of an Agreement and who is hired after the Taxpayer enters into the tax credit Agreement.

(b) The term "New Employee" does not include:

(1) an employee of the Taxpayer who performs a job that was previously performed by another employee, if that job existed for at least 6 months before hiring the employee;

(2) an employee of the Taxpayer who was previously employed in Illinois by a Related Member of the Taxpayer and whose employment was shifted to the Taxpayer after the Taxpayer entered into the tax credit Agreement; or

(3) a child, grandchild, parent, or spouse, other than a spouse who is legally separated from the individual, of any individual who has a direct or an indirect ownership interest of at least 5% in the profits, capital, or value of the Taxpayer.

(c) Notwithstanding paragraph (1) of subsection (b), an employee may be considered a New Employee under the Agreement if the employee performs a job that was previously performed by an employee who was:

(1) treated under the Agreement as a New Employee; and

(2) promoted by the Taxpayer to another job.

(d) Notwithstanding subsection (a), the Department may award Credit to an Applicant with respect to an employee hired prior to the date of the Agreement if:

(1) the Applicant is in receipt of a letter from the Department stating an intent to enter into a credit Agreement;

(2) the letter described in paragraph (1) is issued by the Department not later than 15 days after the effective date of this Act; and

(3) the employee was hired after the date the letter described in paragraph (1) was issued.

"Noncompliance Date" means, in the case of a Taxpayer that is not complying with the requirements of the Agreement or the provisions of this Act, the day following the last date upon which the Taxpayer was in compliance with the requirements of the Agreement and the provisions of this Act, as determined by the Director, pursuant to Section 5-65.

"Pass Through Entity" means an entity that is exempt from the tax under subsection (b) or (c) of Section 205 of the Illinois Income Tax Act.

"Professional Employer Organization" (PEO) means an employee leasing company, as defined in Section 206.1(A)(2) of the Illinois Unemployment Insurance Act.

"Related Member" means a person that, with respect to the Taxpayer during any portion of the taxable year, is any one of the following:

(1) An individual stockholder, if the stockholder and the members of the stockholder's family (as defined in Section 318 of the Internal Revenue Code) own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the value of the Taxpayer's outstanding stock.

(2) A partnership, estate, or trust and any partner or beneficiary, if the partnership, estate, or trust, and its partners or beneficiaries own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the profits, capital, stock, or value of the Taxpayer.

(3) A corporation, and any party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the Taxpayer owns directly, indirectly, beneficially, or constructively at least 50% of the value of the corporation's outstanding stock.

(4) A corporation and any party related to that corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the corporation and all such related parties own in the aggregate at least 50% of the profits, capital, stock, or value of the Taxpayer.

(5) A person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code, except, for purposes of determining whether a person is a Related Member under this paragraph, 20% shall be substituted for 5% wherever 5% appears in Section 1563(e) of the Internal Revenue Code.

"Startup taxpayer" means a corporation, partnership, or other entity incorporated or organized no more than 5 years before the filing of an application for an Agreement that has never had any Illinois

income tax liability, excluding any Illinois income tax liability of a Related Member which shall not be attributed to the startup taxpayer.

"Taxpayer" means an individual, corporation, partnership, or other entity that has any Illinois Income Tax liability.

Until July 1, 2022, "underserved area" means a geographic area that meets one or more of the following conditions:

- (1) the area has a poverty rate of at least 20% according to the latest federal decennial census;
- (2) 75% or more of the children in the area participate in the federal free lunch program according to reported statistics from the State Board of Education;
- (3) at least 20% of the households in the area receive assistance under the Supplemental Nutrition Assistance Program (SNAP); or
- (4) the area has an average unemployment rate, as determined by the Illinois Department of Employment Security, that is more than 120% of the national unemployment average, as determined by the U.S. Department of Labor, for a period of at least 2 consecutive calendar years preceding the date of the application.

On and after July 1, 2022, "underserved area" means a geographic area that meets one or more of the following conditions:

- (1) the area has a poverty rate of at least 20% according to the latest American Community Survey;
- (2) 35% or more of the families with children in the area are living below 130% of the poverty line, according to the latest American Community Survey;
- (3) at least 20% of the households in the area receive assistance under the Supplemental Nutrition Assistance Program (SNAP); or
- (4) the area has an average unemployment rate, as determined by the Illinois Department of Employment Security, that is more than 120% of the national unemployment average, as determined by the U.S. Department of Labor, for a period of at least 2 consecutive calendar years preceding the date of the application.

(Source: P.A. 101-9, eff. 6-5-19; 102-330, eff. 1-1-22; 102-700, eff. 4-19-22.)

(35 ILCS 10/5-25)

Sec. 5-25. Review of Application.

(a) (Blank).

(b) The Department shall determine which projects will benefit the State. In making its recommendation that an Applicant's application for Credit should or should not be accepted, which shall occur within a reasonable time frame as determined by the nature of the application, the Department shall determine that all the following conditions exist:

(1) The Applicant's project intends, as required by subsection (b) of Section 5-20 to make the required investment in the State and intends to hire the required number of New Employees in Illinois as a result of that project.

(2) The Applicant's project is economically sound and will benefit the people of the State of Illinois by increasing opportunities for employment and strengthen the economy of Illinois.

(3) ~~The Applicant has certified that if not for the Credit, the project would not occur in Illinois, which may be demonstrated by evidence that receipt of the Credit is essential to the Applicant's decision to create new jobs in the State, such as the magnitude of the cost differential between Illinois and a competing State; in addition, if the Applicant is seeking an increase in the maximum amount of the Credit for retained employees, the Applicant must provide evidence the Applicant has multi state location options and could reasonably and efficiently locate outside of the State or demonstrate that at least one other state is being considered for the project.~~

(4) A cost differential is identified, using best available data, in the projected costs for the Applicant's project compared to the costs in the competing state, including the impact of the competing state's incentive programs. The competing state's incentive programs shall include state, local, private, and federal funds available. This paragraph (4) applies only to agreements entered into before the effective date of this amendatory Act of the 102nd General Assembly.

(5) The political subdivisions affected by the project have committed local incentives with respect to the project, considering local ability to assist.

(6) Awarding the Credit will result in an overall positive fiscal impact to the State, as certified by the Department using the best available data.

(7) The Credit is not prohibited by Section 5-35 of this Act.

(Source: P.A. 102-330, eff. 1-1-22.)

(35 ILCS 10/5-50)

Sec. 5-50. Contents of Agreements with Applicants. The Department shall enter into an Agreement with an Applicant that is awarded a Credit under this Act. The Agreement must include all of the following:

(1) A detailed description of the project that is the subject of the Agreement, including the location and amount of the investment and jobs created or retained.

(2) The duration of the Credit and the first taxable year for which the Credit may be claimed.

(3) The Credit amount that will be allowed for each taxable year.

(4) A requirement that the Taxpayer shall maintain operations at the project location that shall be stated as a minimum number of years not to exceed 10.

(5) A specific method for determining the number of New Employees employed during a taxable year.

(6) A requirement that the Taxpayer shall annually report to the Department the number of New Employees, the Incremental Income Tax withheld in connection with the New Employees, and any other information the Director needs to perform the Director's duties under this Act.

(7) A requirement that the Director is authorized to verify with the appropriate State agencies the amounts reported under paragraph (6), and after doing so shall issue a certificate to the Taxpayer stating that the amounts have been verified.

(8) A requirement that the Taxpayer shall provide written notification to the Director not more than 30 days after the Taxpayer makes or receives a proposal that would transfer the Taxpayer's State tax liability obligations to a successor Taxpayer.

(9) A detailed description of the number of New Employees to be hired, and the occupation and payroll of the full-time jobs to be created or retained as a result of the project.

(10) The minimum investment the business enterprise will make in capital improvements, the time period for placing the property in service, and the designated location in Illinois for the investment.

(11) A requirement that the Taxpayer shall provide written notification to the Director and the Committee not more than 30 days after the Taxpayer determines that the minimum job creation or retention, employment payroll, or investment no longer is being or will be achieved or maintained as set forth in the terms and conditions of the Agreement.

(12) A provision that, if the total number of New Employees falls below a specified level, the allowance of Credit shall be suspended until the number of New Employees equals or exceeds the Agreement amount.

(13) A detailed description of the items for which the costs incurred by the Taxpayer will be included in the limitation on the Credit provided in Section 5-30.

(13.5) A provision that, if the Taxpayer never meets either the investment or job creation and retention requirements specified in the Agreement during the entire 5-year period beginning on the effective date of ~~first day of the first taxable year in which the Agreement is executed~~ and ending 5 years after the effective date of the Agreement on the last day of the fifth taxable year after the Agreement is executed, then the Agreement is automatically terminated on the last day of the fifth taxable year after the Agreement is executed and the Taxpayer is not entitled to the award of any credits for any of that 5-year period.

(13.7) A provision specifying that, if the Taxpayer ceases principal operations with the intent to shut down the project in the State permanently during the term of the Agreement, then the entire credit amount awarded to the Taxpayer prior to the date the Taxpayer ceases principal operations shall be returned to the Department and shall be reallocated to the local workforce investment area in which the project was located.

(14) Any other performance conditions or contract provisions as the Department determines are appropriate.

The Department shall post on its website the terms of each Agreement entered into under this Act on or after the effective date of this amendatory Act of the 97th General Assembly. Such information shall be posted within 10 days after entering into the Agreement and must include the following:

(1) the name of the recipient business;

(2) the location of the project;

(3) the estimated value of the credit;

(4) the number of new jobs and, if applicable, retained jobs pledged as a result of the project;
and

(5) whether or not the project is located in an underserved area.

(Source: P.A. 100-511, eff. 9-18-17.)

Section 930. The Film Production Services Tax Credit Act of 2008 is amended by changing Sections 10 and 42 as follows:

(35 ILCS 16/10)

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

"Accredited production" means: (i) for productions commencing before May 1, 2006, a film, video, or television production that has been certified by the Department in which the aggregate Illinois labor expenditures included in the cost of the production, in the period that ends 12 months after the time principal filming or taping of the production began, exceed \$100,000 for productions of 30 minutes or longer, or \$50,000 for productions of less than 30 minutes; and (ii) for productions commencing on or after May 1, 2006, a film, video, or television production that has been certified by the Department in which the Illinois production spending included in the cost of production in the period that ends 12 months after the time principal filming or taping of the production began exceeds \$100,000 for productions of 30 minutes or longer or exceeds \$50,000 for productions of less than 30 minutes. "Accredited production" does not include a production that:

(1) is news, current events, or public programming, or a program that includes weather or market reports;

(2) is a talk show;

(3) is a production in respect of a game, questionnaire, or contest;

(4) is a sports event or activity;

(5) is a gala presentation or awards show;

(6) is a finished production that solicits funds;

(7) is a production produced by a film production company if records, as required by 18 U.S.C. 2257, are to be maintained by that film production company with respect to any performer portrayed in that single media or multimedia program; or

(8) is a production produced primarily for industrial, corporate, or institutional purposes.

"Accredited animated production" means an accredited production in which movement and characters' performances are created using a frame-by-frame technique and a significant number of major characters are animated. Motion capture by itself is not an animation technique.

"Accredited production certificate" means a certificate issued by the Department certifying that the production is an accredited production that meets the guidelines of this Act.

"Applicant" means a taxpayer that is a film production company that is operating or has operated an accredited production located within the State of Illinois and that (i) owns the copyright in the accredited production throughout the Illinois production period or (ii) has contracted directly with the owner of the copyright in the accredited production or a person acting on behalf of the owner to provide services for the production, where the owner of the copyright is not an eligible production corporation.

"Credit" means:

(1) for an accredited production approved by the Department on or before January 1, 2005 and commencing before May 1, 2006, the amount equal to 25% of the Illinois labor expenditure approved by the Department. The applicant is deemed to have paid, on its balance due day for the year, an amount equal to 25% of its qualified Illinois labor expenditure for the tax year. For Illinois labor expenditures generated by the employment of residents of geographic areas of high poverty or high unemployment, as determined by the Department, in an accredited production commencing before May 1, 2006 and approved by the Department after January 1, 2005, the applicant shall receive an enhanced credit of 10% in addition to the 25% credit; and

(2) for an accredited production commencing on or after May 1, 2006 and before January 1, 2009, the amount equal to:

(i) 20% of the Illinois production spending for the taxable year; plus

(ii) 15% of the Illinois labor expenditures generated by the employment of residents of geographic areas of high poverty or high unemployment, as determined by the Department; and

(3) for an accredited production commencing on or after January 1, 2009, the amount equal to:

(i) 30% of the Illinois production spending for the taxable year; plus

(ii) 15% of the Illinois labor expenditures generated by the employment of residents of geographic areas of high poverty or high unemployment, as determined by the Department.

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of Commerce and Economic Opportunity.

"Illinois labor expenditure" means salary or wages paid to employees of the applicant for services on the accredited production.

To qualify as an Illinois labor expenditure, the expenditure must be:

(1) Reasonable in the circumstances.

(2) Included in the federal income tax basis of the property.

(3) Incurred by the applicant for services on or after January 1, 2004.

(4) Incurred for the production stages of the accredited production, from the final script stage to the end of the post-production stage.

(5) Limited to the first \$25,000 of wages paid or incurred to each employee of a production commencing before May 1, 2006 and the first \$100,000 of wages paid or incurred to each employee of a production commencing on or after May 1, 2006 and prior to July 1, 2022. For productions commencing on or after July 1, 2022, limited to the first \$500,000 of wages paid or incurred to each eligible nonresident or resident employee of a production company or loan out company that provides in-State services to a production, whether those wages are paid or incurred by the production company, loan out company, or both, subject to withholding payments provided for in Article 7 of the Illinois Income Tax Act. For purposes of calculating Illinois labor expenditures for a television series, the eligible nonresident wage limitations provided under this subparagraph are applied to the entire season. For the purpose of this paragraph (5), an eligible nonresident is a nonresident whose wages qualify as an Illinois labor expenditure under the provisions of paragraph (9) that apply to that production.

(6) For a production commencing before May 1, 2006, exclusive of the salary or wages paid to or incurred for the 2 highest paid employees of the production.

(7) Directly attributable to the accredited production.

(8) (Blank).

(9) Prior to July 1, 2022, paid to persons resident in Illinois at the time the payments were made. For a production commencing on or after July 1, 2022, paid to persons resident in Illinois and nonresidents at the time the payments were made.

For purposes of this subparagraph, if the production is accredited by the Department before the effective date of this amendatory Act of the 102nd General Assembly, only wages paid to nonresidents working in the following positions shall be considered Illinois labor expenditures: Writer, Director, Director of Photography, Production Designer, Costume Designer, Production Accountant, VFX Supervisor, Editor, Composer, and Actor, subject to the limitations set forth under this subparagraph. For an accredited Illinois production spending of \$25,000,000 or less, no more than 2 nonresident actors' wages shall qualify as an Illinois labor expenditure. For an accredited production with Illinois production spending of more than \$25,000,000, no more than 4 nonresident actor's wages shall qualify as Illinois labor expenditures.

For purposes of this subparagraph, if the production is accredited by the Department on or after the effective date of this amendatory Act of the 102nd General Assembly, wages paid to nonresidents shall qualify as Illinois labor expenditures only under the following conditions:

(A) the nonresident must be employed in a qualified position;

(B) for each of those accredited productions, the wages of not more than 9 nonresidents who are employed in a qualified position other than Actor shall qualify as Illinois labor expenditures;

(C) for an accredited production with Illinois production spending of \$25,000,000 or less, no more than 2 nonresident actors' wages shall qualify as Illinois labor expenditures; and

(D) for an accredited production with Illinois production spending of more than \$25,000,000, no more than 4 nonresident actors' wages shall qualify as Illinois labor expenditures.

As used in this paragraph (9), "qualified position" means: Writer, Director, Director of Photography, Production Designer, Costume Designer, Production Accountant, VFX Supervisor, Editor, Composer, or Actor.

(10) Paid for services rendered in Illinois.

"Illinois production spending" means the expenses incurred by the applicant for an accredited production, including, without limitation, all of the following:

(1) expenses to purchase, from vendors within Illinois, tangible personal property that is used in the accredited production;

(2) expenses to acquire services, from vendors in Illinois, for film production, editing, or processing; and

(3) for a production commencing before July 1, 2022, the compensation, not to exceed \$100,000 for any one employee, for contractual or salaried employees who are Illinois residents performing services with respect to the accredited production. For a production commencing on or after July 1, 2022, the compensation, not to exceed \$500,000 for any one employee, for contractual or salaried employees who are Illinois residents or nonresident employees, subject to the limitations set forth under Section 10 of this Act.

"Loan out company" means a personal service corporation or other entity that is under contract with the taxpayer to provide specified individual personnel, such as artists, crew, actors, producers, or directors for the performance of services used directly in a production. "Loan out company" does not include entities contracted with by the taxpayer to provide goods or ancillary contractor services such as catering, construction, trailers, equipment, or transportation.

"Qualified production facility" means stage facilities in the State in which television shows and films are or are intended to be regularly produced and that contain at least one sound stage of at least 15,000 square feet.

Rulemaking authority to implement Public Act 95-1006, 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. 102-558, eff. 8-20-21; 102-700, eff. 4-19-22.)

(35 ILCS 16/42)

Sec. 42. Sunset of credits. The application of credits awarded pursuant to this Act shall be limited by a reasonable and appropriate sunset date. A taxpayer shall not be awarded any new credits pursuant to this Act for tax years beginning on or after January 1, 2033 ~~January 1, 2027~~.

(Source: P.A. 101-178, eff. 8-1-19; 102-700, eff. 4-19-22.)

Section 935. The Manufacturing Illinois Chips for Real Opportunity (MICRO) Act is amended by changing Sections 110-15, 110-20, 110-30, and 110-40 as follows:

(35 ILCS 45/110-15)

Sec. 110-15. Powers of the Department. The Department, in addition to those powers granted under the Civil Administrative Code of Illinois, is granted and shall have all the powers necessary or convenient to administer the program under this Act and to carry out and effectuate the purposes and provisions of this Act, including, but not limited to, the power and authority to:

(1) adopt rules deemed necessary and appropriate for the administration of the program, the designation of projects, and the awarding of credits;

(2) establish forms for applications, notifications, contracts, or any other agreements and accept applications at any time during the year;

(3) assist taxpayers pursuant to the provisions of this Act and cooperate with taxpayers that are parties to agreements under this Act to promote, foster, and support economic development, capital investment, and job creation or retention within the State;

(4) enter into agreements and memoranda of understanding for participation of, and engage in cooperation with, agencies of the federal government, units of local government, universities, research foundations or institutions, regional economic development corporations, or other organizations to implement the requirements and purposes of this Act;

(5) gather information and conduct inquiries, in the manner and by the methods it deems desirable, including without limitation, gathering information with respect to applicants for the purpose of making any designations or certifications necessary or desirable or to gather information to assist the Department with any recommendation or guidance in the furtherance of the purposes of this Act;

(6) establish, negotiate and effectuate agreements and any term, agreement, or other document with any person, necessary or appropriate to accomplish the purposes of this Act; and to consent,

subject to the provisions of any agreement with another party, to the modification or restructuring of any agreement to which the Department is a party;

(7) fix, determine, charge, and collect any premiums, fees, charges, costs, and expenses from applicants, including, without limitation, any application fees, commitment fees, program fees, financing charges, or publication fees as deemed appropriate to pay expenses necessary or incident to the administration, staffing, or operation in connection with the Department's activities under this Act, or for preparation, implementation, and enforcement of the terms of the agreement, or for consultation, advisory and legal fees, and other costs; however, all fees and expenses incident thereto shall be the responsibility of the applicant;

(8) provide for sufficient personnel to permit administration, staffing, operation, and related support required to adequately discharge its duties and responsibilities described in this Act from funds made available through charges to applicants or from funds as may be appropriated by the General Assembly for the administration of this Act;

(9) require applicants, upon written request, to issue any necessary authorization to the appropriate federal, State, or local authority for the release of information concerning a project being considered under the provisions of this Act, with the information requested to include, but not be limited to, financial reports, returns, or records relating to the taxpayer or its project;

(10) require that a taxpayer shall at all times keep proper books of record and account in accordance with generally accepted accounting principles consistently applied, with the books, records, or papers related to the agreement in the custody or control of the taxpayer open for reasonable Department inspection and audits, and including, without limitation, the making of copies of the books, records, or papers, and the inspection or appraisal of any of the taxpayer or project assets;

(11) take whatever actions are necessary or appropriate to protect the State's interest in the event of bankruptcy, default, foreclosure, or noncompliance with the terms and conditions of financial assistance or participation required under this Act, including the power to sell, dispose, lease, or rent, upon terms and conditions determined by the Director to be appropriate, real or personal property that the Department may receive as a result of these actions; and-

(12) determine the conditions and process for renewal of the Manufacturing Illinois Chips for Real Opportunity incentives awarded under this Act in accordance with Section 110-40 of this Act.

(Source: P.A. 102-700, eff. 4-19-22.)

(35 ILCS 45/110-20)

Sec. 110-20. Manufacturing Illinois Chips for Real Opportunity (MICRO) Program; project applications.

(a) The Manufacturing Illinois Chips for Real Opportunity (MICRO) Program is hereby established and shall be administered by the Department. The Program will provide financial incentives to eligible semiconductor manufacturers and microchip manufacturers.

(b) Any taxpayer planning a project to be located in Illinois may request consideration for designation of its project as a MICRO project, by formal written letter of request or by formal application to the Department, in which the applicant states its intent to make at least a specified level of investment and intends to hire a specified number of full-time employees at a designated location in Illinois. As circumstances require, the Department shall require a formal application from an applicant and a formal letter of request for assistance.

(c) In order to qualify for credits under the program, an applicant must:

(1) for a semiconductor manufacturer or microchip manufacturer:

(A) make an investment of at least \$1,500,000,000 in capital improvements at the project site;

(B) to be placed in service within the State within a 60-month period after approval of the application; and

(C) create at least 500 new full-time employee jobs; or

(2) for a semiconductor or microchip component parts manufacturer:

(A) make an investment of at least \$300,000,000 in capital improvements at the project site;

(B) manufacture one or more parts that are primarily used for the manufacture of semiconductors or microchips;

(C) to be placed in service within the State within a 60-month period after approval of the application; and

(D) create at least 150 new full-time employee jobs; or

(3) for a semiconductor manufacturer or microchip manufacturer or a semiconductor or microchip component parts manufacturer that does not qualify under paragraph (2) above:

(A) make an investment of at least \$20,000,000 in capital improvements at the project site;

(B) to be placed in service within the State within a 48-month period after approval of the application; and

(C) create at least 50 new full-time employee jobs; or

(4) for a semiconductor manufacturer or microchip manufacturer or a semiconductor or microchip component parts manufacturer with existing operations in Illinois that intends to convert or expand, in whole or in part, the existing facility from traditional manufacturing to semiconductor manufacturing or microchip manufacturing or semiconductor or microchip component parts manufacturing:

(A) make an investment of at least \$100,000,000 in capital improvements at the project site;

(B) to be placed in service within the State within a 60-month period after approval of the application; and

(C) create the lesser of 75 new full-time employee jobs or new full-time employee jobs equivalent to 10% of the Statewide baseline applicable to the taxpayer and any related member at the time of application.

(d) For any applicant creating the full-time employee jobs noted in subsection (c), those jobs must have a total compensation equal to or greater than 120% of the average wage paid to full-time employees in the county where the project is located, as determined by the Department U.S. Bureau of Labor Statistics.

(e) Each applicant must outline its hiring plan and commitment to recruit and hire full-time employee positions at the project site. The hiring plan may include a partnership with an institution of higher education to provide internships, including, but not limited to, internships supported by the Clean Jobs Workforce Network Program, or full-time permanent employment for students at the project site. Additionally, the applicant may create or utilize participants from apprenticeship programs that are approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training. The Applicant may apply for apprenticeship education expense credits in accordance with the provisions set forth in 14 Ill. Admin. Code 522. Each applicant is required to report annually, on or before April 15, on the diversity of its workforce in accordance with Section 110-50 of this Act. For existing facilities of applicants under paragraph (3) of subsection (b) above, if the taxpayer expects a reduction in force due to its transition to manufacturing semiconductors, microchips, or semiconductor or microchip component parts, the plan submitted under this Section must outline the taxpayer's plan to assist with retraining its workforce aligned with the taxpayer's adoption of new technologies and anticipated efforts to retrain employees through employment opportunities within the taxpayer's workforce.

(f) A taxpayer may not enter into more than one agreement under this Act with respect to a single address or location for the same period of time. Also, a taxpayer may not enter into an agreement under this Act with respect to a single address or location for the same period of time for which the taxpayer currently holds an active agreement under the Economic Development for a Growing Economy Tax Credit Act. This provision does not preclude the applicant from entering into an additional agreement after the expiration or voluntary termination of an earlier agreement under this Act or under the Economic Development for a Growing Economy Tax Credit Act to the extent that the taxpayer's application otherwise satisfies the terms and conditions of this Act and is approved by the Department. An applicant with an existing agreement under the Economic Development for a Growing Economy Tax Credit Act may submit an application for an agreement under this Act after it terminates any existing agreement under the Economic Development for a Growing Economy Tax Credit Act with respect to the same address or location.

(Source: P.A. 102-700, eff. 4-19-22.)

(35 ILCS 45/110-30)

Sec. 110-30. Tax credit awards.

(a) Subject to the conditions set forth in this Act, a taxpayer is entitled to a credit against the tax imposed pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act for a taxable year beginning on or after January 1, 2025 if the taxpayer is awarded a credit by the Department in accordance

with an agreement under this Act. The Department has authority to award credits under this Act on and after January 1, 2023.

(b) A taxpayer may receive a tax credit against the tax imposed under subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, not to exceed the sum of (i) 75% of the incremental income tax attributable to new employees at the applicant's project and (ii) 10% of the training costs of the new employees. If the project is located in an underserved area or an energy transition area, then the amount of the credit may not exceed the sum of (i) 100% of the incremental income tax attributable to new employees at the applicant's project; and (ii) 10% of the training costs of the new employees. The percentage of training costs includable in the calculation may be increased by an additional 15% for training costs associated with new employees that are recent (2 years or less) graduates, certificate holders, or credential recipients from an institution of higher education in Illinois, or, if the training is provided by an institution of higher education in Illinois, the Clean Jobs Workforce Network Program, or an apprenticeship and training program located in Illinois and approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training. An applicant is also eligible for a training credit that shall not exceed 10% of the training costs of retained employees for the purpose of upskilling to meet the operational needs of the applicant or the project. The percentage of training costs includable in the calculation shall not exceed a total of 25%. If an applicant agrees to hire the required number of new employees, then the maximum amount of the credit for that applicant may be increased by an amount not to exceed 75% ~~25%~~ of the incremental income tax attributable to retained employees at the applicant's project; provided that, in order to receive the increase for retained employees, the applicant must, if applicable, meet or exceed the statewide baseline. If the Project is in an underserved area or an energy transition area, the maximum amount of the credit attributable to retained employees for the applicant may be increased to an amount not to exceed 100% ~~50%~~ of the incremental income tax attributable to retained employees at the applicant's project; provided that, in order to receive the increase for retained employees, the applicant must meet or exceed the statewide baseline. Credits awarded may include credit earned for incremental income tax withheld and training costs incurred by the taxpayer beginning on or after January 1, 2023. Credits so earned and certified by the Department may be applied against the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act for taxable years beginning on or after January 1, 2025.

(c) MICRO Construction Jobs Credit. For construction wages associated with a project that qualified for a credit under subsection (b), the taxpayer may receive a tax credit against the tax imposed under subsections (a) and (b) of Section 201 of the Illinois Income Tax Act in an amount equal to 50% of the incremental income tax attributable to construction wages paid in connection with construction of the project facilities, as a jobs credit for workers hired to construct the project.

The MICRO Construction Jobs Credit may not exceed 75% of the amount of the incremental income tax attributable to construction wages paid in connection with construction of the project facilities if the project is in an underserved area or an energy transition area.

(d) The Department shall certify to the Department of Revenue: (1) the identity of taxpayers that are eligible for the MICRO Credit and MICRO Construction Jobs Credit; (2) the amount of the MICRO Credits and MICRO Construction Jobs Credits awarded in each calendar year; and (3) the amount of the MICRO Credit and MICRO Construction Jobs Credit claimed in each calendar year. MICRO Credits awarded may include credit earned for incremental income tax withheld and training costs incurred by the taxpayer beginning on or after January 1, 2023. Credits so earned and certified by the Department may be applied against the tax imposed by Section 201(a) and (b) of the Illinois Income Tax Act for taxable years beginning on or after January 1, 2025.

(e) Applicants seeking certification for a tax credits related to the construction of the project facilities in the State shall require the contractor to enter into a project labor agreement that conforms with the Project Labor Agreements Act.

(f) Any applicant issued a certificate for a tax credit or tax exemption under this Act must annually report to the Department the total project tax benefits received. Reports are due no later than May 31 of each year and shall cover the previous calendar year. The first report is for the 2023 calendar year and is due no later than May 31, 2023. For applicants issued a certificate of exemption under Section 110-105 of this Act, the report shall be the same as required for a High Impact Business under subsection (a-5) of Section 8.1 of the Illinois Enterprise Zone Act. Each person required to file a return under the Gas Revenue Tax Act, the Electricity Excise Tax Act, or the Telecommunications Excise Tax Act shall file a report on customers issued an exemption certificate under Section 110-95 of this Act in the same manner and form as they are required to report under subsection (b) of Section 8.1 of the Illinois Enterprise Zone Act.

(g) Nothing in this Act shall prohibit an award of credit to an applicant that uses a PEO if all other award criteria are satisfied.

(h) With respect to any portion of a credit that is based on the incremental income tax attributable to new employees or retained employees, in lieu of the credit allowed under this Act against the taxes imposed pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, a taxpayer that otherwise meets the criteria set forth in this Section, the taxpayer may elect to claim the credit, on or after January 1, 2025, against its obligation to pay over withholding under Section 704A of the Illinois Income Tax Act. The election shall be made in the manner prescribed by the Department of Revenue and once made shall be irrevocable.

(Source: P.A. 102-700, eff. 4-19-22.)

(35 ILCS 45/110-40)

Sec. 110-40. Amount and duration of the credits; limitation to amount of costs of specified items. The Department shall determine the amount and duration of the credit awarded under this Act, subject to the limitations set forth in this Act. For a project that qualified under paragraph (1), (2), or (4) of subsection (c) of Section 110-20, the duration of the credit may not exceed 15 taxable years, with an option to renew the agreement for no more than one term not to exceed an additional 15 taxable years. For project that qualified under paragraph (3) of subsection (c) of Section 110-20, the duration of the credit may not exceed 10 taxable years, with an option to renew the agreement for no more than one term not to exceed an additional 10 taxable years. The credit may be stated as a percentage of the incremental income tax and training costs attributable to the applicant's project and may include a fixed dollar limitation.

Nothing in this Section shall prevent the Department, in consultation with the Department of Revenue, from adopting rules to extend the sunset of any earned, existing, and unused tax credit or credits a taxpayer may be in possession of.

(Source: P.A. 102-700, eff. 4-19-22.)

Section 940. The Use Tax Act is amended by adding Section 3-87 as follows:

(35 ILCS 105/3-87 new)

Sec. 3-87. Sustainable Aviation Fuel Purchase Credit.

(a) From June 1, 2023 through January 1, 2033, sustainable aviation fuel sold to or used by an air carrier, certified by the carrier to the Department to be used in Illinois, earns a credit in the amount of \$1.50 per gallon of sustainable aviation fuel purchased. The credit earned shall be referred to as the Sustainable Aviation Fuel Credit.

The purchaser of sustainable aviation fuel shall certify to the seller of the aviation fuel that the purchaser is satisfying all or part of its liability under the Use Tax Act or the Service Use Tax Act that is due on the purchase of aviation fuel by use of the sustainable aviation fuel purchase credit.

The Sustainable Aviation Fuel Purchase Credit certification must be dated and shall include the name and address of the purchaser, the purchaser's registration number, if registered, the credit being applied, and a statement that the State use tax or service use tax liability is being satisfied with the air carrier's accumulated sustainable aviation fuel purchase credit.

Until July 1, 2033, on an annual basis, no credit may be earned by an air carrier for soybean oil-derived sustainable aviation fuel once air carriers in this State have collectively purchased sustainable aviation fuel containing 10,000,000 gallons of soybean oil feedstock.

A Sustainable Aviation Fuel Purchase Credit certification provided by the air carrier may be used to satisfy the retailer's or serviceman's liability on aviation fuel under the Retailers' Occupation Tax Act or Service Occupation Tax Act for the credit claimed.

(b) As used in this Section, "sustainable aviation fuel" means liquid fuel that meets the criteria set forth in subsections (d) and (e) of Section 40B of the federal Internal Revenue Code of 1986 or:

(1) consists of synthesized hydrocarbons and meets the requirements of:

(A) the American Society for Testing and Materials International Standard D7566; or

(B) the Fischer-Tropsch provisions of American Society for Testing and Materials International Standard D1655, Annex A1;

(2) prior to June 1, 2028, is derived from biomass resources, waste streams, renewable energy sources, or gaseous carbon oxides, and beginning on June 1, 2028 is derived from domestic biomass resources;

(3) is not derived from any palm derivatives; and

(4) achieves at least a 50% lifecycle greenhouse gas emissions reduction in comparison with petroleum-based jet fuel, as determined by a test that shows:

(A) that the fuel production pathway achieves at least a 50% reduction of the aggregate attributional core lifecycle emissions and the positive induced land use change values under the lifecycle methodology for sustainable aviation fuels adopted by the International Civil Aviation Organization with the agreement of the United States; or

(B) that the fuel production pathway achieves at least a 50% reduction of the aggregate attributional core lifecycle greenhouse gas emissions values utilizing the most recent version of Argonne National Laboratory's GREET model, inclusive of agricultural practices and carbon capture and sequestration.

Section 950. The Service Use Tax Act is amended by adding Section 3-72 as follows:
(35 ILCS 110/3-72 new)

Sec. 3-72. Sustainable Aviation Fuel Purchase Credit.

(a) From June 1, 2023 through January 1, 2033, sustainable aviation fuel sold to or used by an air carrier, certified by the carrier to the Department to be used in Illinois, earns a credit in the amount of \$1.50 per gallon of sustainable aviation fuel purchased. The credit earned shall be referred to as the Sustainable Aviation Fuel Credit.

The purchaser of sustainable aviation fuel shall certify to the seller of the aviation fuel that the purchaser is satisfying all or part of its liability under the Use Tax Act or the Service Use Tax Act that is due on the purchase of aviation fuel by use of the sustainable aviation fuel purchase credit.

The Sustainable Aviation Fuel Purchase Credit certification must be dated and shall include the name and address of the purchaser, the purchaser's registration number, if registered, the credit being applied, and a statement that the State use tax or service use tax liability is being satisfied with the air carrier's accumulated sustainable aviation fuel purchase credit.

Until July 1, 2033, on an annual basis, no credit may be earned by an air carrier for soybean oil-derived sustainable aviation fuel once air carriers in this State have collectively purchased sustainable aviation fuel containing 10,000,000 gallons of soybean oil feedstock.

A Sustainable Aviation Fuel Purchase Credit certification provided by the air carrier may be used to satisfy the retailer's or serviceman's liability on aviation fuel under the Retailers' Occupation Tax Act or Service Occupation Tax Act for the credit claimed.

(b) As used in this Section, "sustainable aviation fuel" means liquid fuel that meets the criteria set forth in subsections (d) and (e) of Section 40B of the federal Internal Revenue Code of 1986 or:

(1) consists of synthesized hydrocarbons and meets the requirements of:

(A) the American Society for Testing and Materials International Standard D7566; or

(B) the Fischer-Tropsch provisions of American Society for Testing and Materials International Standard D1655, Annex A1;

(2) prior to June 1, 2028, is derived from biomass resources, waste streams, renewable energy sources, or gaseous carbon oxides, and beginning on June 1, 2028 is derived from domestic biomass resources;

(3) is not derived from any palm derivatives; and

(4) achieves at least a 50% lifecycle greenhouse gas emissions reduction in comparison with petroleum-based jet fuel, as determined by a test that shows:

(A) that the fuel production pathway achieves at least a 50% reduction of the aggregate attributional core lifecycle emissions and the positive induced land use change values under the lifecycle methodology for sustainable aviation fuels adopted by the International Civil Aviation Organization with the agreement of the United States; or

(B) that the fuel production pathway achieves at least a 50% reduction of the aggregate attributional core lifecycle greenhouse gas emissions values utilizing the most recent version of Argonne National Laboratory's GREET model, inclusive of agricultural practices and carbon capture and sequestration.

Section 965. The Retailers' Occupation Tax Act is amended by changing Section 5m as follows:
(35 ILCS 120/5m)

Sec. 5m. Building materials exemption; REV Illinois projects ~~electric vehicle manufacturer, electric vehicle component parts manufacturer, and electric vehicle power supply manufacturer.~~ Each retailer who

[January 10, 2023]

makes a sale of building materials that will be incorporated into a ~~real estate in an electric vehicle manufacturing facility, an electric vehicle component parts manufacturing facility, or an electric vehicle power supply manufacturing facility~~ REV Illinois Project which meets the qualifications under paragraphs (1), (2), or (4) of subsection (e) of Section 20 of the Reimagining Electric Vehicles in Illinois Act for which a certificate of exemption has been issued by the Department of Commerce and Economic Opportunity under Section 105 of the Reimagining Energy and Electric Vehicles in Illinois Act, may deduct receipts from those ~~such~~ sales when calculating any State or local use and occupation taxes. No retailer who is eligible for the deduction or credit under Section 5k of this Act related to enterprise zones or Section 5l of this Act related to High Impact Businesses for a given sale shall be eligible for the deduction or credit authorized under this Section for that same sale.

In addition to any other requirements to document the exemption allowed under this Section, the retailer must obtain ~~from~~ the purchaser's REV Illinois Building Materials Exemption certificate number issued by the Department. A construction contractor or other entity shall not make tax-free purchases under this Section unless it has an active REV Illinois Building Materials Exemption Certificate issued by the Department at the time of purchase.

Upon request from the ~~certified manufacturer electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer certified by the Department of Commerce and Economic Opportunity under REV Illinois Act,~~ the Department shall issue a REV Illinois Building Materials Exemption Certificate for each construction contractor or other entity identified by the certified manufacturer ~~electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer.~~ The Department shall make the REV Illinois Building Materials Exemption Certificates available to each construction contractor or other entity identified by the certified manufacturer and to the certified ~~electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer.~~ The request for REV Illinois Building Materials Exemption Certificates under this Section ~~from the certified electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer to the Department~~ must include the following information:

- (1) the name and address of the construction contractor or other entity;
- (2) the name and location or address of the building project site;
- (3) the estimated amount of the exemption for each construction contractor or other entity for

which a request for a REV Illinois Building Materials Exemption Certificate is made, based on a stated estimated average tax rate and the percentage of the contract that consists of materials;

- (4) the period of time over which supplies for the project are expected to be purchased; and

(5) other reasonable information as the Department may require, including but not limited to FEIN numbers, to determine if the contractor or other entity, or any partner, or a corporate officer, and in the case of a limited liability company, any manager or member, of the construction contractor or other entity, is or has been the owner, a partner, a corporate officer, and in the case of a limited liability company, a manager or member, of a person that is in default for moneys due to the Department under this Act or any other tax or fee Act administered by the Department.

The Department shall issue the REV Illinois Building Materials Exemption Certificates within 3 business days after receipt of the request from the certified ~~electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer.~~ This requirement does not apply in circumstances where the Department, for reasonable cause, is unable to issue the Exemption Certificate within 3 business days. The Department may refuse to issue a REV Illinois Building Materials Exemption Certificate if the owner, any partner, or a corporate officer, and in the case of a limited liability company, any manager or member, of the construction contractor or other entity is or has been the owner, a partner, a corporate officer, and in the case of a limited liability company, a manager or member, of a person that is in default for moneys due to the Department under this Act or any other tax or fee Act administered by the Department.

The REV Illinois Building Materials Exemption Certificate shall contain language stating that if the construction contractor or other entity who is issued the Exemption Certificate makes a tax-exempt purchase, as described in this Section, that is not eligible for exemption under this Section or allows another person to make a tax-exempt purchase, as described in this Section, that is not eligible for exemption under this Section, then, in addition to any tax or other penalty imposed, the construction contractor or other entity is subject to a penalty equal to the tax that would have been paid by the retailer under this Act as well as any applicable local retailers' occupation tax on the purchase that is not eligible for the exemption.

The Department, in its discretion, may require that the request for REV Illinois Building Materials Exemption Certificates be submitted electronically. The Department may, in its discretion, issue the Exemption Certificates electronically. The REV Illinois Building Materials Exemption Certificate number shall be designed in such a way that the Department can identify from the unique number on the Exemption Certificate issued to a given construction contractor or other entity, the name of the REV Illinois project designated electric vehicle manufacturing, electric vehicle component parts manufacturing, or electric vehicle power supply manufacturing site and the construction contractor or other entity to whom the Exemption Certificate is issued. The REV Illinois Building Materials Exemption Certificate shall contain an expiration date, which shall be no more than 5 years after the date of issuance. At the request of the ~~designated certified electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer,~~ the Department may renew a REV Illinois Building Materials Exemption Certificate. After the Department issues Exemption Certificates for a given REV Illinois project designated electric vehicle manufacturing, electric vehicle component parts manufacturing, or electric vehicle power supply manufacturing site, the certified ~~electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer~~ may notify the Department of additional construction contractors or other entities that are eligible for a REV Illinois Building Materials Exemption Certificate. Upon receiving such a notification by the certified electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer and subject to the other provisions of this Section, the Department shall issue a REV Illinois Building Materials Exemption Certificate to each additional construction contractor or other entity so identified by the certified electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer. A certified ~~electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer~~ may ask notify the Department to rescind a REV Illinois Building Materials Exemption Certificate previously issued by the Department to a construction contractor or other entity working at that certified manufacturer's REV Illinois project site if that REV Illinois Building Materials Exemption Certificate but that has not yet expired. Upon receiving such a request notification by the certified electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer and subject to the other provisions of this Section, the Department shall issue the rescission of the REV Illinois Building Materials Exemption Certificate to the construction contractor or other entity identified by the certified manufacturer electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer and provide a copy of the rescission to the construction contractor or other entity and to the certified electric vehicle manufacturer, electric vehicle component parts manufacturer, or electric vehicle power supply manufacturer.

If the Department of Revenue determines that a construction contractor or other entity that was issued an Exemption Certificate under this Section made a tax-exempt purchase, as described in this Section, that was not eligible for exemption under this Section or allowed another person to make a tax-exempt purchase, as described in this Section, that was not eligible for exemption under this Section, then, in addition to any tax or other penalty imposed, the construction contractor or other entity is subject to a penalty equal to the tax that would have been paid by the retailer under this Act as well as any applicable local retailers' occupation tax on the purchase that was not eligible for the exemption.

This Section is exempt from the provisions of Section 2-70.

As used in this Section, "certified manufacturer" means a person certified by the Department of Commerce and Economic Opportunity under Section 105 of the Reimagining Energy and Vehicles in Illinois Act.

(Source: P.A. 102-669, eff. 11-16-21.)

Section 975. The Property Tax Code is amended by changing Section 18-184.15 as follows:

(35 ILCS 200/18-184.15)

Sec. 18-184.15. REV Illinois project facilities for electric vehicles, electric vehicle component parts, or electric vehicle power supply equipment; abatement. Any taxing district, upon a majority vote of its governing body, may, after determination of the assessed value as set forth in this Code, order the clerk of the appropriate municipality or county to abate any portion of real property taxes otherwise levied or extended by the taxing district on a REV Illinois Project facility owned by an electric vehicle manufacturer, electric vehicle component parts manufacturer, or an electric vehicle power supply manufacturer that is subject to an agreement with the Department of Commerce and Economic Opportunity under Section 45 of

the Reimagining Energy and Electric Vehicles in Illinois Act, during the period of time such agreement is in effect as specified by the Department of Commerce and Economic Opportunity.
(Source: P.A. 102-669, eff. 11-16-21.)

Section 980. The Telecommunications Excise Tax Act is amended by changing Section 2 as follows:
(35 ILCS 630/2) (from Ch. 120, par. 2002)

Sec. 2. As used in this Article, unless the context clearly requires otherwise:

(a) "Gross charge" means the amount paid for the act or privilege of originating or receiving telecommunications in this State and for all services and equipment provided in connection therewith by a retailer, valued in money whether paid in money or otherwise, including cash, credits, services and property of every kind or nature, and shall be determined without any deduction on account of the cost of such telecommunications, the cost of materials used, labor or service costs or any other expense whatsoever. In case credit is extended, the amount thereof shall be included only as and when paid. "Gross charges" for private line service shall include charges imposed at each channel termination point within this State, charges for the channel mileage between each channel termination point within this State, and charges for that portion of the interstate inter-office channel provided within Illinois. Charges for that portion of the interstate inter-office channel provided in Illinois shall be determined by the retailer as follows: (i) for interstate inter-office channels having 2 channel termination points, only one of which is in Illinois, 50% of the total charge imposed; or (ii) for interstate inter-office channels having more than 2 channel termination points, one or more of which are in Illinois, an amount equal to the total charge multiplied by a fraction, the numerator of which is the number of channel termination points within Illinois and the denominator of which is the total number of channel termination points. Prior to January 1, 2004, any method consistent with this paragraph or other method that reasonably apportions the total charges for interstate inter-office channels among the states in which channel terminations points are located shall be accepted as a reasonable method to determine the charges for that portion of the interstate inter-office channel provided within Illinois for that period. However, "gross charges" shall not include any of the following:

(1) Any amounts added to a purchaser's bill because of a charge made pursuant to (i) the tax imposed by this Article; (ii) charges added to customers' bills pursuant to the provisions of Sections 9-221 or 9-222 of the Public Utilities Act, as amended, or any similar charges added to customers' bills by retailers who are not subject to rate regulation by the Illinois Commerce Commission for the purpose of recovering any of the tax liabilities or other amounts specified in such provisions of such Act; (iii) the tax imposed by Section 4251 of the Internal Revenue Code; (iv) 911 surcharges; or (v) the tax imposed by the Simplified Municipal Telecommunications Tax Act.

(2) Charges for a sent collect telecommunication received outside of the State.

(3) Charges for leased time on equipment or charges for the storage of data or information for subsequent retrieval or the processing of data or information intended to change its form or content. Such equipment includes, but is not limited to, the use of calculators, computers, data processing equipment, tabulating equipment or accounting equipment and also includes the usage of computers under a time-sharing agreement.

(4) Charges for customer equipment, including such equipment that is leased or rented by the customer from any source, wherein such charges are disaggregated and separately identified from other charges.

(5) Charges to business enterprises certified under Section 9-222.1 of the Public Utilities Act, as amended, or ~~to electric vehicle manufacturers, electric vehicle component parts manufacturers, or electric vehicle power supply manufacturers at REV Illinois Project sites for which a certificate of exemption has been issued by the Department of Commerce and Economic Opportunity~~ under Section 95 of the Reimagining Energy and Electric Vehicles in Illinois Act, to the extent of such exemption and during the period of time specified by the Department of Commerce and Economic Opportunity.

(5.1) Charges to business enterprises certified under the Manufacturing Illinois Chips for Real Opportunity (MICRO) Act, to the extent of the exemption and during the period of time specified by the Department of Commerce and Economic Opportunity.

(6) Charges for telecommunications and all services and equipment provided in connection therewith between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries when the tax imposed under this Article has already been paid to a retailer and only to the extent that the charges between the parent corporation and wholly owned subsidiaries or between

wholly owned subsidiaries represent expense allocation between the corporations and not the generation of profit for the corporation rendering such service.

(7) Bad debts. Bad debt means any portion of a debt that is related to a sale at retail for which gross charges are not otherwise deductible or excludable that has become worthless or uncollectable, as determined under applicable federal income tax standards. If the portion of the debt deemed to be bad is subsequently paid, the retailer shall report and pay the tax on that portion during the reporting period in which the payment is made.

(8) Charges paid by inserting coins in coin-operated telecommunication devices.

(9) Amounts paid by telecommunications retailers under the Telecommunications Municipal Infrastructure Maintenance Fee Act.

(10) Charges for nontaxable services or telecommunications if (i) those charges are aggregated with other charges for telecommunications that are taxable, (ii) those charges are not separately stated on the customer bill or invoice, and (iii) the retailer can reasonably identify the nontaxable charges on the retailer's books and records kept in the regular course of business. If the nontaxable charges cannot reasonably be identified, the gross charge from the sale of both taxable and nontaxable services or telecommunications billed on a combined basis shall be attributed to the taxable services or telecommunications. The burden of proving nontaxable charges shall be on the retailer of the telecommunications.

(b) "Amount paid" means the amount charged to the taxpayer's service address in this State regardless of where such amount is billed or paid.

(c) "Telecommunications", in addition to the meaning ordinarily and popularly ascribed to it, includes, without limitation, messages or information transmitted through use of local, toll and wide area telephone service; private line services; channel services; telegraph services; teletypewriter; computer exchange services; cellular mobile telecommunications service; specialized mobile radio; stationary two way radio; paging service; or any other form of mobile and portable one-way or two-way communications; or any other transmission of messages or information by electronic or similar means, between or among points by wire, cable, fiber-optics, laser, microwave, radio, satellite or similar facilities. As used in this Act, "private line" means a dedicated non-traffic sensitive service for a single customer, that entitles the customer to exclusive or priority use of a communications channel or group of channels, from one or more specified locations to one or more other specified locations. The definition of "telecommunications" shall not include value added services in which computer processing applications are used to act on the form, content, code and protocol of the information for purposes other than transmission. "Telecommunications" shall not include purchases of telecommunications by a telecommunications service provider for use as a component part of the service provided by him to the ultimate retail consumer who originates or terminates the taxable end-to-end communications. Carrier access charges, right of access charges, charges for use of inter-company facilities, and all telecommunications resold in the subsequent provision of, used as a component of, or integrated into end-to-end telecommunications service shall be non-taxable as sales for resale.

(d) "Interstate telecommunications" means all telecommunications that either originate or terminate outside this State.

(e) "Intrastate telecommunications" means all telecommunications that originate and terminate within this State.

(f) "Department" means the Department of Revenue of the State of Illinois.

(g) "Director" means the Director of Revenue for the Department of Revenue of the State of Illinois.

(h) "Taxpayer" means a person who individually or through his agents, employees or permittees engages in the act or privilege of originating or receiving telecommunications in this State and who incurs a tax liability under this Article.

(i) "Person" means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint venture, corporation, limited liability company, or a receiver, trustee, guardian or other representative appointed by order of any court, the Federal and State governments, including State universities created by statute or any city, town, county or other political subdivision of this State.

(j) "Purchase at retail" means the acquisition, consumption or use of telecommunication through a sale at retail.

(k) "Sale at retail" means the transmitting, supplying or furnishing of telecommunications and all services and equipment provided in connection therewith for a consideration to persons other than the Federal and State governments, and State universities created by statute and other than between a parent

corporation and its wholly owned subsidiaries or between wholly owned subsidiaries for their use or consumption and not for resale.

(l) "Retailer" means and includes every person engaged in the business of making sales at retail as defined in this Article. The Department may, in its discretion, upon application, authorize the collection of the tax hereby imposed by any retailer not maintaining a place of business within this State, who, to the satisfaction of the Department, furnishes adequate security to insure collection and payment of the tax. Such retailer shall be issued, without charge, a permit to collect such tax. When so authorized, it shall be the duty of such retailer to collect the tax upon all of the gross charges for telecommunications in this State in the same manner and subject to the same requirements as a retailer maintaining a place of business within this State. The permit may be revoked by the Department at its discretion.

(m) "Retailer maintaining a place of business in this State", or any like term, means and includes any retailer having or maintaining within this State, directly or by a subsidiary, an office, distribution facilities, transmission facilities, sales office, warehouse or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State.

(n) "Service address" means the location of telecommunications equipment from which the telecommunications services are originated or at which telecommunications services are received by a taxpayer. In the event this may not be a defined location, as in the case of mobile phones, paging systems, maritime systems, service address means the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act. For air-to-ground systems and the like, service address shall mean the location of a taxpayer's primary use of the telecommunications equipment as defined by telephone number, authorization code, or location in Illinois where bills are sent.

(o) "Prepaid telephone calling arrangements" mean the right to exclusively purchase telephone or telecommunications services that must be paid for in advance and enable the origination of one or more intrastate, interstate, or international telephone calls or other telecommunications using an access number, an authorization code, or both, whether manually or electronically dialed, for which payment to a retailer must be made in advance, provided that, unless recharged, no further service is provided once that prepaid amount of service has been consumed. Prepaid telephone calling arrangements include the recharge of a prepaid calling arrangement. For purposes of this subsection, "recharge" means the purchase of additional prepaid telephone or telecommunications services whether or not the purchaser acquires a different access number or authorization code. "Prepaid telephone calling arrangement" does not include an arrangement whereby a customer purchases a payment card and pursuant to which the service provider reflects the amount of such purchase as a credit on an invoice issued to that customer under an existing subscription plan.

(Source: P.A. 102-669, eff. 11-16-21; 102-700, eff. 4-19-22.)

Section 985. The Telecommunications Infrastructure Maintenance Fee Act is amended by changing Section 10 as follows:

(35 ILCS 635/10)

Sec. 10. Definitions.

(a) "Gross charges" means the amount paid to a telecommunications retailer for the act or privilege of originating or receiving telecommunications in this State and for all services rendered in connection therewith, valued in money whether paid in money or otherwise, including cash, credits, services, and property of every kind or nature, and shall be determined without any deduction on account of the cost of such telecommunications, the cost of the materials used, labor or service costs, or any other expense whatsoever. In case credit is extended, the amount thereof shall be included only as and when paid. "Gross charges" for private line service shall include charges imposed at each channel termination point within this State, charges for the channel mileage between each channel termination point within this State, and charges for that portion of the interstate inter-office channel provided within Illinois. Charges for that portion of the interstate inter-office channel provided in Illinois shall be determined by the retailer as follows: (i) for interstate inter-office channels having 2 channel termination points, only one of which is in Illinois, 50% of the total charge imposed; or (ii) for interstate inter-office channels having more than 2 channel termination points, one or more of which are in Illinois, an amount equal to the total charge multiplied by a fraction, the numerator of which is the number of channel termination points within Illinois and the denominator of which is the total number of channel termination points. Prior to January 1, 2004, any method consistent

with this paragraph or other method that reasonably apportions the total charges for interstate inter-office channels among the states in which channel terminations points are located shall be accepted as a reasonable method to determine the charges for that portion of the interstate inter-office channel provided within Illinois for that period. However, "gross charges" shall not include any of the following:

(1) Any amounts added to a purchaser's bill because of a charge made under: (i) the fee imposed by this Section, (ii) additional charges added to a purchaser's bill under Section 9-221 or 9-222 of the Public Utilities Act, (iii) the tax imposed by the Telecommunications Excise Tax Act, (iv) 911 surcharges, (v) the tax imposed by Section 4251 of the Internal Revenue Code, or (vi) the tax imposed by the Simplified Municipal Telecommunications Tax Act.

(2) Charges for a sent collect telecommunication received outside of this State.

(3) Charges for leased time on equipment or charges for the storage of data or information or subsequent retrieval or the processing of data or information intended to change its form or content. Such equipment includes, but is not limited to, the use of calculators, computers, data processing equipment, tabulating equipment, or accounting equipment and also includes the usage of computers under a time-sharing agreement.

(4) Charges for customer equipment, including such equipment that is leased or rented by the customer from any source, wherein such charges are disaggregated and separately identified from other charges.

(5) Charges to business enterprises certified under Section 9-222.1 of the Public Utilities Act to the extent of such exemption and during the period of time specified by the Department of Commerce and Economic Opportunity.

(5.1) Charges to business enterprises certified under Section 95 of the Reimagining Energy and Vehicles in Illinois Act, to the extent of the exemption and during the period of time specified by the Department of Commerce and Economic Opportunity.

(5.2) Charges to business enterprises certified under Section 110-95 of the Manufacturing Illinois Chips for Real Opportunity (MICRO) Act, to the extent of the exemption and during the period of time specified by the Department of Commerce and Economic Opportunity.

(6) Charges for telecommunications and all services and equipment provided in connection therewith between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries, and only to the extent that the charges between the parent corporation and wholly owned subsidiaries or between wholly owned subsidiaries represent expense allocation between the corporations and not the generation of profit other than a regulatory required profit for the corporation rendering such services.

(7) Bad debts ("bad debt" means any portion of a debt that is related to a sale at retail for which gross charges are not otherwise deductible or excludable that has become worthless or uncollectible, as determined under applicable federal income tax standards; if the portion of the debt deemed to be bad is subsequently paid, the retailer shall report and pay the tax on that portion during the reporting period in which the payment is made).

(8) Charges paid by inserting coins in coin-operated telecommunication devices.

(9) Charges for nontaxable services or telecommunications if (i) those charges are aggregated with other charges for telecommunications that are taxable, (ii) those charges are not separately stated on the customer bill or invoice, and (iii) the retailer can reasonably identify the nontaxable charges on the retailer's books and records kept in the regular course of business. If the nontaxable charges cannot reasonably be identified, the gross charge from the sale of both taxable and nontaxable services or telecommunications billed on a combined basis shall be attributed to the taxable services or telecommunications. The burden of proving nontaxable charges shall be on the retailer of the telecommunications.

(a-5) "Department" means the Illinois Department of Revenue.

(b) "Telecommunications" includes, but is not limited to, messages or information transmitted through use of local, toll, and wide area telephone service, channel services, telegraph services, teletypewriter service, computer exchange services, private line services, specialized mobile radio services, or any other transmission of messages or information by electronic or similar means, between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite, or similar facilities. Unless the context clearly requires otherwise, "telecommunications" shall also include wireless telecommunications as hereinafter defined. "Telecommunications" shall not include value added services in which computer processing applications are used to act on the form, content, code, and protocol of the information for purposes other than transmission.

"Telecommunications" shall not include purchase of telecommunications by a telecommunications service provider for use as a component part of the service provided by him or her to the ultimate retail consumer who originates or terminates the end-to-end communications. Retailer access charges, right of access charges, charges for use of intercompany facilities, and all telecommunications resold in the subsequent provision and used as a component of, or integrated into, end-to-end telecommunications service shall not be included in gross charges as sales for resale. "Telecommunications" shall not include the provision of cable services through a cable system as defined in the Cable Communications Act of 1984 (47 U.S.C. Sections 521 and following) as now or hereafter amended or through an open video system as defined in the Rules of the Federal Communications Commission (47 C.D.F. 76.1550 and following) as now or hereafter amended. Beginning January 1, 2001, prepaid telephone calling arrangements shall not be considered "telecommunications" subject to the tax imposed under this Act. For purposes of this Section, "prepaid telephone calling arrangements" means that term as defined in Section 2-27 of the Retailers' Occupation Tax Act.

(c) "Wireless telecommunications" includes cellular mobile telephone services, personal wireless services as defined in Section 704(C) of the Telecommunications Act of 1996 (Public Law No. 104-104) as now or hereafter amended, including all commercial mobile radio services, and paging services.

(d) "Telecommunications retailer" or "retailer" or "carrier" means and includes every person engaged in the business of making sales of telecommunications at retail as defined in this Section. The Department may, in its discretion, upon applications, authorize the collection of the fee hereby imposed by any retailer not maintaining a place of business within this State, who, to the satisfaction of the Department, furnishes adequate security to insure collection and payment of the fee. When so authorized, it shall be the duty of such retailer to pay the fee upon all of the gross charges for telecommunications in the same manner and subject to the same requirements as a retailer maintaining a place of business within this State.

(e) "Retailer maintaining a place of business in this State", or any like term, means and includes any retailer having or maintaining within this State, directly or by a subsidiary, an office, distribution facilities, transmission facilities, sales office, warehouse, or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State.

(f) "Sale of telecommunications at retail" means the transmitting, supplying, or furnishing of telecommunications and all services rendered in connection therewith for a consideration, other than between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries, when the gross charge made by one such corporation to another such corporation is not greater than the gross charge paid to the retailer for their use or consumption and not for sale.

(g) "Service address" means the location of telecommunications equipment from which telecommunications services are originated or at which telecommunications services are received. If this is not a defined location, as in the case of wireless telecommunications, paging systems, maritime systems, service address means the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act. For air-to-ground systems, and the like, "service address" shall mean the location of the customer's primary use of the telecommunications equipment as defined by the location in Illinois where bills are sent.

(Source: P.A. 93-286, eff. 1-1-04; 94-793, eff. 5-19-06.)

Section 990. The Simplified Municipal Telecommunications Tax Act is amended by changing Section 5-7 as follows:

(35 ILCS 636/5-7)

Sec. 5-7. Definitions. For purposes of the taxes authorized by this Act:

"Amount paid" means the amount charged to the taxpayer's service address in such municipality regardless of where such amount is billed or paid.

"Department" means the Illinois Department of Revenue.

"Gross charge" means the amount paid for the act or privilege of originating or receiving telecommunications in such municipality and for all services and equipment provided in connection therewith by a retailer, valued in money whether paid in money or otherwise, including cash, credits, services and property of every kind or nature, and shall be determined without any deduction on account of the cost of such telecommunications, the cost of the materials used, labor or service costs or any other expense whatsoever. In case credit is extended, the amount thereof shall be included only as and when paid.

"Gross charges" for private line service shall include charges imposed at each channel termination point within a municipality that has imposed a tax under this Section and charges for the portion of the inter-office channels provided within that municipality. Charges for that portion of the inter-office channel connecting 2 or more channel termination points, one or more of which is located within the jurisdictional boundary of such municipality, shall be determined by the retailer by multiplying an amount equal to the total charge for the inter-office channel by a fraction, the numerator of which is the number of channel termination points that are located within the jurisdictional boundary of the municipality and the denominator of which is the total number of channel termination points connected by the inter-office channel. Prior to January 1, 2004, any method consistent with this paragraph or other method that reasonably apportions the total charges for inter-office channels among the municipalities in which channel termination points are located shall be accepted as a reasonable method to determine the taxable portion of an inter-office channel provided within a municipality for that period. However, "gross charge" shall not include any of the following:

(1) Any amounts added to a purchaser's bill because of a charge made pursuant to: (i) the tax imposed by this Act, (ii) the tax imposed by the Telecommunications Excise Tax Act, (iii) the tax imposed by Section 4251 of the Internal Revenue Code, (iv) 911 surcharges, or (v) charges added to customers' bills pursuant to the provisions of Section 9-221 or 9-222 of the Public Utilities Act, as amended, or any similar charges added to customers' bills by retailers who are not subject to rate regulation by the Illinois Commerce Commission for the purpose of recovering any of the tax liabilities or other amounts specified in those provisions of the Public Utilities Act.

(2) Charges for a sent collect telecommunication received outside of such municipality.

(3) Charges for leased time on equipment or charges for the storage of data or information for subsequent retrieval or the processing of data or information intended to change its form or content. Such equipment includes, but is not limited to, the use of calculators, computers, data processing equipment, tabulating equipment or accounting equipment and also includes the usage of computers under a time-sharing agreement.

(4) Charges for customer equipment, including such equipment that is leased or rented by the customer from any source, wherein such charges are disaggregated and separately identified from other charges.

(5) Charges to business enterprises certified as exempt under Section 9-222.1 of the Public Utilities Act to the extent of such exemption and during the period of time specified by the Department of Commerce and Economic Opportunity.

(5.1) Charges to business enterprises certified under Section 95 of the Reimagining Energy and Vehicles in Illinois Act, to the extent of the exemption and during the period of time specified by the Department of Commerce and Economic Opportunity.

(5.2) Charges to business enterprises certified under Section 110-95 of the Manufacturing Illinois Chips for Real Opportunity (MICRO) Act, to the extent of the exemption and during the period of time specified by the Department of Commerce and Economic Opportunity.

(6) Charges for telecommunications and all services and equipment provided in connection therewith between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries when the tax imposed under this Act has already been paid to a retailer and only to the extent that the charges between the parent corporation and wholly owned subsidiaries or between wholly owned subsidiaries represent expense allocation between the corporations and not the generation of profit for the corporation rendering such service.

(7) Bad debts ("bad debt" means any portion of a debt that is related to a sale at retail for which gross charges are not otherwise deductible or excludable that has become worthless or uncollectible, as determined under applicable federal income tax standards; if the portion of the debt deemed to be bad is subsequently paid, the retailer shall report and pay the tax on that portion during the reporting period in which the payment is made).

(8) Charges paid by inserting coins in coin-operated telecommunication devices.

(9) Amounts paid by telecommunications retailers under the Telecommunications Infrastructure Maintenance Fee Act.

(10) Charges for nontaxable services or telecommunications if (i) those charges are aggregated with other charges for telecommunications that are taxable, (ii) those charges are not separately stated on the customer bill or invoice, and (iii) the retailer can reasonably identify the nontaxable charges on the retailer's books and records kept in the regular course of business. If the nontaxable charges cannot reasonably be identified, the gross charge from the sale of both taxable and nontaxable services or

telecommunications billed on a combined basis shall be attributed to the taxable services or telecommunications. The burden of proving nontaxable charges shall be on the retailer of the telecommunications.

"Interstate telecommunications" means all telecommunications that either originate or terminate outside this State.

"Intrastate telecommunications" means all telecommunications that originate and terminate within this State.

"Person" means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint venture, corporation, limited liability company, or a receiver, trustee, guardian, or other representative appointed by order of any court, the Federal and State governments, including State universities created by statute, or any city, town, county, or other political subdivision of this State.

"Purchase at retail" means the acquisition, consumption or use of telecommunications through a sale at retail.

"Retailer" means and includes every person engaged in the business of making sales at retail as defined in this Section. The Department may, in its discretion, upon application, authorize the collection of the tax hereby imposed by any retailer not maintaining a place of business within this State, who, to the satisfaction of the Department, furnishes adequate security to insure collection and payment of the tax. Such retailer shall be issued, without charge, a permit to collect such tax. When so authorized, it shall be the duty of such retailer to collect the tax upon all of the gross charges for telecommunications in this State in the same manner and subject to the same requirements as a retailer maintaining a place of business within this State. The permit may be revoked by the Department at its discretion.

"Retailer maintaining a place of business in this State", or any like term, means and includes any retailer having or maintaining within this State, directly or by a subsidiary, an office, distribution facilities, transmission facilities, sales office, warehouse or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State.

"Sale at retail" means the transmitting, supplying or furnishing of telecommunications and all services and equipment provided in connection therewith for a consideration, to persons other than the Federal and State governments, and State universities created by statute and other than between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries for their use or consumption and not for resale.

"Service address" means the location of telecommunications equipment from which telecommunications services are originated or at which telecommunications services are received by a taxpayer. In the event this may not be a defined location, as in the case of mobile phones, paging systems, and maritime systems, service address means the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act. For air-to-ground systems and the like, "service address" shall mean the location of a taxpayer's primary use of the telecommunications equipment as defined by telephone number, authorization code, or location in Illinois where bills are sent.

"Taxpayer" means a person who individually or through his or her agents, employees, or permittees engages in the act or privilege of originating or receiving telecommunications in a municipality and who incurs a tax liability as authorized by this Act.

"Telecommunications", in addition to the meaning ordinarily and popularly ascribed to it, includes, without limitation, messages or information transmitted through use of local, toll, and wide area telephone service, private line services, channel services, telegraph services, teletypewriter, computer exchange services, cellular mobile telecommunications service, specialized mobile radio, stationary two-way radio, paging service, or any other form of mobile and portable one-way or two-way communications, or any other transmission of messages or information by electronic or similar means, between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite, or similar facilities. As used in this Act, "private line" means a dedicated non-traffic sensitive service for a single customer, that entitles the customer to exclusive or priority use of a communications channel or group of channels, from one or more specified locations to one or more other specified locations. The definition of "telecommunications" shall not include value added services in which computer processing applications are used to act on the form, content, code, and protocol of the information for purposes other than transmission. "Telecommunications" shall not include purchases of telecommunications by a telecommunications service provider for use as a component part of the service provided by such provider to the ultimate retail consumer who originates or terminates the taxable

end-to-end communications. Carrier access charges, right of access charges, charges for use of inter-company facilities, and all telecommunications resold in the subsequent provision of, used as a component of, or integrated into, end-to-end telecommunications service shall be non-taxable as sales for resale. Prepaid telephone calling arrangements shall not be considered "telecommunications" subject to the tax imposed under this Act. For purposes of this Section, "prepaid telephone calling arrangements" means that term as defined in Section 2-27 of the Retailers' Occupation Tax Act. (Source: P.A. 93-286, eff. 1-1-04; 94-793, eff. 5-19-06.)

Section 995. The Electricity Excise Tax Law is amended by changing Section 2-4 as follows:
(35 ILCS 640/2-4)

Sec. 2-4. Tax imposed.

(a) Except as provided in subsection (b), a tax is imposed on the privilege of using in this State electricity purchased for use or consumption and not for resale, other than by municipal corporations owning and operating a local transportation system for public service, at the following rates per kilowatt-hour delivered to the purchaser:

(i) For the first 2000 kilowatt-hours used or consumed in a month: 0.330 cents per kilowatt-hour;

(ii) For the next 48,000 kilowatt-hours used or consumed in a month: 0.319 cents per kilowatt-hour;

(iii) For the next 50,000 kilowatt-hours used or consumed in a month: 0.303 cents per kilowatt-hour;

(iv) For the next 400,000 kilowatt-hours used or consumed in a month: 0.297 cents per kilowatt-hour;

(v) For the next 500,000 kilowatt-hours used or consumed in a month: 0.286 cents per kilowatt-hour;

(vi) For the next 2,000,000 kilowatt-hours used or consumed in a month: 0.270 cents per kilowatt-hour;

(vii) For the next 2,000,000 kilowatt-hours used or consumed in a month: 0.254 cents per kilowatt-hour;

(viii) For the next 5,000,000 kilowatt-hours used or consumed in a month: 0.233 cents per kilowatt-hour;

(ix) For the next 10,000,000 kilowatt-hours used or consumed in a month: 0.207 cents per kilowatt-hour;

(x) For all electricity in excess of 20,000,000 kilowatt-hours used or consumed in a month: 0.202 cents per kilowatt-hour.

Provided, that in lieu of the foregoing rates, the tax is imposed on a self-assessing purchaser at the rate of 5.1% of the self-assessing purchaser's purchase price for all electricity distributed, supplied, furnished, sold, transmitted and delivered to the self-assessing purchaser in a month.

(b) A tax is imposed on the privilege of using in this State electricity purchased from a municipal system or electric cooperative, as defined in Article XVII of the Public Utilities Act, which has not made an election as permitted by either Section 17-200 or Section 17-300 of such Act, at the lesser of 0.32 cents per kilowatt hour of all electricity distributed, supplied, furnished, sold, transmitted, and delivered by such municipal system or electric cooperative to the purchaser or 5% of each such purchaser's purchase price for all electricity distributed, supplied, furnished, sold, transmitted, and delivered by such municipal system or electric cooperative to the purchaser, whichever is the lower rate as applied to each purchaser in each billing period.

(c) The tax imposed by this Section 2-4 is not imposed with respect to any use of electricity by business enterprises certified under Section 9-222.1 or 9-222.1A of the Public Utilities Act, as amended, to the extent of such exemption and during the time specified by the Department of Commerce and Economic Opportunity; or with respect to any transaction in interstate commerce, or otherwise, to the extent to which such transaction may not, under the Constitution and statutes of the United States, be made the subject of taxation by this State.

(d) The tax imposed by this Section 2-4 is not imposed with respect to any use of electricity at a REV Illinois Project site that has received a certification for tax exemption from the Department of Commerce and Economic Opportunity pursuant to Section 95 of the Reimagining Energy and Electric Vehicles in Illinois Act, to the extent of such exemption, which shall be no more than 10 years.

(e) The tax imposed by this Section 2-4 is not imposed with respect to any use of electricity at a project site that has received a certification for tax exemption from the Department of Commerce and Economic Opportunity pursuant to the Manufacturing Illinois Chips for Real Opportunity (MICRO) Act, to the extent of such exemption, which shall be no more than 10 years.
(Source: P.A. 102-669, eff. 11-16-21; 102-700, eff. 4-19-22.)

Section 1000. The Public Utilities Act is amended by changing Sections 9-222 and 9-222.1A as follows:

(220 ILCS 5/9-222) (from Ch. 111 2/3, par. 9-222)

Sec. 9-222. Whenever a tax is imposed upon a public utility engaged in the business of distributing, supplying, furnishing, or selling gas for use or consumption pursuant to Section 2 of the Gas Revenue Tax Act, or whenever a tax is required to be collected by a delivering supplier pursuant to Section 2-7 of the Electricity Excise Tax Act, or whenever a tax is imposed upon a public utility pursuant to Section 2-202 of this Act, such utility may charge its customers, other than customers who are high impact businesses under Section 5.5 of the Illinois Enterprise Zone Act, ~~customers who are electric vehicle manufacturers, electric vehicle component parts manufacturers, or electric vehicle power supply equipment manufacturers at REV Illinois Project sites~~ as certified under Section 95 of the Reimagining Energy and Electric Vehicles in Illinois Act, manufacturers under the Manufacturing Illinois Chips for Real Opportunity (MICRO) Act, or certified business enterprises under Section 9-222.1 of this Act, to the extent of such exemption and during the period in which such exemption is in effect, in addition to any rate authorized by this Act, an additional charge equal to the total amount of such taxes. The exemption of this Section relating to high impact businesses shall be subject to the provisions of subsections (a), (b), and (b-5) of Section 5.5 of the Illinois Enterprise Zone Act. This requirement shall not apply to taxes on invested capital imposed pursuant to the Messages Tax Act, the Gas Revenue Tax Act and the Public Utilities Revenue Act. Such utility shall file with the Commission a supplemental schedule which shall specify such additional charge and which shall become effective upon filing without further notice. Such additional charge shall be shown separately on the utility bill to each customer. The Commission shall have the power to investigate whether or not such supplemental schedule correctly specifies such additional charge, but shall have no power to suspend such supplemental schedule. If the Commission finds, after a hearing, that such supplemental schedule does not correctly specify such additional charge, it shall by order require a refund to the appropriate customers of the excess, if any, with interest, in such manner as it shall deem just and reasonable, and in and by such order shall require the utility to file an amended supplemental schedule corresponding to the finding and order of the Commission. Except with respect to taxes imposed on invested capital, such tax liabilities shall be recovered from customers solely by means of the additional charges authorized by this Section.
(Source: P.A. 102-669, eff. 11-16-21; 102-700, eff. 4-19-22.)

(220 ILCS 5/9-222.1A)

Sec. 9-222.1A. High impact business. Beginning on August 1, 1998 and thereafter, a business enterprise that is certified as a High Impact Business by the Department of Commerce and Economic Opportunity (formerly Department of Commerce and Community Affairs) is exempt from the tax imposed by Section 2-4 of the Electricity Excise Tax Law, if the High Impact Business is registered to self-assess that tax, and is exempt from any additional charges added to the business enterprise's utility bills as a pass-on of State utility taxes under Section 9-222 of this Act, to the extent the tax or charges are exempted by the percentage specified by the Department of Commerce and Economic Opportunity for State utility taxes, provided the business enterprise meets the following criteria:

(1) (A) it intends either (i) to make a minimum eligible investment of \$12,000,000 that will be placed in service in qualified property in Illinois and is intended to create at least 500 full-time equivalent jobs at a designated location in Illinois; or (ii) to make a minimum eligible investment of \$30,000,000 that will be placed in service in qualified property in Illinois and is intended to retain at least 1,500 full-time equivalent jobs at a designated location in Illinois; or

(B) it meets the criteria of subdivision (a)(3)(B), (a)(3)(C), (a)(3)(D), or (a)(3)(F) of Section 5.5 of the Illinois Enterprise Zone Act;

(2) it is designated as a High Impact Business by the Department of Commerce and Economic Opportunity; and

(3) it is certified by the Department of Commerce and Economic Opportunity as complying with the requirements specified in clauses (1) and (2) of this Section.

The Department of Commerce and Economic Opportunity shall determine the period during which the exemption from the Electricity Excise Tax Law and the charges imposed under Section 9-222 are in effect, ~~which shall not exceed 20 years from the date of initial certification~~, and shall specify the percentage of the exemption from those taxes or additional charges.

The Department of Commerce and Economic Opportunity is authorized to promulgate rules and regulations to carry out the provisions of this Section, including procedures for complying with the requirements specified in clauses (1) and (2) of this Section and procedures for applying for the exemptions authorized under this Section; to define the amounts and types of eligible investments that business enterprises must make in order to receive State utility tax exemptions or exemptions from the additional charges imposed under Section 9-222 and this Section; to approve such utility tax exemptions for business enterprises whose investments are not yet placed in service; and to require that business enterprises granted tax exemptions or exemptions from additional charges under Section 9-222 repay the exempted amount if the business enterprise fails to comply with the terms and conditions of the certification.

Upon certification of the business enterprises by the Department of Commerce and Economic Opportunity, the Department of Commerce and Economic Opportunity shall notify the Department of Revenue of the certification. The Department of Revenue shall notify the public utilities of the exemption status of business enterprises from the tax or pass-on charges of State utility taxes. The exemption status shall take effect within 3 months after certification of the business enterprise.

(Source: P.A. 98-109, eff. 7-25-13.)

Section 9999. Effective date. This Act takes effect upon becoming law."

Under the rules, the foregoing **Senate Bill No. 2951**, with House Amendment No. 3, 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. 3 to Senate Bill 2951

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator McConchie moved that **Senate Resolution No. 1387**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator McConchie moved that Senate Resolution No. 1387 be adopted.

The motion prevailed.

And the resolution was adopted.

At the hour of 7:50 o'clock p.m., Senator Cunningham, presiding.

Senator Koehler moved that **Senate Resolution No. 1390**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Koehler moved that Senate Resolution No. 1390 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
Aquino

Fowler
Gillespie

Mattson
McClure

Syverson
Tharp

[January 10, 2023]

Bailey	Glowiak Hilton	McConchie	Tracy
Barickman	Hall	Morrison	Turner, D.
Belt	Harris	Murphy	Turner, S.
Bennett	Holmes	Pacione-Zayas	Van Pelt
Bryant	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Cervantes	Jones, E.	Rezin	Villivalam
Cunningham	Joyce	Rose	Wilcox
Curran	Koehler	Simmons	Mr. President
DeWitte	Landek	Sims	
Feigenholtz	Lightford	Stadelman	
Fine	Martwick	Stoller	

The motion prevailed.
And the resolution was adopted.

At the hour of 7:52 o'clock p.m., Senator Koehler, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its January 10, 2023 meeting, reported that the following Legislative Measure has been approved for consideration:

Motion to Concur in House Amendment No. 3 to Senate Bill 2951

The foregoing concurrence was placed on the Senate Calendar.

Senator Lightford, Chair of the Committee on Assignments, during its January 10, 2023 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 2 to House Bill 1563

The foregoing floor amendment was placed on the Secretary's Desk.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILL ON SECRETARY'S DESK

On motion of Senator Villanueva, **Senate Bill No. 2951**, with House Amendment No. 3 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 40; NAYS 15.

The following voted in the affirmative:

Aquino	Glowiak Hilton	Lightford	Tharp
Belt	Hall	Martwick	Turner, D.
Bennett	Harris	Mattson	Van Pelt
Castro	Hastings	Morrison	Villa
Cervantes	Holmes	Murphy	Villanueva
Collins	Hunter	Pacione-Zayas	Villivalam
Cunningham	Johnson	Pappas	Mr. President
Ellman	Jones, E.	Peters	

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Feigenholtz	Joyce	Sims
Fine	Koehler	Stadelman
Gillespie	Landek	Stoller

The following voted in the negative:

Anderson	Curran	McConchie	Tracy
Bailey	DeWitte	Rezin	Turner, S.
Barickman	Fowler	Rose	Wilcox
Bryant	McClure	Syverson	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 3 to **Senate Bill No. 2951**.

Ordered that the Secretary inform the House of Representatives thereof.

HOUSE BILL RECALLED

On motion of Senator Cunningham, **House Bill No. 1563** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was withdrawn by the sponsor.

Senator Harmon offered the following amendment and Senator Cunningham moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 1563

AMENDMENT NO. 2. Amend House Bill 1563 by replacing everything after the enacting clause with the following:

"Section 10. The Civil Administrative Code of Illinois is amended by changing Section 5-200 as follows:

(20 ILCS 5/5-200) (was 20 ILCS 5/7.11)

Sec. 5-200. Director of Aging. The Director of Aging shall be a senior citizen, as that term is defined in the Illinois Act on the Aging, who has sufficient experience in providing services to the aging or shall be an individual who has actual experience in providing services to senior citizens.

(Source: P.A. 91-239, eff. 1-1-00.)

Section 25. The Illinois Act on the Aging is amended by changing Section 7.01 as follows:

(20 ILCS 105/7.01) (from Ch. 23, par. 6107.01)

Sec. 7.01. The Council shall consist of 31 voting members, including: two Senators appointed by the President of the Senate; two Senators appointed by the Senate Minority Leader; two Representatives appointed by the Speaker of the House of Representatives; two Representatives appointed by the House Minority Leader; and twenty three citizen members, at least sixteen of whom shall be senior citizens or have actual experience in providing services to senior citizens. Of the citizen members, at least 7 shall represent underrepresented communities as follows:

- (1) one member who is a lesbian, gay, bisexual, or queer individual;
- (2) one member who is a transgender or gender-expansive individual;
- (3) one member who is a person living with HIV;
- (4) one member who is an African-American or Black individual;
- (5) one member who is a Hispanic or Latino individual;
- (6) one member who is an Asian-American or Pacific Islander individual; and
- (7) one member who is an ethnically diverse individual.

(Source: P.A. 102-885, eff. 5-16-22.)

Section 30. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Section 405-413 as follows:

[January 10, 2023]

(20 ILCS 405/405-413)

Sec. 405-413. Geographic consolidation of State employment positions.

(a) Notwithstanding any other law to the contrary, ~~it is recognized that the Director of Central Management Services, working in consultation with the Director of any affected State agency, shall direct the relocation to Sangamon County is the preferred location~~ of all State employment positions under the Personnel Code that are not required by their nature or function to be located in a specific geographic area.

(b) ~~(Blank). Notwithstanding any other law to the contrary, the Director of Central Management Services, working in consultation with the Director of any affected State agency, shall direct all new State employment positions which may be created under the Personnel Code, and which are not required by their nature or function to be located in a specific geographic area, to be located in Sangamon County.~~

(c) ~~The Director shall determine a geographic location for each State employment position taking into consideration a variety of factors, including, but not limited to, and, if it is other than Sangamon County, the reason for it to be in that geographic location. In determining whether to locate or relocate a State employment position to Sangamon County, the Director shall consult the Director of any affected State agency as to whether the nature or function of a position, whether the position is well-suited for telework or a similar arrangement, where a diverse and equitable applicant pool exists, the preference for State employment positions to be located in Sangamon County, and other similar factors that should determine the geographic location of a State employment position. requires it to be located in a specific geographic area of the State. If no such geographic necessity exists, that position shall be located or relocated to Sangamon County.~~

(d) ~~The rights of employees and the State and its agencies under the Personnel Code and applicable collective bargaining agreements with respect to the relocation of current State employee position holders shall not be affected by the provisions of this Section. The provisions of this Section regarding location or relocation of a position to Sangamon County shall apply only to State employment positions that become vacant or are created on or after the effective date of this amendatory Act of the 100th General Assembly.~~

(e) ~~The provisions of this Section do not apply to: (1) any office of the legislative or judicial branch; (2) Statewide offices under the jurisdiction of any executive branch constitutional officer other than the Governor; or (3) persons employed directly by the Office of the Governor. This Section does apply to departments and agencies of State government under the jurisdiction of the Governor other than persons employed directly by the Office of the Governor.~~

(Source: P.A. 100-742, eff. 8-9-18.)

Section 45. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-347 as follows:

(20 ILCS 2310/2310-347)

Sec. 2310-347. The Carolyn Adams Ticket For The Cure Board.

(a) The Carolyn Adams Ticket For The Cure Board is created as an advisory board within the Department. Until 30 days after the effective date of this amendatory Act of the 97th General Assembly, the Board may consist of 10 members as follows: 2 members appointed by the President of the Senate; 2 members appointed by the Minority Leader of the Senate; 2 members appointed by the Speaker of the House of Representatives; 2 members appointed by the Minority Leader of the House of Representatives; and 2 members appointed by the Governor with the advice and consent of the Senate, one of whom shall be designated as chair of the Board at the time of appointment.

(a-5) Notwithstanding any provision of this Article to the contrary, the term of office of each current Board member ends 30 days after the effective date of this amendatory Act of the 97th General Assembly or when his or her successor is appointed and qualified, whichever occurs sooner. No later than 30 days after the effective date of this amendatory Act of the 97th General Assembly, the Board shall consist of 10 newly appointed members. Four of the Board members shall be members of the General Assembly and appointed as follows: one member appointed by the President of the Senate; one member appointed by the Minority Leader of the Senate; one member appointed by the Speaker of the House of Representatives; and one member appointed by the Minority Leader of the House of Representatives.

Six of the Board members shall be appointed by the Director of the Department of Public Health, who shall designate one of these appointed members as chair of the Board at the time of his or her appointment. These 6 members appointed by the Director shall reflect the population with regard to ethnic, racial, and geographical composition and shall include the following individuals: one breast cancer survivor; one physician specializing in breast cancer or related medical issues; one breast cancer researcher; one

representative from a breast cancer organization; one individual who operates a patient navigation program at a major hospital or health system; and one breast cancer professional that may include, but not be limited to, a genetics counselor, a social worker, a detain, an occupational therapist, or a nurse.

A Board member whose term has expired may continue to serve until a successor is appointed. ~~A Board member who is not a member of the General Assembly may serve 2 consecutive 3 year terms and shall not be reappointed for 3 years after the completion of those consecutive terms.~~

(b) Board members shall serve without compensation but may be reimbursed for their reasonable travel expenses incurred in performing their duties from funds available for that purpose. The Department shall provide staff and administrative support services to the Board.

(c) The Board may advise:

(i) the Department of Revenue in designing and promoting the Carolyn Adams Ticket For The Cure special instant scratch-off lottery game;

(ii) the Department in reviewing grant applications; and

(iii) the Director on the final award of grants from amounts appropriated from the Carolyn Adams Ticket For The Cure Grant Fund, to public or private entities in Illinois that reflect the population with regard to ethnic, racial, and ~~geographic~~ ~~geographical~~ composition for the purpose of funding breast cancer research and supportive services for breast cancer survivors and those impacted by breast cancer and breast cancer education. In awarding grants, the Department shall consider criteria that includes, but is not limited to, projects and initiatives that address disparities in incidence and mortality rates of breast cancer, based on data from the Illinois Cancer Registry, and populations facing barriers to care in accordance with Section 21.5 of the Illinois Lottery Law.

(c-5) The Department shall submit a report to the Governor and the General Assembly by December 31 of each year. The report shall provide a summary of the Carolyn Adams Ticket for the Cure lottery ticket sales, grants awarded, and the accomplishments of the grantees.

(d) The Board is discontinued on June 30, 2027.

(Source: P.A. 99-917, eff. 12-30-16.)

Section 55. The Illinois Criminal Justice Information Act is amended by changing Section 4 as follows:

(20 ILCS 3930/4) (from Ch. 38, par. 210-4)

Sec. 4. Illinois Criminal Justice Information Authority; creation, membership, and meetings. There is created an Illinois Criminal Justice Information Authority consisting of 25 members. The membership of the Authority shall consist of:

(1) the Illinois Attorney General; or the Illinois Attorney General's his or her designee;;

(2) the Director of Corrections or the Director's designee;;

(3) the Director of the Illinois State Police or the Director's designee;;

(4) the Director of Public Health or the Director's designee;;

(5) the Director of Children and Family Services or the Director's designee;;

(6) the Sheriff of Cook County or the Sheriff's designee;;

(7) the State's Attorney of Cook County or the State's Attorney's designee;;

(8) the clerk of the circuit court of Cook County or the clerk's designee;;

(9) the President of the Cook County Board of Commissioners or the President's designee;;

(10) the Superintendent of the Chicago Police Department or the Superintendent's designee;;

(11) the Director of the Office of the State's Attorneys Appellate Prosecutor or the Director's designee;;

(12) the Executive Director of the Illinois Law Enforcement Training Standards Board or the Executive Director's designee;;

(13) the State Appellate Defender or the State Appellate Defender's designee;;

(14) the Public Defender of Cook County or the Public Defender's designee; and

(15) the following additional members, each of whom shall be appointed by the Governor:

(A) a circuit court clerk;;

(B) a sheriff;;

(C) a State's Attorney of a county other than Cook;;

(D) a Public Defender of a county other than Cook;;

(E) a chief of police; and

(F) 6 members of the general public.

Members appointed on and after the effective date of this amendatory Act of the 98th General Assembly shall be confirmed by the Senate.

The Governor from time to time shall designate a Chairman of the Authority from the membership. All members of the Authority appointed by the Governor shall serve at the pleasure of the Governor for a term not to exceed 4 years. The initial appointed members of the Authority shall serve from January, 1983 until the third Monday in January, 1987 or until their successors are appointed.

The Authority shall meet at least quarterly, and all meetings of the Authority shall be called by the Chairman.

(Source: P.A. 102-538, eff. 8-20-21.)

Section 60. The Blue-Ribbon Commission on Transportation Infrastructure and Policy Act is amended by changing Sections 10, 15, 25, and 30 as follows:

(20 ILCS 4116/10)

(Section scheduled to be repealed on February 1, 2023)

Sec. 10. Commission created.

(a) The Blue-Ribbon Commission on Transportation Infrastructure Funding and Policy is created within the Department of Transportation consisting of members appointed as follows:

(1) Four members of the House of Representatives, with 2 to be appointed by the Speaker of the House of Representatives and 2 to be appointed by the Minority Leader of the House of Representatives.

(2) Four members of the Senate, with 2 to be appointed by the President of the Senate and 2 to be appointed by the Minority Leader of the Senate.

(3) Eight members appointed by the Governor with the advice and consent of the Senate.

(4) The chair of the Commission to be appointed by the Governor from among his 8 appointments.

(b) Members shall have expertise, knowledge, or experience in transportation infrastructure development, construction, workforce, or policy. Members shall also represent a diverse set of sectors, including the labor, engineering, construction, transit, active transportation, rail, air, or other sectors, and shall include participants of the Disadvantaged Business Enterprise Program. No more than 2 appointees shall be members of the same sector.

(c) Members shall represent geographically diverse regions of the State.

(d) Members shall be appointed by January 31, 2023 ~~May 31, 2022~~.

(Source: P.A. 102-988, eff. 5-27-22.)

(20 ILCS 4116/15)

(Section scheduled to be repealed on February 1, 2023)

Sec. 15. Meetings. The Commission shall hold its first meeting by February 15, 2023 ~~within 2 months from the effective date of this Act~~. The Commission may conduct meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish its objectives and purposes.

(Source: P.A. 102-988, eff. 5-27-22.)

(20 ILCS 4116/25)

(Section scheduled to be repealed on February 1, 2023)

Sec. 25. Report. The Commission shall direct the Illinois Department of Transportation to enter into a contract with a third party to assist the Commission in producing a document that evaluates the topics under this Act and outline formal recommendations that can be acted upon by the General Assembly. The Commission shall report a summary of its activities and produce a final report of the data, findings, and recommendations to the General Assembly by September 15, 2023 ~~January 31, 2023~~. The final report shall include specific, actionable recommendations for legislation and organizational adjustments. The final report may include recommendations for pilot programs to test alternatives. The final report and recommendations shall also include any minority and individual views of task force members.

(Source: P.A. 102-988, eff. 5-27-22.)

(20 ILCS 4116/30)

(Section scheduled to be repealed on February 1, 2023)

Sec. 30. Repeal. This Commission is dissolved, and this Act is repealed, on September 30, 2023 ~~February 1, 2023~~.

(Source: P.A. 102-988, eff. 5-27-22.)

Section 65. The Renewable Energy Component Recycling Task Force Act is amended by changing Section 10 as follows:

(20 ILCS 4118/10)

(Section scheduled to be repealed on December 31, 2025)

Sec. 10. The Renewable Energy Component Recycling Task Force.

(a) The Renewable Energy Component Recycling Task Force, hereinafter referred to as the REC Recycling Task Force, is hereby established.

(b) The REC Recycling Task Force shall consist of the following members:

(1) The Director of the Environmental Protection Agency or his or her designee;

(2) The Chair of the Illinois Commerce Commission or his or her designee;

(3) The Director of the Illinois Power Agency or his or her designee;

(4) Four members appointed by the Governor, including one representing a solid waste disposal organization, one representing a renewable energy organization, and one representing an environmental advocacy organization;

(5) Two members appointed by the President of the Senate, ~~one representing a solid waste disposal organization and one representing a renewable energy organization;~~

(6) Two members appointed by the Minority Leader of the Senate, ~~one representing a solid waste disposal organization and one representing a renewable energy organization;~~

(7) Two members appointed by the Speaker of the House of Representatives, ~~one representing a solid waste disposal organization and one representing a renewable energy organization;~~ and

(8) Two members appointed by the Minority Leader of the House of Representatives, ~~one representing a solid waste disposal organization and one representing a renewable energy organization.~~

(c) The REC Recycling Task Force shall meet at the call of the Chair at least quarterly to fulfill its duties under this Act. At the first meeting of the REC Recycling Task Force, the Task Force shall elect from among its members a Chair and such other officers as it may choose.

(d) The Environmental Protection Agency shall coordinate meetings for and provide other logistical assistance to the REC Recycling Task Force. The Agency may, upon request by the Task Force, arrange to have outside experts provide research assistance, technical support, and assistance in the preparation of reports for the REC Recycling Task Force. Notwithstanding any law to the contrary, the Environmental Protection Agency may use moneys from the Solid Waste Management Fund to fulfill its obligations under this Section, including any obligation it may have to arrange to have outside experts provide support and assistance to the Task Force pursuant to this subsection.

(e) Members of the REC Recycling Task Force shall serve without compensation, but the Task Force may, within the limits of any funds appropriated or otherwise made available to it, reimburse its members for actual and necessary expenses incurred in the discharge of their Task Force duties.

(Source: P.A. 102-1025, eff. 5-27-22.)

Section 70. The Illinois Indian American Advisory Council Act is amended by changing Section 1, 5, 10, 15, 20, and 25 as follows:

(20 ILCS 4120/1)

Sec. 1. Short title. This Act may be cited as the Illinois South Asian ~~Indian~~ American Advisory Council Act.

(Source: P.A. 102-1058, eff. 1-1-23.)

(20 ILCS 4120/5)

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

"South Asian" ~~"Indian"~~ means a person descended from any of the countries of the South Asian subcontinent ~~that are not primarily Muslim in character, including India, Bhutan, Nepal, and Sri Lanka.~~

"Council" means the Illinois South Asian ~~Indian~~ American Advisory Council created by this Act.

(Source: P.A. 102-1058, eff. 1-1-23.)

(20 ILCS 4120/10)

Sec. 10. Illinois South Asian ~~Indian~~ American Advisory Council. There is hereby created the Illinois South Asian ~~Indian~~ American Advisory Council. The purpose of the Council is to advise the Governor and the General Assembly on policy issues impacting South Asian ~~Indian~~ Americans and immigrants; to advance the role and civic participation of South Asian ~~Indian~~ Americans in this State; to enhance trade and

cooperation between South Asian Indian majority countries and this State; and, in cooperation with State agencies, boards, and commissions, to build relationships with and disseminate information to South Asian Indian American and immigrant communities across this State.

(Source: P.A. 102-1058, eff. 1-1-23.)

(20 ILCS 4120/15)

Sec. 15. Council members.

(a) The Council shall consist of 21 voting members. The Governor shall appoint one voting member, who shall act as the chairperson of the Council and serve as the representative of the Office of the Governor. The Governor, the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives shall each appoint 4 members of the public to the Council, who shall also serve as voting members.

(b) Appointing authorities shall ensure, to the maximum extent practicable, that the Council is diverse with respect to race, ethnicity, age, gender, faith, sexual orientation, language, country of origin, and geography.

(c) Appointments to the Council shall be persons of recognized ability and experience in one or more of the following areas: higher education, business, international trade, law, social services, human services, immigration, refugee services, community development, or health care.

(d) Appointed members of the Council shall serve 2-year terms. A member shall serve until his or her successor shall be appointed. Members of the Council shall not be entitled to compensation for their services as members.

(e) The following officials shall serve as ex officio, nonvoting members of the Council: the Deputy Director of the Office of Trade and Investment within the Department of Commerce and Economic Opportunity, or his or her designee, and the Chief of the Bureau of Refugee and Immigrant Services within the Department of Human Services, or his or her designee.

The following State agencies shall also each appoint a liaison to serve as an ex officio, nonvoting member ~~members~~ of the Council: the Department of Commerce and Economic Opportunity, the Department of Financial and Professional Regulation, the Department of Human Services, the Department on Aging, the Department of Children and Family Services, the Department of Healthcare and Family Services, the Department of Public Health, the Department of Central Management Services, the Illinois State Board of Education, the Illinois Board of Higher Education, and the Illinois Community College Board.

(f) The Council may establish committees that address certain issues, including, but not limited to, communications, economic development, and legislative affairs.

(g) ~~(Blank). The Office of the Governor shall provide administrative and technical support to the Council, including a staff member to serve as ethics officer.~~

(Source: P.A. 102-1058, eff. 1-1-23; revised 12-16-22.)

(20 ILCS 4120/20)

Sec. 20. Meetings. The Council shall meet at least once per ~~each~~ calendar quarter. In addition, the Council may hold up to 2 public hearings annually to assist in the development of policy recommendations to the Governor and the General Assembly. All meetings of the Council shall be conducted in accordance with the Open Meetings Act. Eleven members of the Council shall constitute a quorum.

(Source: P.A. 102-1058, eff. 1-1-23; revised 12-16-22.)

(20 ILCS 4120/25)

Sec. 25. Reports.

(a) The Council shall issue semi-annual reports on its policy recommendations to the Governor and the General Assembly by June 30th and December 31st of each year.

(b) The reports on policy recommendations shall focus on, but are not limited to, the following: (i) policy issues impacting South Asian Indian-Americans and immigrants; (ii) advancement of the role and civic participation of South Asian Indian Americans in this State; (iii) enhancement of trade and cooperation between South Asian Indian majority countries and this State; and (iv) building relationships with and disseminating information to, in cooperation with State agencies, boards, and commissions, South Asian Indian American and immigrant communities across this State.

(Source: P.A. 102-1058, eff. 1-1-23.)

Section 75. The Hydrogen Economy Act is amended by changing Section 95 as follows:

(20 ILCS 4122/95)

(Section scheduled to be repealed on June 1, 2023)

Sec. 95. Repealer. This Act is repealed on June 1, 2026 ~~2023~~.

(Source: P.A. 102-1086, eff. 6-10-22.)

Section 80. The Human Trafficking Task Force Act is amended by changing Section 5 as follows:
(20 ILCS 5086/5)

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

Sec. 5. Human Trafficking Task Force created.

(a) There is created the Human Trafficking Task Force to address the growing problem of human trafficking across this State. The Human Trafficking Task Force shall consist of the following persons:

(1) five ~~three~~ members of the House of Representatives, appointed by the Speaker of the House of Representatives;

(2) five ~~three~~ members of the House of Representatives, appointed by the Minority Leader of the House of Representatives;

(3) five ~~three~~ members of the Senate, appointed by the President of the Senate;

(4) five ~~three~~ members of the Senate, appointed by the Minority Leader of the Senate;

(5) one representative of the Cook County Human Trafficking Task Force, appointed by the Governor; and

(6) one representative of the Central Illinois Human Trafficking Task Force, appointed by the Governor.

(b) The Task Force shall include the following ex officio members:

(1) the Director of the Illinois State Police, or his or her designee;

(2) the Director of the Department of Children and Family Services, or his or her designee;

(3) the Secretary of the Department of Human Services, or his or her designee; and

(4) the Director of the Department of Healthcare and Family Services, or his or her designee.

(c) Members of the Human Trafficking Task Force shall serve without compensation.

(Source: P.A. 102-323, eff. 8-6-21.)

Section 85. The Illinois Muslim American Advisory Council Act is amended by changing Section 20 as follows:

(20 ILCS 5110/20)

Sec. 20. Council members.

(a) The Council shall consist of 21 members. The Governor shall appoint one member to be the representative of the Office of the Governor. The Governor, the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives shall also each appoint 4 public members to the Council. The Governor shall select the chairperson of the Council from among the members.

(b) Appointing authorities shall ensure, to the maximum extent practicable, that the Council is diverse with respect to race, ethnicity, age, gender, and geography.

(c) Appointments to the Council shall be persons of recognized ability and experience in one or more of the following areas: higher education, business, international trade, law, social services, human services, immigration, refugee services, community development, or healthcare.

(d) Members of the Council shall serve 2-year terms. A member shall serve until his or her successor shall be appointed. Members of the Council shall not be entitled to compensation for their services as members.

(e) The following officials shall serve as ex officio ~~ex-officio~~ members: the Deputy Director of the Office of Trade and Investment within the Department of Commerce and Economic Opportunity, or his or her designee, and the Chief of the Bureau of Refugee and Immigrant Services within the Department of Human Services, or his or her designee. In addition, the Department on Aging, the Department of Children and Family Services, the Department of Healthcare and Family Services, the Department of Public Health, the Department of Central Management Services, the Board of Education, the Board of Higher Education, and the Community College Board shall each appoint a liaison to serve as an ex officio ~~ex-officio~~ member of the Council.

(f) The Council may establish committees that address certain issues, including, but not limited to, communications, economic development, and legislative affairs.

(g) (Blank). ~~The Office of the Governor shall provide administrative and technical support to the Council, including a staff member to serve as ethics officer.~~

[January 10, 2023]

(Source: P.A. 100-459, eff. 8-25-17.)

Section 90. The Metropolitan Pier and Exposition Authority Act is amended by changing Section 14 as follows:

(70 ILCS 210/14) (from Ch. 85, par. 1234)

Sec. 14. Board; compensation. The governing and administrative body of the Authority shall be a board known as the Metropolitan Pier and Exposition Board. On the effective date of this amendatory Act of the 96th General Assembly, the Trustee shall assume the duties and powers of the Board for a period of 18 months or until the Board is fully constituted, whichever is later. Any action requiring Board approval shall be deemed approved by the Board if the Trustee approves the action in accordance with Section 14.5. Beginning the first Monday of the month occurring 18 months after the effective date of this amendatory Act of the 96th General Assembly and until the effective date of this amendatory Act of the 102nd General Assembly, the Board shall consist of 9 members. On and after the effective date of this amendatory Act of the 102nd General Assembly, the Board shall consist of 11 members. The Governor shall appoint 5 4 members to the Board, subject to the advice and consent of the Senate. The Mayor shall appoint 5 4 members to the Board. At least one member of the Board shall represent the interests of labor, and at least one member of the Board shall represent the interests of the convention industry. A majority of the members appointed by the Governor and Mayor shall appoint a ninth member to serve as the chairperson until the chairperson's term expires on or after the effective date of this amendatory Act of the 102nd General Assembly, at which time, a majority of the members appointed by the Governor and Mayor shall appoint an eleventh member to serve as the chairperson. The Board shall be fully constituted when a quorum has been appointed. The members of the board shall be individuals of generally recognized ability and integrity. No member of the Board may be (i) an officer or employee of, or a member of a board, commission or authority of, the State, any unit of local government or any school district or (ii) a person who served on the Board prior to the effective date of this amendatory Act of the 96th General Assembly.

Of the initial members appointed by the Governor, one shall serve for a term expiring June 1, 2013, one shall serve for a term expiring June 1, 2014, one shall serve for a term expiring June 1, 2015, and one shall serve for a term expiring June 1, 2016, as determined by the Governor. Of the initial members appointed by the Mayor, one shall serve for a term expiring June 1, 2013, one shall serve for a term expiring June 1, 2014, one shall serve for a term expiring June 1, 2015, and one shall serve for a term expiring June 1, 2016, as determined by the Mayor. The initial chairperson appointed by the Board shall serve a term for a term expiring June 1, 2015. Additional members of the Board appointed pursuant to this amendatory Act of the 102nd General Assembly shall serve for a term expiring on June 1, 2026. Successors shall be appointed to 4-year terms.

Members of the Board shall serve without compensation, but shall be reimbursed for actual expenses incurred by them in the performance of their duties. All members of the Board and employees of the Authority are subject to the Illinois Governmental Ethics Act, in accordance with its terms.
(Source: P.A. 102-699, eff. 4-19-22.)

Section 95. The Alexander-Cairo Port District Act is amended by changing Sections 95, 100, and 115 as follows:

(70 ILCS 1801/95)

Sec. 95. Board members. The governing and administrative body of the Port District shall be a Board consisting of 9 7 members, to be known as the Alexander-Cairo Port District Board. All members of the Board shall be residents of the District, except the member with wetlands mitigation experience and the member with economic development experience do not need to be residents of the District. The members of the Board shall serve without compensation but shall be reimbursed for actual expenses incurred by them in the performance of their duties. However, any member of the Board who is appointed to the office of secretary or treasurer may receive compensation for his or her services as such officer. No member of the Board or employee of the District shall have any private financial interest, profit, or benefit in any contract, work, or business of the District nor in the sale or lease of any property to or from the District.

(Source: P.A. 96-1015, eff. 7-8-10.)

(70 ILCS 1801/100)

Sec. 100. Board appointments; terms. The Governor shall appoint 6 4 members of the Board, including one member with wetlands mitigation experience and one member with economic development experience. The member with wetlands mitigation experience and the member with economic development

experience do not need to be residents of the District. The ~~the~~ Mayor of the City of Cairo shall appoint one member of the Board, and the chairperson of the Alexander County Board, with the advice and consent of the Alexander County Board, shall appoint 2 members of the Board. All initial appointments shall be made within 60 days after this Act takes effect. Of the 4 members initially appointed by the Governor, 2 shall be appointed for initial terms expiring June 1, 2012 and 2 shall be appointed for initial terms expiring June 1, 2013. The term of the member initially appointed by the Mayor shall expire June 1, 2013. Of the 2 members appointed by the Alexander County Board Chairperson, one shall be appointed for an initial term expiring June 1, 2012, and one shall be appointed for an initial term expiring June 1, 2013. Additional members of the Board appointed pursuant to this amendatory Act of the 102nd General Assembly shall serve for a term expiring on June 1, 2025. At the expiration of the term of any member, his or her successor shall be appointed by the Governor, Mayor, or Alexander County Board Chairperson in like manner and with like regard to the place of residence of the appointee, as in the case of appointments for the initial terms.

After the expiration of initial terms, each successor shall hold office for the term of 3 years beginning the first day of June of the year in which the term of office commences. In the case of a vacancy during the term of office of any member appointed by the Governor, the Governor shall make an appointment for the remainder of the term vacant and until a successor is appointed and qualified. In the case of a vacancy during the term of office of any member appointed by the Mayor, the Mayor shall make an appointment for the remainder of the term vacant and until a successor is appointed and qualified. In the case of a vacancy during the term of office of any member appointed by the Alexander County Board Chairperson, the Alexander County Board Chairperson shall make an appointment for the remainder of the term vacant and until a successor is appointed and qualified. The Governor, Mayor, and Alexander County Board Chairperson shall certify their respective appointments to the Secretary of State. Within 30 days after certification of his or her appointment, and before entering upon the duties of his or her office, each member of the Board shall take and subscribe the constitutional oath of office and file it in the office of the Secretary of State.

(Source: P.A. 96-1015, eff. 7-8-10.)

(70 ILCS 1801/115)

Sec. 115. Meetings. Regular meetings of the Board shall be held at least once in each calendar month, the time and place of the meetings to be fixed by the Board. Five ~~Four~~ members of the Board shall constitute a quorum for the transaction of business. All action of the Board shall be by ordinance or resolution and the affirmative vote of at least 5 ~~4~~ members shall be necessary for the adoption of any ordinance or resolution. All such ordinances and resolutions before taking effect shall be approved by the chairperson of the Board, and if he or she approves, the chairperson shall sign the same, and if the chairperson does not approve, the chairperson shall return to the Board with his or her objections in writing at the next regular meeting of the Board occurring after the passage. But in the case the chairperson fails to return any ordinance or resolution with his or her objections within the prescribed time, the chairperson shall be deemed to have approved the ordinance, and it shall take effect accordingly. Upon the return of any ordinance or resolution by the chairperson with his or her objections, the vote shall be reconsidered by the Board, and if, upon reconsideration of the ordinance or resolution, it is passed by the affirmative vote of at least 5 members, it shall go into effect notwithstanding the veto of the chairperson. All ordinances, resolutions, and proceedings of the District and all documents and records in its possession shall be public records, and open to public inspection, except for documents and records that are kept or prepared by the Board for use in negotiations, legal actions, or proceedings to which the District is a party.

(Source: P.A. 96-1015, eff. 7-8-10.)

Section 100. The Illinois Gambling Act is amended by changing Section 5 as follows:

(230 ILCS 10/5) (from Ch. 120, par. 2405)

Sec. 5. Gaming Board.

(a) (1) There is hereby established the Illinois Gaming Board, which shall have the powers and duties specified in this Act, and all other powers necessary and proper to fully and effectively execute this Act for the purpose of administering, regulating, and enforcing the system of riverboat and casino gambling established by this Act and gaming pursuant to an organization gaming license issued under this Act. Its jurisdiction shall extend under this Act to every person, association, corporation, partnership and trust involved in riverboat and casino gambling operations and gaming pursuant to an organization gaming license issued under this Act in the State of Illinois.

(2) The Board shall consist of 5 members to be appointed by the Governor with the advice and consent of the Senate, one of whom shall be designated by the Governor to be chairperson. Each member shall have a reasonable knowledge of the practice, procedure and principles of gambling operations. Each member shall either be a resident of Illinois or shall certify that he or she will become a resident of Illinois before taking office.

On and after the effective date of this amendatory Act of the 101st General Assembly, new appointees to the Board must include the following:

(A) One member who has received, at a minimum, a bachelor's degree from an accredited school and at least 10 years of verifiable experience in the fields of investigation and law enforcement.

(B) One member ~~who is a certified public accountant~~ with experience in auditing and with knowledge of complex corporate structures and transactions.

(C) One member who has 5 years' experience as a principal, senior officer, or director of a company or business with either material responsibility for the daily operations and management of the overall company or business or material responsibility for the policy making of the company or business.

(D) One member who is an attorney licensed to practice law in Illinois for at least 5 years.

Notwithstanding any provision of this subsection (a), the requirements of subparagraphs (A) through (D) of this paragraph (2) shall not apply to any person reappointed pursuant to paragraph (3).

No more than 3 members of the Board may be from the same political party. No Board member shall, within a period of one year immediately preceding nomination, have been employed or received compensation or fees for services from a person or entity, or its parent or affiliate, that has engaged in business with the Board, a licensee, or a licensee under the Illinois Horse Racing Act of 1975. Board members must publicly disclose all prior affiliations with gaming interests, including any compensation, fees, bonuses, salaries, and other reimbursement received from a person or entity, or its parent or affiliate, that has engaged in business with the Board, a licensee, or a licensee under the Illinois Horse Racing Act of 1975. This disclosure must be made within 30 days after nomination but prior to confirmation by the Senate and must be made available to the members of the Senate.

(3) The terms of office of the Board members shall be 3 years, except that the terms of office of the initial Board members appointed pursuant to this Act will commence from the effective date of this Act and run as follows: one for a term ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for a term ending July 1, 1993. Upon the expiration of the foregoing terms, the successors of such members shall serve a term for 3 years and until their successors are appointed and qualified for like terms. Vacancies in the Board shall be filled for the unexpired term in like manner as original appointments. Each member of the Board shall be eligible for reappointment at the discretion of the Governor with the advice and consent of the Senate.

(4) Each member of the Board shall receive \$300 for each day the Board meets and for each day the member conducts any hearing pursuant to this Act. Each member of the Board shall also be reimbursed for all actual and necessary expenses and disbursements incurred in the execution of official duties.

(5) No person shall be appointed a member of the Board or continue to be a member of the Board who is, or whose spouse, child or parent is, a member of the board of directors of, or a person financially interested in, any gambling operation subject to the jurisdiction of this Board, or any race track, race meeting, racing association or the operations thereof subject to the jurisdiction of the Illinois Racing Board. No Board member shall hold any other public office. No person shall be a member of the Board who is not of good moral character or who has been convicted of, or is under indictment for, a felony under the laws of Illinois or any other state, or the United States.

(5.5) No member of the Board shall engage in any political activity. For the purposes of this Section, "political" means any activity in support of or in connection with any campaign for federal, State, or local elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action (as those terms are defined in Section 2 of the Lobbyist Registration Act), (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official State duties or governmental and public service functions.

(6) Any member of the Board may be removed by the Governor for neglect of duty, misfeasance, malfeasance, or nonfeasance in office or for engaging in any political activity.

(7) Before entering upon the discharge of the duties of his office, each member of the Board shall take an oath that he will faithfully execute the duties of his office according to the laws of the State and the rules and regulations adopted therewith and shall give bond to the State of Illinois, approved by the Governor, in

the sum of \$25,000. Every such bond, when duly executed and approved, shall be recorded in the office of the Secretary of State. Whenever the Governor determines that the bond of any member of the Board has become or is likely to become invalid or insufficient, he shall require such member forthwith to renew his bond, which is to be approved by the Governor. Any member of the Board who fails to take oath and give bond within 30 days from the date of his appointment, or who fails to renew his bond within 30 days after it is demanded by the Governor, shall be guilty of neglect of duty and may be removed by the Governor. The cost of any bond given by any member of the Board under this Section shall be taken to be a part of the necessary expenses of the Board.

(7.5) For the examination of all mechanical, electromechanical, or electronic table games, slot machines, slot accounting systems, sports wagering systems, and other electronic gaming equipment, and the field inspection of such systems, games, and machines, for compliance with this Act, the Board shall utilize the services of independent outside testing laboratories that have been accredited in accordance with ISO/IEC 17025 by an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Agreement signifying they are qualified to perform such examinations. Notwithstanding any law to the contrary, the Board shall consider the licensing of independent outside testing laboratory applicants in accordance with procedures established by the Board by rule. The Board shall not withhold its approval of an independent outside testing laboratory license applicant that has been accredited as required under this paragraph (7.5) and is licensed in gaming jurisdictions comparable to Illinois. Upon the finalization of required rules, the Board shall license independent testing laboratories and accept the test reports of any licensed testing laboratory of the system's, game's, or machine manufacturer's choice, notwithstanding the existence of contracts between the Board and any independent testing laboratory.

(8) The Board shall employ such personnel as may be necessary to carry out its functions and shall determine the salaries of all personnel, except those personnel whose salaries are determined under the terms of a collective bargaining agreement. No person shall be employed to serve the Board who is, or whose spouse, parent or child is, an official of, or has a financial interest in or financial relation with, any operator engaged in gambling operations within this State or any organization engaged in conducting horse racing within this State. For the one year immediately preceding employment, an employee shall not have been employed or received compensation or fees for services from a person or entity, or its parent or affiliate, that has engaged in business with the Board, a licensee, or a licensee under the Illinois Horse Racing Act of 1975. Any employee violating these prohibitions shall be subject to termination of employment.

(9) An Administrator shall perform any and all duties that the Board shall assign him. The salary of the Administrator shall be determined by the Board and, in addition, he shall be reimbursed for all actual and necessary expenses incurred by him in discharge of his official duties. The Administrator shall keep records of all proceedings of the Board and shall preserve all records, books, documents and other papers belonging to the Board or entrusted to its care. The Administrator shall devote his full time to the duties of the office and shall not hold any other office or employment.

(b) The Board shall have general responsibility for the implementation of this Act. Its duties include, without limitation, the following:

(1) To decide promptly and in reasonable order all license applications. Any party aggrieved by an action of the Board denying, suspending, revoking, restricting or refusing to renew a license may request a hearing before the Board. A request for a hearing must be made to the Board in writing within 5 days after service of notice of the action of the Board. Notice of the action of the Board shall be served either by personal delivery or by certified mail, postage prepaid, to the aggrieved party. Notice served by certified mail shall be deemed complete on the business day following the date of such mailing. The Board shall conduct any such hearings promptly and in reasonable order;

(2) To conduct all hearings pertaining to civil violations of this Act or rules and regulations promulgated hereunder;

(3) To promulgate such rules and regulations as in its judgment may be necessary to protect or enhance the credibility and integrity of gambling operations authorized by this Act and the regulatory process hereunder;

(4) To provide for the establishment and collection of all license and registration fees and taxes imposed by this Act and the rules and regulations issued pursuant hereto. All such fees and taxes shall be deposited into the State Gaming Fund;

(5) To provide for the levy and collection of penalties and fines for the violation of provisions of this Act and the rules and regulations promulgated hereunder. All such fines and penalties shall be deposited into the Education Assistance Fund, created by Public Act 86-0018, of the State of Illinois;

(6) To be present through its inspectors and agents any time gambling operations are conducted on any riverboat, in any casino, or at any organization gaming facility for the purpose of certifying the revenue thereof, receiving complaints from the public, and conducting such other investigations into the conduct of the gambling games and the maintenance of the equipment as from time to time the Board may deem necessary and proper;

(7) To review and rule upon any complaint by a licensee regarding any investigative procedures of the State which are unnecessarily disruptive of gambling operations. The need to inspect and investigate shall be presumed at all times. The disruption of a licensee's operations shall be proved by clear and convincing evidence, and establish that: (A) the procedures had no reasonable law enforcement purposes, and (B) the procedures were so disruptive as to unreasonably inhibit gambling operations;

(8) To hold at least one meeting each quarter of the fiscal year. In addition, special meetings may be called by the Chairman or any 2 Board members upon 72 hours written notice to each member. All Board meetings shall be subject to the Open Meetings Act. Three members of the Board shall constitute a quorum, and 3 votes shall be required for any final determination by the Board. The Board shall keep a complete and accurate record of all its meetings. A majority of the members of the Board shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power which this Act requires the Board members to transact, perform or exercise en banc, except that, upon order of the Board, one of the Board members or an administrative law judge designated by the Board may conduct any hearing provided for under this Act or by Board rule and may recommend findings and decisions to the Board. The Board member or administrative law judge conducting such hearing shall have all powers and rights granted to the Board in this Act. The record made at the time of the hearing shall be reviewed by the Board, or a majority thereof, and the findings and decision of the majority of the Board shall constitute the order of the Board in such case;

(9) To maintain records which are separate and distinct from the records of any other State board or commission. Such records shall be available for public inspection and shall accurately reflect all Board proceedings;

(10) To file a written annual report with the Governor on or before July 1 each year and such additional reports as the Governor may request. The annual report shall include a statement of receipts and disbursements by the Board, actions taken by the Board, and any additional information and recommendations which the Board may deem valuable or which the Governor may request;

(11) (Blank);

(12) (Blank);

(13) To assume responsibility for administration and enforcement of the Video Gaming Act;

(13.1) To assume responsibility for the administration and enforcement of operations at organization gaming facilities pursuant to this Act and the Illinois Horse Racing Act of 1975;

(13.2) To assume responsibility for the administration and enforcement of the Sports Wagering Act; and

(14) To adopt, by rule, a code of conduct governing Board members and employees that ensure, to the maximum extent possible, that persons subject to this Code avoid situations, relationships, or associations that may represent or lead to a conflict of interest.

Internal controls and changes submitted by licensees must be reviewed and either approved or denied with cause within 90 days after receipt of submission is deemed final by the Illinois Gaming Board. In the event an internal control submission or change does not meet the standards set by the Board, staff of the Board must provide technical assistance to the licensee to rectify such deficiencies within 90 days after the initial submission and the revised submission must be reviewed and approved or denied with cause within 90 days after the date the revised submission is deemed final by the Board. For the purposes of this paragraph, "with cause" means that the approval of the submission would jeopardize the integrity of gaming. In the event the Board staff has not acted within the timeframe, the submission shall be deemed approved.

(c) The Board shall have jurisdiction over and shall supervise all gambling operations governed by this Act. The Board shall have all powers necessary and proper to fully and effectively execute the provisions of this Act, including, but not limited to, the following:

(1) To investigate applicants and determine the eligibility of applicants for licenses and to select among competing applicants the applicants which best serve the interests of the citizens of Illinois.

(2) To have jurisdiction and supervision over all riverboat gambling operations authorized under this Act and all persons in places where gambling operations are conducted.

(3) To promulgate rules and regulations for the purpose of administering the provisions of this Act and to prescribe rules, regulations and conditions under which all gambling operations subject to this Act shall be conducted. Such rules and regulations are to provide for the prevention of practices detrimental to the public interest and for the best interests of riverboat gambling, including rules and regulations regarding the inspection of organization gaming facilities, casinos, and riverboats, and the review of any permits or licenses necessary to operate a riverboat, casino, or organization gaming facility under any laws or regulations applicable to riverboats, casinos, or organization gaming facilities and to impose penalties for violations thereof.

(4) To enter the office, riverboats, casinos, organization gaming facilities, and other facilities, or other places of business of a licensee, where evidence of the compliance or noncompliance with the provisions of this Act is likely to be found.

(5) To investigate alleged violations of this Act or the rules of the Board and to take appropriate disciplinary action against a licensee or a holder of an occupational license for a violation, or institute appropriate legal action for enforcement, or both.

(6) To adopt standards for the licensing of all persons and entities under this Act, as well as for electronic or mechanical gambling games, and to establish fees for such licenses.

(7) To adopt appropriate standards for all organization gaming facilities, riverboats, casinos, and other facilities authorized under this Act.

(8) To require that the records, including financial or other statements of any licensee under this Act, shall be kept in such manner as prescribed by the Board and that any such licensee involved in the ownership or management of gambling operations submit to the Board an annual balance sheet and profit and loss statement, list of the stockholders or other persons having a 1% or greater beneficial interest in the gambling activities of each licensee, and any other information the Board deems necessary in order to effectively administer this Act and all rules, regulations, orders and final decisions promulgated under this Act.

(9) To conduct hearings, issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records and other pertinent documents in accordance with the Illinois Administrative Procedure Act, and to administer oaths and affirmations to the witnesses, when, in the judgment of the Board, it is necessary to administer or enforce this Act or the Board rules.

(10) To prescribe a form to be used by any licensee involved in the ownership or management of gambling operations as an application for employment for their employees.

(11) To revoke or suspend licenses, as the Board may see fit and in compliance with applicable laws of the State regarding administrative procedures, and to review applications for the renewal of licenses. The Board may suspend an owners license or an organization gaming license without notice or hearing upon a determination that the safety or health of patrons or employees is jeopardized by continuing a gambling operation conducted under that license. The suspension may remain in effect until the Board determines that the cause for suspension has been abated. The Board may revoke an owners license or organization gaming license upon a determination that the licensee has not made satisfactory progress toward abating the hazard.

(12) To eject or exclude or authorize the ejection or exclusion of, any person from gambling facilities where that person is in violation of this Act, rules and regulations thereunder, or final orders of the Board, or where such person's conduct or reputation is such that his or her presence within the gambling facilities may, in the opinion of the Board, call into question the honesty and integrity of the gambling operations or interfere with the orderly conduct thereof; provided that the propriety of such ejection or exclusion is subject to subsequent hearing by the Board.

(13) To require all licensees of gambling operations to utilize a cashless wagering system whereby all players' money is converted to tokens, electronic cards, or chips which shall be used only for wagering in the gambling establishment.

(14) (Blank).

(15) To suspend, revoke or restrict licenses, to require the removal of a licensee or an employee of a licensee for a violation of this Act or a Board rule or for engaging in a fraudulent practice, and to

impose civil penalties of up to \$5,000 against individuals and up to \$10,000 or an amount equal to the daily gross receipts, whichever is larger, against licensees for each violation of any provision of the Act, 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 gambling operations.

(16) To hire employees to gather information, conduct investigations and carry out any other tasks contemplated under this Act.

(17) To establish minimum levels of insurance to be maintained by licensees.

(18) To authorize a licensee to sell or serve alcoholic liquors, wine or beer as defined in the Liquor Control Act of 1934 on board a riverboat or in a casino and to have exclusive authority to establish the hours for sale and consumption of alcoholic liquor on board a riverboat or in a casino, notwithstanding any provision of the Liquor Control Act of 1934 or any local ordinance, and regardless of whether the riverboat makes excursions. The establishment of the hours for sale and consumption of alcoholic liquor on board a riverboat or in a casino is an exclusive power and function of the State. A home rule unit may not establish the hours for sale and consumption of alcoholic liquor on board a riverboat or in a casino. This subdivision (18) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(19) After consultation with the U.S. Army Corps of Engineers, to establish binding emergency orders upon the concurrence of a majority of the members of the Board regarding the navigability of water, relative to excursions, in the event of extreme weather conditions, acts of God or other extreme circumstances.

(20) To delegate the execution of any of its powers under this Act for the purpose of administering and enforcing this Act and the rules adopted by the Board.

(20.5) To approve any contract entered into on its behalf.

(20.6) To appoint investigators to conduct investigations, searches, seizures, arrests, and other duties imposed under this Act, as deemed necessary by the Board. These investigators have and may exercise all of the rights and powers of peace officers, provided that these powers shall be limited to offenses or violations occurring or committed in a casino, in an organization gaming facility, or on a riverboat or dock, as defined in subsections (d) and (f) of Section 4, or as otherwise provided by this Act or any other law.

(20.7) To contract with the Illinois State Police for the use of trained and qualified State police officers and with the Department of Revenue for the use of trained and qualified Department of Revenue investigators to conduct investigations, searches, seizures, arrests, and other duties imposed under this Act and to exercise all of the rights and powers of peace officers, provided that the powers of Department of Revenue investigators under this subdivision (20.7) shall be limited to offenses or violations occurring or committed in a casino, in an organization gaming facility, or on a riverboat or dock, as defined in subsections (d) and (f) of Section 4, or as otherwise provided by this Act or any other law. In the event the Illinois State Police or the Department of Revenue is unable to fill contracted police or investigative positions, the Board may appoint investigators to fill those positions pursuant to subdivision (20.6).

(21) To adopt rules concerning the conduct of gaming pursuant to an organization gaming license issued under this Act.

(22) To have the same jurisdiction and supervision over casinos and organization gaming facilities as the Board has over riverboats, including, but not limited to, the power to (i) investigate, review, and approve contracts as that power is applied to riverboats, (ii) adopt rules for administering the provisions of this Act, (iii) adopt standards for the licensing of all persons involved with a casino or organization gaming facility, (iv) investigate alleged violations of this Act by any person involved with a casino or organization gaming facility, and (v) require that records, including financial or other statements of any casino or organization gaming facility, shall be kept in such manner as prescribed by the Board.

(23) To take any other action as may be reasonable or appropriate to enforce this Act and the rules adopted by the Board.

(d) The Board may seek and shall receive the cooperation of the Illinois State Police in conducting background investigations of applicants and in fulfilling its responsibilities under this Section. Costs incurred by the Illinois State Police as a result of such cooperation shall be paid by the Board in conformance with the requirements of Section 2605-400 of the Illinois State Police Law.

(e) The Board must authorize to each investigator and to any other employee of the Board exercising the powers of a peace officer a distinct badge that, on its face, (i) clearly states that the badge is authorized by the Board and (ii) contains a unique identifying number. No other badge shall be authorized by the Board.

(Source: P.A. 101-31, eff. 6-28-19; 102-538, eff. 8-20-21.)

Section 105. The Environmental Justice Act is amended by changing Section 10 as follows:
(415 ILCS 155/10)

Sec. 10. Commission on Environmental Justice.

(a) The Commission on Environmental Justice is established and consists of the following 24 voting members:

(1) 2 members of the Senate, one appointed by the President of the Senate and the other by the Minority Leader of the Senate, each to serve at the pleasure of the appointing officer;

(2) 2 members of the House of Representatives, one appointed by the Speaker of the House of Representatives and the other by the Minority Leader of the House of Representatives, each to serve at the pleasure of the appointing officer;

(3) the following ex officio members: the Director of Commerce and Economic Opportunity or his or her designee, the Director of the Environmental Protection Agency or his or her designee, the Director of Natural Resources or his or her designee, the Director of Public Health or his or her designee, the Secretary of Transportation or his or her designee, and a representative of the housing office of the Department of Human Services appointed by the Secretary of Human Services; and

(4) 14 members appointed by the Governor who represent the following interests:

(i) at least 4 members of affected communities concerned with environmental justice;

(ii) at least 2 members of business organizations including one member representing a statewide organization representing manufacturers and one member representing an organization representing the energy sector;

(iii) environmental organizations;

(iv) experts on environmental health and environmental justice;

(v) units of local government;

(vi) members of the general public who have an interest or expertise in environmental justice; and

(vii) at least 2 members of labor organizations including one member from a statewide labor federation representing more than one international union and one member from an organization representing workers in the energy sector.

(b) Of the initial members of the Commission appointed by the Governor, 5 shall serve for a 2-year term and 5 shall serve for a 1-year term, as designated by the Governor at the time of appointment. The ~~Thereafter, the~~ members appointed by the Governor for terms beginning before the effective date of this amendatory Act of the 102nd General Assembly shall serve 2-year terms. Members appointed by the Governor for terms beginning on or after the effective date of this amendatory Act of the 102nd General Assembly shall serve 4-year terms. Vacancies shall be filled in the same manner as appointments. Members of the Commission appointed by the Governor may not receive compensation for their service on the Commission and are not entitled to reimbursement for expenses.

(c) The Governor shall designate a Chairperson from among the Commission's members. The Commission shall meet at the call of the Chairperson, but no later than 90 days after the effective date of this Act and at least quarterly thereafter.

(d) The Commission shall:

(1) advise State entities on environmental justice and related community issues;

(2) review and analyze the impact of current State laws and policies on the issue of environmental justice and sustainable communities;

(3) assess the adequacy of State and local laws to address the issue of environmental justice and sustainable communities;

(4) develop criteria to assess whether communities in the State may be experiencing environmental justice issues; and

(5) recommend options to the Governor for addressing issues, concerns, or problems related to environmental justice that surface after reviewing State laws and policies, including prioritizing areas of the State that need immediate attention.

(e) On or before October 1, 2011 and each October 1 thereafter, the Commission shall report its findings and recommendations to the Governor and General Assembly.

(f) The Environmental Protection Agency shall provide administrative and other support to the Commission.

(Source: P.A. 99-541, eff. 1-1-17.)

Section 110. The Firearm Owners Identification Card Act is amended by changing Section 10 as follows:

(430 ILCS 65/10) (from Ch. 38, par. 83-10)

Sec. 10. Appeals; hearing; relief from firearm prohibitions.

(a) Whenever an application for a Firearm Owner's Identification Card is denied or whenever such a Card is revoked or seized as provided for in Section 8 of this Act, the aggrieved party may (1) file a record challenge with the Director regarding the record upon which the decision to deny or revoke the Firearm Owner's Identification Card was based under subsection (a-5); or (2) appeal to the Director of the Illinois State Police through December 31, 2022, or beginning January 1, 2023, the Firearm Owner's Identification Card Review Board for a hearing seeking relief from such denial or revocation unless the denial or revocation was based upon a forcible felony, stalking, aggravated stalking, domestic battery, any violation of the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Cannabis Control Act that is classified as a Class 2 or greater felony, any felony violation of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012, or any adjudication as a delinquent minor for the commission of an offense that if committed by an adult would be a felony, in which case the aggrieved party may petition the circuit court in writing in the county of his or her residence for a hearing seeking relief from such denial or revocation.

(a-5) There is created a Firearm Owner's Identification Card Review Board to consider any appeal under subsection (a) beginning January 1, 2023, other than an appeal directed to the circuit court and except when the applicant is challenging the record upon which the decision to deny or revoke was based as provided in subsection (a-10).

(0.05) In furtherance of the policy of this Act that the Board shall exercise its powers and duties in an independent manner, subject to the provisions of this Act but free from the direction, control, or influence of any other agency or department of State government. All expenses and liabilities incurred by the Board in the performance of its responsibilities hereunder shall be paid from funds which shall be appropriated to the Board by the General Assembly for the ordinary and contingent expenses of the Board.

(1) The Board shall consist of 7 members appointed by the Governor, with the advice and consent of the Senate, with 3 members residing within the First Judicial District and one member residing within each of the 4 remaining Judicial Districts. No more than 4 members shall be members of the same political party. The Governor shall designate one member as the chairperson. The members shall have actual experience in law, education, social work, behavioral sciences, law enforcement, or community affairs or in a combination of those areas. The Board shall consist of:

~~(A) one member with at least 5 years of service as a federal or State judge;~~

~~(B) one member with at least 5 years of experience serving as an attorney with the United States Department of Justice, or as a State's Attorney or Assistant State's Attorney;~~

~~(C) one member with at least 5 years of experience serving as a State or federal public defender or assistant public defender;~~

~~(D) three members with at least 5 years of experience as a federal, State, or local law enforcement agent or as an employee with investigative experience or duties related to criminal justice under the United States Department of Justice, Drug Enforcement Administration, Department of Homeland Security, Federal Bureau of Investigation, or a State or local law enforcement agency; and~~

~~(E) one member with at least 5 years of experience as a licensed physician or clinical psychologist with expertise in the diagnosis and treatment of mental illness.~~

(2) The terms of the members initially appointed after January 1, 2022 (the effective date of Public Act 102-237) shall be as follows: one of the initial members shall be appointed for a term of

one year, 3 shall be appointed for terms of 2 years, and 3 shall be appointed for terms of 4 years. Thereafter, members shall hold office for 4 years, with terms expiring on the second Monday in January immediately following the expiration of their terms and every 4 years thereafter. Members may be reappointed. Vacancies in the office of member shall be filled in the same manner as the original appointment, for the remainder of the unexpired term. The Governor may remove a member for incompetence, neglect of duty, malfeasance, or inability to serve. Members shall receive compensation in an amount equal to the compensation of members of the Executive Ethics Commission and may be reimbursed, from funds appropriated for such a purpose, for reasonable expenses actually incurred in the performance of their Board duties. The Illinois State Police shall designate an employee to serve as Executive Director of the Board and provide logistical and administrative assistance to the Board.

(3) The Board shall meet at least quarterly each year and at the call of the chairperson as often as necessary to consider appeals of decisions made with respect to applications for a Firearm Owner's Identification Card under this Act. If necessary to ensure the participation of a member, the Board shall allow a member to participate in a Board meeting by electronic communication. Any member participating electronically shall be deemed present for purposes of establishing a quorum and voting.

(4) The Board shall adopt rules for the review of appeals and the conduct of hearings. The Board shall maintain a record of its decisions and all materials considered in making its decisions. All Board decisions and voting records shall be kept confidential and all materials considered by the Board shall be exempt from inspection except upon order of a court.

(5) In considering an appeal, the Board shall review the materials received concerning the denial or revocation by the Illinois State Police. By a vote of at least 4 members, the Board may request additional information from the Illinois State Police or the applicant or the testimony of the Illinois State Police or the applicant. The Board may require that the applicant submit electronic fingerprints to the Illinois State Police for an updated background check if the Board determines it lacks sufficient information to determine eligibility. The Board may consider information submitted by the Illinois State Police, a law enforcement agency, or the applicant. The Board shall review each denial or revocation and determine by a majority of members whether an applicant should be granted relief under subsection (c).

(6) The Board shall by order issue summary decisions. The Board shall issue a decision within 45 days of receiving all completed appeal documents from the Illinois State Police and the applicant. However, the Board need not issue a decision within 45 days if:

(A) the Board requests information from the applicant, including, but not limited to, electronic fingerprints to be submitted to the Illinois State Police, in accordance with paragraph (5) of this subsection, in which case the Board shall make a decision within 30 days of receipt of the required information from the applicant;

(B) the applicant agrees, in writing, to allow the Board additional time to consider an appeal; or

(C) the Board notifies the applicant and the Illinois State Police that the Board needs an additional 30 days to issue a decision. The Board may only issue 2 extensions under this subparagraph (C). The Board's notification to the applicant and the Illinois State Police shall include an explanation for the extension.

(7) If the Board determines that the applicant is eligible for relief under subsection (c), the Board shall notify the applicant and the Illinois State Police that relief has been granted and the Illinois State Police shall issue the Card.

(8) Meetings of the Board shall not be subject to the Open Meetings Act and records of the Board shall not be subject to the Freedom of Information Act.

(9) The Board shall report monthly to the Governor and the General Assembly on the number of appeals received and provide details of the circumstances in which the Board has determined to deny Firearm Owner's Identification Cards under this subsection (a-5). The report shall not contain any identifying information about the applicants.

(a-10) Whenever an applicant or cardholder is not seeking relief from a firearms prohibition under subsection (c) but rather does not believe the applicant is appropriately denied or revoked and is challenging the record upon which the decision to deny or revoke the Firearm Owner's Identification Card was based, or whenever the Illinois State Police fails to act on an application within 30 days of its receipt, the applicant shall file such challenge with the Director. The Director shall render a decision within 60 business days of

receipt of all information supporting the challenge. The Illinois State Police shall adopt rules for the review of a record challenge.

(b) At least 30 days before any hearing in the circuit court, the petitioner shall serve the relevant State's Attorney with a copy of the petition. The State's Attorney may object to the petition and present evidence. At the hearing, the court shall determine whether substantial justice has been done. Should the court determine that substantial justice has not been done, the court shall issue an order directing the Illinois State Police to issue a Card. However, the court shall not issue the order if the petitioner is otherwise prohibited from obtaining, possessing, or using a firearm under federal law.

(c) Any person prohibited from possessing a firearm under Sections 24-1.1 or 24-3.1 of the Criminal Code of 2012 or acquiring a Firearm Owner's Identification Card under Section 8 of this Act may apply to the Firearm Owner's Identification Card Review Board or petition the circuit court in the county where the petitioner resides, whichever is applicable in accordance with subsection (a) of this Section, requesting relief from such prohibition and the Board or court may grant such relief if it is established by the applicant to the court's or the Board's satisfaction that:

(0.05) when in the circuit court, the State's Attorney has been served with a written copy of the petition at least 30 days before any such hearing in the circuit court and at the hearing the State's Attorney was afforded an opportunity to present evidence and object to the petition;

(1) the applicant has not been convicted of a forcible felony under the laws of this State or any other jurisdiction within 20 years of the applicant's application for a Firearm Owner's Identification Card, or at least 20 years have passed since the end of any period of imprisonment imposed in relation to that conviction;

(2) the circumstances regarding a criminal conviction, where applicable, the applicant's criminal history and his reputation are such that the applicant will not be likely to act in a manner dangerous to public safety;

(3) granting relief would not be contrary to the public interest; and

(4) granting relief would not be contrary to federal law.

(c-5) (1) An active law enforcement officer employed by a unit of government or a Department of Corrections employee authorized to possess firearms who is denied, revoked, or has his or her Firearm Owner's Identification Card seized under subsection (e) of Section 8 of this Act may apply to the Firearm Owner's Identification Card Review Board requesting relief if the officer or employee did not act in a manner threatening to the officer or employee, another person, or the public as determined by the treating clinical psychologist or physician, and as a result of his or her work is referred by the employer for or voluntarily seeks mental health evaluation or treatment by a licensed clinical psychologist, psychiatrist, or qualified examiner, and:

(A) the officer or employee has not received treatment involuntarily at a mental health facility, regardless of the length of admission; or has not been voluntarily admitted to a mental health facility for more than 30 days and not for more than one incident within the past 5 years; and

(B) the officer or employee has not left the mental institution against medical advice.

(2) The Firearm Owner's Identification Card Review Board shall grant expedited relief to active law enforcement officers and employees described in paragraph (1) of this subsection (c-5) upon a determination by the Board that the officer's or employee's possession of a firearm does not present a threat to themselves, others, or public safety. The Board shall act on the request for relief within 30 business days of receipt of:

(A) a notarized statement from the officer or employee in the form prescribed by the Board detailing the circumstances that led to the hospitalization;

(B) all documentation regarding the admission, evaluation, treatment and discharge from the treating licensed clinical psychologist or psychiatrist of the officer;

(C) a psychological fitness for duty evaluation of the person completed after the time of discharge; and

(D) written confirmation in the form prescribed by the Board from the treating licensed clinical psychologist or psychiatrist that the provisions set forth in paragraph (1) of this subsection (c-5) have been met, the person successfully completed treatment, and their professional opinion regarding the person's ability to possess firearms.

(3) Officers and employees eligible for the expedited relief in paragraph (2) of this subsection (c-5) have the burden of proof on eligibility and must provide all information required. The Board may not consider granting expedited relief until the proof and information is received.

(4) "Clinical psychologist", "psychiatrist", and "qualified examiner" shall have the same meaning as provided in Chapter I of the Mental Health and Developmental Disabilities Code.

(c-10) (1) An applicant, who is denied, revoked, or has his or her Firearm Owner's Identification Card seized under subsection (e) of Section 8 of this Act based upon a determination of a developmental disability or an intellectual disability may apply to the Firearm Owner's Identification Card Review Board requesting relief.

(2) The Board shall act on the request for relief within 60 business days of receipt of written certification, in the form prescribed by the Board, from a physician or clinical psychologist, or qualified examiner, that the aggrieved party's developmental disability or intellectual disability condition is determined by a physician, clinical psychologist, or qualified to be mild. If a fact-finding conference is scheduled to obtain additional information concerning the circumstances of the denial or revocation, the 60 business days the Director has to act shall be tolled until the completion of the fact-finding conference.

(3) The Board may grant relief if the aggrieved party's developmental disability or intellectual disability is mild as determined by a physician, clinical psychologist, or qualified examiner and it is established by the applicant to the Board's satisfaction that:

(A) granting relief would not be contrary to the public interest; and

(B) granting relief would not be contrary to federal law.

(4) The Board may not grant relief if the condition is determined by a physician, clinical psychologist, or qualified examiner to be moderate, severe, or profound.

(5) The changes made to this Section by Public Act 99-29 apply to requests for relief pending on or before July 10, 2015 (the effective date of Public Act 99-29), except that the 60-day period for the Director to act on requests pending before the effective date shall begin on July 10, 2015 (the effective date of Public Act 99-29). All appeals as provided in subsection (a-5) pending on January 1, 2023 shall be considered by the Board.

(d) When a minor is adjudicated delinquent for an offense which if committed by an adult would be a felony, the court shall notify the Illinois State Police.

(e) The court shall review the denial of an application or the revocation of a Firearm Owner's Identification Card of a person who has been adjudicated delinquent for an offense that if committed by an adult would be a felony if an application for relief has been filed at least 10 years after the adjudication of delinquency and the court determines that the applicant should be granted relief from disability to obtain a Firearm Owner's Identification Card. If the court grants relief, the court shall notify the Illinois State Police that the disability has been removed and that the applicant is eligible to obtain a Firearm Owner's Identification Card.

(f) Any person who is subject to the disabilities of 18 U.S.C. 922(d)(4) and 922(g)(4) of the federal Gun Control Act of 1968 because of an adjudication or commitment that occurred under the laws of this State or who was determined to be subject to the provisions of subsections (e), (f), or (g) of Section 8 of this Act may apply to the Illinois State Police requesting relief from that prohibition. The Board shall grant the relief if it is established by a preponderance of the evidence that the person will not be likely to act in a manner dangerous to public safety and that granting relief would not be contrary to the public interest. In making this determination, the Board shall receive evidence concerning (i) the circumstances regarding the firearms disabilities from which relief is sought; (ii) the petitioner's mental health and criminal history records, if any; (iii) the petitioner's reputation, developed at a minimum through character witness statements, testimony, or other character evidence; and (iv) changes in the petitioner's condition or circumstances since the disqualifying events relevant to the relief sought. If relief is granted under this subsection or by order of a court under this Section, the Director shall as soon as practicable but in no case later than 15 business days, update, correct, modify, or remove the person's record in any database that the Illinois State Police makes available to the National Instant Criminal Background Check System and notify the United States Attorney General that the basis for the record being made available no longer applies. The Illinois State Police shall adopt rules for the administration of this Section.

(Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21; 102-645, eff. 1-1-22; 102-813, eff. 5-13-22.)

Section 115. The Firearm Concealed Carry Act is amended by changing Section 20 as follows:
(430 ILCS 66/20)

Sec. 20. Concealed Carry Licensing Review Board.

(a) There is hereby created within the Illinois State Police a Concealed Carry Licensing Review Board to consider any objection to an applicant's eligibility to obtain a license under this Act submitted by a law

enforcement agency or the Illinois State Police under Section 15 of this Act. The Board shall consist of 7 commissioners to be appointed by the Governor, with the advice and consent of the Senate, with 3 commissioners residing within the First Judicial District and one commissioner residing within each of the 4 remaining Judicial Districts. No more than 4 commissioners shall be members of the same political party. The Governor shall designate one commissioner as the Chairperson. The members shall have actual experience in law, education, social work, behavioral sciences, law enforcement, or community affairs or in a combination of those areas. The Board shall consist of:

~~(1) one commissioner with at least 5 years of service as a federal judge;~~

~~(2) 2 commissioners with at least 5 years of experience serving as an attorney with the United States Department of Justice;~~

~~(3) 3 commissioners with at least 5 years of experience as a federal agent or employee with investigative experience or duties related to criminal justice under the United States Department of Justice, Drug Enforcement Administration, Department of Homeland Security, or Federal Bureau of Investigation; and~~

~~(4) one member with at least 5 years of experience as a licensed physician or clinical psychologist with expertise in the diagnosis and treatment of mental illness.~~

(b) The initial terms of the commissioners shall end on January 12, 2015. Notwithstanding any provision in this Section to the contrary, the term of office of each commissioner of the Concealed Carry Licensing Review Board is abolished on January 1, 2022 (the effective date of Public Act 102-237). The terms of the commissioners appointed on or after January 1, 2022 (the effective date of Public Act 102-237) shall be as follows: one of the initial members shall be appointed for a term of one year, 3 shall be appointed for terms of 2 years, and 3 shall be appointed for terms of 4 years. Thereafter, the commissioners shall hold office for 4 years, with terms expiring on the second Monday in January of the fourth year. Commissioners may be reappointed. Vacancies in the office of commissioner shall be filled in the same manner as the original appointment, for the remainder of the unexpired term. The Governor may remove a commissioner for incompetence, neglect of duty, malfeasance, or inability to serve. Commissioners shall receive compensation in an amount equal to the compensation of members of the Executive Ethics Commission and may be reimbursed for reasonable expenses actually incurred in the performance of their Board duties, from funds appropriated for that purpose.

(c) The Board shall meet at the call of the chairperson as often as necessary to consider objections to applications for a license under this Act. If necessary to ensure the participation of a commissioner, the Board shall allow a commissioner to participate in a Board meeting by electronic communication. Any commissioner participating electronically shall be deemed present for purposes of establishing a quorum and voting.

(d) The Board shall adopt rules for the review of objections and the conduct of hearings. The Board shall maintain a record of its decisions and all materials considered in making its decisions. All Board decisions and voting records shall be kept confidential and all materials considered by the Board shall be exempt from inspection except upon order of a court.

(e) In considering an objection of a law enforcement agency or the Illinois State Police, the Board shall review the materials received with the objection from the law enforcement agency or the Illinois State Police. By a vote of at least 4 commissioners, the Board may request additional information from the law enforcement agency, Illinois State Police, or the applicant, or the testimony of the law enforcement agency, Illinois State Police, or the applicant. The Board may require that the applicant submit electronic fingerprints to the Illinois State Police for an updated background check where the Board determines it lacks sufficient information to determine eligibility. The Board may only consider information submitted by the Illinois State Police, a law enforcement agency, or the applicant. The Board shall review each objection and determine by a majority of commissioners whether an applicant is eligible for a license.

(f) The Board shall issue a decision within 30 days of receipt of the objection from the Illinois State Police. However, the Board need not issue a decision within 30 days if:

(1) the Board requests information from the applicant, including but not limited to electronic fingerprints to be submitted to the Illinois State Police, in accordance with subsection (e) of this Section, in which case the Board shall make a decision within 30 days of receipt of the required information from the applicant;

(2) the applicant agrees, in writing, to allow the Board additional time to consider an objection;

or

(3) the Board notifies the applicant and the Illinois State Police that the Board needs an additional 30 days to issue a decision.

(g) If the Board determines by a preponderance of the evidence that the applicant poses a danger to himself or herself or others, or is a threat to public safety, then the Board shall affirm the objection of the law enforcement agency or the Illinois State Police and shall notify the Illinois State Police that the applicant is ineligible for a license. If the Board does not determine by a preponderance of the evidence that the applicant poses a danger to himself or herself or others, or is a threat to public safety, then the Board shall notify the Illinois State Police that the applicant is eligible for a license.

(h) Meetings of the Board shall not be subject to the Open Meetings Act and records of the Board shall not be subject to the Freedom of Information Act.

(i) The Board shall report monthly to the Governor and the General Assembly on the number of objections received and provide details of the circumstances in which the Board has determined to deny licensure based on law enforcement or Illinois State Police objections under Section 15 of this Act. The report shall not contain any identifying information about the applicants.

(Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

(615 ILCS 60/Act rep.)

Section 120. The Des Plaines and Illinois Rivers Act is repealed.

Section 125. The Illinois Human Rights Act is amended by changing Section 8-101 as follows:

(775 ILCS 5/8-101) (from Ch. 68, par. 8-101)

Sec. 8-101. Illinois Human Rights Commission.

(A) Creation; appointments. The Human Rights Commission is created to consist of 7 members appointed by the Governor with the advice and consent of the Senate. No more than 4 members shall be of the same political party. The Governor shall designate one member as chairperson. All appointments shall be in writing and filed with the Secretary of State as a public record.

(B) Terms. Of the members first appointed, 4 shall be appointed for a term to expire on the third Monday of January, 2021, and 3 (including the Chairperson) shall be appointed for a term to expire on the third Monday of January, 2023.

Notwithstanding any provision of this Section to the contrary, the term of office of each member of the Illinois Human Rights Commission is abolished on January 19, 2019. Incumbent members holding a position on the Commission that was created by Public Act 84-115 and whose terms, if not for this amendatory Act of the 100th General Assembly, would have expired January 18, 2021 shall continue to exercise all of the powers and be subject to all of the duties of members of the Commission until June 30, 2019 or until their respective successors are appointed and qualified, whichever is earlier.

Thereafter, each member shall serve for a term of 4 years and until his or her successor is appointed and qualified; except that any member chosen to fill a vacancy occurring otherwise than by expiration of a term shall be appointed only for the unexpired term of the member whom he or she shall succeed and until his or her successor is appointed and qualified.

(C) Vacancies.

(1) In the case of vacancies on the Commission during a recess of the Senate, the Governor shall make a temporary appointment until the next meeting of the Senate when he or she shall appoint a person to fill the vacancy. Any person so nominated and confirmed by the Senate shall hold office for the remainder of the term and until his or her successor is appointed and qualified.

(2) If the Senate is not in session at the time this Act takes effect, the Governor shall make temporary appointments to the Commission as in the case of vacancies.

(3) Vacancies in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission. Except when authorized by this Act to proceed through a 3 member panel, a majority of the members of the Commission then in office shall constitute a quorum.

(D) Compensation. On and after January 19, 2019, the Chairperson of the Commission shall be compensated at the rate of \$125,000 per year, or as set by the Compensation Review Board, whichever is greater, during his or her service as Chairperson, and each other member shall be compensated at the rate of \$119,000 per year, or as set by the Compensation Review Board, whichever is greater. In addition, all members of the Commission shall be reimbursed for expenses actually and necessarily incurred by them in the performance of their duties.

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(E) Notwithstanding the general supervisory authority of the Chairperson, each commissioner, unless appointed to the special temporary panel created under subsection (H), has the authority to hire and supervise a staff attorney. The staff attorney shall report directly to the individual commissioner.

(F) A formal training program for newly appointed commissioners shall be implemented. The training program shall include the following:

- (1) substantive and procedural aspects of the office of commissioner;
- (2) current issues in employment and housing discrimination and public accommodation law and practice;
- (3) orientation to each operational unit of the Human Rights Commission;
- (4) observation of experienced hearing officers and commissioners conducting hearings of cases, combined with the opportunity to discuss evidence presented and rulings made;
- (5) the use of hypothetical cases requiring the newly appointed commissioner to issue judgments as a means of evaluating knowledge and writing ability;
- (6) writing skills; and
- (7) professional and ethical standards.

A formal and ongoing professional development program including, but not limited to, the above-noted areas shall be implemented to keep commissioners informed of recent developments and issues and to assist them in maintaining and enhancing their professional competence. Each commissioner shall complete 20 hours of training in the above-noted areas during every 2 years the commissioner remains in office.

(G) Commissioners must meet one of the following qualifications:

- (1) licensed to practice law in the State of Illinois;
- (2) at least 3 years of experience as a hearing officer at the Human Rights Commission; or
- (3) at least 4 years of professional experience working for or dealing with individuals or corporations affected by this Act or similar laws in other jurisdictions, including, but not limited to, experience with a civil rights advocacy group, a fair housing group, a community organization, a trade association, a union, a law firm, a legal aid organization, an employer's human resources department, an employment discrimination consulting firm, a community affairs organization, or a municipal human relations agency.

The Governor's appointment message, filed with the Secretary of State and transmitted to the Senate, shall state specifically how the experience of a nominee for commissioner meets the requirement set forth in this subsection. The Chairperson must have public or private sector management and budget experience, as determined by the Governor.

Each commissioner shall devote full time to his or her duties and any commissioner who is an attorney shall not engage in the practice of law, nor shall any commissioner hold any other office or position of profit under the United States or this State or any municipal corporation or political subdivision of this State, nor engage in any other business, employment, or vocation.

(H) Notwithstanding any other provision of this Act, the Governor shall appoint, by and with the consent of the Senate, a special temporary panel of commissioners comprised of 3 members. The members shall hold office until the Commission, in consultation with the Governor, determines that the caseload of requests for review has been reduced sufficiently to allow cases to proceed in a timely manner, or for a term of 18 months from the date of appointment by the Governor, whichever is earlier. Each of the 3 members shall have only such rights and powers of a commissioner necessary to dispose of the cases assigned to the special panel. Each of the 3 members appointed to the special panel shall receive the same salary as other commissioners for the duration of the panel. The panel shall have the authority to hire and supervise a staff attorney who shall report to the panel of commissioners.

(Source: P.A. 100-1066, eff. 8-24-18; 101-530, eff. 1-1-20.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Cunningham, **House Bill No. 1563** 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 17.

The following voted in the affirmative:

Aquino	Glowiak Hilton	Lightford	Stadelman
Belt	Hall	Martwick	Tharp
Bennett	Harris	Mattson	Van Pelt
Castro	Hastings	Morrison	Villa
Collins	Holmes	Murphy	Villanueva
Cunningham	Hunter	Pacione-Zayas	Villivalam
Ellman	Johnson	Pappas	Mr. President
Feigenholtz	Jones, E.	Peters	
Fine	Koehler	Simmons	
Gillespie	Landek	Sims	

The following voted in the negative:

Anderson	DeWitte	Rose	Turner, S.
Bailey	Fowler	Stoller	Wilcox
Barickman	McClure	Syverson	
Bryant	McConchie	Tracy	
Curran	Rezin	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.

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. 208

A bill for AN ACT concerning employment.

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. 208

House Amendment No. 4 to SENATE BILL NO. 208

Passed the House, as amended, January 10, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 208

AMENDMENT NO. 1 . Amend Senate Bill 208 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Wage Payment and Collection Act is amended by changing Section 15 as follows:

[January 10, 2023]

(820 ILCS 115/15) (from Ch. 48, par. 39m-15)

Sec. 15. This Act shall be known and ~~and~~ may be cited as the Illinois Wage Payment and Collection Act.
(Source: P.A. 78-914.)".

AMENDMENT NO. 4 TO SENATE BILL 208

AMENDMENT NO. 4 . Amend Senate Bill 208, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Paid Leave for All Workers Act.

Section 5. Findings; legislative intent; construction.

(a) The General Assembly finds that it is in the public policy interests of the State for all working Illinoisans to have some paid leave from work to maintain their health and well-being, care for their families, or use for any other reason of their choosing.

(b) It is the intent of the General Assembly by enacting this Act:

(1) To establish a minimum paid leave standard for all workers in Illinois.

(2) To provide employment security and economic security for employees who need to use paid time off from work for any reason.

(3) To safeguard the welfare, health, safety, and prosperity of the people of Illinois.

(4) To ensure that an employee not be denied use of leave for noncompliance with leave notification policies if the employer has not provided a written copy of its notification policy to the employee.

In order to effectuate this intent, the provisions of this Act shall be liberally construed in favor of providing workers with the greatest amount of paid time off from work and employment security.

(c) Nothing in this Act shall be construed to discourage employers from adopting or retaining paid sick leave, paid vacation, paid holidays, or any other paid time off or paid leave policy more generous than policies that comply with the requirements of this Act. Nothing in this Act shall be construed to discourage or prohibit an employer from allowing the use of paid leave at an earlier date than this Act requires.

Unless otherwise provided in a collective bargaining agreement, nothing in this Act shall be construed to waive or otherwise limit an employee's right to final compensation for any type of leave promised to be paid under a contract of employment or employment policy and earned by the employee pursuant to the Illinois Wage Payment and Collection Act.

Section 10. Definitions. As used in this Act:

"Construction industry" means any constructing, altering, reconstructing, repairing, rehabilitating, refinishing, refurbishing, remodeling, remediating, renovating, custom fabricating, maintenance, landscaping, improving, wrecking, painting, decorating, demolishing, or adding to or subtracting from any building, structure, highway, roadway, street, bridge, alley, sewer, ditch, sewage disposal plant, waterworks, parking facility, railroad, excavation or other structure, project, development, real property, or improvement, or to do any part thereof, whether or not the performance of the work herein described involves the addition to or fabrication into, any structure, project, development, real property, or improvement herein described of any material or article of merchandise.

"Construction industry" also includes moving construction related materials on the job site or to or from the job site, snow plowing, snow removal, and refuse collection.

"Department" means the Illinois Department of Labor.

"Domestic work" and "domestic worker" have the same meanings as defined in Section 10 of the Domestic Workers' Bill of Rights Act, except that "domestic worker" also includes independent contractors, sole proprietors, and partnerships.

"Employee" has the same application and meaning as that provided in Sections 1 and 2 of the Illinois Wage Payment and Collection Act. "Employee" also includes all domestic workers, and, for the purposes of this Act, domestic workers shall not be excluded as employees under the provisions of item (1), (2), or (3) of Section 2 of the Illinois Wage Payment and Collection Act. "Employee" does not include:

(1) an employee as defined in the federal Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.) or the Railway Labor Act;

(2) a student enrolled in and regularly attending classes in a college or university that is also the student's employer, and who is employed on a temporary basis at less than full time at the college or university, but this exclusion applies only to work performed for that college or university; or

(3) a short-term employee who is employed by an institution of higher education for less than 2 consecutive calendar quarters during a calendar year and who does not have a reasonable expectation that they will be rehired by the same employer of the same service in a subsequent calendar year.

"Employer" has the same application and meaning as that provided in Sections 1 and 2 of the Illinois Wage Payment and Collection Act, except that for purposes of this Act, "employer" also means the State and units of local government, any political subdivision of the State or units of local government, or any State or local government agency.

"Employer" does not include school districts organized under the School Code or park districts organized under the Park District Code.

"Writing" or "written" means a printed or printable communication in physical or electronic format, including a communication that is transmitted through electronic mail, text message, or a computer system or is otherwise sent or stored electronically.

Section 15. Provision of paid leave.

(a) An employee who works in Illinois is entitled to earn and use up to a minimum of 40 hours of paid leave during a 12-month period or a pro rata number of hours of paid leave under the provisions of subsection (b). The paid leave may be used by the employee for any purpose as long as the paid leave is taken in accordance with the provisions of this Act.

(b) Paid leave under this Act shall accrue at the rate of one hour of paid leave for every 40 hours worked up to a minimum of 40 hours of paid leave or such greater amount if the employer provides more than 40 hours. Employees who are exempt from the overtime requirements of the federal Fair Labor Standards Act (29 U.S.C. 213(a)(1)) shall be deemed to work 40 hours in each workweek for purposes of paid leave accrual unless their regular workweek is less than 40 hours, in which case paid leave accrues based on that regular workweek. Employees shall determine how much paid leave they need to use, however employers may set a reasonable minimum increment for the use of paid leave not to exceed 2 hours per day. If an employee's scheduled workday is less than 2 hours day, the employee's scheduled workday shall be used to determine the amount of paid leave.

(c) An employer may make available the minimum number of hours of paid leave, subject to pro rata requirements provided in subsection (b), to an employee on the first day of employment or the first day of the 12-month period. Employers that provide the minimum number of hours of paid leave to an employee on the first day of employment or the first day of the 12-month period are not required to carryover paid leave from 12-month period to 12-month period and may require employees to use all paid leave prior to the end of the benefit period or forfeit the unused paid leave. However, under no circumstances shall an employee be credited with paid leave that is less than what the employee would have accrued under subsections (a) and (g) of this Section.

(d) The 12-month period may be any consecutive 12-month period designated by the employer in writing at the time of hire. Changes to the 12-month period may be made by the employer if notice is given to employees in writing prior to the change and the change does not reduce the eligible accrual rate and paid leave available to the employee. If the employer changes the designated 12-month period, the employer shall provide the employee with documentation of the balance of hours worked, paid leave accrued and taken, and the remaining paid leave balance.

(e) Paid leave under this Act may be taken by an employee for any reason of the employee's choosing. An employee is not required to provide an employer a reason for the leave and may not be required to provide documentation or certification as proof or in support of the leave. An employee may choose whether to use paid leave provided under this Act prior to using any other leave provided by the employer or State law.

(f) Employees shall be paid their hourly rate of pay for paid leave. However, employees engaged in an occupation in which gratuities or commissions have customarily and usually constituted and have been recognized as part of the remuneration for hire purposes shall be paid by their employer at least the full minimum wage in the jurisdiction in which they are employed when paid leave is taken. This wage shall be treated as the employee's regular rate of pay for purposes of this Act.

(g) Paid leave under this Act shall begin to accrue at the commencement of employment or on the effective date of this Act, whichever is later. Employees shall be entitled to begin using paid leave 90 days

following commencement of their employment or 90 days following the effective date of this Act, whichever is later.

(h) Paid leave under this Act shall be provided upon the oral or written request of an employee in accordance with the employer's reasonable paid leave policy notification requirements which may include the following:

(1) If use of paid leave under this Act is foreseeable, the employer may require the employee to provide 7 calendar days' notice before the date the leave is to begin.

(2) If paid leave under this Act is not foreseeable, the employee shall provide such notice as soon as is practicable after the employee is aware of the necessity of the leave. An employer that requires notice of paid leave under this Act when the leave is not foreseeable shall provide a written policy that contains procedures for the employee to provide notice.

(3) Employers shall provide employees with written notice of the paid leave policy notification requirements in this Section in the manner provided in Section 20 for notice and posting and within 5 calendar days of any change to the employer's reasonable paid leave policy notification requirements.

(4) An employer may not require, as a condition of providing paid leave under this Act, that the employee search for or find a replacement worker to cover the hours during which the employee takes paid leave.

(i) Except as provided in subsection (c), paid leave under this Act shall carry over annually to the extent not used by the employee, provided that nothing in this Act shall be construed to require an employer to provide more than 40 hours of paid leave for an employee in the 12-month period unless the employer agrees to do so.

(j) Nothing in this Section or any other Illinois law or rule shall be construed as requiring financial or other payment to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for paid leave accrued under this Act that has not been used. Nothing in this Section or any other Illinois law or rule shall be construed as requiring financial or other reimbursements to an employee from an employer for unused paid leave under this Act at the end of the benefit year or any other time.

(k) If an employee is transferred to a separate division, entity, or location, but remains employed by the same employer, the employee is entitled to all paid leave accrued at the prior division, entity, or location and is entitled to use all paid leave as provided in this Section. If there is a separation from employment and the employee is rehired within 12 months of separation by the same employer, previously accrued paid leave that had not been used by the employee shall be reinstated. The employee shall be entitled to use accrued paid leave at the commencement of employment following a separation from employment of 12 months or less.

(l) Paid leave under this Act shall not be charged or otherwise credited to an employee's paid time off bank or employee account unless the employer's policy permits such a credit. If the paid leave under this Act is credited to an employee's paid time off bank or employee vacation account then any unused paid leave shall be paid to the employee upon the employee's termination, resignation, retirement, or other separation to the same extent as vacation time under existing Illinois law or rule. Nothing in this Act shall be construed to waive or otherwise limit an employee's right to final compensation for promised and earned, but unpaid vacation time or paid time off, as provided under the Illinois Wage Payment and Collection Act and rules. Employers shall provide employees with written notice of changes to the employer's vacation time, paid time off, or other paid leave policies that affect an employee's right to final compensation for such leave.

(m) During any period an employee takes leave under this Act, the employer shall maintain coverage for the employee and any family member under any group health plan for the duration of such leave at no less than the level and conditions of coverage that would have been provided if the employee had not taken the leave. The employer shall notify the employee that the employee is still responsible for paying the employee's share of the cost of the health care coverage, if any.

(n) Nothing in this Act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work in excess of the applicable minimum standards established in this Act. The paid leave requirements of this Act may be waived in a bona fide collective bargaining agreement, but only if the waiver is set forth explicitly in such agreement in clear and unambiguous terms.

Nothing in this Act shall be deemed to affect the validity or change the terms of bona fide collective bargaining agreements in effect on January 1, 2024. After that date, requirements of this Act may be waived

in a bona fide collective bargaining agreement, but only if the waiver is set forth explicitly in such agreement in clear and unambiguous terms.

In no event shall this Act apply to any employee working in the construction industry who is covered by a bona fide collective bargaining agreement, nor shall this Act apply to any employee who is covered by a bona fide collective bargaining agreement with an employer that provides services nationally and internationally of delivery, pickup, and transportation of parcels, documents, and freight.

Notwithstanding the provisions of this subsection, nothing in this Act shall be deemed to affect the validity or change the terms of a bona fide collective bargaining agreement applying to an employee who is employed by a State agency that is in effect on July 1, 2024. After that date, requirements of this Act may be waived in a bona fide collective bargaining agreement, but only if the waiver is set forth explicitly in such agreement in clear and unambiguous terms. As used in this subsection, "State agency" has the same meaning as set forth in Section 4 of the Forms Notice Act.

(o) An agreement by an employee to waive his or her rights under this Act is void as against public policy.

(p) The provisions of this Act shall not apply to any employer that is covered by a municipal or county ordinance that is in effect on the effective date of this Act that requires employers to give any form of paid leave to their employees, including paid sick leave or paid leave. Notwithstanding the provisions of this subsection, any employer that is not required to provide paid leave to its employees, including paid sick leave or paid leave, under a municipal or county ordinance that is in effect on the effective date of this Act shall be subject to the provisions of this Act if the employer would be required to provide paid leave under this Act to its employees.

Any local ordinance that provides paid leave, including paid sick leave or paid leave, enacted or amended after the effective date of this Act must comply with the requirements of this Act or provide benefits, rights, and remedies that are greater than or equal to the benefits, rights, and remedies afforded under this Act.

An employer in a municipality or county that enacts or amends a local ordinance that provides paid leave, including paid sick leave or paid leave, after the effective date of this Act shall only comply with the local ordinance or ordinances so long as the benefits, rights, and remedies are greater than or equal to the benefits, rights, and remedies afforded under this Act.

Section 20. Related employer responsibilities.

(a) An employer subject to this Act shall make and preserve records documenting hours worked, paid leave accrued and taken, and remaining paid leave balance for each employee for a period of not less than 3 years and shall allow the Department access to such records, at reasonable times during business hours, to monitor compliance with the requirements of this Act. In addition, the records shall be preserved for the duration of any claim pending pursuant to Section 35. An employer that provides paid leave on an accrual basis pursuant to subsection (b) of Section 15 shall provide notice of the amount of paid leave accrued or used by an employee upon request by the employee in accordance with the employer's reasonable paid leave policy notification provisions. An employer that fails to comply with this subsection is in violation of the Act and subject to the civil penalties established in Section 35.

(b) An employer who provides any type of paid leave policy that satisfies the minimum amount of leave required by subsection (a) of Section 15 is not required to modify the policy if the policy offers an employee the option, at the employee's discretion, to take paid leave for any reason. Nothing in this Act shall be construed as requiring financial or other reimbursements to an employee from an employer for unused paid leave under this Act. Nothing in this Act shall be construed to discourage an employer from adopting a paid leave policy more generous than the requirements of this Act.

(c) For domestic workers, if an employer requires evidence of hours worked for other employers to confirm that the domestic worker has worked or is scheduled to work 8 or more hours in the aggregate for any relevant workweek, a signed statement by the domestic worker stating that he or she has performed or is scheduled to perform domestic work for 8 or more hours in the aggregate for any relevant workweek shall satisfy any documentation requirements of hours worked under the Domestic Workers' Bill of Rights Act and this Act. Such employer shall not require more than one signed statement in a calendar quarter if the hours the domestic worker has performed or is scheduled to perform domestic work have not decreased to less than 8 hours in the aggregate in any relevant workweek in that calendar quarter. An employer that requires evidence of hours worked must give the domestic worker written notice of such request and allow no fewer than 7 days or until the next scheduled workday, whichever is greater, for the domestic worker to

comply with the request. The employer may not deny paid leave pending submission of the signed statement.

(d) An employer shall post and keep posted in a conspicuous place on the premises of the employer where notices to employees are customarily posted, and include it in a written document, or written employee manual or policy if the employer has one, a notice, to be prepared by the Department, summarizing the requirements of this Act and information pertaining to the filing of a charge upon commencement of an employee's employment or 90 days following the effective date of this Act, whichever is later. If an employer's workforce is comprised of a significant portion of workers who are not literate in English, the employer shall notify the Department and a notice in the appropriate language shall be prepared by the Department. Employees may also request that the Department provide a notice in languages other than English, which the employer must post in accordance with this subsection. An employer who violates this subsection shall be fined a civil penalty of \$500 for the first audit violation and \$1,000 for any subsequent audit violation.

(e) No employer shall interfere with, deny, or change an employee's work days or hours to avoid providing eligible paid leave time to an employee.

Section 25. Retaliation. It is unlawful for any employer to threaten to take or to take any adverse action against an employee because the employee (1) exercises rights or attempts to exercise rights under this Act, (2) opposes practices which the employee believes to be in violation of this Act, or (3) supports the exercise of rights of another under this Act. It is unlawful for any employer to consider the use of paid leave by an employee as a negative factor in any employment action that involves evaluating, promoting, disciplining, or counting paid leave under a no-fault attendance policy. Such retaliation shall subject an employer to civil penalties pursuant to this Act.

An employee who has been unlawfully retaliated against shall also be entitled to recover through a claim filed with the Department, all legal and equitable relief as may be appropriate.

Section 30. Department responsibilities.

(a) The Department shall administer and enforce this Act. The Department has the powers and the parties have the rights provided in the Illinois Administrative Procedure Act for contested cases.

(b) An employee may file a complaint with the Department alleging violations of the Act within 3 years after the alleged violation. An employer that violates this Act is liable to any affected employee for damages in the form of the actual underpayment, compensatory damages, and a penalty of not less than \$500 and no more than \$1,000. Employees shall also be entitled to such equitable relief as may be appropriate, in addition to reasonable attorney's fees; reasonable expert witness fees, and other costs of the action, which shall be paid by the employer to the employee.

(c) The Department has the power to conduct investigations in connection with the administration and enforcement of this Act, including the power to conduct depositions and discovery and to issue subpoenas. If the Department finds cause to believe that this Act has been violated, the Department shall notify the parties in writing, and the matter shall be referred to an Administrative Law Judge to schedule a formal hearing in accordance with hearing procedures established by rule. Administrative decisions shall be reviewed under the Administrative Review Law.

(d) The Department is authorized to impose civil penalties prescribed in Section 35 for any violation of this Act.

(e) The Department is authorized to collect and supervise the payment of any damages awarded pursuant to Section 25 and subsection (b) of this Section to an employee or employees under this Act. Any sums recovered by the Department on behalf of an employee or employees under this Act shall be paid to the employee or employees affected. The Department is not authorized to collect and supervise the payment of any awarded attorney's fees. Those fees shall be subject to collection by the attorney awarded such fees.

(f) The Attorney General may bring an action to enforce the collection of any awards made under this Act.

(g) The Department shall adopt rules necessary to administer and enforce this Act.

Section 35. Penalties and enforcement. An employer that violates this Act or any rule adopted under this Act shall be subject to a civil penalty of \$2,500 for each separate offense. An offense means any violation of this Act with the exception of a violation of the notice requirement in subsection (c) of Section 20. Any penalties collected from an employer under this Section or under subsection (d) of Section 20 for

violations of this Act shall be deposited into the Paid Leave for All Workers Fund, a special fund created in the State treasury that is dedicated to enforcing this Act.

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 Paid Leave for All Workers Fund.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

Under the rules, the foregoing **Senate Bill No. 208**, with House Amendments numbered 1 and 4, 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. 1836

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. 1836

Passed the House, as amended, January 10, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1836

AMENDMENT NO. 1. Amend Senate Bill 1836 by replacing everything after the enacting clause with the following:

"Section 5. The Nurse Agency Licensing Act is amended by changing Sections 3, 13, 14, and 14.3 as follows:

(225 ILCS 510/3) (from Ch. 111, par. 953)

Sec. 3. Definitions. As used in this Act:

"Certified nurse aide" means an individual certified as defined in Section 3-206 of the Nursing Home Care Act, Section 3-206 of the ID/DD Community Care Act, or Section 3-206 of the MC/DD Act, as now or hereafter amended.

"Covenant not to compete" means an agreement between a nurse agency and an employee that restricts the employee from performing:

(1) any work for another employer for a specified period of time;

(2) any work in a specified geographic area; or

(3) any work for another employer that is similar to the work the employee performs for the employer that is a party to the agreement.

"Department" means the Department of Labor.

"Director" means the Director of Labor.

"Employee" means a nurse or a certified nurse aide.

"Health care facility" is defined as in Section 3 of the Illinois Health Facilities Planning Act, as now or hereafter amended. "Health care facility" also includes any facility licensed, certified, or approved by any State agency and subject to regulation under the Assisted Living and Shared Housing Act or the Illinois Public Aid Code.

"Licensee" means any ~~nurse~~ ~~nursing~~ agency which is properly licensed under this Act.

"Long-term basis" means the placement of a nurse or a certified nurse aide at a health care facility for an initial employment, assignment, or referral term of more than 24 continuous months by a nurse agency that incurs the following expenses to place the nurse or certified nurse aide at the health care facility: (i) educational material expenses, if required; (ii) expenses for credentialing, licensure, or certification; or (iii)

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expenses for airline travel, lodging, meals, and ground transportation provided to a nurse or certified nurse aide. "Long-term basis" does not include the placement of a nurse or a certified nurse aide at a health care facility for an initial employment, assignment, or referral term of an undefined duration.

"Nurse" means a registered nurse, a licensed practical nurse, an advanced practice registered nurse, or any individual licensed under the Nurse Practice Act.

"Nurse agency" means any individual, firm, corporation, partnership, or other legal entity that employs, assigns, or refers nurses or certified nurse aides to a health care facility for a fee. The term "nurse agency" includes nurses registries. The term "nurse agency" does not include services provided by home health agencies licensed and operated under the Home Health, Home Services, and Home Nursing Agency Licensing Act or a licensed or certified individual who provides his or her own services as a regular employee of a health care facility, nor does it apply to a health care facility's organizing nonsalaried employees to provide services only in that facility.

"Temporary basis" means an initial employment, assignment, or referral term of an undefined duration or a duration of 24 continuous months or less exclusive of any extension.

(Source: P.A. 102-946, eff. 7-1-22.)

(225 ILCS 510/13) (from Ch. 111, par. 963)

Sec. 13. Application for employment.

(a) Every nurse agency shall cause each applicant for employment, assignment, or referral, as a nurse to complete an application form including the following information:

(1) name and address of the applicant;

(2) whether or not such applicant is a nurse currently licensed by the Department of Financial and Professional Regulation;

(3) if so licensed, the number and date of such license; and

(4) references and dates and places of previous employment.

Prior to employing, assigning, or referring a nurse, the agency shall contact the Department of Financial and Professional Regulation to determine whether the nurse's license is valid and in good standing. Written verification shall be sent by the Department of Financial and Professional Regulation within 20 working days. At least biennially thereafter, the nurse agency shall contact the Department of Financial and Professional Regulation to verify this information in writing. The nurse agency shall review the disciplinary report published by the Department of Financial and Professional Regulation on a monthly basis to determine whether the nurse's license is valid and in good standing.

(b) Every nurse agency shall cause each applicant for employment, assignment, or referral, as a certified nurse aide to complete an application form including the following information:

(1) name and address of the applicant;

(2) whether or not the nurse aide is registered as having completed a certified course as approved by the Department of Public Health; and

(3) references and dates and places of previous employment.

Prior to employing, assigning, or referring a certified nurse aide, the agency shall review the information provided on the Health Care Worker Registry to verify that the certification is valid. Prior to employing, assigning, or referring a certified nurse aide to a position at a health care employer or long-term facility as defined in the Health Care Worker Background Check Act, the nurse agency shall review the information provided on the Health Care Worker Registry to verify that the certified nurse aide is not ineligible for the position pursuant to Section 25 of the Health Care Worker Background Check Act.

(c) Every nurse agency shall check at least 2 recent references and the dates of employment provided by the applicant, unless the applicant has not had 2 previous employers.

(d) Knowingly employing, assigning, or referring to a health care facility a nurse or certified nurse aide with an illegally or fraudulently obtained or issued diploma, registration, license, certificate, or background study constitutes negligent hiring by a nurse agency and is a violation of this Act.

(e) Nurses or certified nurses aides employed, assigned, or referred to a health care facility by a nurse agency shall be deemed to be employees of the nurse agency while working for the nurse agency or on nurse agency employment, assignment, or referral and may only be terminated by the nurse agency for cause.

(Source: P.A. 102-946, eff. 7-1-22; revised 8-22-22.)

(225 ILCS 510/14) (from Ch. 111, par. 964)

Sec. 14. Minimum Standards.

(a) The Department, by rule, shall establish minimum standards for the operation of nurse agencies. Those standards shall include, but are not limited to:

(1) the maintenance of written policies and procedures;

(2) the maintenance and submission to the Department of copies of all contracts between the nurse agency and health care facility to which it assigns or refers nurses or certified nurse aides and copies of all invoices to health care facilities personnel. Executed contracts must be sent to the Department within 5 business days of their effective date; and

(3) the development of personnel policies for nurses or certified nurse aides employed, assigned, or referred to health care facilities, including a personal interview, a reference check, an annual evaluation of each employee (which may be based in part upon information provided by health care facilities utilizing nurse agency personnel), and periodic health examinations. Executed contracts must be sent to the Department within 5 business days of their effective date and are not subject to disclosure under the Freedom of Information Act.

No less than 100% of the nurse or certified nurse aide hourly rate shall be paid to the nurse or certified nurse aide employee.

(b) Each nurse agency shall have a nurse serving as a manager or supervisor of all nurses and certified nurses aides.

(c) Each nurse agency shall ensure that its employees meet the minimum licensing, training, continuing education, and orientation standards for which those employees are licensed or certified.

(d) A nurse agency shall not employ, assign, or refer for use in an Illinois health care facility a nurse or certified nurse aide unless certified or licensed under applicable provisions of State and federal law or regulations. Each certified nurse aide shall comply with all pertinent regulations of the Illinois Department of Public Health relating to the health and other qualifications of personnel employed in health care facilities.

(e) The Department may adopt rules to monitor the usage of nurse agency services to determine their impact.

(f) Nurse agencies are prohibited from recruiting potential employees on the premises of a health care facility or requiring, as a condition of employment, assignment, or referral, that their employees recruit new employees for the nurse agency from among the permanent employees of the health care facility to which the nurse agency employees have been employed, assigned, or referred, and the health care facility to which such employees are employed, assigned, or referred is prohibited from requiring, as a condition of employment, that their employees recruit new employees from these nurse agency employees. Violation of this provision is a business offense.

(g) Nurse agencies are prohibited from entering into covenants not to compete with nurses and certified nurse aides if the nurse is employed, assigned, or referred by a nurse agency to a health care facility on a temporary basis or the certified nurse aide is employed, assigned, or referred by a nurse agency to a health care facility on a temporary basis. A covenant not to compete entered into on or after July 1, 2022 (the effective date of Public Act 102-946) this amendatory Act of the 102nd General Assembly between a nurse agency and a nurse or a certified nurse aide is illegal and void if (i) the nurse is employed, assigned, or referred by a nurse agency to a health care facility on a temporary basis or (ii) the certified nurse aide is employed, assigned, or referred by a nurse agency to a health care facility on a temporary basis is illegal and void. In The nursing agency shall not, in any contract on a temporary basis with any nurse, certified nurse aide, employee or health care facility, a nurse agency is prohibited from requiring require the payment of liquidated damages, conversion fees, employment fees, buy-out fees, placement fees, or other compensation if the nurse or certified nurse aide employee is hired as a permanent employee of a health care facility.

(g-5) Beginning on the effective date of this amendatory Act of the 102nd General Assembly and ending on December 31, 2027, a nurse agency may enter into a covenant not to compete with a nurse or a certified nurse aide if (i) the nurse is employed, assigned, or referred by a nurse agency to a health care facility on a long-term basis or (ii) the certified nurse aide is employed, assigned, or referred by a nurse agency to a health care facility on a long-term basis. However, if a covenant not to compete that was entered into on or before December 31, 2027 expires on or after January 1, 2028, the covenant not to compete shall remain in effect until its expiration date. To be enforceable, the term of a covenant not to compete entered into under this subsection must be concurrent with the term of the initial employment, assignment, or referral of the nurse or certified nurse aide to a health care facility. A contract on a long-term basis between any nurse, certified nurse aide, or health care facility and a nurse agency may provide for the payment of actual damages, conversion fees, employment fees, buy-out fees, placement fees, or other reasonable expenses resulting from a violation of the contract that occurred during the initial employment, assignment, or referral term.

(h) A nurse agency shall submit a report quarterly to the Department for each health care entity with whom the agency contracts that includes all of the following by provider type and county in which the work was performed:

(1) A list of the average amount charged to the health care facility for each individual employee category.

(2) A list of the average amount paid by the agency to employees in each individual employee category.

(3) A list of the average amount of labor-related costs paid by the agency for each employee category, including payroll taxes, workers' compensation insurance, professional liability coverage, credentialing and testing, and other employee related costs.

The Department shall publish by county in which the work was performed the average amount charged to the health care facilities by nurse agencies for each individual worker category and the average amount paid by the agency to each individual worker category.

(i) The Department shall publish on its website the reports yearly by county.

(j) The Department of Labor shall compel production of the maintained records, as required under this Section, by the nurse agencies.

(Source: P.A. 102-946, eff. 7-1-22.)

(225 ILCS 510/14.3)

Sec. 14.3. Contracts between nurse agencies and health care facilities.

(a) A contract entered into on or after the effective date of this amendatory Act of the 102nd General Assembly between the nurse agency and health care facility must contain the following provisions:

(1) A full disclosure of charges and compensation. The disclosure shall include a schedule of all hourly bill rates per category of employee, a full description of administrative charges, and a schedule of rates of all compensation per category of employee, including, but not limited to, hourly regular pay rate, shift differential, weekend differential, hazard pay, charge nurse add-on, overtime, holiday pay, and travel or mileage pay.

(2) A commitment that nurses or certified nurse aides employed, assigned, or referred to a health care facility by the nurse agency perform any and all duties called for within the full scope of practice for which the nurse or certified nurse aide is licensed or certified.

(3) No less than 100% of the nurse or certified nurse aide hourly rate shall be paid to the nurse or certified nurse aide employee.

(b) A party's failure to comply with the requirements of subsection (a) shall be a defense to the enforcement of a contract between a nurse agency and a health care facility. Any health care facility or nurse agency aggrieved by a violation of subsection (a) shall have a right of action in a State court against the offending party. A prevailing party may recover for each violation:

(1) liquidated damages of \$1,500 or actual damages, whichever is greater;

(2) reasonable attorney's fees and costs, including expert witness fees and other litigation expenses; and

(3) other relief, including an injunction, as the court may deem appropriate.

(c) This Section does not apply to contracts on a long-term basis between a nurse agency and a health care facility providing for the employment, assignment, or referral of nurses or certified nurse aides to the health care facility.

(Source: P.A. 102-946, eff. 7-1-22.)

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

Under the rules, the foregoing **Senate Bill No. 1836**, with House Amendment No. 1, was referred to the Secretary's Desk.

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. 1 to Senate Bill 208

[January 10, 2023]

Motion to Concur in House Amendment No. 4 to Senate Bill 208
 Motion to Concur in House Amendment No. 1 to Senate Bill 1836

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its January 10, 2023 meeting, reported that the following Legislative Measures have been approved for consideration:

Motion to Concur in House Amendment No. 1 to Senate Bill 208
Motion to Concur in House Amendment No. 4 to Senate Bill 208
Motion to Concur in House Amendment No. 1 to Senate Bill 1836

The foregoing concurrences were placed on the Senate Calendar.

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

On motion of Senator Lightford, **Senate Bill No. 208**, with House Amendments numbered 1 and 4 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 amendments to said bill.

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

YEAS 38; NAYS 16.

The following voted in the affirmative:

Aquino	Gillespie	Landek	Sims
Belt	Hall	Lightford	Stadelman
Bennett	Harris	Martwick	Tharp
Castro	Hastings	Mattson	Turner, D.
Cervantes	Holmes	Morrison	Villa
Collins	Hunter	Murphy	Villanueva
Cunningham	Johnson	Pacione-Zayas	Villivalam
Ellman	Jones, E.	Pappas	Mr. President
Feigenholtz	Joyce	Peters	
Fine	Koehler	Simmons	

The following voted in the negative:

Anderson	DeWitte	Rose	Wilcox
Bailey	Fowler	Stoller	
Barickman	McClure	Syverson	
Bryant	McConchie	Tracy	
Curran	Rezin	Turner, S.	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 4 to **Senate Bill No. 208**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Gillespie, **Senate Bill No. 1836**, 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.

[January 10, 2023]

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	Feigenholtz	Landek	Sims
Aquino	Fine	Lightford	Stadelman
Bailey	Fowler	Martwick	Stoller
Barickman	Gillespie	Mattson	Syverson
Belt	Glowiak Hilton	McClure	Tharp
Bennett	Hall	McConchie	Turner, D.
Bryant	Harris	Morrison	Turner, S.
Castro	Hastings	Murphy	Villa
Cervantes	Holmes	Pacione-Zayas	Villanueva
Collins	Hunter	Pappas	Villivalam
Cunningham	Johnson	Peters	Wilcox
Curran	Jones, E.	Rezin	Mr. President
DeWitte	Joyce	Rose	
Ellman	Koehler	Simmons	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1836**.

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. 2801

A bill for AN ACT concerning appropriations.

Passed the House, January 10, 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 the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 39

Concurred in by the House, January 10, 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 the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 43

Concurred in by the House, January 10, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

[January 10, 2023]

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. 240

A bill for AN ACT concerning regulation.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 240

Senate Amendment No. 2 to HOUSE BILL NO. 240

Concurred in by the House, January 10, 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. 268

A bill for AN ACT concerning local government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 268

Concurred in by the House, January 10, 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. 969

A bill for AN ACT making appropriations.

Which amendments are as follows:

Senate Amendment No. 4 to HOUSE BILL NO. 969

Senate Amendment No. 5 to HOUSE BILL NO. 969

Concurred in by the House, January 10, 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. 1563

A bill for AN ACT concerning State government.

Which amendment is as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 1563

Concurred in by the House, January 10, 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. 1688

A bill for AN ACT concerning transportation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1688

Concurred in by the House, January 10, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

[January 10, 2023]

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. 2369

A bill for AN ACT concerning State government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2369

Concurred in by the House, January 10, 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 refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2870

A bill for AN ACT concerning local government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2870

Non-concurred in by the House, January 10, 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. 5285

A bill for AN ACT concerning education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 5285

Concurred in by the House, January 10, 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. 5471

A bill for AN ACT concerning regulation.

Which amendments are as follows:

Senate Amendment No. 3 to HOUSE BILL NO. 5471

Senate Amendment No. 4 to HOUSE BILL NO. 5471

Senate Amendment No. 5 to HOUSE BILL NO. 5471

Concurred in by the House, January 10, 2023.

JOHN W. HOLLMAN, Clerk of the House

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 1377

Offered by Senator Sims and all Senators:

Mourns the death of Gloria D. Thomas Twine.

SENATE RESOLUTION NO. 1378

Offered by Senator Sims and all Senators:

Mourns the death of Willie R. Snowden.

SENATE RESOLUTION NO. 1381

Offered by Senator Feigenholtz and all Senators:
Mourns the passing of Charlotte Newfeld.

SENATE RESOLUTION NO. 1383

Offered by Senator Rose and all Senators:
Mourns the death of Nancy Caroline Casteel King of Champaign.

SENATE RESOLUTION NO. 1384

Offered by Senator Koehler and all Senators:
Mourns the death of Gerald Flaherty.

The Chair moved the adoption of the Resolutions Consent Calendar.
The motion prevailed, and the resolutions were adopted.

At the hour of 8:47 o'clock p.m., the Honorable Don Harmon, President of the Senate, presiding.

At the hour of 8:50 o'clock p.m., on motion of Senator Lightford, the Senate stood adjourned SINE DIE.

ADDENDUM

The following Messages from the House were received after the Senate had adjourned SINE DIE at 8:50 o'clock p.m. on January 10, 2023, and are included in the 102nd General Assembly.

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 amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 4412

A bill for AN ACT concerning regulation.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 4412

Senate Amendment No. 4 to HOUSE BILL NO. 4412

Concurred in by the House, January 11, 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. 4664

A bill for AN ACT concerning regulation.

Which amendments are as follows:

Senate Amendment No. 5 to HOUSE BILL NO. 4664

Senate Amendment No. 6 to HOUSE BILL NO. 4664

Concurred in by the House, January 11, 2023.

JOHN W. HOLLMAN, Clerk of the House