



SENATE JOURNAL

STATE OF ILLINOIS

**ONE HUNDRED THIRD GENERAL
ASSEMBLY**

108TH LEGISLATIVE DAY

WEDNESDAY, MAY 8, 2024

12:23 O'CLOCK P.M.

SENATE
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108th Legislative Day

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The Senate met pursuant to adjournment.
Senator Bill Cunningham, Chicago, Illinois, presiding.
Prayer by Chaplain Carla Matrisch, Civil Servant Ministries, Chatham, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, May 7, 2024, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

GOMB Capitol Projects Report Q3 FY24, submitted by the Governor's Office of Management and Budget.

The foregoing report was ordered received and placed on file in the Secretary's Office.

COMMUNICATION FROM THE MINORITY LEADER

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

May 8, 2024

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

Dear Mr. Secretary:

Pursuant to Rule 3-5 (c), I hereby temporarily appoint **Senator Terri Bryant** to replace **Senator Sally Turner** as a member of the **Senate Assignments Committee**. This appointment is effective May 8, 2024, and will automatically expire upon adjournment of the **Senate Assignments Committee** on Wednesday, May 8, 2024.

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

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

[May 8, 2024]

PRESENTATION OF CELEBRATION OF LIFE RESOLUTIONS

SENATE RESOLUTION NO. 978

Offered by Senator Anderson and all Senators:
Mourns the death of Max D. Sayers of Industry.

SENATE RESOLUTION NO. 979

Offered by Senator D. Turner and all Senators:
Mourns the passing of David N. Anderson.

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

PRESENTATION OF RESOLUTIONS

Senator Villa offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 977

WHEREAS, The rebozo, a traditional Mexican garment that is a hybrid of a scarf and a shawl, is a respected sight within the Latino community, serving as an icon of the indigenous culture in Mexico while representing the strength, resilience, and loving nature of Mexican women; and

WHEREAS, The rebozo is not only a symbol of national identity and religiosity, representing Mexico on an international level, but is also a symbol of love transmitted from a grandmother or a mother to a daughter as a physical embodiment of safety, courage, and love for the family and the country; and

WHEREAS, Rebozos are traditionally worn by women in the Latin American community; its origins come from the colonization of Mexico, being predominantly worn by the lower, mestizo classes in contrast to the Spanish mantilla being worn by upper class Spaniards during the colonial era; the garment's evolution eventually led to it being worn by the upper class during special events; and

WHEREAS, The rebozo came to further express the different indigenous lifestyles of Mexico, as its fabric was dependent on the region of Mexico in which it was made; for example, it was traditionally made out of warm sheep wool in Oaxaca's chilly mountains, of cotton in the valley, and of beautiful silk combinations in towns that relied on the use of silk worms to produce such fibers; and

WHEREAS, During the 20th century in Mexico, the rebozo came to be seen as a sign of modesty, tradition, and fashion, which represents the growth of women in society and gives them a unifying element to express their national identity throughout the world; and

WHEREAS, The rebozo has been prominently worn by such notable women as Frida Kahlo, actress María Félix, and former First Lady of Mexico Margarita Zavala, and the item remains popular in all areas of Mexico and the United States and throughout the world; and

WHEREAS, Rebozos are mainly produced in and exported by Mexico, although some are produced in Spain and Portugal; and

WHEREAS, On average, a traditionally woven rebozo takes 30 to 60 days to produce and involves anywhere from 15 to 200 different steps, depending on how complicated the design is and the type of fiber being used; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare May 8, 2024 as Day of the Rebozo in the State of Illinois.

[May 8, 2024]

Senator Cunningham offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

SENATE JOINT RESOLUTION NO. 61

WHEREAS, Post-traumatic Stress Disorder (PTSD) can occur after a person experiences trauma, including, but not limited to, the stress of combat, abuse, accidents, and natural disasters and affects approximately eight million adults in the United States annually; and

WHEREAS, The brave men and women of the United States Armed Forces, who proudly serve the nation and risk their lives to protect our freedom, deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being; and

WHEREAS, Combat-related PTSD stress among our men and women in the Armed Forces is significantly pronounced, given that they are often exposed to highly traumatic events for weeks, months, and even years; and

WHEREAS, Between 10% and 30% of service members will develop PTSD within a year of leaving combat, while others may not develop symptoms until years later; and

WHEREAS, Despite its treatability, many cases of PTSD remain undiagnosed and untreated due to a lack of awareness of this condition and the persistent stigma associated with mental health conditions; and

WHEREAS, Raising awareness of this condition is necessary to remove the stigma and to encourage those suffering to seek proper and timely treatment that may save their lives; and

WHEREAS, All citizens suffering from PTSD deserve our consideration and those who are affected by PTSD from wounds received while protecting our freedom, deserve our respect and special honor; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we declare June 27, 2024 as Illinois PTSD Awareness Day to be observed throughout the State as a day of awareness and recognition of how post-traumatic stress disorder affects the lives of those impacted by it.

REPORTS FROM STANDING COMMITTEES

Senator Johnson, Chair of the Committee on Education, to which was referred **House Bills Numbered 340, 3446, 4895, 4902, 4903, 5250, 5276 and 5418**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Johnson, Chair of the Committee on Education, to which was referred **House Bills Numbered 1375, 4219 and 5394**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Martwick, Chair of the Committee on Judiciary, to which was referred **Senate Bill No. 2651**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Martwick, Chair of the Committee on Judiciary, to which was referred **House Bills Numbered 3763, 3773, 4727, 4863, 4925, 4961, 5023, 5224, 5247 and 5296**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Martwick, Chair of the Committee on Judiciary, to which was referred **House Bills Numbered 4206, 4762, 4768, 4875 and 4926**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

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

Senate Amendment No. 1 to House Bill 4350

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

Senator Villa, Chair of the Committee on Public Health, to which was referred **Senate Resolution No. 837**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 837** was placed on the Secretary's Desk.

Senator Villa, Chair of the Committee on Public Health, to which was referred **House Bill No. 5405**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Morrison, Chair of the Committee on Health and Human Services, to which was referred **Senate Resolution No. 898**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 898** was placed on the Secretary's Desk.

Senator Morrison, Chair of the Committee on Health and Human Services, to which was referred **House Bills Numbered 4346, 4427, 4758, 5000, 5095 and 5429**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Morrison, Chair of the Committee on Health and Human Services, to which was referred **House Bill No. 4059**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Morrison, Chair of the Committee on Health and Human Services, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 5097

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

Senator Villivalam, Chair of the Committee on Transportation, to which was referred **House Bills Numbered 4848, 5138 and 5349**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

[May 8, 2024]

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

Senate Amendment No. 1 to House Bill 5288

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

Senator Halpin, Chair of the Committee on Higher Education, to which was referred **House Bills Numbered 4738 and 5655**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Feigenholtz, Chair of the Committee on Financial Institutions, to which was referred **Senate Resolution No. 844**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 844** was placed on the Secretary's Desk.

Senator Feigenholtz, Chair of the Committee on Financial Institutions, to which was referred **House Bill No. 4891**, reported the same back with the recommendation that the bill do pass.

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

Senator N. Harris, Chair of the Committee on Insurance, to which was referred **Senate Bills Numbered 2442, 2744 and 3305**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator N. Harris, Chair of the Committee on Insurance, to which was referred **House Bills Numbered 2472, 4055, 5258, 5317, 5357, 5493, 5559 and 5643**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator N. Harris, Chair of the Committee on Insurance, to which was referred **House Bills Numbered 2385 and 4180**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Peters, Chair of the Committee on Labor, to which was referred **House Bill No. 4954**, reported the same back with the recommendation that the bill do pass.

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

Senator Fine, Chair of the Committee on Behavioral and Mental Health, to which was referred **House Bills Numbered 5094 and 5269**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

INTRODUCTION OF BILL

SENATE BILL NO. 3947. Introduced by Senator Curran, a bill for AN ACT concerning criminal law.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

[May 8, 2024]

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Edly-Allen, **House Bill No. 2323** was taken up, read by title a second time.

The following amendment was offered in the Special Committee on Criminal Law and Public Safety, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2323

AMENDMENT NO. 1. Amend House Bill 2323 on page 9, line 1, by deleting "the Illinois State Police"; and

on page 9, lines 7 and 8, by replacing "the Director of the Illinois State Police" with "the Executive Director of the Illinois Criminal Justice Information Authority".

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

On motion of Senator Villivalam, **House Bill No. 3046** was taken up, read by title a second time.

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

The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 3 TO HOUSE BILL 3046

AMENDMENT NO. 3. Amend House Bill 3046 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by changing Section 12 and by adding Sections 12.7 and 14.8 as follows:

(415 ILCS 5/12) (from Ch. 111 1/2, par. 1012)

Sec. 12. Actions prohibited. No person shall:

(a) Cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act. Notwithstanding any provision of law to the contrary, compliance with the terms and conditions of a permit issued under Section 39(b) of the Act for a permit that authorizes reuse of wastewater for irrigation shall be deemed compliance with this subsection.

(b) Construct, install, or operate any equipment, facility, vessel, or aircraft capable of causing or contributing to water pollution, or designed to prevent water pollution, of any type designated by Board regulations, without a permit granted by the Agency, or in violation of any conditions imposed by such permit.

(c) Increase the quantity or strength of any discharge of contaminants into the waters, or construct or install any sewer or sewage treatment facility or any new outlet for contaminants into the waters of this State, without a permit granted by the Agency.

(d) Deposit any contaminants upon the land in such place and manner so as to create a water pollution hazard.

(e) Sell, offer, or use any article in any area in which the Board has by regulation forbidden its sale, offer, or use for reasons of water pollution control.

(f) Cause, threaten or allow the discharge of any contaminant into the waters of the State, as defined herein, including but not limited to, waters to any sewage works, or into any well or from any point source within the State, without an NPDES permit for point source discharges issued by the Agency under Section 39(b) of this Act, or in violation of any term or condition imposed by such permit, or in violation of any NPDES permit filing requirement established under Section 39(b), or in violation of any regulations adopted by the Board or of any order adopted by the Board with respect to the NPDES program.

No permit shall be required under this subsection and under Section 39(b) of this Act for any discharge for which a permit is not required under the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto.

For all purposes of this Act, a permit issued by the Administrator of the United States Environmental Protection Agency under Section 402 of the Federal Water Pollution Control Act, as now or hereafter amended, shall be deemed to be a permit issued by the Agency pursuant to Section 39(b) of this Act.

[May 8, 2024]

However, this shall not apply to the exclusion from the requirement of an operating permit provided under Section 13(b)(i).

Compliance with the terms and conditions of any permit issued under Section 39(b) of this Act shall be deemed compliance with this subsection except that it shall not be deemed compliance with any standard or effluent limitation imposed for a toxic pollutant injurious to human health.

In any case where a permit has been timely applied for pursuant to Section 39(b) of this Act but final administrative disposition of such application has not been made, it shall not be a violation of this subsection to discharge without such permit unless the complainant proves that final administrative disposition has not been made because of the failure of the applicant to furnish information reasonably required or requested in order to process the application.

(g) Cause, threaten or allow the underground injection of contaminants without a UIC permit issued by the Agency under Section 39(d) of this Act, or in violation of any term or condition imposed by such permit, or in violation of any regulations or standards adopted by the Board or of any order adopted by the Board with respect to the UIC program.

No permit shall be required under this subsection and under Section 39(d) of this Act for any underground injection of contaminants for which a permit is not required under Part C of the Safe Drinking Water Act (P.L. 93-523), as amended, unless a permit is authorized or required under regulations adopted by the Board pursuant to Section 13 of this Act.

(h) Introduce contaminants into a sewage works from any nondomestic source except in compliance with the regulations and standards adopted by the Board under this Act.

(i) Beginning January 1, 2013 or 6 months after the date of issuance of a general NPDES permit for surface discharging private sewage disposal systems by the Illinois Environmental Protection Agency or by the United States Environmental Protection Agency, whichever is later, construct or install a surface discharging private sewage disposal system that discharges into the waters of the United States, as that term is used in the Federal Water Pollution Control Act, unless he or she has a coverage letter under a NPDES permit issued by the Illinois Environmental Protection Agency or by the United States Environmental Protection Agency or he or she is constructing or installing the surface discharging private sewage disposal system in a jurisdiction in which the local public health department has a general NPDES permit issued by the Illinois Environmental Protection Agency or by the United States Environmental Protection Agency and the surface discharging private sewage disposal system is covered under the general NPDES permit.

(Source: P.A. 96-801, eff. 1-1-10; 97-1081, eff. 8-24-12.)

(415 ILCS 5/12.7 new)

Sec. 12.7. Wastewater reuse. Notwithstanding any other provision of law, the use of treated municipal wastewater from a publicly owned treatment works is authorized for irrigation when conducted in accordance with a permit issued under Section 39(b) of the Act.

(415 ILCS 5/14.8 new)

Sec. 14.8. Recycled sewage treatment plant effluent reuse. The Agency may propose and the Board shall adopt:

(1) amendments to the Board's primary drinking water standards that will repeal the prohibition on the use of recycled sewage treatment plant effluent set forth in subsection (c) of 35 Ill. Adm. Code 611.231 and that will make any other revisions to those rules that are necessary to facilitate water reuse in the State; and

(2) rules establishing programs for direct potable reuse of treated wastewater, including rules establishing permitting standards and a permit application process."

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

On motion of Senator Villivalam, **House Bill No. 4141** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Edly-Allen, **House Bill No. 4359** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Halpin, **House Bill No. 4719** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Stadelman, **House Bill No. 4751** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Porfirio, **House Bill No. 4757** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Glowiak Hilton, **House Bill No. 5059** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 5190** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Local Government, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 5190

AMENDMENT NO. 1. Amend House Bill 5190 on page 4, immediately below line 7, by inserting the following:

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

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

On motion of Senator Villa, **House Bill No. 5218** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 5287** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Glowiak Hilton, **House Bill No. 5353** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Stadelman, **House Bill No. 5412** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villa, **House Bill No. 5457** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Harriss, **House Bill No. 5465** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Glowiak Hilton, **House Bill No. 5513** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 5530** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fowler, **House Bill No. 5539** having been printed, was taken up, read by title a second time and ordered to a third reading.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Aquino moved that **Senate Resolution No. 938**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

[May 8, 2024]

Senator Aquino moved that Senate Resolution No. 938 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Joyce moved that **Senate Resolution No. 708**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.
Senator Joyce moved that Senate Resolution No. 708 be adopted.
The motion prevailed.
And the resolution was adopted.

At the hour of 12:57 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 1:02 o'clock p.m., the Senate resumed consideration of business.
Senator Cunningham, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its May 8, 2024 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Environment and Conservation: **Floor Amendment No. 2 to Senate Bill 727; Committee Amendment No. 1 to House Bill 1837.**

Executive: **Floor Amendment No. 2 to Senate Bill 3359.**

Licensed Activities: **Committee Amendment No. 1 to House Bill 4412.**

Revenue: **Committee Amendment No. 1 to House Bill 4720.**

Senator Lightford, Chair of the Committee on Assignments, during its May 8, 2024 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution No. 977

The foregoing resolution was placed on the Senate Calendar.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Lightford, **Senate Bill No. 2968** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Human Rights, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2968

AMENDMENT NO. 1. Amend Senate Bill 2968 by replacing everything after the enacting clause with the following:

"Section 5. The Data Governance and Organization to Support Equity and Racial Justice Act is amended by changing Section 20-15 as follows:

(20 ILCS 65/20-15)

Sec. 20-15. Data governance and organization to support equity and racial justice.

(a) ~~By October 31 of each year On or before July 1, 2022 and each July 1 thereafter,~~ the Board and the Department shall issue a report, for the prior State fiscal year, that sets out de-identified statistical data related to the racial, ethnic, age, sex, disability status, sexual orientation, gender identity, and primary or preferred language demographics of program participants for each major program administered by the Board or the Department, except as provided in subsection (a-5). The Department of Human Services, under the direction of the Office of the Governor, shall establish, by rule, demographic classifications for each reporting category, including race and ethnicity, age, sex, disability status, sexual orientation, gender identity, and primary or preferred language. Except as provided in subsection (b), when reporting the data required under this Section for each program, the Board or the Department shall use the classifications established by the Department of Human Services.

The Office of the Governor shall review the demographic classifications every 5 years after the effective date of this amendatory Act of the 103rd General Assembly. If the Office of the Governor determines that changes to the classifications are necessary, the Department of Human Services shall update the classifications, as directed by the Office of the Governor, the same racial and ethnic classifications for each program, which shall include, but not be limited to, the following:

- ~~(1) American Indian and Alaska Native alone.~~
- ~~(2) Asian alone.~~
- ~~(3) Black or African American alone.~~
- ~~(4) Hispanic or Latino of any race.~~
- ~~(5) Native Hawaiian and Other Pacific Islander alone.~~
- ~~(6) White alone.~~
- ~~(7) Middle Eastern or North African.~~
- ~~(8) Some other race alone.~~
- ~~(9) Two or more races.~~

The Board and the Department may further define, by rule, the racial and ethnic classifications, including, if necessary, a classification of "No Race Specified".

(a-5) In relation to major program participants, the Board shall not be required to collect personally identifiable information and report statistical data on the categories of sex, sexual orientation, and gender identity unless required for federal reporting. The Board shall make available reports on its Internet website, posted where other mandated reports are posted, of statistical data on sex, sexual orientation, and gender identity demographics through anonymous surveys or other methods as age and developmentally appropriate.

(b) ~~A~~ A program administered by the Board or the Department is exempted from the reporting requirements described in subsection (a) if:

(1) the program is subject to federal reporting requirements that include the collection and public reporting of statistical data on the demographic categories required by this Act; and

(2) the federal reporting requirements use different classifications for the reporting of demographic categories than the classifications established by the Department of Human Services.

The program shall report on any demographic categories described in subsection (a) that are not included in the federal report racial and ethnic demographics of program participants, the Department may maintain the same racial and ethnic classifications used under the federal requirements if such classifications differ from the classifications listed in subsection (a).

(b-5) If a program administered by the Board or the Department serves and collects data regarding individuals younger than 18 years old, the program is exempt from the sexual orientation and gender identity demographic collection requirements described in subsection (a).

(b-7) The Office of the Governor shall establish a project implementation team to oversee the implementation of this Act consisting of one representative from each of the following:

- (1) the Office of the Governor;
- (2) the Department of Innovation and Technology;
- (3) the Department of Human Services; and
- (4) the Governor's Office of Management and Budget.

(c) The Department of Innovation and Technology, in conjunction with the Office of the Governor, shall assist the Board and the Department by identifying and providing advice on establishing common technological processes and procedures for the Board and the Department to:

- (1) Catalog relevant demographic data and share the resultant metadata.

- (2) Identify similar fields in data sets ~~datasets~~.
- (3) Manage data requests.
- (4) Share data.
- (5) Collect data.
- (6) Improve and clean data.
- (7) Match data across the Board and Departments.
- (8) Develop research and analytic agendas.
- (9) Report on program participation disaggregated by race and ethnicity.
- (10) Evaluate equitable outcomes for underserved populations in Illinois.
- (11) Define common roles for data management.
- (12) Ensure that all major programs can report disaggregated data by race, ethnicity, age, sex, disability status, sexual orientation, and gender identity, and primary or preferred language.

The Board and the Department shall use the common technological processes and procedures established by the Department of Innovation and Technology.

(d) If the Board or the Department is unable to begin reporting the collected data as described in required by subsection (a) by October 31 immediately following the effective date of this amendatory Act of the 103rd General Assembly July 1, 2022, the Board or the Department shall state the reasons for the delay or inability to collect the particular data set for that program under the reporting requirements described in subsection (a).

(e) By no later than March 31, 2022, the Board and the Department shall provide a progress report to the General Assembly to disclose: (i) the programs and data sets ~~datasets~~ that have been cataloged for which race, ethnicity, age, sex, disability status, sexual orientation, gender identity, and primary or preferred language have been standardized; and (ii) to the extent possible, the data sets ~~datasets~~ and programs that are outstanding for each agency and the data sets ~~datasets~~ that are planned for the upcoming year. On or before April 30 of March 31, 2023, and each year thereafter, the Board and the Department shall provide an updated report to the General Assembly.

(f) ~~(Blank). By no later than October 31, 2021, the Governor's Office shall provide a plan to establish processes for input from the Board and the Department into processes outlined in subsection (e). The plan shall incorporate ongoing efforts at data interoperability within the Department and the governance established to support the P-20 Longitudinal Education Data System enacted by Public Act 96-107.~~

(g) Nothing in this Section shall be construed to limit the rights granted to individuals or data sharing protections established under existing State and federal data privacy and security laws. (Source: P.A. 102-543, eff. 8-20-21; 103-154, eff. 6-30-23; 103-175, eff. 6-30-23; 103-414, eff. 1-1-24; revised 12-12-23.)"

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

On motion of Senator Simmons, **Senate Bill No. 2442** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Insurance, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2442

AMENDMENT NO. 1 . Amend Senate Bill 2442 by replacing everything after the enacting clause with the following:

"Section 5. The Fair Patient Billing Act is amended by changing Section 35 as follows:

(210 ILCS 88/35)

Sec. 35. Collection limitations.

(a) The hospital shall not pursue legal action for non-payment of a hospital bill against uninsured patients who have clearly demonstrated that they have neither sufficient income nor assets to meet their financial obligations provided the patient has complied with Section 45 of this Act.

(b) A hospital may not bill an uninsured patient that requires health care services, as defined in Section 5 of the Hospital Uninsured Patient Discount Act, if it determines, through its financial assistance screening process, that the patient has a household income that qualifies the person for free care under the Hospital Uninsured Patient Discount Act. If the patient is deemed eligible for public health insurance or any

other insurance product certified by the Department of Insurance, the hospital shall provide information to the patient about how the patient can apply for the insurance program under subsection (f) of Section 16. (Source: P.A. 94-885, eff. 1-1-07)."

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

On motion of Senator Ventura, **Senate Bill No. 2651** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2651

AMENDMENT NO. 1 . Amend Senate Bill 2651 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Sections 5-1049.2 and 5-30004 as follows:
(55 ILCS 5/5-1049.2)

Sec. 5-1049.2. Lease of county property.

(a) The county board may lease real estate acquired or held by the county for any term not exceeding 99 years and may lease the real estate when, in the opinion of the county board, the real estate is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the county. The authority to lease shall be exercised by an ordinance passed by three-fourths of the full county board then holding office, at any regular meeting or at any special meeting called for that purpose.

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

(c) The lease of real estate is also permitted when a property, structure, or facility owned by the county can be used for athletic purposes or museum purposes in the interest of the public or for the benefit and enjoyment of residents of the county.

(Source: P.A. 103-415, eff. 8-4-23.)

(55 ILCS 5/5-30004) (from Ch. 34, par. 5-30004)

Sec. 5-30004. Authority to protect and preserve landmarks and preservation districts. The county board of each county shall have the following authority:

(1) to establish and appoint by ordinance a preservation study committee and to take any reasonable temporary actions to protect potential landmarks and preservation districts during the term of an appointed preservation study committee;

(2) to establish and appoint by ordinance a preservation commission upon recommendation of a preservation study committee;

(3) to conduct an ongoing survey of the county to identify buildings, structures, areas, sites and landscapes that are of historic, archaeological, architectural, or scenic significance, and therefore potential landmarks or preservation districts;

(4) to designate by ordinance landmarks and preservation districts upon the recommendation of a preservation commission and to establish a system of markers, plaques or certificates for designated landmarks and preservation districts;

(5) to prepare maps showing the location of landmarks and preservation districts, publish educational information, and prepare educational programs concerning landmarks and preservation districts and their designation and protection;

(6) to exercise any of the powers and authority in relation to regional planning and zoning granted counties by Divisions 5-12 and 5-14, for the purpose of protecting, preserving, and continuing the use of landmarks and preservation districts;

(7) to nominate landmarks and historic districts to any state or federal registers of historic places;

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(8) to appropriate and expend funds to carry out the purposes of this Division;

(9) to review applications for construction, alteration, removal or demolition affecting landmarks or property within preservation districts;

(10) to acquire by negotiated purchase any interest including conservation rights in landmarks or in property within preservation districts, or property immediately adjacent to or surrounding landmarks or preservation districts;

(11) to apply for and accept any gift, grant or bequest from any private or public source, including agencies of the federal or State government, for any purpose authorized by this Division;

(12) to establish a system for the transfer of development rights including, as appropriate, a mechanism for the deposit of development rights in a development rights bank, and for the transfer of development rights from that development rights bank in the same manner as authorized for municipalities by Section 11-48.2-2 of the Illinois Municipal Code. All receipts arising from the transfer shall be deposited in a special county account to be applied against expenditures necessitated by the county program for the designation and protection of landmarks and preservation districts. Any development rights acquired, sold or transferred from a development rights bank, shall not be a "security" as that term is defined in Section 2.1 of the Illinois Securities Law of 1953, and shall be exempt from all requirements for the registration of securities;:-

(13) to establish a loan or grant program from any source of funds for designated landmarks and preservation districts and to issue interest bearing revenue bonds or general obligation bonds pursuant to ordinance enacted by the county board, after compliance with requirements for referendum, payable from the revenues to be derived from the operation of any landmark or of any property within a preservation district;

(14) to abate real property taxes on any landmark or property within a preservation district to encourage its preservation and continued use or to provide relief for owners unduly burdened by designation;

(15) to advise and assist owners of landmarks and property within preservation districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse;

(16) to advise cities, villages, or incorporated towns, upon request of the appropriate official of the municipality, concerning enactment of ordinances to protect landmarks or preservation districts;

(17) to exercise within the boundaries of any city, village, or incorporated town any of the powers and authority granted counties by this Division so long as the corporate authorities by ordinance or by intergovernmental agreement pursuant to the Intergovernmental Cooperation Act, or pursuant to Article VII, Section 10 of the Constitution of the State of Illinois have authorized the county preservation commission established by authority of this Division to designate landmarks or preservation districts within its corporate boundaries, and such county preservation commission shall have only those powers, duties, and legal authority provided in this Division;

(18) to exercise any of the above powers to preserve and protect property owned by any unit of local government including counties, or to review alteration, construction, demolition, or removal undertaken by any unit of local government including counties that affect landmarks and preservation districts;:-

(19) to maintain, restore, rehabilitate, beautify, or adaptively reuse places of architectural significance, historic significance, scenic significance, or land along scenic byways and to lease or license county-held property to public or private entities for not longer than 99 years for such purposes. The maintenance, restoration, rehabilitation, beautification, and adaptive reuse of places of architectural significance, historic significance, scenic significance, or land along scenic byways is declared to be a public use. In this paragraph, "adaptively reuse" includes adaptation of the property for any use that does not materially detract from the architectural, historic, aesthetic, cultural, or scenic significance of the place.

~~(20) (49)~~ to exercise any other power or authority necessary or appropriate to carrying out the purposes of this Division, including those powers and authorities listed in Sections 5-30010 and 5-30011.

(Source: P.A. 101-81, eff. 7-12-19.)

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

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

On motion of Senator Fine, **Senate Bill No. 2744** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Insurance, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2744

AMENDMENT NO. 1. Amend Senate Bill 2744 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.11 as follows:

(5 ILCS 375/6.11)

Sec. 6.11. Required health benefits; Illinois Insurance Code requirements. The program of health benefits shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x, 356z.2, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59, 356z.60, ~~and~~ 356z.61, ~~and~~ 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, and 356z.71 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 program of health benefits shall provide the coverage required under Section 356m of the Illinois Insurance Code and, for the employees of the State Employee Group Insurance Program only, the coverage as also provided in Section 6.11B of this Act. 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. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-768, eff. 1-1-24; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-8, eff. 1-1-24; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; revised 8-29-23.)

Section 10. The Counties Code is amended by changing Section 5-1069.3 as follows:

(55 ILCS 5/5-1069.3)

Sec. 5-1069.3. Required health benefits. If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, ~~and~~ 356z.61, ~~and~~ 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, and 356z.71 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. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; revised 8-29-23.)

Section 15. 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 356f and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, ~~and~~ 356z.61, ~~and~~ 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, and 356z.71 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. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; revised 8-29-23.)

Section 20. 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 356f and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, ~~and~~ 356z.61, ~~and~~ 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, and 356z.71 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. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; revised 8-29-23.)

Section 25. The Illinois Insurance Code is amended by adding Section 356z.71 as follows:

(215 ILCS 5/356z.71 new)

Sec. 356z.71. Coverage of vaccination administration fees.

(a) A group or individual policy of accident and health insurance or a managed care plan that is amended, delivered, issued, or renewed on or after January 1, 2026 shall provide coverage for vaccinations for COVID-19, influenza, and respiratory syncytial virus, including the administration of the vaccine by a pharmacist or health care provider authorized to administer such a vaccine, without imposing a deductible, coinsurance, copayment, or any other cost-sharing requirement, if the following conditions are met:

(1) the vaccine is authorized or licensed by the United States Food and Drug Administration;

and

(2) the vaccine is ordered and administered according to the Advisory Committee on Immunization Practices standard immunization schedule.

(b) If the vaccinations provided for in subsection (a) are not otherwise available to be administered by a contracted pharmacist or health care provider, the group or individual policy of accident and health insurance or a managed care plan shall cover the vaccination, including administration fees, without imposing a deductible, coinsurance, copayment, or any other cost-sharing requirement.

(c) The coverage required in this Section does not apply to the extent that the coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to Section 223 of the Internal Revenue Code of 1986.

Section 30. 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, 155.49, 355.2, 355.3, 355b, 355c, 356f, 356g.5-1, 356m, 356q, 356v, 356w, 356x, 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.20, 356z.21, 356z.22, 356z.23, 356z.24, 356z.25, 356z.26, 356z.28, 356z.29, 356z.30, 356z.30a, 356z.31, 356z.32, 356z.33, 356z.34, 356z.35, 356z.36, 356z.37, 356z.38, 356z.39, 356z.40, 356z.41, 356z.44, 356z.45, 356z.46, 356z.47, 356z.48, 356z.49, 356z.50, 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.58, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.65, 356z.67, 356z.68, 356z.71, 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. 102-30, eff. 1-1-22; 102-34, eff. 6-25-21; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-589, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-775, eff. 5-13-22; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-901, eff. 7-1-22; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-123, eff. 1-1-24; 103-154, eff. 6-30-23; 103-420, eff. 1-1-24; 103-426, eff. 8-4-23; 103-445, eff. 1-1-24; 103-551, eff. 8-11-23; revised 8-29-23.)

Section 35. 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.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.18, 356z.19, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.30a, 356z.32, 356z.33, 356z.40, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.71, 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. 102-30, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-775, eff. 5-13-22; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-901, eff. 7-1-22; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-551, eff. 8-11-23; revised 8-29-23)."

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

On motion of Senator Fine, **Senate Bill No. 3305** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

The following amendment was offered in the Committee on Insurance, adopted and ordered printed:

AMENDMENT NO. 2 TO SENATE BILL 3305

AMENDMENT NO. 2 . Amend Senate Bill 3305 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by adding Section 356z.71 as follows:
(215 ILCS 5/356z.71 new)

Sec. 356z.71. Coverage for medically necessary care and treatment to address a major injury to the jaw either through an accident or disease.

(a) In this Section, "medically necessary care and treatment to address a major injury to the jaw either through an accident or disease" includes:

- (1) oral and facial surgery, including reconstructive services and procedures necessary to improve, restore, or maintain vital functions;
- (2) dental implants, crowns, or bridges;
- (3) prosthetic treatment such as obturators, speech appliances, and feeding appliances;
- (4) orthodontic treatment and management;
- (5) prosthodontic treatment and management; and
- (6) otolaryngology treatment and management.

(b) An individual or group policy of accident and health insurance amended, delivered, issued, or renewed on or after January 1, 2025 shall provide coverage for medically necessary care and treatment to address a major injury to the jaw either through an accident or disease. Coverage under this Section may impose the same deductibles, coinsurance, or other cost-sharing limitations that are imposed on other related benefits under the policy."

Committee Amendment No. 3 was held in the Committee on Assignments.

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

[May 8, 2024]

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Villa moved that **Senate Resolution No. 977**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Villa moved that Senate Resolution No. 977 be adopted.

The motion prevailed.

And the resolution was adopted.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Castro, **House Bill No. 2232** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 3241** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Stadelman, **House Bill No. 4169** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Stadelman, **House Bill No. 4271** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **House Bill No. 4409** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Syverson, **House Bill No. 4789** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Insurance, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 4789

AMENDMENT NO. 1. Amend House Bill 4789 on page 5, by replacing lines 17 through 19 with "contract. Any contractual agreement entered into or amended, delivered, issued, or renewed on or after the effective date of this amendatory Act of the 103rd General Assembly that is in conflict with this Section or that purports to waive any requirement of this Section is null and void.".

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

On motion of Senator Castro, **House Bill No. 5087** having been printed, was taken up, read by title a second time and ordered to a third reading.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet at 2:00 o'clock p.m.:

Executive in Room 212
 Licensed Activities in Room 400
 State Government in Room 409

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:

[May 8, 2024]

Amendment No. 2 to House Bill 4059
Amendment No. 1 to House Bill 4925
Amendment No. 1 to House Bill 4934

The following Committee amendment to the House Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to House Bill 5596

The following Committee amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 3 to Senate Bill 1400

The following Committee amendment to the Senate Resolution listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to Senate Resolution 936

At the hour of 1:23 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, May 9, 2024, at 11:00 o'clock a.m.