



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**ONE HUNDRED THIRD GENERAL  
ASSEMBLY**

**115TH LEGISLATIVE DAY**

**TUESDAY, MAY 21, 2024**

**12:15 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**115th Legislative Day**

<b>Action</b>	<b>Page(s)</b>
Committee Meeting Announcements .....	18
Introduction of Senate Bill No. 3956 .....	21
Joint Action Motions Filed .....	137
Legislative Measure Filed .....	3
Legislative Measures Filed .....	19
Message from the President .....	20
Messages from the House .....	5, 23
Messages from the President .....	3
PERFUNCTORY SESSION .....	19
Presentation of Senate Resolution No. 1013 .....	4
Presentation of Senate Resolution No. 1018 .....	20
Presentation of Senate Resolutions No'd. 1012, 1014-1017 .....	4
Report from Assignments Committee .....	17
Reports from Standing Committees .....	21

<b>Bill Number</b>	<b>Legislative Action</b>	<b>Page(s)</b>
SR 1013	Committee on Assignments .....	4
SR 1018	Committee on Assignments .....	20
HB 0255	Third Reading .....	13
HB 0305	Third Reading .....	14
HB 0581	First Reading .....	137
HB 0587	First Reading .....	7
HB 0681	First Reading .....	7
HB 0778	Third Reading .....	14
HB 2154	Third Reading .....	16
HB 2601	Third Reading .....	15
HB 3763	Third Reading .....	15
HB 4409	Third Reading .....	17
HB 4442	Second Reading .....	7
HB 4489	Posting Notice Waived .....	18
HB 4491	Posting Notice Waived .....	18
HB 4592	First Reading .....	7
HB 4819	Posting Notice Waived .....	18
HB 5028	Posting Notice Waived .....	18
HB 5172	First Reading .....	137
HB 5189	Third Reading .....	9
HB 5232	Third Reading .....	10
HB 5324	Posting Notice Waived .....	18
HB 5407	Third Reading .....	10
HB 5431	Third Reading .....	11
HB 5574	Third Reading .....	12
HB 5601	Third Reading .....	12
HB 5640	Third Reading .....	13
HJR 0058	Posting Notice Waived .....	18

The Senate met pursuant to adjournment.  
Senator David Koehler, Peoria, 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 Monday, May 20, 2024, be postponed, pending arrival of the printed Journal.  
The motion prevailed.

**LEGISLATIVE MEASURE FILED**

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

Amendment No. 4 to Senate Bill 3723

**MESSAGES FROM THE PRESIDENT**

**OFFICE OF THE SENATE PRESIDENT  
DON HARMON  
STATE OF ILLINOIS**

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706  
217-782-2728

May 21, 2024

Mr. Tim Anderson  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the 3rd Reading deadline to May 24, 2024, for the following bills: SB 496 and SB 497.

Sincerely,  
s/Don Harmon  
Don Harmon  
Senate President

cc: Senate Republican Leader John F. Curran

**OFFICE OF THE SENATE PRESIDENT  
DON HARMON  
STATE OF ILLINOIS**

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706  
217-782-2728

[May 21, 2024]

May 21, 2024

Mr. Tim Anderson  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the committee and 3rd Reading deadline to May 24, 2024 for the following bills: HB 4489.

Sincerely,  
s/Don Harmon  
Don Harmon  
Senate President

cc: Senate Republican Leader John F. Curran

**PRESENTATION OF CELEBRATION OF LIFE RESOLUTIONS**

**SENATE RESOLUTION NO. 1012**

Offered by Senator E. Harriss and all Senators:  
Mourns the death of former Illinois State Senator Dr. Merrill William George Ottwein.

**SENATE RESOLUTION NO. 1014**

Offered by Senator Anderson and all Senators:  
Mourns the death of Richard M. "Bud" Caulkins of Colona.

**SENATE RESOLUTION NO. 1015**

Offered by Senator Anderson and all Senators:  
Mourns the death of Francis R. "Frank" Adlfinger of Milan.

**SENATE RESOLUTION NO. 1016**

Offered by Senator Anderson and all Senators:  
Mourns the death of Jerry Gould.

**SENATE RESOLUTION NO. 1017**

Offered by Senator Anderson and all Senators:  
Mourns the death of Marvin L. Halstead of Rock Island.

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

**PRESENTATION OF CONGRATULATORY RESOLUTION**

**SENATE RESOLUTION NO. 1013**

Offered by Senator D. Turner:  
Congratulates the Washington Middle School boys relay team, the Warriors, on its success at the 2024 Illinois Elementary School Association Class 4A State Track & Field Championships.

Under the Rules, the foregoing resolution was referred to the Committee on Assignments.

[May 21, 2024]

**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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 587

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 681

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4592

A bill for AN ACT concerning transportation.

Passed the House, May 20, 2024.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 587, 681 and 4592** were taken up, ordered printed and placed on first reading.

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. 3467

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. 3467

Passed the House, as amended, May 20, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3467**

AMENDMENT NO. 1. Amend Senate Bill 3467 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Speech-Language Pathology and Audiology Practice Act is amended by changing Sections 3.5, 8.5, and 8.6 as follows:

(225 ILCS 110/3.5)

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

Sec. 3.5. Exemptions. This Act does not prohibit:

(a) The practice of speech-language pathology or audiology by students in their course of study in programs approved by the Department, or the performance of speech-language pathology assistant services by graduates who have obtained degrees as set forth in paragraph (2) of Section 8.5 of the Act, when acting under the direction and supervision of licensed speech-language pathologists or audiologists.

(b) The performance of any speech-language pathology service by a speech-language pathology assistant or candidate for licensure as a speech-language pathology assistant, if such service is performed under the supervision and full responsibility of a licensed speech-language pathologist. A speech language pathology assistant or candidate for speech-language pathology assistant licensure may perform only those duties authorized by Section 8.7 under the supervision of a speech-language pathologist as provided in Section 8.8.

(b-5) The performance of an audiology service by an appropriately trained person if that service is performed under the supervision and full responsibility of a licensed audiologist.

(c) The performance of audiometric testing for the purpose of industrial hearing conservation by an audiometric technician certified by the Council of Accreditation for Occupational Hearing Conservation (CAOHC).

(d) The performance of an audiometric screening by an audiometric screenings technician certified by the Department of Public Health.

[May 21, 2024]

(e) The selling or practice of fitting, dispensing, or servicing hearing instruments by a hearing instrument dispenser licensed under the Hearing Instrument Consumer Protection Act.

(f) A person licensed in this State under any other Act from engaging in the practice for which he or she is licensed.

(g) The performance of vestibular function testing by an appropriately trained person under the supervision of a physician licensed to practice medicine in all its branches.

(h) The performance of neurophysiologic intraoperative monitoring of the seventh and eighth cranial nerve by an individual certified by the American Board of Registration of Electroencephalographic and Evoked Potential Technologists as Certified in Neurophysiologic Intraoperative Monitoring only if authorized and supervised by the physician performing the surgical procedure.

(Source: P.A. 100-530, eff. 1-1-18.)

(225 ILCS 110/8.5)

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

Sec. 8.5. Qualifications for licenses as a speech-language pathology assistant. A person is qualified to be licensed as a speech-language pathology assistant if that person has applied in writing or electronically on forms prescribed by the Department, has paid the required fees, and meets both of the following criteria:

(1) Is of good moral character. In determining moral character, the Department may take into consideration any felony conviction or plea of guilty or nolo contendere of the applicant, but such a conviction or plea shall not operate automatically as a complete bar to licensure.

(2) Has either:

(A) received an associate degree from a speech-language pathology assistant program that has been approved by the Department and that meets the minimum requirements set forth in Section 8.6; or

(B)(i) received a bachelor's degree in speech-language pathology, communication sciences and disorders, or other content area from an accredited college or university that has been approved by the Department and meets the minimum requirements set forth in Section 8.6, and (ii) completed the requirements for certification as a speech-language pathology assistant or completed an equivalent program as determined by the Department by rule.

~~(2) Has received either (i) an associate degree from a speech language pathology assistant program that has been approved by the Department and that meets the minimum requirements set forth in Section 8.6, (ii) a bachelor's degree and has completed course work from an accredited college or university that meets the minimum requirements set forth in Section 8.6, or (iii) a bachelor's degree in speech language pathology or communication sciences and disorders from a regionally or nationally accredited institution approved by the Department, and evidence of completion of at least 100 hours of documented field work supervised by a licensed speech language pathologist that is comparable to that completed in a speech language pathology assistant program in this State.~~

(Source: P.A. 103-302, eff. 1-1-24.)

(225 ILCS 110/8.6)

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

Sec. 8.6. Minimum requirements for speech-language pathology assistant programs.

(a) An applicant for licensure as a speech-language pathology assistant must have earned 60 semester credit hours in a program of study that includes general education and the specific knowledge and skills for a speech-language pathology assistant. The curriculum of a speech-language pathology assistant program must include all of the following content, as further provided by rule promulgated by the Department:

(1) Twenty-four semester credit hours in general education.

(2) Thirty-six semester credit hours in technical content areas designed to provide students with knowledge and skills required for speech-language pathology assistants, which must include (i) an introductory or overview course in of normal processes of communication disorders; (ii) phonetics an overview of communication disorders; (iii) speech sound disorders instruction in speech language pathology assistant level service delivery practices; (iv) language development instruction in workplace behaviors; (v) language disorders cultural and linguistic factors in communication; and (vi) anatomy and physiology of speech and hearing mechanisms observation.

(3) Completion of at least 100 hours of supervised field work experiences supervised by a licensed speech-language pathologist at least 50% of the time when the student is engaged in contact with the patient or client. An applicant must obtain written verification demonstrating successful

completion of the required field work experience, including a description of the setting in which the training was received and an assessment of the student's technical proficiency.

(b) The Department may promulgate rules that change the curriculum requirements of subsection (a) in order to reflect the guidelines for speech-language pathology assistant programs recommended by the American Speech-Language Hearing Association.

(c) Any applicant for licensure as a speech-language pathology assistant who applies to the Department prior to the effective date of this amendatory Act of the 96th General Assembly or any person who holds a valid license as a speech-language pathology assistant on the effective date of this amendatory Act shall not be required to meet the new minimum requirements for a speech language pathology assistant program under subsection (a) of this Section 8.6 that are established by this amendatory Act. (Source: P.A. 96-1315, eff. 7-27-10.)

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

Under the rules, the foregoing **Senate Bill No. 3467**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by  
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 3389

A bill for AN ACT concerning local government.

SENATE BILL NO. 3451

A bill for AN ACT concerning commuter passenger rail service.

SENATE BILL NO. 3452

A bill for AN ACT concerning revenue.

SENATE BILL NO. 3455

A bill for AN ACT concerning revenue.

SENATE BILL NO. 3460

A bill for AN ACT concerning civil law.

SENATE BILL NO. 3471

A bill for AN ACT concerning transportation.

SENATE BILL NO. 3475

A bill for AN ACT concerning revenue.

SENATE BILL NO. 3479

A bill for AN ACT concerning business.

Passed the House, May 20, 2024.

JOHN W. HOLLMAN, Clerk of the House

#### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

**House Bill No. 587**, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 681**, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 4592**, sponsored by Senator Hastings, was taken up, read by title a first time and referred to the Committee on Assignments.

#### READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Johnson, **House Bill No. 4442** was taken up, read by title a second time. Committee Amendment No. 1 was held in the Committee on Assignments.

[May 21, 2024]

Senator Johnson offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO HOUSE BILL 4442**

AMENDMENT NO. 2. Amend House Bill 4442 on page 1, immediately below line 3, by inserting the following:

"Section 3. The Property Tax Code is amended by changing Section 2-45 as follows:  
(35 ILCS 200/2-45)

Sec. 2-45. Selection and eligibility of township and multi-township assessors.

(a) In all counties under township organization, township or multi-township assessors shall be qualified as required by subsections (b) through (d) of this Section and shall be elected as provided in this Code. Township or multi-township assessors shall enter upon their duties on January 1 following their election, and perform the duties of the office for 4 years.

(b) Beginning December 1, 1996, in any township or multi-township assessment district not subject to the requirements of subsections (c) or (d) of this Section, no person is eligible to file nomination papers or participate as a candidate in any caucus or primary or general election for, or be appointed to fill vacancies in, the office of township or multi-township assessor, unless he or she (i) has successfully completed an introductory course in assessment practices that is approved by the Department; or (ii) possesses at least one of the qualifications listed in paragraphs (1) through (6) of subsection (c) of this Section. The candidate cannot file nominating papers or participate as a candidate unless a copy of the certificate of his or her qualifications from the Department is filed with the township clerk, board of election commissioners, or other appropriate authority as required by the Election Code. The candidate cannot be appointed to fill a vacancy until he or she has filed a copy of the certificate of his or her qualifications from the Department with the appointing authority.

(c) Beginning December 1, 1996, in a township or multi-township assessment district with \$25,000,000 or more of non-farm equalized assessed value or \$1,000,000 or more in commercial and industrial equalized assessed value, no person is eligible to file nomination papers or participate as a candidate in any caucus or primary or general election for, or be appointed to fill vacancies in, the office of township or multi-township assessor, unless he or she possesses at least one of the qualifications listed in paragraphs (1) through (6) of this subsection (c).

(1) a currently active Certified Illinois Assessing Officer designation from the Illinois Property Assessment Institute;

(2) (blank);

(3) a currently active AAS, CAE, or MAS designation from the International Association of Assessing Officers;

(4) a currently active MAI, SREA, SRPA, SRA, or RM designation from the Appraisal Institute;

(5) a currently active professional designation by any other appraisal or assessing association approved by the Department; or

(6) (blank).

The candidate cannot file nominating papers or participate as a candidate unless a copy of the certificate of his or her qualifications from the Department is filed with the township clerk, board of election commissioners, or other appropriate authority as required by the Election Code. The candidate cannot be appointed to fill a vacancy until he or she has filed a copy of the certificate of his or her qualifications with the appointing authority.

(d) Beginning December 1, 2000, in a township or multi-township assessment district with more than \$10,000,000 and less than \$25,000,000 of non-farm equalized assessed value and less than \$1,000,000 in commercial and industrial equalized assessed value, no person who has previously been elected as township or multi-township assessor in any such township or multi-township assessment district is eligible to file nomination papers or participate as a candidate in any caucus or primary or general election for the office of township or multi-township assessor, unless he or she possesses at least one of the qualifications listed in paragraphs (1) through (6) of subsection (c) of this Section. The candidate cannot file nominating papers or participate as a candidate unless a copy of the certificate of his or her qualifications from the Department is filed with the township clerk, board of election commissioners, or other appropriate authority as required by the Election Code.

(e) If any person files nominating papers for candidacy for the office of township or multi-township assessor without also filing a copy of the certificate of his or her qualifications from the Department as required by this Section, the clerk of the township, the board of election commissioners, or other appropriate authority as required by the Election Code shall refuse to certify the name of the person as a candidate to the proper election officials.

If no candidate for election meets the above qualifications there shall be no election and the town board of trustees or multi-township board of trustees shall appoint or contract with a person under Section 2-60.

(f) Notwithstanding any other provision of law, with respect to the office of township or multi-township assessor for any township or multi-township assessment district located in Lake County, for the 2025 consolidated election and the 2029 consolidated election, a person is eligible to file nomination papers or participate as a candidate for that office without having obtained the qualifications listed in paragraphs (1) through (6) of subsection (c) if the person has successfully completed an introductory course in assessment practices that is approved by the Department. If the person would otherwise be required to obtain one of the qualifications listed in paragraphs (1) through (6) of this subsection (c) to serve as township or multi-township assessor, that person shall obtain at least one of those qualifications prior to being sworn into office as township or multi-township assessor. The failure of such a person to obtain the necessary qualifications shall result in a vacancy in the office of township or multi-township assessor, which shall be filled as provided in Section 2-60.

(g) As used in this Section only, "non-farm equalized assessed value" means the total equalized assessed value in the township or multi-township assessment district as reported to the Department under Section 18-225 after removal of homestead exemptions, and after removal of the equalized assessed value reported as farm or minerals to the Department under Section 18-225.

For purposes of this Section only, "file nomination papers" also includes having nomination papers filed on behalf of the candidate by another person.

(Source: P.A. 101-467, eff. 8-23-19.); and

on page 2, immediately below line 19, by inserting the following:

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Floor Amendment No. 3 was postponed in the Committee on Local Government.

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

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

On motion of Senator Villivalam, **House Bill No. 5189** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Loughran Cappel	Syverson
Aquino	Fine	Martwick	Toro
Belt	Fowler	McClure	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.
Bryant	Halpin	Murphy	Turner, S.
Castro	Harris, N.	Peters	Ventura
Cervantes	Harriss, E.	Plummer	Villa
Chesney	Holmes	Porfirio	Villanueva

[May 21, 2024]

Collins	Hunter	Preston	Villivalam
Cunningham	Johnson	Rezin	Walker
Curran	Jones, E.	Rose	Wilcox
DeWitte	Joyce	Simmons	Mr. President
Edly-Allen	Koehler	Sims	
Ellman	Lewis	Stadelman	
Faraci	Lightford	Stoller	

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

Senator Bryant asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 5189**.

On motion of Senator Johnson, **House Bill No. 5232** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Chesney

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Johnson, **House Bill No. 5407** 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 46; NAYS 9; Present 1.

The following voted in the affirmative:

[May 21, 2024]

Aquino	Fowler	Loughran Cappel	Toro
Belt	Glowiak Hilton	Martwick	Tracy
Castro	Halpin	McClure	Turner, D.
Cervantes	Harris, N.	Morrison	Turner, S.
Collins	Hastings	Murphy	Ventura
Cunningham	Holmes	Peters	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Jones, E.	Rezin	Walker
Faraci	Joyce	Simmons	Mr. President
Feigenholtz	Koehler	Sims	
Fine	Lewis	Stadelman	

The following voted in the negative:

Anderson	Chesney	Stoller
Bennett	Plummer	Syverson
Bryant	Rose	Wilcox

The following voted present:

McConchie

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 Edly-Allen, **House Bill No. 5431** 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 46; NAYS 9.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Chesney	Stoller
Bennett	Plummer	Tracy
Bryant	Rose	Wilcox

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Lewis, **House Bill No. 5574** 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 58; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Loughran Cappel, **House Bill No. 5601** 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 58; NAYS None.

The following voted in the affirmative:

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

[May 21, 2024]

Ellman	Koehler	Sims
Faraci	Lewis	Stadelman

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bennett, **House Bill No. 5640** 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 58; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villa, **House Bill No. 255** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Loughran Cappel	Syverson
Aquino	Fine	McClure	Toro
Belt	Fowler	McConchie	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.
Bryant	Halpin	Murphy	Turner, S.
Castro	Harris, N.	Peters	Ventura
Cervantes	Harriss, E.	Plummer	Villa
Chesney	Hastings	Porfirio	Villanueva
Collins	Holmes	Preston	Villivalam
Cunningham	Hunter	Rezin	Walker
Curran	Johnson	Rose	Wilcox

DeWitte	Jones, E.	Simmons	Mr. President
Edly-Allen	Joyce	Sims	
Ellman	Koehler	Stadelman	
Faraci	Lewis	Stoller	

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator N. Harris, **House Bill No. 305** 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 58; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Aquino, **House Bill No. 778** 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 58; NAYS None.

The following voted in the affirmative:

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

Chesney	Hastings	Plummer	Villa
Collins	Holmes	Porfirio	Villanueva
Cunningham	Hunter	Preston	Villivalam
Curran	Johnson	Rezin	Walker
DeWitte	Jones, E.	Rose	Wilcox
Edly-Allen	Joyce	Simmons	Mr. President
Ellman	Koehler	Sims	
Faraci	Lewis	Stadelman	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Rose, **House Bill No. 2601** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None; Present 1.

The following voted in the affirmative:

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

The following voted present:

Jones, E.

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 Villivalam, **House Bill No. 3763** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 36; NAYS 19.

The following voted in the affirmative:

Aquino	Fine	Martwick	Ventura
--------	------	----------	---------

Belt	Glowiak Hilton	Morrison	Villa
Castro	Halpin	Murphy	Villanueva
Cervantes	Harris, N.	Peters	Villivalam
Collins	Hastings	Porfirio	Walker
Cunningham	Hunter	Simmons	Mr. President
Edly-Allen	Johnson	Sims	
Ellman	Jones, E.	Stadelman	
Faraci	Koehler	Toro	
Feigenholtz	Loughran Cappel	Turner, D.	

The following voted in the negative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cunningham, **House Bill No. 2154** 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 38; NAYS 17.

The following voted in the affirmative:

Aquino	Feigenholtz	Loughran Cappel	Toro
Belt	Fine	Martwick	Turner, D.
Castro	Halpin	Morrison	Ventura
Cervantes	Harris, N.	Murphy	Villa
Chesney	Hastings	Peters	Villanueva
Collins	Holmes	Porfirio	Villivalam
Cunningham	Hunter	Preston	Walker
Edly-Allen	Johnson	Simmons	Mr. President
Ellman	Jones, E.	Sims	
Faraci	Koehler	Stadelman	

The following voted in the negative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Peters, **House Bill No. 4409** 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 34; NAYS 20.

The following voted in the affirmative:

Aquino	Feigenholtz	Lightford	Turner, D.
Belt	Fine	Martwick	Ventura
Castro	Halpin	Morrison	Villa
Cervantes	Harris, N.	Peters	Villanueva
Collins	Hastings	Porfrio	Villivalam
Cunningham	Hunter	Preston	Walker
Edly-Allen	Johnson	Simmons	Mr. President
Ellman	Jones, E.	Sims	
Faraci	Koehler	Toro	

The following voted in the negative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 1:29 o'clock p.m., the Chair announced that the Senate stands at ease.

#### AT EASE

At the hour of 1:35 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 May 21, 2024 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture: **Committee Amendment No. 1 to House Bill 1855.**

Financial Institutions: **Committee Amendment No. 1 to House Bill 5428.**

Health and Human Services: **Floor Amendment No. 3 to Senate Bill 3723; Floor Amendment No. 4 to Senate Bill 3723; Committee Amendment No. 1 to House Bill 4491.**

[May 21, 2024]

Insurance: **Floor Amendment No. 2 to House Bill 2499; Committee Amendment No. 1 to House Bill 5142; Committee Amendment No. 2 to House Bill 5395.**

Revenue: **Floor Amendment No. 3 to House Bill 4179.**

Transportation: **House Bill No. 4489; Floor Amendment No. 1 to Senate Bill 899.**

Senator Lightford, Chair of the Committee on Assignments, during its May 21, 2024 meeting, to which was referred **Senate Bills Numbered 496 and 497** on March 31, 2023, pursuant to Rule 3-9(a), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 496 and 497** were returned to the order of third reading.

Senator Lightford, Chair of the Committee on Assignments, during its May 21, 2024 meeting, to which was referred **Senate Bill No. 251** on June 26, 2023, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 251** was returned to the order of third reading.

Pursuant to Senate Rule 3-8 (b-1), the following amendment will remain in the Committee on Assignments: **Floor Amendment No. 5 to House Bill 3046.**

#### POSTING NOTICES WAIVED

Senator Joyce moved to waive the six-day posting requirement on **House Bills numbered 4819 and 5028** so that the measures may be heard in the Committee on State Government that is scheduled to meet May 22, 2024.

The motion prevailed.

Senator Joyce moved to waive the six-day posting requirement on **House Joint Resolution No. 58** so that the measure may be heard in the Committee on State Government that is scheduled to meet May 22, 2024.

The motion prevailed.

Senator Morrison moved to waive the six-day posting requirement on **House Bill No. 4491** so that the measure may be heard in the Committee on Health and Human Services that is scheduled to meet May 21, 2024.

The motion prevailed.

Senator Villivalam moved to waive the six-day posting requirement on **House Bill No. 4489** so that the measure may be heard in the Committee on Transportation that is scheduled to meet May 21, 2024.

The motion prevailed.

Senator Faraci moved to waive the six-day posting requirement on **House Bill No. 5324** so that the measure may be heard in the Committee on Labor that is scheduled to meet May 22, 2024.

The motion prevailed.

#### COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet immediately upon adjournment:

Education in Room 212

[May 21, 2024]

Judiciary in Room 409

The Chair announced the following committees to meet at 3:00 o'clock p.m.:

Transportation in Room 212  
Health and Human Services in Room 400

The Chair announced the following committee to meet at 4:30 o'clock p.m.:

Insurance in Room 400

### **LEGISLATIVE MEASURES FILED**

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

Amendment No. 2 to House Bill 4276

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

Amendment No. 1 to Senate Bill 496  
Amendment No. 1 to Senate Bill 497  
Amendment No. 2 to Senate Bill 899

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. 2 to House Bill 4209

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

Amendment No. 2 to Senate Bill 3527  
Amendment No. 1 to Senate Bill 3591  
Amendment No. 3 to Senate Bill 3736  
Amendment No. 1 to Senate Bill 3737

At the hour of 1:45 o'clock p.m., the Chair announced that the Senate stands adjourned until Wednesday, May 22, 2024, at 12:00 o'clock p.m.

### **PERFUNCTORY SESSION 6:55 O'CLOCK P.M.**

The Senate met in perfunctory session pursuant to the directive of the President.  
Pursuant to Senate Rule 2-5(c)2, the Secretary of the Senate conducted the perfunctory session.

[May 21, 2024]

**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

May 21, 2024

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

Dear Mr. Secretary:

Pursuant to Senate Rule 2-10, I am scheduling a Perfunctory Session to convene on May 21, 2024.

s/Don Harmon  
Don Harmon  
Senate President

cc: Senate Republican Leader John F. Curran

**PRESENTATION OF RESOLUTION**

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

**SENATE RESOLUTION NO. 1018**

WHEREAS, On February 5, 2024, the Occupational Safety and Health Administration (OSHA) published a notice of proposed rulemaking to issue a new safety and health standard, titled Emergency Response, to replace the existing Fire Brigades Standard, 29 C.F.R 1910.156; and

WHEREAS, OSHA has requested public comment on the proposed rulemaking that is scheduled to conclude June 21, 2024; and

WHEREAS, The State of Illinois has an OSHA-approved state plan; Illinois OSHA has adopted all OSHA standards in 29 CFR 1910; all proposed changes, if adopted, become compulsory for all Illinois fire departments; and

WHEREAS, While the proposed provisions by OSHA intend to improve the safety of emergency responders, compliance with many of the new OSHA requirements would be financially burdensome and, in some cases, unfeasible for volunteer fire and emergency service departments; and

WHEREAS, The State of Illinois has 1,107 registered fire departments, 65.2% of which are fully volunteer and 14.1% are mostly volunteer; and

WHEREAS, OSHA's economic impact analysis of the potential changes lists the average annualized cost per organization at \$14,551 for volunteer departments and \$18,853 for mixed departments; and

[May 21, 2024]

WHEREAS, Volunteer fire protection districts in Illinois have limited resources, and any additional costs would hamper fire protection safety; and

WHEREAS, OSHA is unable to certify that the proposed rule will not have a significant economic impact on a substantial number of small entities; and

WHEREAS, OSHA's proposed rules have triggered the need for an Initial Regulatory Flexibility Analysis (IRFA) mandated by the Regulatory Flexibility Act (RFA) to determine the true cost to local fire departments; and

WHEREAS, Fire protection districts, especially volunteer fire departments, are an important pillar of public safety in Illinois; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge OSHA and the federal government to not implement new fire protection standards that will place a financial burden on public safety; and be it further

RESOLVED, That we urge OSHA and the federal government to conduct further analysis on the proposed changes to minimize the financial burden on small-entity volunteer fire departments; and be it further

RESOLVED, That a suitable copy of this resolution be sent to all members of the Illinois Congressional Delegation.

#### INTRODUCTION OF BILL

**SENATE BILL NO. 3956.** Introduced by Senator Ellman, a bill for AN ACT concerning firearm safety.

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

#### REPORTS FROM STANDING COMMITTEES

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

Senate Amendment No. 2 to Senate Bill 458

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

Senator Johnson, Chair of the Committee on Education, to which was referred **House Bill No. 5057**, 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 4426 and 5086**, 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 4276 and 4588**, 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 4660

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

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

Senate Amendment No. 3 to Senate Bill 3723

Senate Amendment No. 4 to Senate Bill 3723

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

Senator Morrison, Chair of the Committee on Health and Human Services, to which was referred **House Bill No. 4491**, 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 5000

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 the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 899

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 Bill No. 4489**, 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 **House Bills Numbered 4367, 5142 and 5395**, 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 the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to House Bill 2499

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

**MESSAGES FROM THE HOUSE**

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 463

A bill for AN ACT concerning education.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 463

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 463**

AMENDMENT NO. 2 . Amend Senate Bill 463 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 21B-20, 24-11, and 24A-7 as follows:  
(105 ILCS 5/21B-20)

Sec. 21B-20. Types of licenses. The State Board of Education shall implement a system of educator licensure, whereby individuals employed in school districts who are required to be licensed must have one of the following licenses: (i) a professional educator license; (ii) an educator license with stipulations; (iii) a substitute teaching license; or (iv) until June 30, 2028, a short-term substitute teaching license. References in law regarding individuals certified or certificated or required to be certified or certificated under Article 21 of this Code shall also include individuals licensed or required to be licensed under this Article. The first year of all licenses ends on June 30 following one full year of the license being issued.

The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to govern the requirements for licenses and endorsements under this Section.

(1) Professional Educator License. Persons who (i) have successfully completed an approved educator preparation program and are recommended for licensure by the Illinois institution offering the educator preparation program, (ii) have successfully completed the required testing under Section 21B-30 of this Code, (iii) have successfully completed coursework on the psychology of, the identification of, and the methods of instruction for the exceptional child, including, without limitation, children with learning disabilities, (iv) have successfully completed coursework in methods of reading and reading in the content area, and (v) have met all other criteria established by rule of the State Board of Education shall be issued a Professional Educator License. All Professional Educator Licenses are valid until June 30 immediately following 5 years of the license being issued. The Professional Educator License shall be endorsed with specific areas and grade levels in which the individual is eligible to practice. For an early childhood education endorsement, an individual may satisfy the student teaching requirement of his or her early childhood teacher preparation program through placement in a setting with children from birth through grade 2, and the individual may be paid and receive credit while student teaching. The student teaching experience must meet the requirements of and be approved by the individual's early childhood teacher preparation program.

Individuals can receive subsequent endorsements on the Professional Educator License. Subsequent endorsements shall require a minimum of 24 semester hours of coursework in the endorsement area and passage of the applicable content area test, unless otherwise specified by rule.

(2) Educator License with Stipulations. An Educator License with Stipulations shall be issued an endorsement that limits the license holder to one particular position or does not require completion of an approved educator program or both.

An individual with an Educator License with Stipulations must not be employed by a school district or any other entity to replace any presently employed teacher who otherwise would not be replaced for any reason.

An Educator License with Stipulations may be issued with the following endorsements:

(A) (Blank).

[May 21, 2024]

(B) Alternative provisional educator. An alternative provisional educator endorsement on an Educator License with Stipulations may be issued to an applicant who, at the time of applying for the endorsement, has done all of the following:

- (i) Graduated from a regionally accredited college or university with a minimum of a bachelor's degree.
- (ii) Successfully completed the first phase of the Alternative Educator Licensure Program for Teachers, as described in Section 21B-50 of this Code.
- (iii) Passed a content area test, as required under Section 21B-30 of this Code.

The alternative provisional educator endorsement is valid for 2 years of teaching and may be renewed for a third year by an individual meeting the requirements set forth in Section 21B-50 of this Code.

(C) Alternative provisional superintendent. An alternative provisional superintendent endorsement on an Educator License with Stipulations entitles the holder to serve only as a superintendent or assistant superintendent in a school district's central office. This endorsement may only be issued to an applicant who, at the time of applying for the endorsement, has done all of the following:

- (i) Graduated from a regionally accredited college or university with a minimum of a master's degree in a management field other than education.
- (ii) Been employed for a period of at least 5 years in a management level position in a field other than education.
- (iii) Successfully completed the first phase of an alternative route to superintendent endorsement program, as provided in Section 21B-55 of this Code.
- (iv) Passed a content area test required under Section 21B-30 of this Code.

The endorsement is valid for 2 fiscal years in order to complete one full year of serving as a superintendent or assistant superintendent.

(D) (Blank).

(E) Career and technical educator. A career and technical educator endorsement on an Educator License with Stipulations may be issued to an applicant who has a minimum of 60 semester hours of coursework from a regionally accredited institution of higher education or an accredited trade and technical institution and has a minimum of 2,000 hours of experience outside of education in each area to be taught.

The career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed.

An individual who holds a valid career and technical educator endorsement on an Educator License with Stipulations but does not hold a bachelor's degree may substitute teach in career and technical education classrooms.

An individual who holds a valid career and technical educator endorsement on an Educator License with Stipulations is entitled to all of the rights and privileges granted to a holder of a Professional Educator License.

(F) (Blank).

(G) Transitional bilingual educator. A transitional bilingual educator endorsement on an Educator License with Stipulations may be issued for the purpose of providing instruction in accordance with Article 14C of this Code to an applicant who provides satisfactory evidence that he or she meets all of the following requirements:

- (i) Possesses adequate speaking, reading, and writing ability in the language other than English in which transitional bilingual education is offered.
- (ii) Has the ability to successfully communicate in English.
- (iii) Either possessed, within 5 years previous to his or her applying for a transitional bilingual educator endorsement, a valid and comparable teaching certificate or comparable authorization issued by a foreign country or holds a degree from an institution of higher learning in a foreign country that the State Educator Preparation and Licensure Board determines to be the equivalent of a bachelor's degree from a regionally accredited institution of higher learning in the United States.

A transitional bilingual educator endorsement shall be valid for prekindergarten through grade 12, is valid until June 30 immediately following 5 years of the endorsement being issued, and shall not be renewed.

Persons holding a transitional bilingual educator endorsement shall not be employed to replace any presently employed teacher who otherwise would not be replaced for any reason.

(H) Language endorsement. In an effort to alleviate the shortage of teachers speaking a language other than English in the public schools, an individual who holds an Educator License with Stipulations may also apply for a language endorsement, provided that the applicant provides satisfactory evidence that he or she meets all of the following requirements:

(i) Holds a transitional bilingual endorsement.

(ii) Has demonstrated proficiency in the language for which the endorsement is to be issued by passing the applicable language content test required by the State Board of Education.

(iii) Holds a bachelor's degree or higher from a regionally accredited institution of higher education or, for individuals educated in a country other than the United States, holds a degree from an institution of higher learning in a foreign country that the State Educator Preparation and Licensure Board determines to be the equivalent of a bachelor's degree from a regionally accredited institution of higher learning in the United States.

(iv) (Blank).

A language endorsement on an Educator License with Stipulations is valid for prekindergarten through grade 12 for the same validity period as the individual's transitional bilingual educator endorsement on the Educator License with Stipulations and shall not be renewed.

(I) Visiting international educator. A visiting international educator endorsement on an Educator License with Stipulations may be issued to an individual who is being recruited by a particular school district that conducts formal recruitment programs outside of the United States to secure the services of qualified teachers and who meets all of the following requirements:

(i) Holds the equivalent of a minimum of a bachelor's degree issued in the United States.

(ii) Has been prepared as a teacher at the grade level for which he or she will be employed.

(iii) Has adequate content knowledge in the subject to be taught.

(iv) Has an adequate command of the English language.

A holder of a visiting international educator endorsement on an Educator License with Stipulations shall be permitted to teach in bilingual education programs in the language that was the medium of instruction in his or her teacher preparation program, provided that he or she passes the English Language Proficiency Examination or another test of writing skills in English identified by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board.

A visiting international educator endorsement on an Educator License with Stipulations is valid for 5 years and shall not be renewed.

(J) Paraprofessional educator. A paraprofessional educator endorsement on an Educator License with Stipulations may be issued to an applicant who holds a high school diploma or its recognized equivalent and (i) holds an associate's degree or a minimum of 60 semester hours of credit from a regionally accredited institution of higher education; (ii) has passed a paraprofessional competency test under subsection (c-5) of Section 21B-30; or (iii) is at least 18 years of age and will be using the Educator License with Stipulations exclusively for grades prekindergarten through grade 8, until the individual reaches the age of 19 years and otherwise meets the criteria for a paraprofessional educator endorsement pursuant to this subparagraph (J). The paraprofessional educator endorsement is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed through application and payment of the appropriate fee, as required under Section 21B-40 of this Code. An individual who holds only a paraprofessional educator endorsement is not subject to additional requirements in order to renew the endorsement.

(K) Chief school business official. A chief school business official endorsement on an Educator License with Stipulations may be issued to an applicant who qualifies by having a

master's degree or higher, 2 years of full-time administrative experience in school business management or 2 years of university-approved practical experience, and a minimum of 24 semester hours of graduate credit in a program approved by the State Board of Education for the preparation of school business administrators and by passage of the applicable State tests, including an applicable content area test.

The chief school business official endorsement may also be affixed to the Educator License with Stipulations of any holder who qualifies by having a master's degree in business administration, finance, accounting, or public administration and who completes an additional 6 semester hours of internship in school business management from a regionally accredited institution of higher education and passes the applicable State tests, including an applicable content area test. This endorsement shall be required for any individual employed as a chief school business official.

The chief school business official endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed if the license holder completes renewal requirements as required for individuals who hold a Professional Educator License endorsed for chief school business official under Section 21B-45 of this Code and such rules as may be adopted by the State Board of Education.

The State Board of Education shall adopt any rules necessary to implement Public Act 100-288.

(L) Provisional in-state educator. A provisional in-state educator endorsement on an Educator License with Stipulations may be issued to a candidate who has completed an Illinois-approved educator preparation program at an Illinois institution of higher education and who has not successfully completed an evidence-based assessment of teacher effectiveness but who meets all of the following requirements:

(i) Holds at least a bachelor's degree.

(ii) Has completed an approved educator preparation program at an Illinois institution.

(iii) Has passed an applicable content area test, as required by Section 21B-30 of this Code.

(iv) Has attempted an evidence-based assessment of teacher effectiveness and received a minimum score on that assessment, as established by the State Board of Education in consultation with the State Educator Preparation and Licensure Board.

A provisional in-state educator endorsement on an Educator License with Stipulations is valid for one full fiscal year after the date of issuance and may not be renewed.

(M) (Blank).

(N) Specialized services. A specialized services endorsement on an Educator License with Stipulations may be issued as defined and specified by rule.

(O) Provisional career and technical educator. A provisional career and technical educator endorsement on an Educator License with Stipulations may be issued to an applicant who has a minimum of 8,000 hours of work experience in the skill for which the applicant is seeking the endorsement. Each employing school board and regional office of education shall provide verification, in writing, to the State Superintendent of Education at the time the application is submitted that no qualified teacher holding a Professional Educator License or an Educator License with Stipulations with a career and technical educator endorsement is available to teach and that actual circumstances require such issuance.

A provisional career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed.

An individual who holds a provisional career and technical educator endorsement on an Educator License with Stipulations may teach as a substitute teacher in career and technical education classrooms.

An individual who holds a provisional career and technical educator endorsement on an Educator License with Stipulations is entitled to all of the rights and privileges granted to a holder of a Professional Educator License.

(3) Substitute Teaching License. A Substitute Teaching License may be issued to qualified applicants for substitute teaching in all grades of the public schools, prekindergarten through grade 12.

Substitute Teaching Licenses are not eligible for endorsements. Applicants for a Substitute Teaching License must hold a bachelor's degree or higher from a regionally accredited institution of higher education or must be enrolled in an approved educator preparation program in this State and have earned at least 90 credit hours.

Substitute Teaching Licenses are valid for 5 years.

Substitute Teaching Licenses are valid for substitute teaching in every county of this State. If an individual has had his or her Professional Educator License or Educator License with Stipulations suspended or revoked, then that individual is not eligible to obtain a Substitute Teaching License.

A substitute teacher may only teach in the place of a licensed teacher who is under contract with the employing board. If, however, there is no licensed teacher under contract because of an emergency situation, then a district may employ a substitute teacher for no longer than 30 calendar days per each vacant position in the district if the district notifies the appropriate regional office of education within 5 business days after the employment of the substitute teacher in that vacant position. A district may continue to employ that same substitute teacher in that same vacant position for 90 calendar days or until the end of the semester, whichever is greater, if, prior to the expiration of the 30-calendar-day period then current, the district files a written request with the appropriate regional office of education for a 30-calendar-day extension on the basis that the position remains vacant and the district continues to actively seek qualified candidates and provides documentation that it has provided training specific to the position, including training on meeting the needs of students with disabilities and English learners if applicable. Each extension request shall be granted in writing by the regional office of education. An emergency situation is one in which an unforeseen vacancy has occurred and (i) a teacher is unexpectedly unable to fulfill his or her contractual duties or (ii) teacher capacity needs of the district exceed previous indications or vacancies are unfilled due to a lack of qualified candidates, and the district is actively engaged in advertising to hire a fully licensed teacher for the vacant position.

There is no limit on the number of days that a substitute teacher may teach in a single school district, provided that no substitute teacher may teach for longer than 120 days beginning with the 2021-2022 school year through the 2022-2023 school year, otherwise 90 school days for any one licensed teacher under contract in the same school year. A substitute teacher who holds a Professional Educator License or Educator License with Stipulations shall not teach for more than 120 school days for any one licensed teacher under contract in the same school year. The limitations in this paragraph (3) on the number of days a substitute teacher may be employed do not apply to any school district operating under Article 34 of this Code.

A school district may not require an individual who holds a valid Professional Educator License or Educator License with Stipulations to seek or hold a Substitute Teaching License to teach as a substitute teacher.

(4) Short-Term Substitute Teaching License. Beginning on July 1, 2018 and until June 30, 2028, applicants may apply to the State Board of Education for issuance of a Short-Term Substitute Teaching License. A Short-Term Substitute Teaching License may be issued to a qualified applicant for substitute teaching in all grades of the public schools, prekindergarten through grade 12. Short-Term Substitute Teaching Licenses are not eligible for endorsements. Applicants for a Short-Term Substitute Teaching License must hold an associate's degree or have completed at least 60 credit hours from a regionally accredited institution of higher education.

Short-Term Substitute Teaching Licenses are valid for substitute teaching in every county of this State. If an individual has had his or her Professional Educator License or Educator License with Stipulations suspended or revoked, then that individual is not eligible to obtain a Short-Term Substitute Teaching License.

The provisions of Sections 10-21.9 and 34-18.5 of this Code apply to short-term substitute teachers.

An individual holding a Short-Term Substitute Teaching License may teach no more than 15 consecutive days per licensed teacher who is under contract. For teacher absences lasting 6 or more days per licensed teacher who is under contract, a school district may not hire an individual holding a Short-Term Substitute Teaching License, unless the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act. An individual holding a Short-Term Substitute Teaching License must complete the training program

under Section 10-20.67 or 34-18.60 of this Code to be eligible to teach at a public school. Short-Term Substitute Teaching Licenses under this Section are valid for 5 years.  
 (Source: P.A. 102-711, eff. 1-1-23; 102-712, eff. 4-27-22; 102-713, eff. 1-1-23; 102-717, eff. 4-29-22; 102-894, eff. 5-20-22; 103-111, eff. 6-29-23; 103-154, eff. 6-30-23; 103-193, eff. 1-1-24; 103-564, eff. 11-17-23.)

(105 ILCS 5/24-11) (from Ch. 122, par. 24-11)

Sec. 24-11. Boards of Education - Boards of School Inspectors - Contractual continued service.

(a) As used in this and the succeeding Sections of this Article:

"Teacher" means any or all school district employees regularly required to be licensed under laws relating to the licensure of teachers.

"Board" means board of directors, board of education, or board of school inspectors, as the case may be.

"School term" means that portion of the school year, July 1 to the following June 30, when school is in actual session.

"Program" means a program of a special education joint agreement.

"Program of a special education joint agreement" means instructional, consultative, supervisory, administrative, diagnostic, and related services that are managed by a special educational joint agreement designed to service 2 or more school districts that are members of the joint agreement.

"PERA implementation date" means the implementation date of an evaluation system for teachers as specified by Section 24A-2.5 of this Code for all schools within a school district or all programs of a special education joint agreement.

(b) This Section and Sections 24-12 through 24-16 of this Article apply only to school districts having less than 500,000 inhabitants.

(c) Any teacher who is first employed as a full-time teacher in a school district or program prior to the PERA implementation date and who is employed in that district or program for a probationary period of 4 consecutive school terms shall enter upon contractual continued service in the district or in all of the programs that the teacher is legally qualified to hold, unless the teacher is given written notice of dismissal by certified mail, return receipt requested, by the employing board at least 45 days before the end of any school term within such period.

(d) For any teacher who is first employed as a full-time teacher in a school district or program on or after the PERA implementation date but before July 1, 2023, the probationary period shall be one of the following periods, based upon the teacher's school terms of service and performance, before the teacher shall enter upon contractual continued service in the district or in all of the programs that the teacher is legally qualified to hold, unless the teacher is given written notice of dismissal by certified mail, return receipt requested, by the employing board on or before April 15:

(1) 4 consecutive school terms of service in which the teacher holds a Professional Educator License, an Educator License with Stipulations with a career and technical educator endorsement, or an Educator License with Stipulations with a provisional career and technical educator endorsement and receives overall annual evaluation ratings of at least "Proficient" in the last school term and at least "Proficient" in either the second or third school terms;

(2) 3 consecutive school terms of service in which the teacher holds a Professional Educator License, an Educator License with Stipulations with a career and technical educator endorsement, or an Educator License with Stipulations with a provisional career and technical educator endorsement and receives 2 overall annual evaluations of "Excellent"; or

(3) 2 consecutive school terms of service in which the teacher holds a Professional Educator License, an Educator License with Stipulations with a career and technical educator endorsement, or an Educator License with Stipulations with a provisional career and technical educator endorsement and receives 2 overall annual evaluations of "Excellent" service, but only if the teacher (i) previously attained contractual continued service in a different school district or program in this State, (ii) voluntarily departed or was honorably dismissed from that school district or program in the school term immediately prior to the teacher's first school term of service applicable to the attainment of contractual continued service under this subdivision (3), and (iii) received, in his or her 2 most recent overall annual or biennial evaluations from the prior school district or program, ratings of at least "Proficient", with both such ratings occurring after the school district's or program's PERA implementation date. For a teacher to attain contractual continued service under this subdivision (3), the teacher shall provide official copies of his or her 2 most recent overall annual or biennial

evaluations from the prior school district or program to the new school district or program within 60 days from the teacher's first day of service with the new school district or program. The prior school district or program must provide the teacher with official copies of his or her 2 most recent overall annual or biennial evaluations within 14 days after the teacher's request. If a teacher has requested such official copies prior to 45 days after the teacher's first day of service with the new school district or program and the teacher's prior school district or program fails to provide the teacher with the official copies required under this subdivision (3), then the time period for the teacher to submit the official copies to his or her new school district or program must be extended until 14 days after receipt of such copies from the prior school district or program. If the prior school district or program fails to provide the teacher with the official copies required under this subdivision (3) within 90 days from the teacher's first day of service with the new school district or program, then the new school district or program shall rely upon the teacher's own copies of his or her evaluations for purposes of this subdivision (3).

If the teacher does not receive overall annual evaluations of "Excellent" in the school terms necessary for eligibility to achieve accelerated contractual continued service in subdivisions (2) and (3) of this subsection (d), the teacher shall be eligible for contractual continued service pursuant to subdivision (1) of this subsection (d). If, at the conclusion of 4 consecutive school terms of service that count toward attainment of contractual continued service, the teacher's performance does not qualify the teacher for contractual continued service under subdivision (1) of this subsection (d), then the teacher shall not enter upon contractual continued service and shall be dismissed. If a performance evaluation is not conducted for any school term when such evaluation is required to be conducted under Section 24A-5 of this Code, then the teacher's performance evaluation rating for such school term for purposes of determining the attainment of contractual continued service shall be deemed "Proficient", except that, during any time in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, this default to "Proficient" does not apply to any teacher who has entered into contractual continued service and who was deemed "Excellent" on his or her most recent evaluation. During any time in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and unless the school board and any exclusive bargaining representative have completed the performance rating for teachers or mutually agreed to an alternate performance rating, any teacher who has entered into contractual continued service, whose most recent evaluation was deemed "Excellent", and whose performance evaluation is not conducted when the evaluation is required to be conducted shall receive a teacher's performance rating deemed "Excellent". A school board and any exclusive bargaining representative may mutually agree to an alternate performance rating for teachers not in contractual continued service during any time in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, as long as the agreement is in writing.

(d-5) For any teacher who is first employed as a full-time teacher in a school district or program on or after July 1, 2023, the probationary period shall be one of the following periods, based upon the teacher's school terms of service and performance, before the teacher shall enter upon contractual continued service in the district or in all of the programs that the teacher is legally qualified to hold, unless the teacher is given written notice of dismissal by certified mail, return receipt requested, by the employing board on or before April 15:

(1) 3 consecutive school terms of service in which the teacher holds a Professional Educator License, an Educator License with Stipulations with a career and technical educator endorsement, or an Educator License with Stipulations with a provisional career and technical educator endorsement and receives overall annual evaluation ratings of at least "Proficient" in the second and third school terms;

(2) 2 consecutive school terms of service in which the teacher holds a Professional Educator License, an Educator License with Stipulations with a career and technical educator endorsement, or an Educator License with Stipulations with a provisional career and technical educator endorsement and receives 2 overall annual evaluations of "Excellent"; or

(3) 2 consecutive school terms of service in which the teacher holds a Professional Educator License, an Educator License with Stipulations with a career and technical educator endorsement, or an Educator License with Stipulations with a provisional career and technical educator endorsement and receives 2 overall annual evaluations of "Excellent" service, but only if the teacher (i) previously attained contractual continued service in a different school district or program in this State, (ii)

voluntarily departed or was honorably dismissed from that school district or program in the school term immediately prior to the teacher's first school term of service applicable to the attainment of contractual continued service under this subdivision (3), and (iii) received, in his or her 2 most recent overall annual or biennial evaluations from the prior school district or program, ratings of at least "Proficient", with both such ratings occurring after the school district's or program's PERA implementation date. For a teacher to attain contractual continued service under this subdivision (3), the teacher shall provide official copies of his or her 2 most recent overall annual or biennial evaluations from the prior school district or program to the new school district or program within 60 days from the teacher's first day of service with the new school district or program. The prior school district or program must provide the teacher with official copies of his or her 2 most recent overall annual or biennial evaluations within 14 days after the teacher's request. If a teacher has requested such official copies prior to 45 days after the teacher's first day of service with the new school district or program and the teacher's prior school district or program fails to provide the teacher with the official copies required under this subdivision (3), then the time period for the teacher to submit the official copies to his or her new school district or program must be extended until 14 days after receipt of such copies from the prior school district or program. If the prior school district or program fails to provide the teacher with the official copies required under this subdivision (3) within 90 days from the teacher's first day of service with the new school district or program, then the new school district or program shall rely upon the teacher's own copies of his or her evaluations for purposes of this subdivision (3).

If the teacher does not receive overall annual evaluations of "Excellent" in the school terms necessary for eligibility to achieve accelerated contractual continued service in subdivisions (2) and (3) of this subsection (d-5) ~~(4)~~, the teacher shall be eligible for contractual continued service pursuant to subdivision (1) of this subsection (d-5) ~~(4)~~. If, at the conclusion of 3 consecutive school terms of service that count toward attainment of contractual continued service, the teacher's performance does not qualify the teacher for contractual continued service under subdivision (1) of this subsection (d-5) ~~(4)~~, then the teacher shall not enter upon contractual continued service and shall be dismissed. If a performance evaluation is not conducted for any school term when such evaluation is required to be conducted under Section 24A-5 of this Code, then the teacher's performance evaluation rating for such school term for purposes of determining the attainment of contractual continued service shall be deemed "Proficient", except that, during any time in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, this default to "Proficient" does not apply to any teacher who has entered into contractual continued service and who was deemed "Excellent" on his or her most recent evaluation. During any time in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and unless the school board and any exclusive bargaining representative have completed the performance rating for teachers or mutually agreed to an alternate performance rating, any teacher who has entered into contractual continued service, whose most recent evaluation was deemed "Excellent", and whose performance evaluation is not conducted when the evaluation is required to be conducted shall receive a teacher's performance rating deemed "Excellent". A school board and any exclusive bargaining representative may mutually agree to an alternate performance rating for teachers not in contractual continued service during any time in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, as long as the agreement is in writing.

(e) For the purposes of determining contractual continued service, a school term shall be counted only toward attainment of contractual continued service if the teacher actually teaches or is otherwise present and participating in the district's or program's educational program for 120 days or more, provided that the days of leave under the federal Family Medical Leave Act that the teacher is required to take until the end of the school term shall be considered days of teaching or participation in the district's or program's educational program. A school term that is not counted toward attainment of contractual continued service shall not be considered a break in service for purposes of determining whether a teacher has been employed for consecutive school terms, provided that the teacher actually teaches or is otherwise present and participating in the district's or program's educational program in the following school term.

(f) If the employing board determines to dismiss the teacher in the last year of the probationary period as provided in subsection (c) of this Section or subdivision (1) or (2) of subsection (d) of this Section or subdivision (1) or (2) of subsection (d-5) of this Section, but not subdivision (3) of subsection (d) of this Section or subdivision (3) of subsection (d-5) of this Section, the written notice of dismissal provided by the

employing board must contain specific reasons for dismissal. Any full-time teacher who does not receive written notice from the employing board on or before April 15 as provided in this Section and whose performance does not require dismissal after the fourth probationary year pursuant to subsection (d) of this Section or the third probationary year pursuant to subsection (d-5) of this Section shall be re-employed for the following school term.

(g) Contractual continued service shall continue in effect the terms and provisions of the contract with the teacher during the last school term of the probationary period, subject to this Act and the lawful regulations of the employing board. This Section and succeeding Sections do not modify any existing power of the board except with respect to the procedure of the discharge of a teacher and reductions in salary as hereinafter provided. Contractual continued service status shall not restrict the power of the board to transfer a teacher to a position which the teacher is qualified to fill or to make such salary adjustments as it deems desirable, but unless reductions in salary are uniform or based upon some reasonable classification, any teacher whose salary is reduced shall be entitled to a notice and a hearing as hereinafter provided in the case of certain dismissals or removals.

(h) If, by reason of any change in the boundaries of school districts, by reason of a special education cooperative reorganization or dissolution in accordance with Section 10-22.31 of this Code, or by reason of the creation of a new school district, the position held by any teacher having a contractual continued service status is transferred from one board to the control of a new or different board, then the contractual continued service status of the teacher is not thereby lost, and such new or different board is subject to this Code with respect to the teacher in the same manner as if the teacher were its employee and had been its employee during the time the teacher was actually employed by the board from whose control the position was transferred.

(i) The employment of any teacher in a program of a special education joint agreement established under Section 3-15.14, 10-22.31 or 10-22.31a shall be governed by this and succeeding Sections of this Article. For purposes of attaining and maintaining contractual continued service and computing length of continuing service as referred to in this Section and Section 24-12, employment in a special educational joint program shall be deemed a continuation of all previous licensed employment of such teacher for such joint agreement whether the employer of the teacher was the joint agreement, the regional superintendent, or one of the participating districts in the joint agreement.

(j) For any teacher employed after July 1, 1987 as a full-time teacher in a program of a special education joint agreement, whether the program is operated by the joint agreement or a member district on behalf of the joint agreement, in the event of a reduction in the number of programs or positions in the joint agreement in which the notice of dismissal is provided on or before the end of the 2010-2011 school term, the teacher in contractual continued service is eligible for employment in the joint agreement programs for which the teacher is legally qualified in order of greater length of continuing service in the joint agreement, unless an alternative method of determining the sequence of dismissal is established in a collective bargaining agreement. For any teacher employed after July 1, 1987 as a full-time teacher in a program of a special education joint agreement, whether the program is operated by the joint agreement or a member district on behalf of the joint agreement, in the event of a reduction in the number of programs or positions in the joint agreement in which the notice of dismissal is provided during the 2011-2012 school term or a subsequent school term, the teacher shall be included on the honorable dismissal lists of all joint agreement programs for positions for which the teacher is qualified and is eligible for employment in such programs in accordance with subsections (b) and (c) of Section 24-12 of this Code and the applicable honorable dismissal policies of the joint agreement.

(k) For any teacher employed after July 1, 1987 as a full-time teacher in a program of a special education joint agreement, whether the program is operated by the joint agreement or a member district on behalf of the joint agreement, in the event of the dissolution of a joint agreement, in which the notice to teachers of the dissolution is provided during the 2010-2011 school term, the teacher in contractual continued service who is legally qualified shall be assigned to any comparable position in a member district currently held by a teacher who has not entered upon contractual continued service or held by a teacher who has entered upon contractual continued service with a shorter length of contractual continued service. Any teacher employed after July 1, 1987 as a full-time teacher in a program of a special education joint agreement, whether the program is operated by the joint agreement or a member district on behalf of the joint agreement, in the event of the dissolution of a joint agreement in which the notice to teachers of the dissolution is provided during the 2011-2012 school term or a subsequent school term, the teacher who is qualified shall be included on the order of honorable dismissal lists of each member district and shall be

assigned to any comparable position in any such district in accordance with subsections (b) and (c) of Section 24-12 of this Code and the applicable honorable dismissal policies of each member district.

(l) The governing board of the joint agreement, or the administrative district, if so authorized by the articles of agreement of the joint agreement, rather than the board of education of a school district, may carry out employment and termination actions including dismissals under this Section and Section 24-12.

(m) The employment of any teacher in a special education program authorized by Section 14-1.01 through 14-14.01, or a joint educational program established under Section 10-22.31a, shall be under this and the succeeding Sections of this Article, and such employment shall be deemed a continuation of the previous employment of such teacher in any of the participating districts, regardless of the participation of other districts in the program.

(n) Any teacher employed as a full-time teacher in a special education program prior to September 23, 1987 in which 2 or more school districts participate for a probationary period of 2 consecutive years shall enter upon contractual continued service in each of the participating districts, subject to this and the succeeding Sections of this Article, and, notwithstanding Section 24-1.5 of this Code, in the event of the termination of the program shall be eligible for any vacant position in any of such districts for which such teacher is qualified.

(Source: P.A. 102-552, eff. 1-1-22; 102-854, eff. 5-13-22; 103-500, eff. 8-4-23.)

(105 ILCS 5/24A-7) (from Ch. 122, par. 24A-7)

Sec. 24A-7. Rules.

(a) The State Board of Education is authorized to adopt such rules as are deemed necessary to implement and accomplish the purposes and provisions of this Article, including, but not limited to, rules:

(1) relating to the methods for measuring student growth (including, but not limited to, limitations on the age of usable data; the amount of data needed to reliably and validly measure growth for the purpose of teacher and principal evaluations; and whether and at what time annual State assessments may be used as one of multiple measures of student growth);

(2) defining the term "significant factor" for purposes of including consideration of student growth in performance ratings;

(3) controlling for such factors as student characteristics (including, but not limited to, students receiving special education and English Learner services), student attendance, and student mobility so as to best measure the impact that a teacher, principal, school and school district has on students' academic achievement;

(4) establishing minimum requirements for district teacher and principal evaluation instruments and procedures; and

(5) establishing a model evaluation plan for use by school districts in which student growth shall comprise 50% of the performance rating.

Notwithstanding any other provision in this Section, such rules shall not preclude a school district having 500,000 or more inhabitants from using an annual State assessment as the sole measure of student growth for purposes of teacher or principal evaluations.

(b) The State Superintendent of Education shall convene a Performance Evaluation Advisory Council, which shall be staffed by the State Board of Education. Members of the Council shall be selected by the State Superintendent and include, without limitation, representatives of teacher unions and school district management, persons with expertise in performance evaluation processes and systems, as well as other stakeholders. The Council shall meet at least quarterly and may also meet at the call of the chairperson of the Council, following August 18, 2017 (the effective date of Public Act 100-211) until ~~December 31, 2024~~ December 31, 2024. The Council shall advise the State Board of Education on the ongoing implementation of performance evaluations in this State, which may include gathering public feedback, sharing best practices, consulting with the State Board on any proposed rule changes regarding evaluations, and other subjects as determined by the chairperson of the Council.

(c) On July 1, 2024, the State Superintendent of Education shall convene a Performance Evaluation Advisory Committee for the purpose of maintaining and improving the evaluator training and pre-qualification program in this State under Section 24A-3. The Committee shall be staffed by the State Board of Education. Members of the Committee shall include, without limitation, representatives from providers of the evaluator retraining and pre-qualification program in this State, which include teacher unions, school district management, including a school district organized under Article 34, and a statewide organization representing regional offices of education. Members of the Committee shall be nominated by the providers and appointed by the State Superintendent.

The Committee shall meet initially at the call of the State Superintendent and shall select one member as chairperson at its initial meeting. The Committee shall meet at least quarterly and may also meet at the call of the chairperson of the Committee.

The Committee shall advise the State Board of Education on the continued implementation of the evaluator training and pre-qualification program in this State, which may include the development and delivery of the program's existing and new administrators' academies, gathering feedback from program instructors and participants, sharing best practices, consulting with the State Board on any proposed rule changes regarding evaluator training, and other subjects as determined by the chairperson of the Committee.

(d) Prior to the applicable implementation date, ~~the these~~ rules shall not apply to teachers assigned to schools identified in an agreement entered into between the board of a school district operating under Article 34 of this Code and the exclusive representative of the district's teachers in accordance with Section 34-85c of this Code.

(Source: P.A. 102-252, eff. 1-1-22; 102-558, eff. 8-20-21.)

Section 99. Effective date. This Act takes effect June 15, 2024."

Under the rules, the foregoing **Senate Bill No. 463**, with House Amendment No. 2, 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. 647

A bill for AN ACT concerning health.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 647

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 647**

AMENDMENT NO. 2 . Amend Senate Bill 647 on page 7, line 23, by inserting "within 12 months" after "occurring"; and

on page 8, line 15, by deleting "and the Medical Licensing Board"; and

on page 9, by replacing lines 2 through 13 with the following:

"(2) Upon the Department of Human Services providing written information to birthing hospitals, all birthing hospitals shall provide new mothers, prior to discharge following childbirth, and, if possible, shall provide fathers and other family members with complete information about maternal mental health conditions, including their symptoms, methods of coping with the illness, treatment resources, post-hospital treatment options, and community resources. Hospitals shall supplement the resources provided by the Department to include relevant resources offered by the hospital, in the region, or community in which the birthing hospital is located, if available. Resources may be provided in an electronic format such as website links or QR Codes."; and

on page 11, line 1, by deleting "and the Medical Licensing Board"; and

on page 11, line 3, by inserting after the period the following:

"Health care professionals or organizations representing health care professionals with expertise in the treatment of maternal mental health conditions shall be consulted in the development of the educational materials."; and

on page 11, line 4, by replacing "2021" with "2026 ~~2021~~".

[May 21, 2024]

Under the rules, the foregoing **Senate Bill No. 647**, with House Amendment No. 2, 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. 774

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. 5 to SENATE BILL NO. 774

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 5 TO SENATE BILL 774**

AMENDMENT NO. 5. Amend Senate Bill 774 on page 17, line 17, by replacing "adopt" with "propose"; and

by replacing line 23 on page 17 through line 18 on page 24 with the following:

"Section 15. The Illinois Public Aid Code is amended by changing Section 5-5.01a as follows:

(305 ILCS 5/5-5.01a)

Sec. 5-5.01a. Supportive living facilities program.

(a) The Department shall establish and provide oversight for a program of supportive living facilities that seek to promote resident independence, dignity, respect, and well-being in the most cost-effective manner.

A supportive living facility is (i) a free-standing facility or (ii) a distinct physical and operational entity within a mixed-use building that meets the criteria established in subsection (d). A supportive living facility integrates housing with health, personal care, and supportive services and is a designated setting that offers residents their own separate, private, and distinct living units.

Sites for the operation of the program shall be selected by the Department based upon criteria that may include the need for services in a geographic area, the availability of funding, and the site's ability to meet the standards.

(b) Beginning July 1, 2014, subject to federal approval, the Medicaid rates for supportive living facilities shall be equal to the supportive living facility Medicaid rate effective on June 30, 2014 increased by 8.85%. Once the assessment imposed at Article V-G of this Code is determined to be a permissible tax under Title XIX of the Social Security Act, the Department shall increase the Medicaid rates for supportive living facilities effective on July 1, 2014 by 9.09%. The Department shall apply this increase retroactively to coincide with the imposition of the assessment in Article V-G of this Code in accordance with the approval for federal financial participation by the Centers for Medicare and Medicaid Services.

The Medicaid rates for supportive living facilities effective on July 1, 2017 must be equal to the rates in effect for supportive living facilities on June 30, 2017 increased by 2.8%.

The Medicaid rates for supportive living facilities effective on July 1, 2018 must be equal to the rates in effect for supportive living facilities on June 30, 2018.

Subject to federal approval, the Medicaid rates for supportive living services on and after July 1, 2019 must be at least 54.3% of the average total nursing facility services per diem for the geographic areas defined by the Department while maintaining the rate differential for dementia care and must be updated whenever the total nursing facility service per diems are updated. Beginning July 1, 2022, upon the implementation of the Patient Driven Payment Model, Medicaid rates for supportive living services must be at least 54.3% of the average total nursing services per diem rate for the geographic areas. For purposes of this provision, the average total nursing services per diem rate shall include all add-ons for nursing facilities for the geographic area provided for in Section 5-5.2. The rate differential for dementia care must be maintained in these rates and the rates shall be updated whenever nursing facility per diem rates are updated.

Subject to federal approval, beginning January 1, 2024, the dementia care rate for supportive living services must be no less than the non-dementia care supportive living services rate multiplied by 1.5.

[May 21, 2024]

(c) The Department may adopt rules to implement this Section. Rules that establish or modify the services, standards, and conditions for participation in the program shall be adopted by the Department in consultation with the Department on Aging, the Department of Rehabilitation Services, and the Department of Mental Health and Developmental Disabilities (or their successor agencies).

(d) Subject to federal approval by the Centers for Medicare and Medicaid Services, the Department shall accept for consideration of certification under the program any application for a site or building where distinct parts of the site or building are designated for purposes other than the provision of supportive living services, but only if:

(1) those distinct parts of the site or building are not designated for the purpose of providing assisted living services as required under the Assisted Living and Shared Housing Act;

(2) those distinct parts of the site or building are completely separate from the part of the building used for the provision of supportive living program services, including separate entrances;

(3) those distinct parts of the site or building do not share any common spaces with the part of the building used for the provision of supportive living program services; and

(4) those distinct parts of the site or building do not share staffing with the part of the building used for the provision of supportive living program services.

(e) Facilities or distinct parts of facilities which are selected as supportive living facilities and are in good standing with the Department's rules are exempt from the provisions of the Nursing Home Care Act and the Illinois Health Facilities Planning Act.

(f) Section 9817 of the American Rescue Plan Act of 2021 (Public Law 117-2) authorizes a 10% enhanced federal medical assistance percentage for supportive living services for a 12-month period from April 1, 2021 through March 31, 2022. Subject to federal approval, including the approval of any necessary waiver amendments or other federally required documents or assurances, for a 12-month period the Department must pay a supplemental \$26 per diem rate to all supportive living facilities with the additional federal financial participation funds that result from the enhanced federal medical assistance percentage from April 1, 2021 through March 31, 2022. The Department may issue parameters around how the supplemental payment should be spent, including quality improvement activities. The Department may alter the form, methods, or timeframes concerning the supplemental per diem rate to comply with any subsequent changes to federal law, changes made by guidance issued by the federal Centers for Medicare and Medicaid Services, or other changes necessary to receive the enhanced federal medical assistance percentage.

(g) All applications for the expansion of supportive living dementia care settings involving sites not approved by the Department on January 1, 2024 (the effective date of Public Act 103-102) ~~this amendatory Act of the 103rd General Assembly~~ may allow new elderly non-dementia units in addition to new dementia care units. The Department may approve such applications only if the application has: (1) no more than one non-dementia care unit for each dementia care unit and (2) the site is not located within 4 miles of an existing supportive living program site in Cook County (including the City of Chicago), not located within 12 miles of an existing supportive living program site in DuPage County, Kane County, Lake County, McHenry County, or Will County, or not located within 25 miles of an existing supportive living program site in any other county.

(f) Subject to federal approval, the Department shall allow a certified medication aide to administer medication in a supportive living facility. For purposes of this subsection, "certified medication aide" means a person who has met the qualifications for certification under Section 79 of the Assisted Living and Shared Housing Act and assists with medication administration while under the supervision of a registered professional nurse as authorized by Section 50-75 of the Nurse Practice Act. The Department may adopt rules to implement this subsection.

(Source: P.A. 102-43, eff. 7-6-21; 102-699, eff. 4-19-22; 103-102, Article 20, Section 20-5, eff. 1-1-24; 103-102, Article 100, Section 100-5, eff. 1-1-24; revised 12-15-23.)"

Under the rules, the foregoing **Senate Bill No. 774**, with House Amendment No. 5, 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. 860

[May 21, 2024]

A bill for AN ACT concerning State government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 860

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 860**

AMENDMENT NO. 2. Amend Senate Bill 860 by replacing everything after the enacting clause with the following:

"Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 15.4 as follows:

(20 ILCS 1705/15.4)

Sec. 15.4. Authorization for nursing delegation to permit direct care staff to administer medications.

(a) This Section applies to (i) all residential programs for persons with a developmental disability in settings of 16 persons or fewer that are funded or licensed by the Department of Human Services and that distribute or administer medications, (ii) all intermediate care facilities for persons with developmental disabilities with 16 beds or fewer that are licensed by the Department of Public Health, and (iii) all day programs certified to serve persons with developmental disabilities by the Department of Human Services. The Department of Human Services shall develop a training program for authorized direct care staff to administer medications under the supervision and monitoring of a registered professional nurse. The training program for authorized direct care staff shall include educational and oversight components for staff who work in day programs that are similar to those for staff who work in residential programs. This training program shall be developed in consultation with professional associations representing (i) physicians licensed to practice medicine in all its branches, (ii) registered professional nurses, and (iii) pharmacists.

(b) For the purposes of this Section:

"Authorized direct care staff" means non-licensed persons who have successfully completed a medication administration training program approved by the Department of Human Services and conducted by a nurse-trainer. This authorization is specific to an individual receiving service in a specific agency and does not transfer to another agency.

"Medications" means oral, ~~injectable~~, auto-injectable, and topical medications, insulin ~~in an injectable form~~, oxygen, ~~epinephrine auto-injectors~~, and vaginal and rectal creams and suppositories. "Oral" includes inhalants and medications administered through enteral tubes, utilizing aseptic technique. "Topical" includes eye, ear, and nasal medications. Any controlled substances must be packaged specifically for an identified individual.

"Insulin in an injectable or auto-injectable form" means a subcutaneous injection, auto-injection, or other technology including, but not limited to: (i) an insulin pump; (ii) an insulin pod; (iii) ~~an~~ an insulin pen pre-filled by the manufacturer; and (iv) a syringe.

"GLP-1 receptor agonists in an injectable or auto-injectable form" means medication used for the treatment of type 1 and type 2 diabetes and obesity. Authorized direct care staff may administer insulin or GLP-1 receptor agonists via auto-injection or an insulin pen pre-filled by the manufacturer as delegated by the registered nurse and, as ordered by a physician, advanced practice registered nurse, or physician assistant, if: (i) the staff has successfully completed a Department-approved advanced training program specific to insulin or GLP-1 receptor agonist administration developed in consultation with professional associations listed in subsection (a) of this Section, and (ii) the staff consults with the registered nurse, prior to administration, of any insulin or GLP-1 receptor agonist dose that is determined based on a blood glucose test result. The authorized direct care staff shall not: (i) calculate the insulin or GLP-1 receptor agonist dosage needed when the dose is dependent upon a blood glucose test result, or (ii) administer insulin or GLP-1 receptor agonists to individuals who require blood glucose monitoring greater than 3 times daily, without consultation with and unless directed to do so by the registered nurse. An individual may self-administer insulin or GLP-1 receptor agonists in any form if the individual is deemed independent by the nurse-trainer through the use of the Department's required standardized screening and assessment instruments.

"Nurse-trainer training program" means a standardized, competency-based medication administration train-the-trainer program provided by the Department of Human Services and conducted by a Department of Human Services master nurse-trainer for the purpose of training nurse-trainers to train persons employed or

[May 21, 2024]

under contract to provide direct care or treatment to individuals receiving services to administer medications and provide self-administration of medication training to individuals under the supervision and monitoring of the nurse-trainer. The program incorporates adult learning styles, teaching strategies, classroom management, and a curriculum overview, including the ethical and legal aspects of supervising those administering medications.

"Self-administration of medications" means an individual administers his or her own medications or a portion of his or her own medications. To be considered capable to self-administer their own medication, individuals must, at a minimum, be able to identify their medication by size, shape, or color, know when they should take the medication, and know the amount of medication to be taken each time. The use of assistive or enabling technologies can be used to demonstrate a person's capability to administer his or her own medications.

"Training program" means a standardized medication administration training program approved by the Department of Human Services and conducted by a registered professional nurse for the purpose of training persons employed or under contract to provide direct care or treatment to individuals receiving services to administer medications and provide self-administration of medication training to individuals under the delegation and supervision of a nurse-trainer. The program incorporates adult learning styles, teaching strategies, classroom management, curriculum overview, including ethical-legal aspects, and standardized competency-based evaluations on administration of medications and self-administration of medication training programs.

(c) Training and authorization of non-licensed direct care staff by nurse-trainers must meet the requirements of this subsection.

(1) Prior to training non-licensed direct care staff to administer medication, the nurse-trainer shall perform the following for each individual to whom medication will be administered by non-licensed direct care staff:

(A) An assessment of the individual's health history and physical and mental status.

(B) An evaluation of the medications prescribed.

(2) Non-licensed authorized direct care staff shall meet the following criteria:

(A) Be 18 years of age or older.

(B) Have completed high school or have a State of Illinois High School Diploma.

(C) Have demonstrated functional literacy.

(D) Have satisfactorily completed the Health and Safety component of a Department of Human Services authorized direct care staff training program.

(E) Have successfully completed the training program, pass the written portion of the comprehensive exam, and score 100% on the competency-based assessment demonstrating proficiency in the skill of administering medication specific to the individual and his or her medications.

(F) Have received additional competency-based assessment or training by the nurse-trainer when the nurse-trainer determines additional skill development is needed to administer medication by the nurse-trainer as deemed necessary by the nurse-trainer whenever a change of medication occurs or a new individual that requires medication administration enters the program.

(3) Authorized direct care staff shall be re-evaluated by a nurse-trainer at least annually or more frequently at the discretion of the registered professional nurse. Any necessary retraining shall be to the extent that is necessary to ensure competency of the authorized direct care staff to administer medication.

(4) Authorization of direct care staff to administer medication shall be revoked if, in the opinion of the registered professional nurse, the authorized direct care staff is no longer competent to administer medication.

(5) The registered professional nurse shall assess an individual's health status at least annually or more frequently at the discretion of the registered professional nurse.

This subsection only applies to settings where the registered professional nurse has jurisdiction. If direct care staff move to other settings, they shall consult with the registered professional nurse who has jurisdiction of that setting.

(d) Medication self-administration shall meet the following requirements:

(1) As part of the normalization process, in order for each individual to attain the highest possible level of independent functioning, all individuals shall be permitted to participate in their total

health care program. This program shall include, but not be limited to, individual training in preventive health and self-administration of medication ~~self-medication~~ procedures.

(A) Every program shall adopt written policies and procedures for assisting individuals who choose to obtain ~~in obtaining~~ preventative health and self-administration of medication ~~self-medication~~ skills in consultation with a registered professional nurse, advanced practice registered nurse, physician assistant, or physician licensed to practice medicine in all its branches.

(B) ~~If an individual desires to gain independence in self-administration of medication, the individual~~ Individuals shall be evaluated to determine ~~the individual's~~ their ability to ~~self-administer medication~~ self-medicate by the nurse-trainer through the use of the Department's required, standardized screening and assessment instruments.

(C) ~~(Blank). When the results of the screening and assessment indicate an individual not to be capable to self-administer his or her own medications, programs shall be developed in consultation with the Community Support Team or Interdisciplinary Team to provide individuals with self-medication administration.~~

(2) Each individual shall be presumed to be competent to self-administer medications if:

(A) authorized by an order of a physician licensed to practice medicine in all its branches, an advanced practice registered nurse, or a physician assistant; and

(B) approved to self-administer medication by the individual's Community Support Team or Interdisciplinary Team, which includes a registered professional nurse or an advanced practice registered nurse.

(e) Quality Assurance.

(1) A registered professional nurse, advanced practice registered nurse, licensed practical nurse, physician licensed to practice medicine in all its branches, physician assistant, or pharmacist shall review the following for all individuals:

(A) Medication orders.

(B) Medication labels, including medications listed on the medication administration record for persons who are not ~~self-administering medication~~ self-medicating to ensure the labels match the orders issued by the physician licensed to practice medicine in all its branches, advanced practice registered nurse, or physician assistant.

(C) Medication administration records for persons who are not ~~self-administering medication~~ self-medicating to ensure that the records are completed appropriately for:

- (i) medication administered as prescribed;
- (ii) refusal by the individual; and
- (iii) full signatures provided for all initials used.

(2) Reviews shall occur at least quarterly, but may be done more frequently at the discretion of the registered professional nurse or advanced practice registered nurse.

(3) A quality assurance review of medication errors and data collection for the purpose of monitoring and recommending corrective action shall be conducted within 7 days and included in the required annual review.

(f) Programs using authorized direct care staff to administer medications are responsible for documenting and maintaining records on the training that is completed.

(g) The absence of this training program constitutes a threat to the public interest, safety, and welfare and necessitates emergency rulemaking by the Departments of Human Services and Public Health under Section 5-45 of the Illinois Administrative Procedure Act.

(h) Direct care staff who fail to qualify for delegated authority to administer medications pursuant to the provisions of this Section shall be given additional education and testing to meet criteria for delegation authority to administer medications. Any direct care staff person who fails to qualify as an authorized direct care staff after initial training and testing must within 3 months be given another opportunity for retraining and retesting. A direct care staff person who fails to meet criteria for delegated authority to administer medication, including, but not limited to, failure of the written test on 2 occasions shall be given consideration for shift transfer or reassignment, if possible. No employee shall be terminated for failure to qualify during the 3-month time period following initial testing. Refusal to complete training and testing required by this Section may be grounds for immediate dismissal.

(i) No authorized direct care staff person delegated to administer medication shall be subject to suspension or discharge for errors resulting from the staff person's acts or omissions when performing the

functions unless the staff person's actions or omissions constitute willful and wanton conduct. Nothing in this subsection is intended to supersede paragraph (4) of subsection (c).

(j) A registered professional nurse, advanced practice registered nurse, physician licensed to practice medicine in all its branches, or physician assistant shall be on duty or on call at all times in any program covered by this Section.

(k) The employer shall be responsible for maintaining liability insurance for any program covered by this Section.

(l) Any direct care staff person who qualifies as authorized direct care staff pursuant to this Section shall be granted consideration for a one-time additional salary differential. The Department shall determine and provide the necessary funding for the differential in the base. This subsection (l) is inoperative on and after June 30, 2000.

(Source: P.A. 102-1100, eff. 1-1-23.)".

Under the rules, the foregoing **Senate Bill No. 860**, with House Amendment No. 2, 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. 2371

A bill for AN ACT concerning State government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 2371

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 2371**

AMENDMENT NO. 2 . Amend Senate Bill 2371 on page 24, by replacing lines 17 and 18 with the following:

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

Under the rules, the foregoing **Senate Bill No. 2371**, with House Amendment No. 2, 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. 2586

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. 2586

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 2586**

AMENDMENT NO. 1 . Amend Senate Bill 2586 on page 7, by replacing lines 4 through 11 with the following:

"(a) As used in this Section, "patient of record" means a patient for whom the patient's most recent Illinois-licensed dentist has obtained a relevant medical and dental history and on whom the dentist has (i) performed a physical examination within the last year; (ii) obtained relevant records that are appropriate for the type of teledentistry service being provided from an in-person examination within the previous 12 months, including a review of the patient's most recent x-rays; or (iii) established a relationship with the

[May 21, 2024]

patient through an exchange of protected health information for the purpose of providing emergency care, treatment, or services in accordance with subsection (c)."; and

on page 8, by replacing lines 5 through 10 with the following:

"other regulatory agency. The Department shall adopt rules to provide for the use of teledentistry in the State of Illinois.

(c) A dentist may treat a patient of record to provide emergent care or conduct an initial consultation using teledentistry for the purpose of treating or assessing for acute pain, infection, injury, or any intraoral or perioral condition that presents immediate harm or discomfort to the patient for which treatment cannot be postponed. A provider of dental services rendering emergent care or conducting an initial consultation through teledentistry must direct the patient to receive appropriate in-person care after the provision of teledentistry services."

Under the rules, the foregoing **Senate Bill No. 2586**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by  
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2628

A bill for AN ACT concerning transportation.

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. 2628

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 3 TO SENATE BILL 2628**

AMENDMENT NO. 3. Amend Senate Bill 2628 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Administrative Procedure Act is amended by adding Section 5-45.55 as follows:

(5 ILCS 100/5-45.55 new)

Sec. 5-45.55. Emergency rulemaking; the Department of Natural Resources. To provide for the expeditious and timely implementation of Section 13 of the Rivers, Lakes, and Streams Act, emergency rules implementing Section 13 of the Rivers, Lakes, and Streams Act may be adopted in accordance with Section 5-45 by the Department of Natural Resources. The adoption of emergency rules authorized by Section 5-45 and this Section is deemed to be necessary for the public interest, safety, and welfare.

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

Section 10. The Rivers, Lakes, and Streams Act is amended by changing Section 30 and by adding Section 18k as follows:

(615 ILCS 5/18k new)

Sec. 18k. National Flood Insurance Program State agency requirements.

(a) As used in this Section:

"Department" means the Department of Natural Resources.

"Development" and "developed" mean any man-made change to real estate, including, but not limited

to:

(1) demolition, construction, reconstruction, repair, placement of a building, or any structural alteration to a building;

(2) substantial improvement of an existing building;

(3) installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than 180 days per year;

(4) installation of utilities, construction of roads, bridges, culverts, or similar projects;

[May 21, 2024]

(5) redevelopment of a site, or clearing of land as an adjunct of construction or construction or erection of levees, dams, walls, or fences;

(6) drilling, mining, filling, dredging, grading, excavation, paving, or other alterations of the ground surface;

(7) storage of materials, including the placement of gas or liquid storage tanks, and channel modifications or any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" and "developed" do not include resurfacing of pavement when there is no increase in elevation; construction of farm fencing; or gardening, plowing, and similar practices that do not involve filling, grading, or construction of levees.

"Special flood hazard area" means an area having special flood, mudflow or flood-related erosion hazards and shown on a Federal Emergency Management Agency Flood Hazard Boundary Map or Flood Insurance Rate Map as Zone A, AO, A1-A-30, AE, A99, AH, AR, AR/A, AR/AE, AR/AH, AR/AO, AR/A1-A30, V1-V30, VE or V.

"State agencies" means any department, commission, board, or agency under the jurisdiction of the Governor, any board, commission, agency, or authority which has a majority of its members appointed by the Governor, and the Governor's Office.

(b) The Department shall ensure that State agencies comply with National Flood Insurance Program requirements set forth in this Section.

(c) All State agencies shall obtain a special flood hazard area development permit before undertaking development activity on State-owned property that is located in a special flood hazard area. The Department shall adopt an administrative rule setting forth a State special flood hazard area development program to ensure the following via the issuance of permits prior to any State agency development within a special flood hazard area:

(1) Review of all proposed new development in a special flood hazard area to ensure compliance with the standards set forth in the administrative rule.

(2) Monitoring and inspecting developments currently under construction in a special flood hazard area to ensure compliance with the standards set forth in the administrative rule.

(3) Correction, to the extent reasonably practical in the sole determination of the Department, of all previous development in a special flood hazard area found not to be in compliance with the standards set forth in the administrative rule.

(4) The standards set forth in the administrative rule shall, at a minimum, be as stringent as the federal regulations adopted by the Federal Emergency Management Agency to implement the National Flood Insurance Act (42 U.S.C. 4001 et seq.) that are published in 44 CFR 59 through 60.

(d) State agencies that administer grants or loans for financing a development within a special flood hazard area shall cooperate with the Department to ensure that participants in their programs are informed of the existence and location of special flood hazard areas and of any State or local floodplain requirements that are in effect in such areas.

(e) State agencies that are responsible for regulating or permitting a development within a special flood hazard area shall cooperate with the Department to ensure that participants in their programs are informed of the existence and location of special flood hazard areas and of any State or local floodplain requirements that are in effect in such areas.

(f) State agencies that are engaged in planning programs or promoting a program for the development shall cooperate with the Department to ensure that participants in their programs are informed of the existence and location of special flood hazard areas and of any State or local floodplain requirements in effect in such areas.

(g) The Department shall provide available special flood hazard area information to assist State agencies in complying with the requirements established by this Section. The Department may enter into a memorandum of understanding with a State agency to outline procedures and processes to review proposed development activity on State-owned property located in a special flood hazard area. Such a memorandum of understanding may allow for alternative approvals for the issuance of permits. If the Department enters into a memorandum of understanding with a State agency to allow an alternative permit process any permits or work completed under those alternatives is subject to audit and review by the Department.

(615 ILCS 5/30) (from Ch. 19, par. 78.1)

Sec. 30. The Department of Natural Resources may make such reasonable rules and regulations as may be necessary to administer this Act.

The Department may adopt emergency rules in accordance with Sections 5-45 and 5-45.55 of the Illinois Administrative Procedure Act. The adoption of emergency rules authorized by Sections 5-45 and 5-45.55 of the Illinois Administrative Procedure Act and this paragraph is deemed to be necessary for the public interest, safety, and welfare.  
(Source: P.A. 89-445, eff. 2-7-96.)"

Under the rules, the foregoing **Senate Bill No. 2628**, with House Amendment No. 3, was referred to the Secretary's Desk.

A message from the House by  
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2641

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. 2641

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 2641**

AMENDMENT NO. 1. Amend Senate Bill 2641 by replacing everything after the enacting clause with the following:

"Section 5. 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 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;

[May 21, 2024]

(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, 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 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.

(1.5) Beginning January 1, 2026, every insurer shall demonstrate to the Director that each in-network hospital has at least one radiologist, pathologist, anesthesiologist, and emergency room physician as a preferred provider in a network plan. The Department may, by rule, require additional types of hospital-based medical specialists to be included as preferred providers in each in-network hospital in a network plan.

(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; 102-1117, eff. 1-13-23.)"

Under the rules, the foregoing **Senate Bill No. 2641**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by  
Mr. Hollman, Clerk:

[May 21, 2024]

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. 2643

A bill for AN ACT concerning health.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2643

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 2643**

AMENDMENT NO. 1 . Amend Senate Bill 2643 on page 5, line 21, by replacing "calendar" with "business"; and

on page 8, line 1, by replacing "Class 3 felony" with "Class A misdemeanor".

Under the rules, the foregoing **Senate Bill No. 2643**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2644

A bill for AN ACT concerning State government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 2644

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 2644**

AMENDMENT NO. 2 . Amend Senate Bill 2644 by replacing everything after the enacting clause with the following:

"Section 5. The Secretary of State Act is amended by adding Section 34 as follows:

(15 ILCS 305/34 new)

Sec. 34. Advance Directive Registry.

(a) By January 1, 2027, the Secretary of State shall establish an electronic registry, to be known as the Advance Directive Registry, through which residents of the State of Illinois may deposit, with the Secretary of State, a completed Department of Public Health Uniform Practitioner Order for Life-Sustaining Treatment (POLST) form. In calendar year 2026, the Secretary of State shall, in good faith, promote the Advance Directive Registry throughout the State by disseminating information about the Advance Directive Registry in the form and manner prescribed by the Secretary of State.

(b) Information in the Advance Directive Registry shall be made available electronically to Emergency Medical Services personnel as defined in the Emergency Medical Services (EMS) Systems Act, administrators of hospitals licensed under the Hospital Licensing Act, and administrators of hospitals organized under the University of Illinois Hospital Act. Hospital administrators shall, as appropriate for their respective hospital, provide access to information in the Advance Directive Registry to hospital health care providers and health care professionals. Persons may rely on information obtained from the Advance Directive Registry as an accurate copy of the documents filed with the Advance Directive Registry.

(c) Nothing in this Section shall limit the right to amend or revoke a Department of Public Health Uniform POLST form previously filed with the Advance Directive Registry.

(d) The Secretary of State shall adopt any rules necessary to implement this amendatory Act of the 103rd General Assembly, and the Secretary of State shall also provide on the Secretary of State's website information regarding use of the Advance Directive Registry.

[May 21, 2024]

(e) In the absence of gross negligence or willful misconduct, the Secretary of State and employees of the Secretary of State are immune from any civil or criminal liability in connection with the creation and maintenance of the Advance Directive Registry described in this Section.

(f) A person who knowingly submits a document to the Advance Directive Registry without authorization or assists in such submission shall be guilty of a Class A misdemeanor.

(g) Nothing in this Section requires a health care professional or health care provider, including Emergency Medical Services personnel as defined in the Emergency Medical Services (EMS) Systems Act, a hospital licensed under the Hospital Licensing Act, and a hospital organized under the University of Illinois Hospital Act, to (i) inquire whether a patient has a Department of Public Health Uniform POLST form registered on the Advance Directive Registry or (ii) access or search the Advance Directive Registry to determine whether a patient has registered a Department of Public Health Uniform POLST form or the terms of the form.

(h) A health care professional or health care provider, including Emergency Medical Services personnel as defined in the Emergency Medical Services (EMS) Systems Act, a hospital licensed under the Hospital Licensing Act, and a hospital organized under the University of Illinois Hospital Act, is not subject to civil or criminal liability or professional discipline for failure to access or search the Advance Directive Registry. Notwithstanding any other provision of this Section, a health care professional or health care provider who relies in good faith on the provisions of a Department of Public Health Uniform POLST form retrieved from the Advance Directive Registry is immune from criminal and civil liability as described in subsection (d) of Section 65 of the Health Care Surrogate Act and Section 3.150 of the Emergency Medical Services (EMS) Systems Act."

Under the rules, the foregoing **Senate Bill No. 2644**, with House Amendment No. 2, 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. 2658

A bill for AN ACT concerning health.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2658

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 2658**

AMENDMENT NO. 1. Amend Senate Bill 2658 on page 35, line 10, after "subject to", by inserting "appropriation and"; and

on page 36, line 23, by replacing "The" with "Subject to appropriation, the".

Under the rules, the foregoing **Senate Bill No. 2658**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2662

A bill for AN ACT concerning health.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2662

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

[May 21, 2024]

**AMENDMENT NO. 1 TO SENATE BILL 2662**

AMENDMENT NO. 1 . Amend Senate Bill 2662 on page 2, line 14, by replacing "adult" with "person".

Under the rules, the foregoing **Senate Bill No. 2662**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2737

A bill for AN ACT concerning employment.

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. 2737

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 2737**

AMENDMENT NO. 1 . Amend Senate Bill 2737 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Freedom to Work Act is amended by changing Section 10 as follows:

(820 ILCS 90/10)

Sec. 10. Prohibiting covenants not to compete and covenants not to solicit.

(a) No employer shall enter into a covenant not to compete with any employee unless the employee's actual or expected annualized rate of earnings exceeds \$75,000 per year. This amount shall increase to \$80,000 per year beginning on January 1, 2027, \$85,000 per year beginning on January 1, 2032, and \$90,000 per year beginning on January 1, 2037. A covenant not to compete entered into in violation of this subsection is void and unenforceable.

(b) No employer shall enter into a covenant not to solicit with any employee unless the employee's actual or expected annualized rate of earnings exceeds \$45,000 per year. This amount shall increase to \$47,500 per year beginning on January 1, 2027, \$50,000 per year beginning on January 1, 2032, and \$52,500 per year beginning on January 1, 2037. A covenant not to solicit entered into in violation of this subsection is void and unenforceable.

(c) No employer shall enter into a covenant not to compete or a covenant not to solicit with any employee who an employer terminates or furloughs or lays off as the result of business circumstances or governmental orders related to the COVID-19 pandemic or under circumstances that are similar to the COVID-19 pandemic, unless enforcement of the covenant not to compete includes compensation equivalent to the employee's base salary at the time of termination for the period of enforcement minus compensation earned through subsequent employment during the period of enforcement. A covenant not to compete or a covenant not to solicit entered into in violation of this subsection is void and unenforceable.

(d) A covenant not to compete is void and illegal with respect to individuals covered by a collective bargaining agreement under the Illinois Public Labor Relations Act or the Illinois Educational Labor Relations Act and individuals employed in construction. This subsection (d) does not apply to construction employees who primarily perform management, engineering or architectural, design, or sales functions for the employer or who are shareholders, partners, or owners in any capacity of the employer.

(e) Any covenant not to compete or covenant not to solicit entered into after the effective date of this amendatory Act of the 103rd General Assembly shall not be enforceable with respect to the provision of mental health services to veterans and first responders by any licensed mental health professional in this State if the enforcement of the covenant not to compete or covenant not to solicit is likely to result in an increase in cost or difficulty for any veteran or first responder seeking mental health services.

For the purpose of this subsection:

"First responders" means emergency medical services personnel, as defined in the Emergency Medical Services (EMS) Systems Act, firefighters, and law enforcement officers.

[May 21, 2024]

"Licensed mental health professional" means a person licensed under the Clinical Psychologist Licensing Act, the Clinical Social Work and Social Work Practice Act, the Marriage and Family Therapy Licensing Act, the Nurse Practice Act, or the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act.  
(Source: P.A. 102-358, eff. 1-1-22.)

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

Under the rules, the foregoing **Senate Bill No. 2737**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by  
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2740

A bill for AN ACT concerning civil law.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 2740

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 2740**

AMENDMENT NO. 2. Amend Senate Bill 2740 on page 3, immediately below line 18, by inserting the following:

"(e) An aggrieved unit owner, an aggrieved prospective unit owner, or the board of managers may commence a civil action in State court against a developer or declarant who fails to comply with its requirements under subsection (c). If the court finds that the developer or declarant failed to comply with these requirements, it may award declaratory relief, actual damages, punitive damages and, if appropriate, equitable relief.

The condominium association shall not be held liable for the failure of the developer or declarant to comply with its requirements under subsection (c)."

Under the rules, the foregoing **Senate Bill No. 2740**, with House Amendment No. 2, 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. 2876

A bill for AN ACT concerning safety.

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. 2876

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 2876**

AMENDMENT NO. 1. Amend Senate Bill 2876 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Large Event Facilities Act.

Section 5. Definition of event facility. In this Act, "event facility" means a permanent structure for holding public meetings or public events, including, but not limited to, baseball games, football games, hockey games, automobile races, or other musical, dramatic, artistic, social, or athletic events. "Event

[May 21, 2024]

facility" includes a convention center. "Event facility" does not include a school stadium, a county fair, or a hotel.

Section 10. Recycling and composting requirements.

(a) On and after January 1, 2025, an owner or operator of an event facility that has a maximum legal capacity or occupancy of at least 3,500 persons shall offer the following:

(1) the recycling of items that are generated at a public meeting or public event held at the event facility, including, but not limited to, glass, aluminum cans, cardboard, paper, and plastic beverage cups or bottles;

(2) the transfer of these recyclable materials to a recycling center for processing; the recyclable materials may be transferred to a recycling center in the same manner in which they were collected within the event facility; and

(3) the composting of organic waste, which shall be collected separately from the collection of recyclable materials, in counties with composting facilities.

(b) An owner or operator of an event facility shall be in compliance with this Section if the owner or operator offers the disposal of recyclable materials and organic waste in separate containers clearly labeled and distributed throughout the event facility.

Section 15. Penalties.

(a) An owner or operator of an event facility that commits a violation of this Act is guilty of a business offense and shall be fined not less than \$750 and not more than \$1,500 for the first offense. An owner or operator of an event facility that commits a second or subsequent violation of this Act is guilty of a business offense and shall be fined not less than \$1,500 and not more than \$2,500 for each subsequent offense.

(b) A State's Attorney or municipal attorney may prosecute under this Section an owner or operator of an event facility who violates this Act."

Under the rules, the foregoing **Senate Bill No. 2876**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2907

A bill for AN ACT concerning State government.

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. 2907

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 2907**

AMENDMENT NO. 1 . Amend Senate Bill 2907 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Job Training and Workforce Development Transparency Act.

Section 5. Findings; legislative intent.

(a) The General Assembly finds that the State of Illinois and the federal government allocate millions of dollars annually to various job training and workforce development programs to enhance the skills and employability of residents of the State.

(b) The General Assembly further finds that the effective utilization of public funds requires a transparent and accountable system to track the outcomes and impacts of State and federally funded job training programs.

[May 21, 2024]

(c) It has come to the attention of the General Assembly that there are currently programs receiving substantial State funding that lack a systematic and comprehensive tracking mechanism for assessing their success and impact on the targeted populations.

(d) The lack of standardized reporting on the allocation and effectiveness of these funds raises concerns regarding the State's ability to measure the return on investment, ensure equity in program access, and make informed decisions on resource allocation for future initiatives.

(e) The intent of this Act is to require the Department of Commerce and Economic Opportunity, in collaboration with affected State agencies, to compile a detailed report within 18 months after the effective date of this Act, providing a comprehensive overview of all State-funded job training and workforce development programs in Illinois.

(f) It is the intent of the General Assembly to ensure that Illinois residents receive maximum benefit from State and federally funded programs and that the State is able to make informed policy decisions based on a thorough understanding of the impact of these initiatives.

(g) It is the further intent of the General Assembly that the reporting requirements established by this Act serve as a mechanism to identify successful programs, areas for improvement, and potential areas of duplication or overlap in order to optimize the efficiency and effectiveness of State and federally funded job training and workforce development efforts.

#### Section 10. Reporting requirements.

(a) Within 18 months after the effective date of this Act, the Department of Commerce and Economic Opportunity, in coordination with relevant State agencies, shall compile a report concerning all State and federally funded job training and workforce development programs in this State. If practicable, the report shall also include trade apprenticeship programs, healthcare-related training programs offered by healthcare providers, manufacturing training, and job training and workforce development programs funded solely by units of local government.

(b) The report shall identify each State and federally funded job training and workforce development program in this State and, if practicable, trade apprenticeship programs, healthcare-related training programs offered by healthcare providers, manufacturing training, and job training and workforce development programs funded solely by units of local government. The report shall also provide, at a minimum, the following information about each program:

(1) the name of the State agency that appropriated the funding for the program;

(2) the source of the funding for the program; and

(3) the name and location of the organizations that received funding under the program in the calendar year preceding the report date.

(c) Notwithstanding any other provision in this Act, the report outlined in Section 10 may not include employer-sponsored training programs.

Section 15. Coordination with State agencies. Relevant State agencies shall collaborate with the Department of Commerce and Economic Opportunity to ensure the timely and accurate collection of information required for the report described in Section 10.

Section 20. Publication and accessibility. The Department of Commerce and Economic Opportunity shall submit the report described in Section 10 to the General Assembly and the Governor and make the report accessible to the public on the Department's website no later than 18 months after the effective date of this Act.

Section 25. Department contracts. The Department of Commerce and Economic Opportunity may contract with the statewide Illinois Longitudinal Data System (ILDS) to carry out the provisions of this Act.

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

Under the rules, the foregoing **Senate Bill No. 2907**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by  
Mr. Hollman, Clerk:

[May 21, 2024]

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. 2919

A bill for AN ACT concerning civil law.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 2919

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 2919**

AMENDMENT NO. 2. Amend Senate Bill 2919 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Section 15-1507 and by adding Sections 15-1507.2 and 15-1510.1 as follows:

(735 ILCS 5/15-1507) (from Ch. 110, par. 15-1507)

Sec. 15-1507. Judicial Sale.

(a) In General. Except as provided in Sections 15-1402 and 15-1403, upon entry of a judgment of foreclosure, the real estate which is the subject of the judgment shall be sold at a judicial sale in accordance with this Section 15-1507.

(b) Sale Procedures.

(1) Upon expiration of the reinstatement period and the redemption period in accordance with subsection (b) or (c) of Section 15-1603 or upon the entry of a judgment of foreclosure after the waiver of all rights of redemption, except as provided in subsection (g) of Section 15-1506, the real estate shall be sold at a sale as provided in this Article, on such terms and conditions as shall be specified by the court in the judgment of foreclosure. A sale may be conducted by any judge, ~~or~~ sheriff, or other person as set forth in paragraph (3) of subsection (f) of Section 15-1506.

(2) Without limiting the general authority and powers of the court, the mortgagee, in a foreclosure under this Article, may request that the judge, sheriff, or other person conduct the sale either in person, online, or both, if available.

(c) Notice of Sale. The mortgagee, or such other party designated by the court, in a foreclosure under this Article shall give public notice of the sale as follows:

(1) The notice of sale shall include at least the following information, but an immaterial error in the information shall not invalidate the legal effect of the notice:

(A) the name, address and telephone number of the person to contact for information regarding the real estate;

(B) the common address and other common description (other than legal description), if any, of the real estate;

(C) a legal description of the real estate sufficient to identify it with reasonable certainty;

(D) a description of the improvements on the real estate;

(E) the times specified in the judgment, if any, when the real estate may be inspected prior to sale;

(F) the time and place of the sale, including:

(i) whether the sale will take place online, in person, or both; and

(ii) the website where the online bidding may take place, if applicable;

(G) the terms of the sale;

(H) the case title, case number and the court in which the foreclosure was filed;

(H-1) in the case of a condominium unit to which subsection (g) of Section 9 of the Condominium Property Act applies, the statement required by subdivision (g)(5) of Section 9 of the Condominium Property Act;

(H-2) in the case of a unit of a common interest community to which subsection (g-1) of Section 18.5 of the Condominium Property Act applies, the statement required by subdivision (g-1) of Section 18.5 of the Condominium Property Act; and

(I) such other information ordered by the Court.

(2) The notice of sale shall be published at least 3 consecutive calendar weeks (Sunday through Saturday), once in each week, the first such notice to be published not more than 45 days prior to the

sale, the last such notice to be published not less than 7 days prior to the sale, by: (i) (A) advertisements in a newspaper circulated to the general public in the county in which the real estate is located, in the section of that newspaper where legal notices are commonly placed and (B) separate advertisements in the section of such a newspaper, which (except in counties with a population in excess of 3,000,000) may be the same newspaper, in which real estate other than real estate being sold as part of legal proceedings is commonly advertised to the general public; provided, that the separate advertisements in the real estate section need not include a legal description and that where both advertisements could be published in the same newspaper and that newspaper does not have separate legal notices and real estate advertisement sections, a single advertisement with the legal description shall be sufficient; in counties with a population of more than 3,000,000, the notice required by this item (B) shall be published in a newspaper different from the newspaper that publishes the notice required by item (A), and the newspaper in which the notice required by this item (B) is published shall be a newspaper published in the township in which the real estate is located; and (ii) such other publications as may be further ordered by the court.

(3) The party who gives notice of public sale in accordance with subsection (c) of Section 15-1507 shall also give notice to all parties in the action who have appeared and have not theretofore been found by the court to be in default for failure to plead. Such notice shall be given in the manner provided in the applicable rules of court for service of papers other than process and complaint, not more than 45 days nor less than 7 days prior to the day of sale. After notice is given as required in this Section a copy thereof shall be filed in the office of the clerk of the court entering the judgment, together with a certificate of counsel or other proof that notice has been served in compliance with this Section.

(4) The party who gives notice of public sale in accordance with subsection (c) of Section 15-1507 shall again give notice in accordance with that Section of any adjourned sale; provided, however, that if the adjourned sale is to occur less than 60 days after the last scheduled sale, notice of any adjourned sale need not be given pursuant to this Section. In the event of adjournment, the person conducting the sale shall, upon adjournment, announce the date, time and place upon which the adjourned sale shall be held or post on its website the date, time, and place upon which the adjourned sale shall be held. Notwithstanding any language to the contrary, for any adjourned sale that is to be conducted more than 60 days after the date on which it was to first be held, the party giving notice of such sale shall again give notice in accordance with this Section.

(5) Notice of the sale may be given prior to the expiration of any reinstatement period or redemption period.

(6) No other notice by publication or posting shall be necessary unless required by order or rule of the court.

(7) The person named in the notice of sale to be contacted for information about the real estate may, but shall not be required, to provide additional information other than that set forth in the notice of sale.

(d) Election of Property. If the real estate which is the subject of a judgment of foreclosure is susceptible of division, the court may order it to be sold as necessary to satisfy the judgment. The court shall determine which real estate shall be sold, and the court may determine the order in which separate tracts may be sold.

(e) Receipt upon Sale. ~~Following Upon and at~~ the sale of mortgaged real estate, the person conducting the sale shall give to the purchaser a receipt of sale. The receipt shall describe the real estate purchased and shall show the amount bid, the amount paid, the total amount paid to date and the amount still to be paid therefor. An additional receipt shall be given at the time of each subsequent payment.

(f) Certificate of Sale. Upon payment in full of the amount bid, the person conducting the sale shall issue, in duplicate, and give to the purchaser a Certificate of Sale. The Certificate of Sale shall be in a recordable form, describe the real estate purchased, indicate the date and place of sale and show the amount paid therefor. The Certificate of Sale shall further indicate that it is subject to confirmation by the court. The duplicate certificate may be recorded in accordance with Section 12-121. The Certificate of Sale shall be freely assignable by endorsement thereon.

(g) Interest after Sale. Any bid at sale shall be deemed to include, without the necessity of a court order, interest at the statutory judgment rate on any unpaid portion of the sale price from the date of sale to the date of payment.

(Source: P.A. 100-685, eff. 8-3-18.)

(735 ILCS 5/15-1507.2 new)

Sec. 15-1507.2. Online judicial sale.

(a) The sheriff or other person may conduct the sale online in accordance with this Article.

(b) The sheriff or other person may engage a third-party online sale provider to assist with performance of the online sale. Any third-party online sale provider engaged by a sheriff must be acquired through a process that confirms that the provider meets the requirements set forth in this Article.

(c) In this Section, "third-party online sale provider" means any sale platform or services provider that is not the person conducting the sale or a party to the case involving the judicial sale and that is engaged by the person conducting the sale to assist with conducting the sale online in accordance with State law.

(d) The sheriff or other person may charge an additional fee as a reasonable expense of the sale for costs associated with conducting the sale online.

(e) For any foreclosure involving residential real estate, the fee set forth in subsection (d) may not exceed \$400, unless a higher fee is otherwise approved by the court. Any fees not charged as a cost in the case may be agreed to and paid directly by the judge, sheriff, other person conducting the sale or a party to the case without limitation. The fees charged under this Section shall not reduce or impact the sheriff's fees set forth in Section 4-5001 and 4-12001 of the Counties Code.

(f) To conduct a sale online, the sheriff or other person conducting the sale must demonstrate to the court's satisfaction documented processes and procedures for conducting online auctions, adequate recordkeeping, and the ability to comply with the requirements in this Article.

(g) If the sale takes place both online and in person, all bids accepted during the auction shall be simultaneously announced at the in-person sale and visible to the public online at the time the bids are placed. Any maximum bid amounts provided by bidders ahead of the sale shall not be visible to the public until the bid is placed.

(h) There shall be no fee charged to the public to view properties for sale online or to participate in any auction in person or online.

(i) Any third-party online sale provider may not maintain custody of sale funds on behalf of the judge, sheriff, or other person conducting the sale unless specifically approved by the court to maintain custody of funds on their behalf.

(j) The sheriff or other person conducting the sale shall require a person seeking to bid electronically online to complete a registration process that includes providing information relevant to properly identify the bidder, contact the bidder, and complete the sale of the property as determined by the sheriff or other person conducting the sale.

(k) If the person registering to bid is an individual, the information required shall include the individual's name, electronic mail address, and telephone number.

(l) If the person registering to bid is an entity, the information required in this Section shall include the entity's legal name, name of an individual contact person for the entity, electronic mail address, and telephone number.

(m) The sheriff or other person conducting the sale online shall require all bidders who wish to participate in bidding online to have their identity verified through an identification verification process before a bid can be placed online, which may include verification through a government issued identification, biometric verification, or other method of verification as determined by the judge, sheriff, or other person conducting the sale. If a bidder's identity cannot be verified through the verification process, then the bidder may be prohibited from participating in the online sale.

(n) The purchaser at the sale shall submit to the person conducting the sale the following information prior to the sale being finalized:

(1) All winning purchasers shall provide any required information to be checked against the federal Office for Foreign Assets Control sanction list by the person conducting the sale before finalizing the purchase of the property. The person conducting the sale shall check the winning purchaser against the sanction list before an order approving the sale may be entered.

(2) If the purchaser is an individual, the information shall include the individual's name, physical mailing address, electronic mail address, and any other information requested by the person conducting the sale to adequately identify and contact the purchaser.

(3) If the purchaser is an entity, the information shall include the entity's legal name, trade name if different from its legal name, state and date of formation, mailing address, proof of business registration with the State of Illinois, and the name of an individual contact person for the entity, electronic mail address, and the person's telephone number.

(4) The purchaser must provide the sale deposit, if applicable, and the balance due to the sheriff or other person conducting the sale at least 24 hours after the end of the sale, unless otherwise set forth by the sheriff or other person conducting the sale, in the form designated by the sheriff or other person conducting the sale.

(5) If the purchaser fails to provide the required information within the time period designated by the judge, sheriff, or other person conducting the sale, the purchaser is in default and the judge, sheriff, or other person conducting the sale may void the sale and proceed with a resale.

(o) Any person conducting a sale online must maintain evidence of satisfactory internal informational security controls that meet industry standards and are maintained by the platform used to conduct online sales. Such evidence of satisfactory internal controls regarding data security may be in the form of an annual SOC 2 Report certification, with the ability to test and report on the design effectiveness (Type 1) and operating effectiveness (Type 2) of the platform's controls, or another form ensuring performance and security requirements are met.

(p) The person conducting the sale and the third-party online sale provider may engage in activities to promote and market the sale to encourage and facilitate bidding, including listing the property on real estate websites and conducting email campaigns. The person conducting the sale or the third-party online sale provider is solely responsible for paying all fees or expenses incurred in connection with such activities.

(q) In every sale conducted online of residential real estate, (1) the sale may be held open for bidding for up to 3 days and extended by the person conducting the sale as needed to allow for all active competitive bidding to occur, counted in accordance with Section 1.11 of the Statute on Statutes; and (2) bidding shall be open to everyone for the entire duration of the bidding period.

(735 ILCS 5/15-1510.1 new)

Sec. 15-1510.1. Third-party purchaser fees and costs. Notwithstanding any other provision of law to the contrary, for the sale of residential real estate, no fee, including a buyer's premium, may be charged to a third-party bidder or purchaser who is not a party to the case at the sale of real estate under this Article beyond the winning bid amount to cover an expense of conducting the sale."

Under the rules, the foregoing **Senate Bill No. 2919**, with House Amendment No. 2, 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. 2960

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. 2960

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 2960**

AMENDMENT NO. 1 . Amend Senate Bill 2960 by replacing page 2, line 19, through page 3, line 5, with the following:

"Section 15. Penalties. A hotel in violation of this Act shall receive a written warning from the local unit of government in which the hotel is located for the first violation. The written warning shall recite the violation and advise that subsequent violations may result in citations and penalties. A hotel that commits a second or subsequent violation is guilty of a business offense and shall be fined not more than \$1,500."

Under the rules, the foregoing **Senate Bill No. 2960**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

[May 21, 2024]

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. 3132

A bill for AN ACT concerning education.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 3132

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3132**

AMENDMENT NO. 1. Amend Senate Bill 3132 on page 8, immediately below line 7, by inserting the following:

"Section 7. The State Universities Civil Service Act is amended by changing Section 36e as follows:  
(110 ILCS 70/36e) (from Ch. 24 1/2, par. 38b4)

Sec. 36e. Coverage. All employees of the Illinois Community College Board, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the University of Illinois, the University System, the State Universities Retirement System, the Illinois Student Assistance Commission ~~State Scholarship Commission~~, and the Board of Higher Education shall be covered by the University System described in Sections 36b to 36q, inclusive, of this Act, except the following persons:

(1) The members and officers of the Merit Board and the board of trustees, and the commissioners of the institutions and agencies covered hereunder;

(2) The presidents and vice-presidents of each educational institution and the executive director, directors, deputy directors, managing directors, chiefs, and attorneys of each higher education agency;

(3) Other principal administrative employees of each institution and agency as determined by the Merit Board;

(4) The teaching, research and extension faculties of each institution and agency;

(5) Students employed under rules prescribed by the Merit Board, without examination or certification.

(Source: P.A. 100-615, eff. 1-1-19)."

Under the rules, the foregoing **Senate Bill No. 3132**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3173

A bill for AN ACT concerning local government.

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. 3173

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3173**

AMENDMENT NO. 1. Amend Senate Bill 3173 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-1189 as follows:

(55 ILCS 5/5-1189 new)

Sec. 5-1189. Access to and use of county infrastructure for broadband. A county may lease, license, or otherwise grant access to and use of infrastructure, including fiber optic cables, that the county owns or controls to public or private entities to facilitate the delivery of broadband services on the condition that the

[May 21, 2024]

lease, license, access, or use: (1) be granted on a nondiscriminatory, nonexclusive, and competitively neutral basis; and (2) comply with all other State and federal laws, rules, and regulations, including, but not limited to, all applicable safety codes and requirements. However, nothing in this Section shall be construed to authorize a county to lease, license, or otherwise grant access to or use of infrastructure that the county does not own or control to public or private entities to facilitate the delivery of broadband services. This Section applies to leases, licenses, or other agreements entered into, amended, or renewed on or after the effective date of this amendatory Act of the 103rd General Assembly."

Under the rules, the foregoing **Senate Bill No. 3173**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by  
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3180

A bill for AN ACT concerning employment.

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. 3180

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3180**

AMENDMENT NO. 1. Amend Senate Bill 3180 by replacing everything after the enacting clause with the following:

"Section 5. The One Day Rest In Seven Act is amended by changing Section 7 and by adding Section 5.5 as follows:

(820 ILCS 140/5.5 new)

Sec. 5.5. Retaliation prohibited. An employer, or agent or officer of an employer, violates this Act if he or she discharges, takes an adverse action against, or in any other manner discriminates against any employee because that employee has:

(1) exercised a right under this Act;

(2) made a complaint to his or her employer or to the Director or the Director's authorized representative;

(3) caused to be instituted or is about to cause to be instituted any proceeding under or related to this Act; or

(4) testified or is about to testify in an investigation or proceeding under this Act.

(820 ILCS 140/7) (from Ch. 48, par. 8g)

Sec. 7. Civil offense.

(a) Any employer who violates Sections 2, 3, or 3.1 shall be guilty of a civil offense, and shall be subject to a civil penalty as follows:

(1) For an employer with fewer than 25 employees, a penalty not to exceed \$250 per offense, payable to the Department of Labor, and damages of up to \$250 per offense, payable to the employee or employees affected.

(2) For an employer with 25 or more employees, a penalty not to exceed \$500 per offense, payable to the Department of Labor, and damages of up to \$500 per offense, payable to the employee or employees affected.

(b) An offense under this Act shall be determined on an individual basis for each employee whose rights are violated.

(1) Each week that an employee is found to not have been allowed 24 consecutive hours of rest as required in Section 2 shall constitute a separate offense.

(2) Each day that an employee is found not to have been provided a meal period as required in Section 3 shall constitute a separate offense.

(3) A violation of Section 8.5 shall constitute a single offense, and is subject to a civil penalty not to exceed \$250 payable to the Department of Labor.

[May 21, 2024]

(4) An employee who has been unlawfully retaliated against in violation of Section 5.5 shall be entitled to recover, through a claim filed with the Department, all legal and equitable relief as may be appropriate.

(c) The Director of Labor shall enforce this Act in accordance with the Illinois Administrative Procedure Act. The Director of Labor shall have the powers and the parties shall have the rights provided in the Illinois Administrative Procedure Act for contested cases, including, but not limited to, provisions for depositions, subpoena power and procedures, and discovery and protective order procedures.

(d) Penalties and fees under this Section may be assessed by the Department and recovered in a civil action brought by the Department in any circuit court or in any administrative adjudicative proceeding under this Act. In any such civil action under this Act, the Department shall be represented by the Attorney General. Any funds collected by the Department of Labor under this Act shall be deposited into the Child Labor and Day and Temporary Labor Services Enforcement Fund.

(Source: P.A. 102-828, eff. 1-1-23.)

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

Under the rules, the foregoing **Senate Bill No. 3180**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3208

A bill for AN ACT concerning employment.

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. 3208

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3208**

AMENDMENT NO. 1 . Amend Senate Bill 3208 on page 4, by replacing lines 19 and 20 with "the pay stubs to the employee within 21 calendar days of the employee's request. An employer is"; and

by replacing line 26 on page 4 and line 1 on page 5 with "copy of the pay stubs to the former employee within 21 calendar days of the former employee's"; and

on page 5, immediately below line 22, by inserting the following:

"(4) A request made by an employee or former employee under this Section shall be made to a person responsible for maintaining the employer's payroll, including the employer's human resources department or payroll department, the employee's supervisor or department manager, or an individual designated in the employer's written policy."

Under the rules, the foregoing **Senate Bill No. 3208**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3282

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. 2 to SENATE BILL NO. 3282

Passed the House, as amended, May 21, 2024.

[May 21, 2024]

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 3282**

AMENDMENT NO. 2. Amend Senate Bill 3282 by replacing everything after the enacting clause with the following:

"Section 5. The Retailers' Occupation Tax Act is amended by changing Section 2-10.5 as follows:  
(35 ILCS 120/2-10.5)

Sec. 2-10.5. Direct payment program; purchaser's providing of permit to retailer; retailer relieved of collecting use tax and local retailers' occupation tax reimbursements from purchaser; direct payment of retailers' occupation tax and local retailers' occupation tax by purchaser.

(a) Beginning on July 1, 2001 there is established in this State a Direct Payment Program to be administered by the Department. The Department shall issue a Direct Pay Permit to applicants who have been approved to participate in the Direct Payment Program. Each person applying to participate in the Direct Payment Program must demonstrate (1) the applicant's ability to comply with the retailers' occupation tax laws and the use tax laws in effect in this State and that the applicant's accounting system will reflect the proper amount of tax due, (2) that the applicant has a valid business purpose for participating in the Direct Payment Program, and (3) how the applicant's participation in the Direct Payment Program will benefit tax compliance. Application shall be made on forms provided by the Department and shall contain information as the Department may reasonably require. The Department shall approve or deny an applicant within 90 days after the Department's receipt of the application, unless the Department makes a written request for additional information from the applicant.

(b) A person who has been approved for the Direct Payment Program and who has been issued a Direct Pay Permit by the Department is relieved of paying tax to a retailer when purchasing tangible personal property for use or consumption, except as provided in subsection (d), by providing that retailer a copy of that Direct Pay Permit. A retailer who accepts a copy of a customer's Direct Pay Permit is relieved of the obligation to remit the tax imposed by this Act on the transaction. References in this Section to "the tax imposed by this Act" include any local occupation taxes administered by the Department that would be incurred on the retail sale.

(c) Once the holder of a Direct Pay Permit uses that Permit to relieve the Permit holder from paying tax to a particular retailer, the holder must use its Permit for all purchases, except as provided in subsection (d), from that retailer for so long as the Permit is valid.

(d) Direct Pay Permits are not valid and shall not be used for sales or purchases of:

(1) food or beverage;

(2) tangible personal property required to be titled or registered with an agency of government;

or

(3) any transactions subject to the Service Occupation Tax Act or Service Use Tax Act.

(e) Direct Pay Permits are not assignable and are not transferable. As an illustration, a construction contractor shall not make purchases using a customer's Direct Pay Permit.

(f) A Direct Pay Permit is valid until it is revoked by the Department or until the holder notifies the Department in writing that the holder is withdrawing from the Direct Payment Program. A Direct Pay Permit can be revoked by the Department, after notice and hearing, if the holder violates any provision of this Act, any provision of the Illinois Use Tax Act, or any provision of any Act imposing a local retailers' occupation tax administered by the Department.

(g) The holder of a Direct Pay Permit who has been relieved of paying tax to a retailer on a purchase for use or consumption by representing to that retailer that it would pay all applicable taxes directly to the Department shall pay those taxes to the Department not later than the 20th day of the month following the month in which the purchase was made. Permit holders making such purchases are subject to all provisions of this Act, and the tax must be reported and paid as retailers' occupation tax in the same manner that the retailer from whom the purchases were made would have reported and paid it, including any local retailers' occupation taxes applicable to that retail sale. Notwithstanding any other provision of this Act, Permit holders shall make all payments to the Department through the use of electronic funds transfer.

(h) By March 31, 2025, and by March 31 of each year thereafter, each holder of a Direct Pay Permit shall review its purchase activity to verify that the purchases made during the 12-month period ending on December 31 of the immediately preceding calendar year were sourced correctly and that the correct tax rate was applied. If the holder of the Direct Pay Permit discovers an error in sourcing or the tax rate during the review process, then, by April 20 of the calendar year in which the review under this subsection occurs, the

holder of the Direct Pay Permit shall file an amended return to correct the error. If, for any 12-month review period under this subsection, a holder of a Direct Pay Permit fails to properly verify purchase activity and correct sourcing and tax rate errors as required by this subsection and the rules adopted by the Department, then the Direct Pay Permit holder is liable to pay a penalty of \$6,000 to the Department, for deposit into the Tax Compliance and Administration Fund. However, the penalty under this subsection shall not be imposed if the Department finds that at least 95% of the Direct Pay Permit holder's transactions for the applicable 12-month review period are correctly sourced and the correct taxes have been remitted or the permit holder acted with ordinary business care and prudence. For the purposes of this subsection, ordinary business care and prudence shall be determined in accordance with Section 3-8 of the Uniform Penalty and Interest Act. The Department may adopt rules to administer the penalties under this Section.  
(Source: P.A. 92-484, eff. 8-23-01.)

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

Under the rules, the foregoing **Senate Bill No. 3282**, with House Amendment No. 2, 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. 3314

A bill for AN ACT concerning business.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 3314

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 3314**

AMENDMENT NO. 2 . Amend Senate Bill 3314 by replacing everything after the enacting clause with the following:

"Section 5. The Consumer Legal Funding Act is amended by changing Sections 5, 25, 30, 55, 65, 135, 165, and 170 as follows:

(815 ILCS 121/5)

Sec. 5. Definitions.

"Advertise" means publishing or disseminating any written, electronic, or printed communication, or any communication by means of recorded telephone messages or transmitted on radio, television, the Internet, or similar communications media, including film strips, motion pictures, and videos, published, disseminated, circulated, or placed before the public, directly or indirectly, for the purpose of inducing a consumer to enter into a consumer legal funding.

"Charges" means the fees, as set forth in Section 25, to be paid to the consumer legal funding company by or on behalf of the consumer above the funded amount provided by or on behalf of the company to an Illinois consumer pursuant to this Act.

"Consumer" means a natural person who has a pending legal claim and who resides or is domiciled in Illinois.

"Consumer legal funding" or "funding" means a nonrecourse transaction in which a company purchases and a consumer transfers to the company an unvested, contingent future interest in the potential net proceeds of a settlement or judgment obtained from the consumer's legal claim; and in which, if no proceeds are obtained from the consumer's legal claim, the consumer is not required to repay the company the consumer legal funding amount or charges.

"Consumer legal funding company" or "company" means a person or entity that enters into, purchases, or services a consumer legal funding transaction with an Illinois consumer. "Consumer legal funding company" does not include:

(1) an immediate family member of the consumer;

(2) a bank, lender, financing entity, or other special purpose entity:

[May 21, 2024]

- (A) that provides financing to a consumer legal funding company; or
- (B) to which a consumer legal funding company grants a security interest or transfers any rights or interest in a consumer legal funding; or
- (3) an attorney or accountant who provides services to a consumer.

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

"Funded amount" means the amount of moneys provided to, or on behalf of, the consumer in the consumer legal funding. "Funded amount" does not include charges except for charges that are deducted from the funded amount.

"Funding date" means the date on which the funded amount is transferred to the consumer by the consumer legal funding company either by personal delivery; via wire, ACH, or other electronic means; or mailed by insured, certified, or registered United States mail.

"Immediate family member" means a parent; sibling; child by blood, adoption, or marriage; spouse; grandparent; or grandchild.

"Legal claim" means a bona fide civil claim or cause of action.

"Resolution amount" means the funded amount plus the agreed-upon charges that are delivered to the consumer legal funding company on the resolution date.

"Resolution date" means the date the resolution amount is delivered to the consumer legal funding company.

"Secretary" means the Secretary of Financial and Professional Regulation or the Secretary's designee.

(Source: P.A. 102-987, eff. 5-27-22.)

(815 ILCS 121/25)

Sec. 25. Fees.

(a) The fee charged by a consumer legal funding company to the consumer shall be calculated as not more than 18% of the funded amount, assessed on the outset of every 6 months.

(b) In addition, a consumer legal funding company may charge a document preparation fee not to exceed \$75, which may be deducted from the funded amount. This fee is to be used to defray the ordinary cost of opening, administering, and terminating a consumer legal funding.

(c) A consumer legal funding company shall not collect any additional fees unless otherwise specified in this Act.

(d) No charges may accrue on a consumer legal funding for more than 42 months after the funding date of the consumer legal funding. No consumer legal funding may be refinanced except as authorized by rule. Notwithstanding the foregoing, a consumer legal funding company may assess charges on any additional amounts provided after the funding date for 42 months after the additional funding date.

(e) Notwithstanding any other law, a consumer legal funding may be refinanced as authorized by rule.

The Department shall publish first notice of a rule concerning the refinancing of consumer legal fundings in the Illinois Register in accordance with the Illinois Administrative Procedure Act within 120 days after the effective date of this amendatory Act of the 103rd General Assembly.

(Source: P.A. 102-987, eff. 5-27-22.)

(815 ILCS 121/30)

Sec. 30. Disclosures. All consumer legal funding contracts shall contain the disclosures specified in this Section, which shall constitute material terms of the contract. Unless otherwise specified, the disclosures shall be typed in at least 12-point bold-type font and be placed clearly and conspicuously within the contract as follows:

(1) On the front page under appropriate headings, language specifying:

(A) the funded amount to be paid to the consumer or on the consumer's behalf by the consumer legal funding company;

(B) an itemization of charges;

(C) the maximum total amount to be paid by the consumer to the company, including the funded amount and all fees; and

(D) a payment schedule to include the resolution amount, listing dates, and the amount due at the end of each 6-month period from the funding date, until the date the maximum amount is due to the company by the consumer to satisfy the amount due pursuant to the contract.

(2) Pursuant to the provisions set forth in paragraph (2) of subsection (a) of Section 10, within the body of the contract: "CONSUMER'S RIGHT TO CANCELLATION: You may cancel this

contract without penalty or further obligation within 14 business days after the funding date if you either:

(A) return to the consumer legal funding company the full amount of the funds disbursed to you or on your behalf by delivering the company's uncashed check to the company's office in person; or

(B) place in the mail, by mail service materially equivalent to United States Postal Service certified mail, addressed to the company at the address specified in the contract, a notice of cancellation and include in such mailing a return of the full amount of funds disbursed to you or on your behalf in the form of the company's uncashed check or a registered or certified check or money order."

(3) Within the body of the contract: "The consumer legal funding company shall have no role in deciding whether, when, and how much the legal claim is settled for, however, the consumer and consumer's attorney must notify the company of the outcome of the legal claim by settlement or adjudication before the resolution date. The company may seek updated information about the status of the legal claim but in no event shall the company interfere with the independent professional judgment of the attorney in the handling of the legal claim or any settlement thereof."

(4) Within the body of the contract, in all capital letters in at least 12-point bold-type font contained within a box: "THE FUNDED AMOUNT AND AGREED-UPON CHARGES SHALL BE PAID ONLY FROM THE PROCEEDS OF YOUR LEGAL CLAIM, AND SHALL BE PAID ONLY TO THE EXTENT THAT THERE ARE AVAILABLE PROCEEDS FROM YOUR LEGAL CLAIM. YOU WILL NOT OWE [INSERT NAME OF THE CONSUMER LEGAL FUNDING COMPANY] ANYTHING IF THERE ARE NO REMAINING PROCEEDS AVAILABLE FROM YOUR LEGAL CLAIM, UNLESS YOU OR YOUR ATTORNEY HAVE COMMITTED FRAUD AGAINST THE CONSUMER LEGAL FUNDING COMPANY. NOTWITHSTANDING ANYTHING TO THE CONTRARY, YOU MAY REFINANCE THE FUNDED AMOUNT AND AGREED UPON CHARGES AS AUTHORIZED BY RULE."

(5) Located immediately above the place on the contract where the consumer's signature is required, in 12-point font: "Do not sign this contract before you read it completely or if it contains any blank spaces. You are entitled to a completely filled-in copy of the contract. Before you sign this contract, you should obtain the advice of an attorney. Depending on the circumstances, you may want to consult a tax, public or private benefits planning, or financial professional. You acknowledge that your attorney in the legal claim has provided no tax, public or private benefit planning, or financial advice regarding this transaction."

(6) The consumer legal funding company shall provide the consumer with information on accessing a financial coaching program no later than the funding date.

(Source: P.A. 102-987, eff. 5-27-22.)

(815 ILCS 121/55)

Sec. 55. Consumer legal funding license scope.

(a) It shall be unlawful for any person or entity to operate as a consumer legal funding company provider in this State except as authorized by this Act and without first having obtained a license in accordance with this Act. No person or entity may engage in any device, subterfuge, or pretense to evade the requirements of this Act. However, any company that has a license in good standing under the Consumer Installment Loan Act on the effective date of this Act shall be entitled to make consumer legal fundings under the terms of this Act upon the effective date of this Act if that company files an application for a consumer legal funding license within 60 days after the Department issues forms for the filing of that application and until the Department approves or denies the application for a funding license. Any consumer legal funding contract made by any person or entity in violation of this subsection shall be null and void and the person or entity who entered into the consumer legal funding transaction shall have no right to collect, attempt to collect, receive, or retain any principal, interest, or charges related to the consumer legal funding transaction.

(b) The provisions of this Act do not apply to a bank, savings bank, savings association, or credit union organized under the laws of this State, any other state, or under the laws of the United States.

(c) Any consumer legal funding made by a person not licensed under this Act, including a person holding an inactive license, and not exempt under this Act shall be null and void, and no person or entity shall have any right to collect, attempt to collect, receive, or retain any principal, fee, interest, or charges related to the funding.

[May 21, 2024]

(Source: P.A. 102-987, eff. 5-27-22.)

(815 ILCS 121/65)

Sec. 65. License application process; investigation.

(a) The Secretary may issue a license upon completion of all of the following:

(1) the filing of an application for a license with the Secretary or the Nationwide Multistate Licensing System and Registry as required by the Secretary;

(2) the filing with the Secretary of a listing of judgments entered against and bankruptcy petitions by the license applicant for the preceding 10 years;

(3) the filing of an audited balance sheet, including all footnotes prepared by a certified public accountant in accordance with generally accepted accounting principles and generally accepted auditing standards; notwithstanding the requirements of this subsection, an applicant that is a subsidiary may submit audited consolidated financial statements of its parent, intermediary parent, or ultimate parent if the consolidated statements are supported by consolidating statements that include the applicant's financial statement; if the consolidating statements are unaudited, the applicant's chief financial officer shall attest to the applicant's financial statements disclosed in the consolidating statements; and

(4) an investigation of the averments required by Section 80, which investigation must allow the Secretary to issue positive findings stating that the financial responsibility, experience, character, and general fitness of the license applicant; of the members thereof if the license applicant is a partnership or association; of the officers and directors thereof if the license applicant is a corporation; and of the managers and members that retain any authority or responsibility under the operating agreement if the license applicant is a limited liability company are such as to command the confidence of the community and to warrant belief that the business will be operated honestly, fairly, and efficiently within the purpose of this Act; if the Secretary does not so find, he or she shall not issue the license and shall notify the license applicant of the denial. The Secretary may impose conditions on a license if the Secretary determines that those conditions are necessary or appropriate. These conditions shall be imposed in writing and shall continue in effect for a period prescribed by the Secretary.

(b) All licenses shall be issued to the license applicant. Upon receipt of the license, a consumer legal funding licensee shall be authorized to engage in the business regulated by this Act. The license shall remain in full force and effect until it expires, it is surrendered by the licensee, or it is revoked or suspended as provided by this Act.

(c) The Secretary may, for good cause shown, waive, in part, any of the requirements of this Section.

(Source: P.A. 102-987, eff. 5-27-22.)

(815 ILCS 121/135)

Sec. 135. Suspension; revocation of licenses; fines.

(a) Upon written notice to a licensee, the Secretary may suspend or revoke any license issued pursuant to this Act if, in the notice, he or she makes a finding of one or more of the following:

(1) that through separate acts or an act or a course of conduct, the licensee has violated any provisions of this Act, any rule adopted by the Department, or any other law, rule, or regulation of this State or the United States;

(2) that any fact or condition exists that, if it had existed at the time of the original application for the license, would have warranted the Secretary in refusing originally to issue the license; or

(3) that if a licensee is other than an individual, any ultimate equitable owner, officer, director, or member of the licensed partnership, association, corporation, or other entity has acted or failed to act in a way that would be cause for suspending or revoking a license to that party as an individual.

(b) No license shall be suspended or revoked, except as provided in this Section, nor shall any licensee be fined without notice of his or her right to a hearing as provided in subsection (n).

(c) The Secretary, on good cause shown that an emergency exists, may suspend any license for a period not exceeding 180 days, pending investigation.

(d) The provisions of subsection (d) of Section 95 shall not affect a licensee's civil or criminal liability for acts committed before surrender of a license.

(e) No revocation, suspension, or surrender of any license shall impair or affect the obligation of any preexisting lawful contract between the licensee and any person.

(f) Every license issued under this Act shall remain in force and effect until the license expires without renewal, is surrendered, is revoked, or is suspended in accordance with the provisions of this Act, but the Secretary shall have authority to reinstate a suspended license or to issue a new license to a licensee

whose license has been revoked if no fact or condition then exists which would have warranted the Secretary in refusing originally to issue that license under this Act.

(g) Whenever the Secretary revokes or suspends a license issued pursuant to this Act or fines a licensee under this Act, he or she shall execute a written order to that effect. The Secretary shall serve a copy of the order upon the licensee. Any such order may be reviewed in the manner provided by Section 170.

(h) If the Secretary finds any person in violation of the grounds set forth in subsection (p), he or she may enter an order imposing one or more of the following penalties:

- (1) revocation of license;
- (2) suspension of a license subject to reinstatement upon satisfying all reasonable conditions the Secretary may specify;
- (3) placement of the licensee or applicant on probation for a period of time and subject to all reasonable conditions as the Secretary may specify;
- (4) issuance of a reprimand;
- (5) imposition of a fine not to exceed \$25,000 for each count of separate offense; except that a fine may be imposed that shall not exceed \$75,000 for each separate count of offense in violation of paragraph (2) or (14) of subsection (p) (±);
- (6) denial of a license; or
- (7) restitution for the benefit of consumers.

(i) ~~(Blank). The Secretary may, after 10 days' notice by certified mail to the licensee at the address set forth in the license stating the contemplated action and in general the grounds therefor, fine the licensee an amount not exceeding \$10,000 per violation or revoke or suspend any license issued under this Act if he or she finds that:~~

~~(1) the licensee has failed to comply with any provision of this Act, any rule adopted pursuant to this Act, or any order, decision, finding, or direction of the Secretary lawfully made pursuant to the authority of this Act; or~~

~~(2) any fact or condition exists which, if it had existed at the time of the original application for the license, clearly would have warranted the Secretary in refusing to issue the license.~~

(j) The Secretary may fine, suspend, or revoke only the particular license with respect to which grounds for the fine, revocation, or suspension occur or exist, but if the Secretary finds that grounds for revocation are of general application to all offices or to more than one office of the licensee, the Secretary shall fine, suspend, or revoke every license to which the grounds apply.

(k) No revocation, suspension, or surrender of any license shall impair or affect the obligation of any preexisting lawful contract between the licensee and any obligor.

(l) The Secretary may issue a new license to a licensee whose license has been revoked when facts or conditions which clearly would have warranted the Secretary in refusing originally to issue the license no longer exist.

(m) In every case in which a license is suspended or revoked or an application for a license or renewal of a license is denied, the Secretary shall serve the licensee with notice of his or her action, including a statement of the reasons for his or her actions, either personally or by certified mail. Service by certified mail shall be deemed completed when the notice is deposited in the U.S. mail.

(n) An order assessing a fine, an order revoking or suspending a license, or an order denying renewal of a license shall take effect upon service of the order unless the licensee requests a hearing, in writing, within 10 days after the date of service. If a hearing is requested, the order shall be stayed until a final administrative order is entered.

(1) If the licensee requests a hearing, the Secretary shall schedule a hearing within 30 days after the request for a hearing unless otherwise agreed to by the parties.

(2) The hearing shall be held at the time and place designated by the Secretary. The Secretary and any administrative law judge designated by him or her shall have the power to administer oaths and affirmations, subpoena witnesses and compel their attendance, take evidence, and require the production of books, papers, correspondence, and other records or information that he or she considers relevant or material to the inquiry.

(o) The costs of administrative hearings conducted pursuant to this Section shall be paid by the licensee.

(p) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (h) may be taken:

(1) being convicted or found guilty, regardless of pendency of an appeal, of a crime in any jurisdiction that involves fraud, dishonest dealing, or any other act of moral turpitude;

(2) fraud, misrepresentation, deceit, or negligence in any relation to any consumer legal funding;

(3) a material or intentional misstatement of fact on an initial or renewal application;

(3.5) any fact or condition exists that, if it had existed at the time of the original application for the license, would have warranted the Secretary in refusing to originally issue the license;

(4) insolvency or filing under any provision of the United States Bankruptcy Code as a debtor;

(5) failure to account or deliver to any person any property, such as any money, fund, deposit, check, draft, or other document or thing of value, that has come into his or her hands and that is not his or her property or that he or she is not in law or equity entitled to retain, under the circumstances and at the time which has been agreed upon or is required by law, or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery;

(6) failure to disburse funds in accordance with agreements;

(7) having a license, or the equivalent, to practice any profession or occupation revoked, suspended, or otherwise acted against, including the denial of licensure by a licensing authority of this State or another state, territory, or country, for fraud, dishonest dealing, or any other act of moral turpitude;

(8) failure to comply with an order of the Secretary or rule adopted under the provisions of this Act;

(9) engaging in activities regulated by this Act without a current, active license unless specifically exempted by this Act;

(10) failure to pay in a timely manner any fee, charge, or fine under this Act;

(11) failure to maintain, preserve, and keep available for examination all books, accounts, or other documents required by the provisions of this Act and the rules of the Department;

(12) refusing, obstructing, evading, or unreasonably delaying an investigation, information request, or examination authorized under this Act, or refusing, obstructing, evading, or unreasonably delaying compliance with the Secretary's subpoena or subpoena duces tecum;

(13) failure to comply with or a violation of any provision of this Act; and

(14) any unfair, deceptive, or abusive business practice.

(q) A licensee shall be subject to the disciplinary actions specified in this Act for violations of subsection (i) by any officer, director, shareholder, joint venture, partner, ultimate equitable owner, or employee of the licensee.

(r) A licensee shall be subject to suspension or revocation for unauthorized employee actions only if there is a pattern of repeated violations by employees, the licensee has knowledge of the violations, or there is substantial harm to a consumer. A licensee may be subject to fine for employee actions, whether authorized or unauthorized, whether there is a pattern of repeated violations or no pattern of repeated violations.

(s) Any licensee may submit an application to surrender a license, but, upon the Secretary approving the surrender, it shall not affect the licensee's civil or criminal liability for acts committed before surrender or entitle the licensee to a return of any part of the license fee.

(Source: P.A. 102-987, eff. 5-27-22.)

(815 ILCS 121/165)

Sec. 165. Rules of the Department.

(a) In addition to such powers as may be prescribed by this Act, the Department is hereby authorized and empowered to adopt rules consistent with the purposes of this Act, including, but not limited to:

(1) rules in connection with the activities of licensees or unlicensed consumer legal funding companies as may be necessary and appropriate for the protection of consumers in this State;

(2) rules as may be necessary and appropriate to define improper or fraudulent business practices in connection with the activities of licensees in servicing consumer legal fundings;

(3) rules that define the terms used in this Act and as may be necessary and appropriate to interpret and implement the provisions of this Act; ~~and~~

(4) rules as may be necessary for the enforcement and administration of this Act; and -

(5) rules to permit the refinancing of consumer legal fundings.

(b) The Secretary is hereby authorized and empowered to make specific rulings, demands, and findings that he or she deems necessary for the proper conduct of the consumer legal funding company industry.

(Source: P.A. 102-987, eff. 5-27-22.)

(815 ILCS 121/170)

Sec. 170. Appeal and review.

(a) The Department may, in accordance with the Illinois Administrative Procedure Act, adopt rules to provide for review within the Department of the Secretary's decisions affecting the rights of persons or entities under this Act. The review shall provide for, at a minimum:

(1) appointment of a hearing officer other than a regular employee of the Division of Financial Institutions Department;

(2) appropriate procedural rules, specific deadlines for filings, and standards of evidence and of proof; and

(3) provision for apportioning costs among parties to the appeal.

(b) All final agency determinations of appeals to decisions of the Secretary may be reviewed in accordance with and under the provisions of the Administrative Review Law. Appeals from all final orders and judgments entered by a court in review of any final administrative decision of the Secretary or of any final agency review of a decision of the Secretary may be taken as in other civil cases.

(Source: P.A. 102-987, eff. 5-27-22.)".

Under the rules, the foregoing **Senate Bill No. 3314**, with House Amendment No. 2, 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. 3342

A bill for AN ACT concerning safety.

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. 3342

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3342**

AMENDMENT NO. 1. Amend Senate Bill 3342 by replacing line 14 on page 1 through line 1 on page 3 with the following:

"Section 10. Prior notification requirements for application of pesticides on rights-of-way.

(a) At least 24 hours before the State or a unit of local government, including a mosquito abatement district or a commercial entity hired by the State or a unit of local government, applies a pesticide, including a pesticide intended to control mosquitoes, to a public right-of-way that is located within the corporate boundaries of a municipality, the State, mosquito abatement district, or other unit of local government in which the application is to be made shall provide written notice to the public of the application of the pesticide. At a minimum, the following information shall be provided in the written notice required under this subsection (a):

(1) the intended location, date range, and range of times during the day that the material may be applied;

(2) the brand name, common name, and scientific name of each product that may be applied;

(3) the type of pesticide contained in any product that may be applied;

(4) the reason for use of each product that may be applied;

(5) the range of concentrations of end-use product that will be applied;

(6) any special instructions appearing on the label of the product applicable to an individual's use of the public right-of-way following an application;

(7) the State agency, mosquito abatement district, or other unit of local government name and telephone number of the certified applicator; and

[May 21, 2024]

(8) contact information for the Department for complaints of pesticide misuse, including a telephone number and website information for the Department.

Written notification required under this subsection (a) is sufficient if posted in newsletters, websites, calendars, or other correspondence currently published by the State, mosquito abatement district, or other unit of local government in which the application is to be made, but posting on a bulletin board is not sufficient.

(b) The application of a solid mosquito larvicide in accordance with 8 Ill. Adm. Code 250.210 is exempt from the notification requirements of this Section.

(c) The State or a unit of local government, including a mosquito abatement district, need not provide the notice required by this Section if the application of the pesticide is in response to (i) disease causing agents in vector mosquitoes, (ii) the occurrence of mosquito-borne disease in animal or human populations, or (iii) a natural disaster recovery effort."

Under the rules, the foregoing **Senate Bill No. 3342**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by  
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3348

A bill for AN ACT concerning education.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 3348

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3348**

AMENDMENT NO. 1. Amend Senate Bill 3348 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 19-1 as follows:

(105 ILCS 5/19-1)

Sec. 19-1. Debt limitations of school districts.

(a) School districts shall not be subject to the provisions limiting their indebtedness prescribed in the Local Government Debt Limitation Act.

No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No partial elementary unit district, as defined in Article 11E of this Code, shall become indebted in any manner or for any purpose in an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, plus an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes. Moreover, no partial elementary unit district, as defined in Article 11E of this Code, shall become indebted on account of bonds issued by the district for high school purposes in the aggregate exceeding 6.9% of the value of the taxable

[May 21, 2024]

property of the entire district, to be ascertained by the last assessment for State and county taxes, nor shall the district become indebted on account of bonds issued by the district for elementary purposes in the aggregate exceeding 6.9% of the value of the taxable property for that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes.

Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).

(a-5) After January 1, 2018, no school district may issue bonds under Sections 19-2 through 19-7 of this Code and rely on an exception to the debt limitations in this Section unless it has complied with the requirements of Section 21 of the Bond Issue Notification Act and the bonds have been approved by referendum.

(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

(1) Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased over the previous school year by not less than 35% or by not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

(2) When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and approve the need for such additional school sites or building facilities and the estimated cost thereof; and

(3) When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the value of the taxable property therein to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district pursuant to the requirements of Section 11A-10 (now repealed) may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional indebtedness in an amount not to exceed \$4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a for the purpose of replacing a school building which, because of mine subsidence damage, has been closed as provided in paragraph (2) of this subsection (d) or through the issuance of bonds under and in accordance with Section 19-3 for the purpose of increasing the size of, or providing for additional functions in, such replacement school buildings, or both such purposes.

(2) The bonds issued by the school district as provided in paragraph (1) above are issued for the purposes of construction by the school district of a new school building pursuant to Section 17-2.11, to replace an existing school building that, because of mine subsidence damage, is closed as of the end of the 1992-93 school year pursuant to action of the regional superintendent of schools of the educational service region in which the district is located under Section 3-14.22 or are issued for the purpose of increasing the size of, or providing for additional functions in, the new school building being constructed to replace a school building closed as the result of mine subsidence damage, or both such purposes.

(e) (Blank).

(f) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds in not to exceed the aggregate amount of \$5,500,000 and issued by a school district meeting the following criteria shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness:

(1) At the time of the sale of such bonds, the board of education of the district shall have determined by resolution that the enrollment of students in the district is projected to increase by not less than 7% during each of the next succeeding 2 school years.

(2) The board of education shall also determine by resolution that the improvements to be financed with the proceeds of the bonds are needed because of the projected enrollment increases.

(3) The board of education shall also determine by resolution that the projected increases in enrollment are the result of improvements made or expected to be made to passenger rail facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or of any other law, a school district that has availed itself of the provisions of this subsection (f) prior to July 22, 2004 (the effective date of Public Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to resolution of the school board in an amount or amounts, including existing indebtedness, in excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

(i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.

(ii) At the time the resolution authorizing the issuance of the bonds is adopted, the cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.

(iii) The sale of the bonds occurs before July 1, 1997.

(iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less than 1,500 and an equalized assessed valuation of less than \$29,000,000.

(h) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27.6% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than \$24,000,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which buildings were originally constructed not less than 40 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after March 19, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(i) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than \$44,600,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which existing buildings were originally constructed not less than 80 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after December 31, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than \$140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;

(ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high school was originally constructed not less than 35 years prior to the sale of the bonds;

(iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;

(iv) At least 60% of those voting in an election held after December 31, 1996 approve a proposition for the issuance of the bonds; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed \$4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such additional indebtedness, causes the aggregate indebtedness of the school district to exceed or increases the amount by which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that school district under subsection (a):

(1) the school district is located in 2 counties, and a referendum to authorize the additional indebtedness was approved by a majority of the voters of the school district voting on the proposition to authorize that indebtedness;

(2) the additional indebtedness is for the purpose of financing a multi-purpose room addition to the existing high school;

(3) the additional indebtedness, together with the existing indebtedness of the school district, shall not exceed 17.4% of the value of the taxable property in the school district, to be ascertained by the last assessment for State and county taxes; and

(4) the bonds evidencing the additional indebtedness are issued, if at all, within 120 days of August 14, 1998 (the effective date of Public Act 90-757).

(l) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 2000, a school district maintaining grades kindergarten through 8 may issue bonds up to an amount, including existing indebtedness, not exceeding 15% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the district has an equalized assessed valuation for calendar year 1996 of less than \$10,000,000;

(ii) the bonds are issued for capital improvement, renovation, rehabilitation, or replacement of one or more school buildings of the district, which buildings were originally constructed not less than 70 years ago;

(iii) the voters of the district approve a proposition for the issuance of the bonds at a referendum held on or after March 17, 1998; and

(iv) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(m) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, an elementary school district maintaining grades K through 8 may issue bonds up to an amount, excluding existing indebtedness, not exceeding 18% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 or less than \$7,700,000;

(ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;

(iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not accessible at all levels and parts of which were constructed more than 75 years ago;

(iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:

(i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to Section 5-20 of the School Construction Law.

(ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.

(iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under Section 5-15 of the School Construction Law as the dollar amount of the school construction project's cost that the district will be required to finance with non-grant funds in order to receive a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

(v) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

(vi) The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

(o) Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the school district has an equalized assessed valuation for calendar year 2001 of at least \$737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and

(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p) Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least \$295,741,187 and a best 3 months' average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

(ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-10) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community consolidated school district maintaining grades K through 8 shall not be considered

indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential and farm property comprises more than 80% of the equalized assessed valuation of the district.

(ii) The bond proceeds are to be used to acquire and improve school sites and build and equip a school building.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the school sites and building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 20% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-15) In addition to all other authority to issue bonds, the Oswego Community Unit School District Number 308 may issue bonds with an aggregate principal amount not to exceed \$450,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general election held on November 7, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school building, new junior high school buildings, new elementary school buildings, early childhood building, maintenance building, transportation facility, and additions to existing school buildings, the altering, repairing, equipping, and provision of technology improvements to existing school buildings, and the acquisition and improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before November 7, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed \$450,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the general election held on November 7, 2006.

The debt incurred on any bonds issued under this subsection (p-15) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-20) In addition to all other authority to issue bonds, the Lincoln-Way Community High School District Number 210 may issue bonds with an aggregate principal amount not to exceed \$225,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general primary election held on March 21, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school buildings, the altering, repairing, and equipping of existing school buildings, and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before March 21, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed \$225,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the primary election held on March 21, 2006.

The debt incurred on any bonds issued under this subsection (p-20) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-25) In addition to all other authority to issue bonds, Rochester Community Unit School District 3A may issue bonds with an aggregate principal amount not to exceed \$18,500,000, but only if all of the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at the general primary election held in 2008.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of a new high school building; the addition of classrooms and support facilities at the high school, middle school, and elementary school; the altering, repairing, and equipping of existing school buildings; and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by a law that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before December 31, 2012, but the aggregate principal amount issued in all such bond issues combined must not exceed \$18,500,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the primary election held in 2008.

The debt incurred on any bonds issued under this subsection (p-25) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-30) In addition to all other authority to issue bonds, Prairie Grove Consolidated School District 46 may issue bonds with an aggregate principal amount not to exceed \$30,000,000, but only if all of the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at an election held in 2008.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the building and equipping of a new school building and additions to existing school buildings are required as a result of a projected increase in the enrollment of students in the district and (B) the altering, repairing, and equipping of existing school buildings are required because of the age of the existing school buildings.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2012; however, the aggregate principal amount issued in all such bond issuances combined must not exceed \$30,000,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held in 2008.

The debt incurred on any bonds issued under this subsection (p-30) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-35) In addition to all other authority to issue bonds, Prairie Hill Community Consolidated School District 133 may issue bonds with an aggregate principal amount not to exceed \$13,900,000, but only if all of the following conditions are met:

(i) The voters of the district approved a proposition for the bond issuance at an election held on April 17, 2007.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the improvement of the site of and the building and equipping of a school building are required as a result of a projected increase in the enrollment of students in the district and (B) the repairing and equipping of the Prairie Hill Elementary School building is required because of the age of that school building.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2011, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$13,900,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on April 17, 2007.

The debt incurred on any bonds issued under this subsection (p-35) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-40) In addition to all other authority to issue bonds, Mascoutah Community Unit District 19 may issue bonds with an aggregate principal amount not to exceed \$55,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at a regular election held on or after November 4, 2008.

(2) At the time of the sale of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new high school building is required as a result of a projected increase in the enrollment of students in the district and the age and condition of the existing high school building, (ii) the existing high school building will be demolished, and (iii) the sale of bonds is authorized by statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before December 31, 2011, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$55,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at a regular election held on or after November 4, 2008.

The debt incurred on any bonds issued under this subsection (p-40) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-45) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds issued pursuant to Section 19-3.5 of this Code shall not be considered indebtedness for purposes of any statutory limitation if the bonds are issued in an amount or amounts, including existing indebtedness of the school district, not in excess of 18.5% of the value of the taxable property in the district to be ascertained by the last assessment for State and county taxes.

(p-50) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds issued pursuant to Section 19-3.10 of this Code shall not be considered indebtedness for purposes of any statutory limitation if the bonds are issued in an amount or amounts, including existing indebtedness of the school district, not in excess of 43% of the value of the taxable property in the district to be ascertained by the last assessment for State and county taxes.

(p-55) In addition to all other authority to issue bonds, Belle Valley School District 119 may issue bonds with an aggregate principal amount not to exceed \$47,500,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 7, 2009.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of mine subsidence in an existing school building and because of the age and condition of another existing school building and (ii) the issuance of bonds is authorized by statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before March 31, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$47,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 7, 2009.

The debt incurred on any bonds issued under this subsection (p-55) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-55) must mature within not to exceed 30 years from their date, notwithstanding any other law to the contrary.

(p-60) In addition to all other authority to issue bonds, Wilmington Community Unit School District Number 209-U may issue bonds with an aggregate principal amount not to exceed \$2,285,000, but only if all of the following conditions are met:

(1) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the general primary election held on March 21, 2006.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the projects approved by the voters were and are required because of the age and condition of the school district's prior and existing school buildings and (ii) the issuance of the bonds is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued in one or more bond issuances on or before March 1, 2011, but the aggregate principal amount issued in all those bond issuances combined must not exceed \$2,285,000.

(4) The bonds are issued in accordance with this Article.

The debt incurred on any bonds issued under this subsection (p-60) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-65) In addition to all other authority to issue bonds, West Washington County Community Unit School District 10 may issue bonds with an aggregate principal amount not to exceed \$32,200,000 and maturing over a period not exceeding 25 years, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after February 2, 2010.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (A) all or a portion of the existing Okawville Junior/Senior High School Building will be demolished; (B) the building and equipping of a new school building to be attached to and the alteration, repair, and equipping of the remaining portion of the Okawville Junior/Senior High School Building is required because of the age and current condition of that school building; and (C) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before March 31, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$32,200,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after February 2, 2010.

The debt incurred on any bonds issued under this subsection (p-65) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-70) In addition to all other authority to issue bonds, Cahokia Community Unit School District 187 may issue bonds with an aggregate principal amount not to exceed \$50,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after November 2, 2010.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, on or before July 1, 2016, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$50,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 2, 2010.

The debt incurred on any bonds issued under this subsection (p-70) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-70) must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-75) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, the execution of leases on or after January 1, 2007 and before July 1, 2011 by the Board of Education of Peoria School District 150 with a public building commission for leases entered into pursuant to the Public Building Commission Act shall not be considered indebtedness for purposes of any statutory debt limitation.

This subsection (p-75) applies only if the State Board of Education or the Capital Development Board makes one or more grants to Peoria School District 150 pursuant to the School Construction Law. The amount exempted from the debt limitation as prescribed in this subsection (p-75) shall be no greater than the amount of one or more grants awarded to Peoria School District 150 by the State Board of Education or the Capital Development Board.

(p-80) In addition to all other authority to issue bonds, Ridgeland School District 122 may issue bonds with an aggregate principal amount not to exceed \$50,000,000 for the purpose of refunding or continuing to refund bonds originally issued pursuant to voter approval at the general election held on November 7, 2000, and the debt incurred on any bonds issued under this subsection (p-80) shall not be considered indebtedness

for purposes of any statutory debt limitation. Bonds issued under this subsection (p-80) may be issued in one or more issuances and must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-85) In addition to all other authority to issue bonds, Hall High School District 502 may issue bonds with an aggregate principal amount not to exceed \$32,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 9, 2013.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building, (ii) the existing school building should be demolished in its entirety or the existing school building should be demolished except for the 1914 west wing of the building, and (iii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$32,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 9, 2013.

The debt incurred on any bonds issued under this subsection (p-85) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-85) must mature within not to exceed 30 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-90) In addition to all other authority to issue bonds, Lebanon Community Unit School District 9 may issue bonds with an aggregate principal amount not to exceed \$7,500,000, but only if all of the following conditions are met:

(1) The voters of the district approved a proposition for the bond issuance at the general primary election on February 2, 2010.

(2) At or prior to the time of the sale of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new elementary school building is required as a result of a projected increase in the enrollment of students in the district and the age and condition of the existing Lebanon Elementary School building, (ii) a portion of the existing Lebanon Elementary School building will be demolished and the remaining portion will be altered, repaired, and equipped, and (iii) the sale of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before April 1, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$7,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the general primary election held on February 2, 2010.

The debt incurred on any bonds issued under this subsection (p-90) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-95) In addition to all other authority to issue bonds, Monticello Community Unit School District 25 may issue bonds with an aggregate principal amount not to exceed \$35,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after November 4, 2014.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, on or before July 1, 2020, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$35,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 4, 2014.

The debt incurred on any bonds issued under this subsection (p-95) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-95) must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-100) In addition to all other authority to issue bonds, the community unit school district created in the territory comprising Milford Community Consolidated School District 280 and Milford Township High School District 233, as approved at the general primary election held on March 18, 2014, may issue bonds with an aggregate principal amount not to exceed \$17,500,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after November 4, 2014.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of an existing school building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, on or before July 1, 2020, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$17,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 4, 2014.

The debt incurred on any bonds issued under this subsection (p-100) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-100) must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-105) In addition to all other authority to issue bonds, North Shore School District 112 may issue bonds with an aggregate principal amount not to exceed \$150,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after March 15, 2016.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of new buildings and improving the sites thereof and the building and equipping of additions to, altering, repairing, equipping, and renovating existing buildings and improving the sites thereof are required as a result of the age and condition of the district's existing buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$150,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after March 15, 2016.

The debt incurred on any bonds issued under this subsection (p-105) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-105) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 30 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-110) In addition to all other authority to issue bonds, Sandoval Community Unit School District 501 may issue bonds with an aggregate principal amount not to exceed \$2,000,000, but only if all of the following conditions are met:

(1) The voters of the district approved a proposition for the bond issuance at an election held on March 20, 2012.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new school building is required because of the age and current condition

of the Sandoval Elementary School building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before March 19, 2022, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$2,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the election held on March 20, 2012.

The debt incurred on any bonds issued under this subsection (p-110) and on any bonds issued to refund or continue to refund the bonds shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-115) In addition to all other authority to issue bonds, Bureau Valley Community Unit School District 340 may issue bonds with an aggregate principal amount not to exceed \$25,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after March 15, 2016.

(2) Prior to the issuances of the bonds, the school board determines, by resolution, that (i) the renovating and equipping of some existing school buildings, the building and equipping of new school buildings, and the demolishing of some existing school buildings are required as a result of the age and condition of existing school buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, on or before July 1, 2021, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$25,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after March 15, 2016.

The debt incurred on any bonds issued under this subsection (p-115) shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-115) must mature within not to exceed 30 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-120) In addition to all other authority to issue bonds, Paxton-Buckley-Loda Community Unit School District 10 may issue bonds with an aggregate principal amount not to exceed \$28,500,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after November 8, 2016.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the projects as described in said proposition, relating to the building and equipping of one or more school buildings or additions to existing school buildings, are required as a result of the age and condition of the District's existing buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$28,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after November 8, 2016.

The debt incurred on any bonds issued under this subsection (p-120) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-120) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-125) In addition to all other authority to issue bonds, Hillsboro Community Unit School District 3 may issue bonds with an aggregate principal amount not to exceed \$34,500,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after March 15, 2016.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) altering, repairing, and equipping the high school agricultural/vocational building, demolishing the high school main, cafeteria, and gym buildings, building and equipping a school building, and improving sites are required as a result of the age and condition of the district's existing buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$34,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after March 15, 2016.

The debt incurred on any bonds issued under this subsection (p-125) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-125) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-130) In addition to all other authority to issue bonds, Waltham Community Consolidated School District 185 may incur indebtedness in an aggregate principal amount not to exceed \$9,500,000 to build and equip a new school building and improve the site thereof, but only if all the following conditions are met:

(1) A majority of the voters of the district voting on an advisory question voted in favor of the question regarding the use of funding sources to build a new school building without increasing property tax rates at the general election held on November 8, 2016.

(2) Prior to incurring the debt, the school board enters into intergovernmental agreements with the City of LaSalle to pledge moneys in a special tax allocation fund associated with tax increment financing districts LaSalle I and LaSalle III and with the Village of Utica to pledge moneys in a special tax allocation fund associated with tax increment financing district Utica I for the purposes of repaying the debt issued pursuant to this subsection (p-130). Notwithstanding any other provision of law to the contrary, the intergovernmental agreement may extend these tax increment financing districts as necessary to ensure repayment of the debt.

(3) Prior to incurring the debt, the school board determines, by resolution, that (i) the building and equipping of a new school building is required as a result of the age and condition of the district's existing buildings and (ii) the debt is authorized by a statute that exempts the debt from the district's statutory debt limitation.

(4) The debt is incurred, in one or more issuances, not later than January 1, 2021, and the aggregate principal amount of debt issued in all such issuances combined must not exceed \$9,500,000.

The debt incurred under this subsection (p-130) and on any bonds issued to pay, refund, or continue to refund such debt shall not be considered indebtedness for purposes of any statutory debt limitation. Debt issued under this subsection (p-130) and any bonds issued to pay, refund, or continue to refund such debt must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-11 of this Code and subsection (b) of Section 17 of the Local Government Debt Reform Act, to the contrary.

(p-133) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds heretofore or hereafter issued by East Prairie School District 73 with an aggregate principal amount not to exceed \$47,353,147 and approved by the voters of the district at the general election held on November 8, 2016, and any bonds issued to refund or continue to refund the bonds, shall not be considered indebtedness for the purposes of any statutory debt limitation and may mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-135) In addition to all other authority to issue bonds, Brookfield LaGrange Park School District Number 95 may issue bonds with an aggregate principal amount not to exceed \$20,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 4, 2017.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the additions and renovations to the Brook Park Elementary and S. E. Gross Middle School buildings are

required to accommodate enrollment growth, replace outdated facilities, and create spaces consistent with 21st century learning and (ii) the issuance of the bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$20,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 4, 2017.

The debt incurred on any bonds issued under this subsection (p-135) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-140) The debt incurred on any bonds issued by Wolf Branch School District 113 under Section 17-2.11 of this Code for the purpose of repairing or replacing all or a portion of a school building that has been damaged by mine subsidence in an aggregate principal amount not to exceed \$17,500,000 and on any bonds issued to refund or continue to refund those bonds shall not be considered indebtedness for purposes of any statutory debt limitation and must mature no later than 25 years from the date of issuance, notwithstanding any other provision of law to the contrary, including Section 19-3 of this Code. The maximum allowable amount of debt exempt from statutory debt limitations under this subsection (p-140) shall be reduced by an amount equal to any grants awarded by the State Board of Education or Capital Development Board for the explicit purpose of repairing or reconstructing a school building damaged by mine subsidence.

(p-145) In addition to all other authority to issue bonds, Greenvew Community Unit School District 200 may issue bonds with an aggregate principal amount not to exceed \$3,500,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that the bonding is necessary for construction and expansion of the district's kindergarten through grade 12 facility.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$3,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-145) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-145) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-150) In addition to all other authority to issue bonds, Komarek School District 94 may issue bonds with an aggregate principal amount not to exceed \$20,800,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) building and equipping additions to, altering, repairing, equipping, or demolishing a portion of, or improving the site of the district's existing school building is required as a result of the age and condition of the existing building and (ii) the issuance of the bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, no later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all of the bond issuances combined may not exceed \$20,800,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-150) and on any bonds issued to refund or continue to refund those bonds may not be considered indebtedness for purposes of any statutory debt limitation. Notwithstanding any other law to the contrary, including Section 19-3, bonds issued under this subsection (p-150) and any bonds issued to refund or continue to refund those bonds must mature within 30 years from their date of issuance.

(p-155) In addition to all other authority to issue bonds, Williamsville Community Unit School District 15 may issue bonds with an aggregate principal amount not to exceed \$40,000,000, but only if all of the following conditions are met:

(1) The voters of the school district approve a proposition for the bond issuance at an election held on March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that the projects set forth in the proposition for the bond issuance were and are required because of the age and condition of the school district's existing school buildings.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$40,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-155) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-155) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-160) In addition to all other authority to issue bonds, Berkeley School District 87 may issue bonds with an aggregate principal amount not to exceed \$105,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at the general primary election held on March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) building and equipping a school building to replace the Sunnyside Intermediate and MacArthur Middle School buildings; building and equipping additions to and altering, repairing, and equipping the Riley Intermediate and Northlake Middle School buildings; altering, repairing, and equipping the Whittier Primary and Jefferson Primary School buildings; improving sites; renovating instructional spaces; providing STEM (science, technology, engineering, and mathematics) labs; and constructing life safety, security, and infrastructure improvements are required to replace outdated facilities and to provide safe spaces consistent with 21st century learning and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$105,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the general primary election held on March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-160) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-165) In addition to all other authority to issue bonds, Elmwood Park Community Unit School District 401 may issue bonds with an aggregate principal amount not to exceed \$55,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the building and equipping of an addition to the John Mills Elementary School building; the renovating,

altering, repairing, and equipping of the John Mills and Elmwood Elementary School buildings; the installation of safety and security improvements; and the improvement of school sites are required as a result of the age and condition of the district's existing school buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$55,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-165) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-165) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-170) In addition to all other authority to issue bonds, Maroa-Forsyth Community Unit School District 2 may issue bonds with an aggregate principal amount not to exceed \$33,000,000, but only if all of the following conditions are met:

(1) The voters of the school district approve a proposition for the bond issuance at an election held on March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that the projects set forth in the proposition for the bond issuance were and are required because of the age and condition of the school district's existing school buildings.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$33,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-170) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-170) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-175) In addition to all other authority to issue bonds, Schiller Park School District 81 may issue bonds with an aggregate principal amount not to exceed \$30,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after March 17, 2020.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) building and equipping a school building to replace the Washington Elementary School building, installing fire suppression systems, security systems, and federal Americans with Disability Act of 1990 compliance measures, acquiring land, and improving the site are required to accommodate enrollment growth, replace an outdated facility, and create spaces consistent with 21st century learning and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$30,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after March 17, 2020.

The debt incurred on any bonds issued under this subsection (p-175) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-175) and any bonds issued to refund or continue to

refund such bonds must mature within not to exceed 27 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-180) In addition to all other authority to issue bonds, Iroquois County Community Unit School District 9 may issue bonds with an aggregate principal amount not to exceed \$17,125,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 6, 2021.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) building and equipping a new school building in the City of Watseka; altering, repairing, renovating, and equipping portions of the existing facilities of the district; and making site improvements is necessary because of the age and condition of the district's existing school facilities and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$17,125,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after April 6, 2021.

The debt incurred on any bonds issued under this subsection (p-180) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-180) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-185) In addition to all other authority to issue bonds, Field Community Consolidated School District 3 may issue bonds with an aggregate principal amount not to exceed \$2,600,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 6, 2021.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) it is necessary to alter, repair, renovate, and equip the existing facilities of the district, including, but not limited to, roof replacement, lighting replacement, electrical upgrades, restroom repairs, and gym renovations, and make site improvements because of the age and condition of the district's existing school facilities and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$2,600,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after April 6, 2021.

The debt incurred on any bonds issued under this subsection (p-185) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-185) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-190) In addition to all other authority to issue bonds, Mahomet-Seymour Community Unit School District 3 may issue bonds with an aggregate principal amount not to exceed \$97,900,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after June 28, 2022.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) it is necessary to build and equip a new junior high school building, build and equip a new transportation building, and build and equip additions to, renovate, and make site improvements at the Lincoln Trail Elementary building, Middletown Prairie Elementary building, and Mahomet-Seymour High School

building and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$97,900,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after June 28, 2022.

The debt incurred on any bonds issued under this subsection (p-190) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-190) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-195) In addition to all other authority to issue bonds, New Berlin Community Unit School District 16 may issue bonds with an aggregate principal amount not to exceed \$23,500,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after June 28, 2022.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) it is necessary to alter, repair, and equip the junior/senior high school building, including creating new classroom, gym, and other instructional spaces, renovating the J.V. Kirby Pretzel Dome, improving heating, cooling, and ventilation systems, installing school safety and security improvements, removing asbestos, and making site improvements, and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$23,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after June 28, 2022.

The debt incurred on any bonds issued under this subsection (p-195) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-195) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-200) In addition to all other authority to issue bonds, Highland Community Unit School District 5 may issue bonds with an aggregate principal amount not to exceed \$40,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after June 28, 2022.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) it is necessary to improve the sites of, build, and equip a new primary school building and build and equip additions to and alter, repair, and equip existing school buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$40,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after June 28, 2022.

The debt incurred on any bonds issued under this subsection (p-200) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-200) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-205) In addition to all other authority to issue bonds, Sullivan Community Unit School District 300 may issue bonds with an aggregate principal amount not to exceed \$25,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after June 28, 2022.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) the projects set forth in the proposition for the issuance of the bonds are required because of the age, condition, or capacity of the school district's existing school buildings and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$25,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after June 28, 2022.

The debt incurred on any bonds issued under this subsection (p-205) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-205) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-210) In addition to all other authority to issue bonds, Manhattan School District 114 may issue bonds with an aggregate principal amount not to exceed \$85,000,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after June 28, 2022.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that the projects set forth in the proposition for the bond issuance were and are required because of the age, condition, or capacity of the school district's existing school buildings.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuances of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$85,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after June 28, 2022.

The debt incurred on any bonds issued under this subsection (p-210) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-210) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 30 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-215) In addition to all other authority to issue bonds, Golf Elementary School District 67 may issue bonds with an aggregate principal amount not to exceed \$56,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after June 28, 2022.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that (i) it is necessary to build and equip a new school building and improve the site thereof and (ii) the issuance of bonds is authorized by a statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$56,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after June 28, 2022.

The debt incurred on any bonds issued under this subsection (p-215) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-215) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-220) In addition to all other authority to issue bonds, Joliet Public Schools District 86 may issue bonds with an aggregate principal amount not to exceed \$99,500,000, but only if all the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 4, 2023.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that the projects set forth in the proposition for the bond issuance were and are required because of the age and condition of the school district's existing school buildings.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$99,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after April 4, 2023.

The debt incurred on any bonds issued under this subsection (p-220), and on any bonds issued to refund or continue to refund such bonds, shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection (p-220) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-225) In addition to all other authority to issue bonds, Union Ridge School District 86 may issue bonds with an aggregate principal amount not to exceed \$35,000,000, but only if all the following conditions are met:

(1) The voters of the school district approve a proposition for the bond issuance at an election held on or after March 19, 2024.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that the projects set forth in the proposition for the bond issuance were and are required because of the age and condition of the school district's existing school buildings.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$35,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after March 19, 2024.

The debt incurred on any bonds issued under this subsection (p-225) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limit limitation. Bonds issued under this subsection (p-225) and any bonds issued to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(p-230) In addition to all other authority to issue bonds, Bethel School District 82 may issue bonds with an aggregate principal amount not to exceed \$3,975,000, but only if all the following conditions are met:

(1) The voters of the school district approve a proposition for the bond issuance at an election held on or after March 19, 2024.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that the projects set forth in the proposition for the bond issuance were and are required because of the age and condition of the school district's existing school buildings.

(3) The bonds are issued, in one or more issuances, not later than 5 years after the date of the referendum approving the issuance of the bonds, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$3,975,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only the projects approved by the voters at an election held on or after March 19, 2024.

The debt incurred on any bonds issued under this subsection (p-230) and on any bonds issued to refund or continue to refund such bonds shall not be considered indebtedness for purposes of any statutory debt limit limitation. Bonds issued under this subsection (p-230) and any bonds issue to refund or continue to refund such bonds must mature within not to exceed 25 years from their date, notwithstanding any other law, including Section 19-3 of this Code, to the contrary.

(q) A school district must notify the State Board of Education prior to issuing any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in this Section or any other provision of law.

(Source: P.A. 102-316, eff. 8-6-21; 102-949, eff. 5-27-22; 103-449, eff. 1-1-24.)

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

Under the rules, the foregoing **Senate Bill No. 3348**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3349

A bill for AN ACT concerning education.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 3349

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3349**

AMENDMENT NO. 1. Amend Senate Bill 3349 on page 2, line 12, by replacing "units of credit in" with "~~units of credit in~~"; and

by replacing line 22 on page 3 through line 11 on page 4 with the following:

"are not limited to, a list of all school courses and course codes derived from the State Board of Education's Illinois State Course Catalog and Illinois Virtual Course Catalog that are designated as and qualify as globally focused coursework."; and

on page 4, line 12, by replacing "a provider" with "the provider"; and

on page 4, line 20, by replacing "6 units of credit in" with "6".

Under the rules, the foregoing **Senate Bill No. 3349**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3402

A bill for AN ACT concerning local government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 3402

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

[May 21, 2024]

**AMENDMENT NO. 2 TO SENATE BILL 3402**

AMENDMENT NO. 2 . Amend Senate Bill 3402 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-1028.2 as follows:  
(55 ILCS 5/5-1028.2 new)

Sec. 5-1028.2. Emergency ambulance service. Notwithstanding any other provision of law, a county may, by ordinance, agree to provide emergency ambulance service to any portion of a fire protection district that the county is already providing emergency ambulance service through an intergovernmental agreement. The ordinance to provide emergency ambulance service under this Section must contain an affirmative obligation on the part of the county to provide emergency ambulance service to the fire protection district once the intergovernmental agreement in effect at the time of the ordinance expires.

An ordinance adopted under this Section does not take effect until after the fire protection district adopts a resolution under Section 22.1 of the Fire Protection District Act to discontinue the emergency ambulance service and the intergovernmental agreement for emergency ambulance service between the county and the fire protection district has ended. Upon certification to the county clerk by both the county and the fire protection district that all criteria have been met under this Section and Section 22.1 of the Fire Protection District Act, the tax rate for emergency ambulance service for the area once serviced under the fire protection district for emergency ambulance service shall be the rate the county levies under Section 5-1028.

Section 10. The Fire Protection District Act is amended by adding Section 22.1 as follows:  
(70 ILCS 705/22.1 new)

Sec. 22.1. Emergency ambulance service. Notwithstanding any other provision of law, the board of trustees of a fire protection district may, by majority vote of the board of trustees, adopt a resolution to discontinue the district's emergency ambulance service and to discontinue the district's tax upon certification as provided by this Section if a county that is already providing emergency ambulance service through an intergovernmental agreement levies a tax for emergency ambulance service under Section 5-1028 of the Counties Code and the county has, by ordinance, agreed to assume the emergency ambulance service at the expiration of the intergovernmental agreement between the district and county. A resolution adopted under this Section must include an end date of services. Upon certification to the county clerk by both the county and the district that all criteria have been met under this Section and Section 5-1028.2 of the Counties Code, the district may not levy a tax for emergency ambulance service under Section 22 unless the county repeals the ordinance adopted under Section 5-1028.2 and the county's tax adopted under Section 5-1028. If the district elects to no longer provide emergency ambulance service under this Section, the election shall not be construed as affecting the district's authority to levy a tax and provide fire protection service under this Act.

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

Under the rules, the foregoing **Senate Bill No. 3402**, with House Amendment No. 2, 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. 3448

A bill for AN ACT concerning safety.

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. 3448  
Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

[May 21, 2024]

**AMENDMENT NO. 1 TO SENATE BILL 3448**

AMENDMENT NO. 1. Amend Senate Bill 3448 on page 6, by replacing lines 7 through 15 with the following:

"(8) The SERC shall provide and maintain a Tier II reporting system that has the capability to allow the reporting facility filing a Tier II inventory form to verify the accuracy of the facility's chemical storage address, including the latitude and longitude associated with that address, using a mapping-based software."

Under the rules, the foregoing **Senate Bill No. 3448**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3463

A bill for AN ACT concerning courts.

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. 3463

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3463**

AMENDMENT NO. 1. Amend Senate Bill 3463 by replacing everything after the enacting clause with the following:

"Section 5. The Juvenile Court Act of 1987 is amended by changing Section 5-915 as follows:

(705 ILCS 405/5-915)

Sec. 5-915. Expungement of juvenile law enforcement and juvenile court records.

(0.05) (Blank).

(0.1)(a) The Illinois State Police and all law enforcement agencies within the State shall automatically expunge, on or before January 1 of each year, except as described in paragraph (c) of this subsection (0.1), all juvenile law enforcement records relating to events occurring before an individual's 18th birthday if:

(1) one year or more has elapsed since the date of the arrest or law enforcement interaction documented in the records;

(2) no petition for delinquency or criminal charges were filed with the clerk of the circuit court relating to the arrest or law enforcement interaction documented in the records; and

(3) 6 months have elapsed since the date of the arrest without an additional subsequent arrest or filing of a petition for delinquency or criminal charges whether related or not to the arrest or law enforcement interaction documented in the records.

(b) If the law enforcement agency is unable to verify satisfaction of conditions (2) and (3) of this subsection (0.1), records that satisfy condition (1) of this subsection (0.1) shall be automatically expunged if the records relate to an offense that if committed by an adult would not be an offense classified as a Class 2 felony or higher, an offense under Article 11 of the Criminal Code of 1961 or Criminal Code of 2012, or an offense under Section 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961.

(c) If the juvenile law enforcement record was received through a public submission to a statewide student confidential reporting system administered by the Illinois State Police, the record will be maintained for a period of 5 years according to all other provisions in this subsection (0.1).

(0.15) If a juvenile law enforcement record meets paragraph (a) of subsection (0.1) of this Section, a juvenile law enforcement record created:

(1) prior to January 1, 2018, but on or after January 1, 2013 shall be automatically expunged prior to January 1, 2020;

(2) prior to January 1, 2013, but on or after January 1, 2000, shall be automatically expunged prior to January 1, 2023; and

(3) prior to January 1, 2000 shall not be subject to the automatic expungement provisions of this Act.

[May 21, 2024]

Nothing in this subsection (0.15) shall be construed to restrict or modify an individual's right to have the person's juvenile law enforcement records expunged except as otherwise may be provided in this Act.

(0.2)(a) Upon dismissal of a petition alleging delinquency or upon a finding of not delinquent, the successful termination of an order of supervision, or the successful termination of an adjudication for an offense which would be a Class B misdemeanor, Class C misdemeanor, or a petty or business offense if committed by an adult, the court shall automatically order the expungement of the juvenile court records and juvenile law enforcement records. The clerk shall deliver a certified copy of the expungement order to the Illinois State Police and the arresting agency. Upon request, the State's Attorney shall furnish the name of the arresting agency. The expungement shall be completed within 60 business days after the receipt of the expungement order.

(b) If the chief law enforcement officer of the agency, or the chief law enforcement officer's designee, certifies in writing that certain information is needed for a pending investigation involving the commission of a felony, that information, and information identifying the juvenile, may be retained until the statute of limitations for the felony has run. If the chief law enforcement officer of the agency, or the chief law enforcement officer's designee, certifies in writing that certain information is needed with respect to an internal investigation of any law enforcement office, that information and information identifying the juvenile may be retained within an intelligence file until the investigation is terminated or the disciplinary action, including appeals, has been completed, whichever is later. Retention of a portion of a juvenile's law enforcement record does not disqualify the remainder of a juvenile's record from immediate automatic expungement.

(0.3)(a) Upon an adjudication of delinquency based on any offense except a disqualified offense, the juvenile court shall automatically order the expungement of the juvenile court and law enforcement records 2 years after the juvenile's case was closed if no delinquency or criminal proceeding is pending and the person has had no subsequent delinquency adjudication or criminal conviction. On the date that the minor's sentence ends or the date that the court enters an order committing the minor to the Department of Juvenile Justice, the juvenile court judge shall schedule a date to enter the automatic expungement order. The minor must be notified but shall not be required to be present for the scheduled court date when automatic expungement is to be ordered. If the minor is not yet eligible on the originally scheduled date, the court shall schedule a subsequent date to enter the automatic expungement order. The clerk shall deliver a certified copy of the expungement order to the Illinois State Police and the arresting agency. Upon request, the State's Attorney shall furnish the name of the arresting agency. The expungement shall be completed within 60 business days after the receipt of the expungement order. In this subsection (0.3), "disqualified offense" means any of the following offenses: Section 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1, 10-2, 10-3, 10-3.1, 10-4, 10-5, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 12-2, 12-3.05, 12-3.3, 12-4.4a, 12-5.02, 12-6.2, 12-6.5, 12-7.1, 12-7.5, 12-20.5, 12-32, 12-33, 12-34, 12-34.5, 18-1, 18-2, 18-3, 18-4, 18-6, 19-3, 19-6, 20-1, 20-1.1, 24-1.2, 24-1.2-5, 24-1.5, 24-3A, 24-3B, 24-3.2, 24-3.8, 24-3.9, 29D-14.9, 29D-20, 30-1, 31-1a, 32-4a, or 33A-2 of the Criminal Code of 2012, or subsection (b) of Section 8-1, paragraph (4) of subsection (a) of Section 11-14.4, subsection (a-5) of Section 12-3.1, paragraph (1), (2), or (3) of subsection (a) of Section 12-6, subsection (a-3) or (a-5) of Section 12-7.3, paragraph (1) or (2) of subsection (a) of Section 12-7.4, subparagraph (i) of paragraph (1) of subsection (a) of Section 12-9, subparagraph (H) of paragraph (3) of subsection (a) of Section 24-1.6, paragraph (1) of subsection (a) of Section 25-1, or subsection (a-7) of Section 31-1 of the Criminal Code of 2012.

(b) If the chief law enforcement officer of the agency, or the chief law enforcement officer's designee, certifies in writing that certain information is needed for a pending investigation involving the commission of a felony, that information, and information identifying the juvenile, may be retained in an intelligence file until the investigation is terminated or for one additional year, whichever is sooner. Retention of a portion of a juvenile's juvenile law enforcement record does not disqualify the remainder of a juvenile's record from immediate automatic expungement.

(0.4) Automatic expungement for the purposes of this Section shall not require law enforcement agencies to obliterate or otherwise destroy juvenile law enforcement records that would otherwise need to be automatically expunged under this Act, except after 2 years following the subject arrest for purposes of use in civil litigation against a governmental entity or its law enforcement agency or personnel which created, maintained, or used the records. However, these juvenile law enforcement records shall be considered expunged for all other purposes during this period and the offense, which the records or files concern, shall be treated as if it never occurred as required under Section 5-923.

(0.5) Subsection (0.1) or (0.2) of this Section does not apply to violations of traffic, boating, fish and game laws, or county or municipal ordinances.

(0.6) Juvenile law enforcement records of a plaintiff who has filed civil litigation against the governmental entity or its law enforcement agency or personnel that created, maintained, or used the records, or juvenile law enforcement records that contain information related to the allegations set forth in the civil litigation may not be expunged until after 2 years have elapsed after the conclusion of the lawsuit, including any appeal.

(0.7) Officer-worn body camera recordings shall not be automatically expunged except as otherwise authorized by the Law Enforcement Officer-Worn Body Camera Act.

(1) Whenever a person has been arrested, charged, or adjudicated delinquent for an incident occurring before a person's 18th birthday that if committed by an adult would be an offense, and that person's juvenile law enforcement and juvenile court records are not eligible for automatic expungement under subsection (0.1), (0.2), or (0.3), the person may petition the court at any time at no cost to the person for expungement of juvenile law enforcement records and juvenile court records relating to the incident and, upon termination of all juvenile court proceedings relating to that incident, the court shall order the expungement of all records in the possession of the Illinois State Police, the clerk of the circuit court, and law enforcement agencies relating to the incident, but only in any of the following circumstances:

(a) the minor was arrested and no petition for delinquency was filed with the clerk of the circuit court;

(a-5) the minor was charged with an offense and the petition or petitions were dismissed without a finding of delinquency;

(b) the minor was charged with an offense and was found not delinquent of that offense;

(c) the minor was placed under supervision under Section 5-615, and the order of supervision has since been successfully terminated; or

(d) the minor was adjudicated for an offense which would be a Class B misdemeanor, Class C misdemeanor, or a petty or business offense if committed by an adult.

(1.5) At no cost to the person, the Illinois State Police shall allow a person to use the Access and Review process, established in the Illinois State Police, for verifying that the person's juvenile law enforcement records relating to incidents occurring before the person's 18th birthday eligible under this Act have been expunged.

(1.6) (Blank).

(1.7) (Blank).

(1.8) (Blank).

(2) Any person whose delinquency adjudications are not eligible for automatic expungement under subsection (0.3) of this Section may petition the court at no cost to the person to expunge all juvenile law enforcement records relating to any incidents occurring before the person's 18th birthday which did not result in proceedings in criminal court and all juvenile court records with respect to any adjudications except those based upon first degree murder or an offense under Article 11 of the Criminal Code of 2012 if the person is required to register under the Sex Offender Registration Act at the time the person petitions the court for expungement; provided that 2 years have elapsed since all juvenile court proceedings relating to the person have been terminated and the person's commitment to the Department of Juvenile Justice under this Act has been terminated.

(2.5) If a minor is arrested and no petition for delinquency is filed with the clerk of the circuit court at the time the minor is released from custody, the youth officer, if applicable, or other designated person from the arresting agency, shall notify verbally and in writing to the minor or the minor's parents or guardians that the minor shall have an arrest record and shall provide the minor and the minor's parents or guardians with an expungement information packet, information regarding this State's expungement laws including a petition to expunge juvenile law enforcement and juvenile court records obtained from the clerk of the circuit court.

(2.6) If a minor is referred to court, then, at the time of sentencing, dismissal of the case, or successful completion of supervision, the judge shall inform the delinquent minor of the minor's rights regarding expungement and the clerk of the circuit court shall provide an expungement information packet to the minor, written in plain language, including information regarding this State's expungement laws and a petition for expungement, a sample of a completed petition, expungement instructions that shall include information informing the minor that (i) once the case is expunged, it shall be treated as if it never occurred, (ii) the minor shall not be charged a fee to petition for expungement, (iii) once the minor obtains an

expungement, the minor may not be required to disclose that the minor had a juvenile law enforcement or juvenile court record, and (iv) if petitioning the minor may file the petition on the minor's own or with the assistance of an attorney. The failure of the judge to inform the delinquent minor of the minor's right to petition for expungement as provided by law does not create a substantive right, nor is that failure grounds for: (i) a reversal of an adjudication of delinquency; (ii) a new trial; or (iii) an appeal.

(2.7) (Blank).

(2.8) (Blank).

(3) (Blank).

(3.1) (Blank).

(3.2) (Blank).

(3.3) (Blank).

(4) (Blank).

(5) (Blank).

(5.5) Whether or not expunged, records eligible for automatic expungement under subdivision (0.1)(a), (0.2)(a), or (0.3)(a) may be treated as expunged by the individual subject to the records.

(6) (Blank).

(6.5) The Illinois State Police or any employee of the Illinois State Police shall be immune from civil or criminal liability for failure to expunge any records of arrest that are subject to expungement under this Section because of inability to verify a record. Nothing in this Section shall create Illinois State Police liability or responsibility for the expungement of juvenile law enforcement records it does not possess.

(7) (Blank).

(7.5) (Blank).

(8) The expungement of juvenile law enforcement or juvenile court records under subsection (0.1), (0.2), or (0.3) of this Section shall be funded by appropriation by the General Assembly for that purpose.

(9) (Blank).

(10) (Blank).

(Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21; 102-752, eff. 1-1-23; 103-22, eff. 8-8-23; 103-154, eff. 6-30-23; 103-379, eff. 7-28-23; revised 8-30-23.)"

Under the rules, the foregoing **Senate Bill No. 3463**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3481

A bill for AN ACT concerning safety.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 3481

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 3481**

AMENDMENT NO. 2. Amend Senate Bill 3481 on page 1, by replacing lines 10 through 15 with the following:

"Battery energy storage solution facility" or "BESS" means a facility that stores and distributes energy in the form of electricity and that stores electricity using battery devices and other means. "Battery energy storage solution" or "BESS" includes any permanent structures associated with the battery energy storage facility and all associated transmission lines, substations, and other equipment related to the storage and transmission of electric power."; and

on page 2, line 21, replace "week." with "week; and"; and

on page 2, immediately below line 21, by inserting the following:

[May 21, 2024]

"(3) the owner or operator of the battery storage site is an automotive parts recycler as defined in Section 1-105.3 of the Illinois Vehicle Code and licensed under Section 5-301 of the Illinois Vehicle Code."

Under the rules, the foregoing **Senate Bill No. 3481**, with House Amendment No. 2, 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. 3538

A bill for AN ACT concerning local government.

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. 3538

House Amendment No. 2 to SENATE BILL NO. 3538

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3538**

AMENDMENT NO. 1. Amend Senate Bill 3538 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 5-1069 as follows:

(55 ILCS 5/5-1069) (from Ch. 34, par. 5-1069)

Sec. 5-1069. Group life, health, accident, hospital, and medical insurance.

(a) The county board of any county may arrange to provide, for the benefit of employees of the county, group life, health, accident, hospital, and medical insurance, or any one or any combination of those types of insurance, or the county board may self-insure, for the benefit of its employees, all or a portion of the employees' group life, health, accident, hospital, and medical insurance, or any one or any combination of those types of insurance, including a combination of self-insurance and other types of insurance authorized by this Section, provided that the county board complies with all other requirements of this Section. The insurance may include provision for employees who rely on treatment by prayer or spiritual means alone for healing in accordance with the tenets and practice of a well recognized religious denomination. The county board may provide for payment by the county of a portion or all of the premium or charge for the insurance with the employee paying the balance of the premium or charge, if any. If the county board undertakes a plan under which the county pays only a portion of the premium or charge, the county board shall provide for withholding and deducting from the compensation of those employees who consent to join the plan the balance of the premium or charge for the insurance.

(b) If the county board does not provide for self-insurance or for a plan under which the county pays a portion or all of the premium or charge for a group insurance plan, the county board may provide for withholding and deducting from the compensation of those employees who consent thereto the total premium or charge for any group life, health, accident, hospital, and medical insurance.

(c) The county board may exercise the powers granted in this Section only if it provides for self-insurance or, where it makes arrangements to provide group insurance through an insurance carrier, if the kinds of group insurance are obtained from an insurance company authorized to do business in the State of Illinois. The county board may enact an ordinance prescribing the method of operation of the insurance program.

(d) If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the insurance coverage shall include screening by low-dose mammography for all women 35 years of age or older for the presence of occult breast cancer unless the county elects to provide mammograms itself under Section 5-1069.1. The coverage shall be as follows:

(1) A baseline mammogram for women 35 to 39 years of age.

(2) An annual mammogram for women 40 years of age or older.

[May 21, 2024]

(3) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

(4) For a group policy of accident and health insurance that is amended, delivered, issued, or renewed on or after the effective date of this amendatory Act of the 101st General Assembly, a comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue or when medically necessary as determined by a physician licensed to practice medicine in all of its branches, advanced practice registered nurse, or physician assistant.

(5) For a group policy of accident and health insurance that is amended, delivered, issued, or renewed on or after the effective date of this amendatory Act of the 101st General Assembly, a diagnostic mammogram when medically necessary, as determined by a physician licensed to practice medicine in all its branches, advanced practice registered nurse, or physician assistant.

A policy subject to this subsection shall not impose a deductible, coinsurance, copayment, or any other cost-sharing requirement on the coverage provided; except that this sentence does not apply to coverage of diagnostic mammograms to the extent such coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to Section 223 of the Internal Revenue Code (26 U.S.C. 223).

For purposes of this subsection:

"Diagnostic mammogram" means a mammogram obtained using diagnostic mammography.

"Diagnostic mammography" means a method of screening that is designed to evaluate an abnormality in a breast, including an abnormality seen or suspected on a screening mammogram or a subjective or objective abnormality otherwise detected in the breast.

"Low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with an average radiation exposure delivery of less than one rad per breast for 2 views of an average size breast. The term also includes digital mammography.

(d-5) Coverage as described by subsection (d) shall be provided at no cost to the insured and shall not be applied to an annual or lifetime maximum benefit.

(d-10) When health care services are available through contracted providers and a person does not comply with plan provisions specific to the use of contracted providers, the requirements of subsection (d-5) are not applicable. When a person does not comply with plan provisions specific to the use of contracted providers, plan provisions specific to the use of non-contracted providers must be applied without distinction for coverage required by this Section and shall be at least as favorable as for other radiological examinations covered by the policy or contract.

(d-15) If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the insurance coverage shall include mastectomy coverage, which includes coverage for prosthetic devices or reconstructive surgery incident to the mastectomy. Coverage for breast reconstruction in connection with a mastectomy shall include:

- (1) reconstruction of the breast upon which the mastectomy has been performed;
- (2) surgery and reconstruction of the other breast to produce a symmetrical appearance; and
- (3) prostheses and treatment for physical complications at all stages of mastectomy, including lymphedemas.

Care shall be determined in consultation with the attending physician and the patient. The offered coverage for prosthetic devices and reconstructive surgery shall be subject to the deductible and coinsurance conditions applied to the mastectomy, and all other terms and conditions applicable to other benefits. When a mastectomy is performed and there is no evidence of malignancy then the offered coverage may be limited to the provision of prosthetic devices and reconstructive surgery to within 2 years after the date of the mastectomy. As used in this Section, "mastectomy" means the removal of all or part of the breast for medically necessary reasons, as determined by a licensed physician.

A county, including a home rule county, that is a self-insurer for purposes of providing health insurance coverage for its employees, may not penalize or reduce or limit the reimbursement of an attending provider or provide incentives (monetary or otherwise) to an attending provider to induce the provider to provide care to an insured in a manner inconsistent with this Section.

(d-20) The requirement that mammograms be included in health insurance coverage as provided in subsections (d) through (d-15) 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 of home rule county powers. A home rule county to which subsections (d) through (d-15) apply must comply with every provision of those subsections.

(e) The term "employees" as used in this Section includes elected or appointed officials but does not include temporary employees.

(f) The county board may, by ordinance, arrange to provide group life, health, accident, hospital, and medical insurance, or any one or a combination of those types of insurance, under this Section to retired former employees and retired former elected or appointed officials of the county.

(g) Rulemaking authority to implement this amendatory Act of the 95th General Assembly, 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.

(h) If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the insurance coverage shall include, on and after June 1, 2025, mental health counseling for any county employee who is a first responder without imposing a deductible, coinsurance, copayment, or any other cost-sharing requirement on the coverage provided, except that this subsection does not apply to the extent such coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to Section 223 of the Internal Revenue Code.

The requirement that mental health counseling be included in health insurance coverage as provided in this subsection 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 of home rule county powers.

As used in this subsection:

"First responders" means police and corrections officers, deputy sheriffs, firefighters, emergency medical services personnel, as that term is defined in Section 3.5 of the Emergency Medical Services (EMS) Systems Act, dispatched pursuant to a 9-1-1 call, emergency medical dispatchers, as that term is defined in Section 3.70 of the Emergency Medical Services (EMS) Systems Act, public safety telecommunicators, as that term is defined in Section 2 of the Emergency Telephone System Act, and mental health professionals employed and dispatched by any unit of local government in response to emergency crisis calls received on public emergency service lines instead of or in conjunction with law enforcement.

"Mental health counseling" means counseling therapy sessions provided by a clinical social worker, professional counselor, or licensed psychologist.

(Source: P.A. 100-513, eff. 1-1-18; 101-580, eff. 1-1-20.)

Section 10. The Illinois Municipal Code is amended by adding Section 10-4-2.4 as follows:

(65 ILCS 5/10-4-2.4 new)

Sec. 10-4-2.4. Mental health counseling.

(a) As used in this Section:

"First responders" means police and corrections officers, deputy sheriffs, firefighters, emergency medical services personnel, as that term is defined in Section 3.5 of the Emergency Medical Services (EMS) Systems Act, dispatched pursuant to a 9-1-1 call, emergency medical dispatchers, as that term is defined in Section 3.70 of the Emergency Medical Services (EMS) Systems Act, public safety telecommunicators, as that term is defined in Section 2 of the Emergency Telephone System Act, and mental health professionals employed and dispatched by any unit of local government in response to emergency crisis calls received on public emergency service lines instead of or in conjunction with law enforcement.

"Mental health counseling" means counseling therapy sessions provided by a clinical social worker, professional counselor, or licensed psychologist.

(b) If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the insurance coverage shall include, on and after June 1, 2025, mental health counseling for any employee who is a first responder without imposing a deductible, coinsurance, copayment, or any other cost-sharing requirement on the coverage provided, except that this Section does not apply to the extent such coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to Section 223 of the Internal Revenue Code.

(c) The requirement that mental health counseling be included in health insurance coverage 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 of home rule powers."

**AMENDMENT NO. 2 TO SENATE BILL 3538**

AMENDMENT NO. 2 . Amend Senate Bill 3538, AS AMENDED, by adding Section 15 in its proper numeric sequence as follows:

"Section 15. The Fire Protection District Act is amended by adding Section 6.3 as follows:

(70 ILCS 705/6.3 new)

Sec. 6.3. Mental health counseling.

(a) As used in this Section:

"First responders" means firefighters, emergency medical services personnel, as that term is defined in Section 3.5 of the Emergency Medical Services (EMS) Systems Act, dispatched pursuant to a 9-1-1 call, emergency medical dispatchers, as that term is defined in Section 3.70 of the Emergency Medical Services (EMS) Systems Act, and public safety telecommunicators, as that term is defined in Section 2 of the Emergency Telephone System Act.

"Mental health counseling" means counseling therapy sessions provided by a clinical social worker, professional counselor, or licensed psychologist.

(b) If a fire protection district is a self-insurer for purposes of providing health insurance coverage for its employees, the insurance coverage shall include, on and after June 1, 2025, mental health counseling for any employee who is a first responder without imposing a deductible, coinsurance, copayment, or any other cost-sharing requirement on the coverage provided, except that this Section does not apply to the extent such coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to Section 223 of the Internal Revenue Code."

Under the rules, the foregoing **Senate Bill No. 3538**, with House Amendments numbered 1 and 2, 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. 3581

A bill for AN ACT concerning education.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 3581

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 3581**

AMENDMENT NO. 2 . Amend Senate Bill 3581 on page 1, immediately below line 3, by inserting the following:

"Section 3. The School Code is amended by changing Section 22-93 as follows:

(105 ILCS 5/22-93)

Sec. 22-93. School ~~guidance~~ counselor; gift ban.

(a) In this Section:

"School ~~Guidance~~ counselor" means a person employed by a school district and working in a high school to offer students advice and assistance in making career or college plans.

"Prohibited source" means any person who is employed by an institution of higher education or is an agent or spouse of or an immediate family member living with a person employed by an institution of higher education.

"Relative" means an individual related to another as father, mother, son, daughter, brother, sister, uncle, aunt, great-aunt, great-uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister or the father, mother, grandfather, or grandmother of the individual's spouse or the individual's fiancé or fiancée.

[May 21, 2024]

(b) A school ~~guidance~~ counselor may not intentionally solicit or accept any gift from a prohibited source or solicit or accept a gift that would be in violation of any federal or State statute or rule. A prohibited source may not intentionally offer or make a gift that violates this Section.

(c) The prohibition in subsection (b) does not apply to any of the following:

(1) Opportunities, benefits, and services that are available on the same conditions as for the general public.

(2) Anything for which the school ~~guidance~~ counselor pays the market value.

(3) A gift from a relative.

(4) Anything provided by an individual on the basis of a personal friendship, unless the school ~~guidance~~ counselor has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the school ~~guidance~~ counselor and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the school ~~guidance~~ counselor must consider the circumstances in which the gift was offered, including any of the following:

(A) The history of the relationship between the individual giving the gift and the school ~~guidance~~ counselor, including any previous exchange of gifts between those individuals.

(B) Whether, to the actual knowledge of the school ~~guidance~~ counselor, the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.

(C) Whether, to the actual knowledge of the school ~~guidance~~ counselor, the individual who gave the gift also, at the same time, gave the same or a similar gift to other school district employees.

(5) Bequests, inheritances, or other transfers at death.

(6) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

(7) Promotional materials, including, but not limited to, pens, pencils, banners, posters, and pennants.

(8) Travel, lodging, food, and beverage costs incurred by the school counselor and paid by an institution of higher education for attendance by the school counselor of an educational or military program at the institution of higher education. Any costs paid for by the institution of higher education may not exceed the per diem rates for travel, gift, and car expenses set by the federal Internal Revenue Service and referenced in the Internal Revenue Service's Publication 463 or a successor publication. As used in this paragraph (8), "institution of higher education" means any publicly or privately operated university or college, public community college, business, technical, or vocational school, military academy, or other educational institution offering degrees and instruction beyond the secondary school level.

Each exception listed under this subsection is mutually exclusive and independent of one another.

(d) A school ~~guidance~~ counselor is not in violation of this Section if he or she promptly takes reasonable action to return the gift to the prohibited source or donates the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986.

A school ~~guidance~~ counselor or prohibited source who intentionally violates this Section is guilty of a business offense and is subject to a fine of at least \$1,001 and up to \$5,000.

(Source: P.A. 102-327, eff. 1-1-22; 102-813, eff. 5-13-22.); and

on page 12, immediately below line 18, by inserting the following:

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

Under the rules, the foregoing **Senate Bill No. 3581**, with House Amendment No. 2, 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:

[May 21, 2024]

## SENATE BILL NO. 3592

A bill for AN ACT concerning journalism.

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. 3592

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3592**

AMENDMENT NO. 1. Amend Senate Bill 3592 on page 5, line 1, after "appropriation," by inserting "not sooner than the 2025-2026 academic year."

Under the rules, the foregoing **Senate Bill No. 3592**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

## SENATE BILL NO. 3597

A bill for AN ACT concerning local government.

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. 3597

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3597**

AMENDMENT NO. 1. Amend Senate Bill 3597 on page 1, immediately below line 11, by inserting the following:

""Clean energy infrastructure project" means:

(i) a project that uses renewable energy resources, as defined in Section 1-10 of the Illinois Power Agency Act;

(ii) an energy efficiency project;

(iii) a project that uses technology for the storage of renewable energy, including, without limitation, the use of battery or electrochemical storage technology for mobile or stationary applications;

(iv) a project for the acquisition or repairs of electric vehicles;

(v) a project for the acquisition, construction, or repairs to electric vehicle charging stations; and

(vi) a building electrification project of replacing fossil fuels with electricity to meet a given

end use.

"Electric vehicle" means a vehicle that is exclusively powered by and refueled by electricity, must be plugged in to charge, and is licensed to drive on public roadways.

"Electric vehicle charging station" means a station that delivers electricity from a source outside an electric vehicle into one or more electric vehicles.

"Energy efficiency project" means measures that reduce the amount of electricity, natural gas, or total Btu of electricity or natural gas required to achieve or meet a given end use, consistent with Section 1-10 of the Illinois Power Agency Act."; and

on page 2, line 4, after "finance", by inserting "projects for".

Under the rules, the foregoing **Senate Bill No. 3597**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

[May 21, 2024]

## SENATE BILL NO. 3646

A bill for AN ACT concerning employment.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 3646

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 3646**

AMENDMENT NO. 2. Amend Senate Bill 3646 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Child Labor Law of 2024.

Section 5. Findings. The General Assembly finds that minors engaged in work are deserving of enhanced workplace protections. It is the intent of the General Assembly, in enacting this Child Labor Law of 2024, to safeguard all working minors' health, safety, welfare, and access to education and the provisions of this Act shall be interpreted to provide the greatest protection of a minor's well-being.

Section 10. Definitions. As used in this Act:

"Construction" means any constructing, altering, reconstructing, repairing, rehabilitating, refinishing, refurbishing, remodeling, remediating, renovating, custom fabricating, maintenance, landscaping, improving, wrecking, painting, decorating, demolishing, and adding to or subtracting from any building, structure, highway, roadway, street, bridge, alley, sewer, ditch, sewage disposal plant, water works, 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" also includes moving construction-related materials on the job site to or from the job site.

"Department" means the Department of Labor.

"Director" means the Director of Labor.

"District superintendent of schools" means an individual employed by a board of education in accordance with Section 10-21.4 of the School Code and the chief executive officer of a school district in a city with over 500,000 inhabitants.

"Duly authorized agent" means an individual who has been designated by a regional or district superintendent of schools as his or her agent for the limited purpose of issuing employment certificates to minors under the age of 16 and may include officials of any public school district, charter school, or any State-recognized, non-public school.

"Employ" means to allow, suffer, or permit to work.

"Employer" means a person who employs a minor to work.

"Family" means a group of persons related by blood or marriage, including civil partnerships, or whose close relationship with each other is considered equivalent to a family relationship by the individuals.

"Minor" means any person under the age of 16.

"Online platform" means any public-facing website, web application, or digital application, including a mobile application. "Online platform" includes a social network, advertising network, mobile operating system, search engine, email service, or Internet access service.

"Person" means any natural person, individual, corporation, business enterprise, or other legal entity, either public or private, and any legal successor, representative, agent, or agency of that individual, corporation, business enterprise, or legal entity.

"Regional superintendent of schools" means the chief administrative officer of an educational service region as described in Section 3A-2 of the School Code.

"School hours" means, for a minor of compulsory school age who is enrolled in a public or non-public school that is registered with or recognized by the State Board of Education, the hours the minor's school is in session. "School hours" means, for a minor of compulsory school age who is not enrolled in a public or non-public school that is registered with or recognized by the State Board of Education, the hours that the minor's local public school in the district where the minor resides is in session.

[May 21, 2024]

"School issuing officer" means a regional or district superintendent of schools, or his or her duly authorized agent.

"Vlog" means content shared on an online platform in exchange for compensation.

"Vlogger" means an individual or family that creates video content, performed in Illinois, in exchange for compensation, and includes any proprietorship, partnership, company, or other corporate entity assuming the name or identity of a particular individual or family for the purposes of that content creation. "Vlogger" does not include any person under the age of 16 who produces his or her own vlogs.

#### Section 15. Employment of minors.

(a) A person shall not employ, allow, or permit a minor to work in Illinois unless that work meets the requirements of this Act and any rules adopted under this Act.

(b) A person may employ, allow, or permit a minor 14 or 15 years of age to work outside of school hours, except at work sites prohibited under Section 55, after being issued a certificate authorizing that employment.

(c) A person shall not employ, allow, or permit a minor 13 years of age or younger to work in any occupation or at any work site not explicitly authorized by or exempted from this Act.

#### Section 20. Exemptions.

(a) Nothing in this Act applies to the work of a minor engaged in agricultural pursuits, except that no minor under 12 years of age, except members of the farmer's own family who live with the farmer at his principal place of residence, at any time shall be employed, allowed, or permitted to work in any gainful occupation in connection with agriculture, except that any minor of 10 years of age or older shall be permitted to work in a gainful occupation in connection with agriculture during school vacations or outside of school hours.

(b) Nothing in this Act applies to the work of a minor engaged in the sale and distribution of magazines and newspapers outside of school hours.

(c) Nothing in this Act applies a minor's performance of household chores or babysitting outside of school hours if that work is performed in or about a private residence and not in connection with an established business, trade, or profession of the person employing, allowing, or permitting the minor to perform the activities.

(d) Nothing in this Act applies to the work of a minor 13 years of age or older in caddying at a golf course.

(e) Nothing in this Act applies to a minor 14 or 15 years of age who is, under the direction of the minor's school, participating in work-based learning programs in accordance with the School Code.

(f) Nothing in this Act prohibits an employer from employing, allowing, or permitting a minor 12 or 13 years of age to work as an officiant or an assistant instructor of youth sports activities for a not-for-profit youth club, park district, or municipal parks and recreation department if the employer obtains certification as provided for in Section 55 and:

(1) the parent or guardian of the minor who is working as an officiant or an assistant instructor, or an adult designated by the parent or guardian, shall be present at the youth sports activity while the minor is working;

(2) the minor may work as an officiant or an assistant instructor for a maximum of 3 hours per day on school days and a maximum of 4 hours per day on non-school days;

(3) the minor shall not exceed 10 hours of officiating and working as assistant instructor in any week;

(4) the minor shall not work later than 9:00 p.m. on any day of the week; and

(5) the participants in the youth sports activity are at least 3 years younger than the minor unless an individual 16 years of age or older is officiating or instructing the same youth sports activity with the minor.

The failure to satisfy the requirements of this subsection may result in the revocation of the minor's employment certificate.

Section 25. Allowable work hours. Except as allowed under Section 30, no employer shall employ, allow, or permit a minor to work:

(1) more than 18 hours during a week when school is in session;

(2) more than 40 hours during a week when school is not in session;

- (3) more than 8 hours in any single 24-hour period;
- (4) between 7 p.m. and 7 a.m. from Labor Day until June 1 or between 9 p.m. and 7 a.m. from June 1 until Labor Day; or
- (5) more than 3 hours per day or more than 8 hours total of work and school hours on days when school is in session.

Section 30. Exceptions to allowable work hours.

(a) An employer may employ, allow, or permit a minor under the age of 16 to work a maximum of 8 hours on each Saturday and on Sunday during the school year if:

(1) the minor does not work outside of school hours more than 6 consecutive days in any one week; and

(2) the number of hours worked by the minor outside of school hours in any week does not exceed 24.

(b) A minor working as a live theatrical performer as described in Section 45 shall be permitted to work until 11 p.m. on nights when performances are held.

(c) A minor under 16 years of age working as a performer as described in Section 50 shall be permitted to work until 10 p.m.

(d) A park district, not-for-profit youth club, or municipal parks and recreation department may allow a minor 14 years of age or older to work in a recreational or educational activity beyond the hours identified in Section 25 as follows:

(1) From Labor Day until June 1, an employer may allow a minor to work until 9 p.m. on school days if the following conditions are met:

(A) the minor does not work more than 3 hours per day;

(B) the minor does not work on more than 2 school days in that week; and

(C) the minor does not work more than 24 total hours outside school hours in that week.

(2) From June 1 to Labor Day, an employer may allow a minor to work until 10 p.m. and no earlier than 7 a.m.

(3) For a minor who attends a school that operates a year-round schedule, an employer may allow the minor to work until 10 p.m. and no earlier than 7 a.m. during periods when school is not in session for the minor. If school is in session, then the minor who attends a school that operates a year-round schedule may work until 9 p.m. on school days and no earlier than 7 a.m., if the following conditions are met:

(A) the minor does not work more than 3 hours per day;

(B) the minor does not work on more than 2 school days in that week; and

(C) the minor does not work more than 24 total hours outside school hours in that week.

Section 35. Employer requirements.

(a) It shall be unlawful for any person to employ, allow, or permit any minor to work unless the minor obtains an employment certificate authorizing the minor to work for that person. Any person seeking to employ, allow, or permit any minor to work shall provide that minor with a notice of intention to employ to be submitted by the minor to the minor's school issuing officer with the minor's application for an employment certificate.

(b) Every employer of one or more minors shall maintain, on the premises where the work is being done, records that include the name, date of birth, and place of residence of every minor who works for that employer, notice of intention to employ the minor, and the minor's employment certificate. Authorized officers and employees of the Department, truant officers, and other school officials charged with the enforcement of school attendance requirements described in Section 26-1 of the School Code may inspect the records without notice at any time.

(c) Every employer of minors shall ensure that all minors are supervised by an adult 21 years of age or older, on site, at all times while the minor is working.

(d) No person shall employ, allow, or permit any minor to work for more than 5 hours continuously without an interval of at least 30 minutes for a meal period. No period of less than 30 minutes shall be deemed to interrupt a continuous period of work.

(e) Every employer who employs one or more minors shall post in a conspicuous place where minors are employed, allowed, or permitted to work, a notice summarizing the requirements of this Act, including a list of the occupations prohibited to minors and the Department's toll free telephone number described in

Section 85. An employer with employees who do not regularly report to a physical workplace, such as employees who work remotely or travel for work, shall also provide the summary and notice by email to its employees or conspicuous posting on the employer's website or intranet site, if the site is regularly used by the employer to communicate work-related information to employees and is able to be regularly accessed by all employees, freely and without interference. The notice shall be furnished by the Department.

(f) Every employer, during the period of employment of a minor and for 3 years thereafter, shall keep on file, at the place of employment, a copy of the employment certificate issued for the minor. An employment certificate shall be valid only for the employer for whom issued and a new certificate shall not be issued for the employment of a minor except on the presentation of a new statement of intention to employ the minor. The failure of any employer to produce for inspection the employment certificate for each minor in the employer's establishment shall be a violation of this Act. The Department may specify any other record keeping requirements by rule.

(g) In the event of the work-related death of a minor engaged in work subject to this Act, the employer shall, within 24 hours, report the death to the Department and to the school official who issued the minor's work certificate for that employer. In the event of a work-related injury or illness of a minor that requires the employer to file a report with the Illinois Workers' Compensation Commission under Section 6 of the Workers' Compensation Act or Section 6 of the Workers' Occupational Diseases Act, the employer shall submit a copy of the report to the Department and to the school official who issued the minor's work certificate for that employer within 72 hours of the deadline by which the employer must file the report to the Illinois Workers' Compensation Commission. The report shall be subject to the confidentiality provisions of Section 6 of the Workers' Compensation Act or Section 6 of the Workers' Occupational Diseases Act.

#### Section 40. Restrictions on employment of minors.

(a) No person shall employ, allow, or permit a minor to work:

(1) in any mechanic's garage, including garage pits, repairing cars, trucks, or other vehicles or using garage lifting racks;

(2) in the oiling, cleaning, or wiping of machinery or shafting;

(3) in or about any mine or quarry;

(4) in stone cutting or polishing;

(5) in any factory work;

(6) in or about any plant manufacturing explosives or articles containing explosive components, or in the use or transportation of same;

(7) in or about plants manufacturing iron or steel, ore reduction works, smelters, foundries, forging shops, hot rolling mills or any other place in which the heating, melting, or heat treatment of metals is carried on;

(8) in the operation of machinery used in the cold rolling of heavy metal stock, or in the operation of power-driven punching, shearing, stamping, or metal plate bending machines;

(9) in or about logging, sawmills or lath, shingle, or cooperage-stock mills;

(10) in the operation of power-driven woodworking machines, or off-bearing from circular saws;

(11) in the operation and repair of freight elevators or hoisting machines and cranes;

(12) in spray painting;

(13) in occupations involving exposure to lead or its compounds;

(14) in occupations involving exposure to acids, dyes, chemicals, dust, gases, vapors, or fumes that are known or suspected to be dangerous to humans;

(15) in any occupation subject to the Amusement Ride and Attraction Safety Act;

(16) in oil refineries, gasoline blending plants, or pumping stations on oil transmission lines;

(17) in the operation of laundry, dry cleaning, or dyeing machinery;

(18) in occupations involving exposure to radioactive substances;

(19) in or about any filling station or service station, except that this prohibition does not extend to employment within attached convenience stores, food service, or retail establishments;

(20) in construction work, including demolition and repair;

(21) in any energy generation or transmission service;

(22) in public and private utilities and related services;

(23) in operations in or in connection with slaughtering, meat packing, poultry processing, and fish and seafood processing;

(24) in operations which involve working on an elevated surface, with or without use of equipment, including, but not limited to, ladders and scaffolds;

(25) in security positions or any occupations that require the use or carrying of a firearm or other weapon;

(26) in occupations which involve the handling or storage of human blood, human blood products, human body fluids, or human body tissues;

(27) in any mill, cannery, factory, workshop, or coal, brick, or lumber yard;

(28) any occupation which is prohibited for minors under federal law; or

(29) in any other occupation or working condition determined by the Director to be hazardous.

(b) No person shall employ, allow, or permit a minor to work at:

(1) any cannabis business establishment subject to the Cannabis Regulation and Tax Act or Compassionate Use of Medical Cannabis Program Act;

(2) any establishment subject to the Live Adult Entertainment Facility Surcharge Act;

(3) any firearm range or gun range used for discharging a firearm in a sporting event, for practice or instruction in the use of a firearm, or the testing of a firearm;

(4) any establishment in which items containing alcohol for consumption are manufactured, distilled, brewed, or bottled;

(5) any establishment where the primary activity is the sale of alcohol or tobacco;

(6) an establishment operated by any holder of an owners license subject to the Illinois Gambling Act; or

(7) any other establishment which State or federal law prohibits minors from entering or patronizing.

(c) An employer shall not allow minors to draw, mix, pour, or serve any item containing alcohol or otherwise handle any open containers of alcohol. An employer shall make reasonable efforts to ensure that minors are unable to access alcohol.

(d) An employer may allow minors aged 14 and 15 to work in retail stores, except that an employer shall not allow minors to handle or be able to access any goods or products which are illegal for minors to purchase or possess.

(e) No person shall employ, allow, or permit an unlicensed minor to perform work in the practice of barber, cosmetology, esthetics, hair braiding, and nail technology services requiring a license under the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985, except for students enrolled in a school and performing barber, cosmetology, esthetics, hair braiding, and nail technology services in accordance with that Act and rules adopted under that Act.

(f) A person may employ, allow, or permit a minor to perform office or administrative support work that does not expose the minor to the work prohibited in this Section.

Section 45. Minors employed in live theatrical performances. In addition to the other requirements of this Act, an employer of a minor working in live theatrical performances, including plays, musicals, recitals, or concerts, is subject to the following requirements:

(1) An employer shall not allow a minor to work in more than 2 performances in any 24-hour period.

(2) An employer shall not allow a minor to work in more than 8 performances in any 7-day period or 9 performances if a State holiday occurs during that 7-day period.

(3) A minor shall be accompanied by a parent, guardian, or chaperone at all times while at the work site.

(4) A minor shall not work, including performing, rehearsing, or otherwise being present at the work site, in connection with the performance, for more than 8 hours in any 24-hour period, more than 6 days in any 7-day period, more than 24 hours in any 7-day period, or after 11 p.m. on any night.

(5) A minor shall not be excused from attending school except as authorized by Section 26-1 of the School Code.

Section 50. Minors employed in live or pre-recorded, distributed, broadcast performances and modeling.

(a) Notwithstanding the provisions of this Act, minors under 16 years of age may be employed as models or performers on live or pre-recorded radio or television, in motion pictures, or in other entertainment-related performances, subject to conditions that may be imposed by rule by the Department.

(b) A child performer who works in a television, motion picture, or related entertainment production may be permitted to be at the place of employment, within a 24-hour time period, as follows:

(1) Minors who have reached the age of 15 days but have not reached the age of 6 months may be permitted to remain at the place of employment for a maximum of 2 hours. The 2-hour period shall consist of not more than 20 minutes of work.

(2) Minors who have reached the age of 6 months but who have not attained the age of 2 years may be permitted at the place of employment for a maximum of 4 hours. The 4-hour period shall consist of not more than 2 hours of work with the balance of the 4-hour period being rest and recreation.

(3) Minors who have reached the age of 2 years but who have not attained the age of 6 years may be permitted at the place of employment for a maximum of 6 hours. The 6-hour period shall consist of not more than 3 hours of work with the balance of the 6-hour period being rest, recreation, and education.

(4) Minors who have reached the age of 6 years but have not attained the age of 9 years may be permitted at the place of employment for a maximum of 8 hours. The 8-hour period shall consist of not more than 4 hours of work and at least 3 hours of schooling when the minor's school is in session. The studio teacher shall ensure that the minor receives up to one hour of rest and recreation. On days when the minor's school is not in session, working hours may be a maximum of 6 hours and one hour of rest and recreation.

(5) Minors who have reached the age of 9 years but who have not attained the age of 16 years may be permitted at the place of employment for a maximum of 9 hours. The 9-hour period shall consist of not more than 5 hours of work and at least 3 hours of schooling when the minor's school is in session. The studio teacher shall ensure that the minor receives at least one hour of rest and recreation. On days when the minor's school is not in session, working hours may be a maximum of 7 hours and one hour of rest and recreation.

(c) Notwithstanding the provisions of this Act, an employer who employs a minor under 16 years of age in a television, motion picture, or related entertainment production may allow the minor to work until 10 p.m. without seeking a waiver from the Department. An employer may apply to the Director, or the Director's authorized representative, for a waiver permitting a minor to work outside of the hours allowed by this Act.

(1) A waiver request for a minor to work between 10 p.m. and 12:30 a.m. or between 5 a.m. and 7 a.m. shall be granted if the Director, or the Director's authorized representative, is satisfied that all of the following conditions are met:

(A) the employment shall not be detrimental to the health or welfare of the minor;

(B) the minor shall be supervised adequately;

(C) the education of the minor shall not be neglected; and

(D) the total number of hours to be worked that day and week is not over the limits established in this Act or any rules adopted under this Act.

(2) A waiver request for a minor to work between 12:30 a.m. and 5 a.m. shall be granted if the Director, or the Director's authorized representative, is satisfied that all of the following conditions are met:

(A) the employment shall not be detrimental to the health or welfare of the minor;

(B) the minor shall be supervised adequately;

(C) the education of the minor shall not be jeopardized;

(D) performance by the minor during that time is critical to the success of the production, as demonstrated by true and accurate statements by the employer that filming cannot be completed at any other time of day;

(E) the filming primarily requires exterior footage of sunset, nighttime, or dawn;

(F) the filming is scheduled on the most optimal day of the week for the minor's schooling;

(G) the employer provides a schedule to the Department of schooling and rest periods on the day before, the day of, and the day after the overnight hours to be worked;

(H) the age of the minor is taken into account as provided by this Act or any rules adopted under this Act;

(I) the total number of hours to be worked that day and week is not over the limits established in this Act or any rules adopted under this Act; and

(J) the waiver request was received by the Department at least 72 hours prior to the overnight hours to be worked.

(d) An employer applying for the waiver shall submit to the Director, or the Director's authorized representative, a completed application on the form that the Director provides. The waiver shall contain signatures that show the consent of a parent or legal guardian of the minor, the employer, and an authorized representative of a collective bargaining unit if a collective bargaining unit represents the minor upon employment.

#### Section 55. Employment certificates.

(a) Any employer who employs, allows, or permits a minor to work shall ensure that the minor holds a valid employment certificate issued by a school issuing officer.

(b) An application for an employment certificate must be submitted by the minor and the minor's parent or legal guardian to the minor's school issuing officer as follows.

(1) The application shall be signed by the applicant's parent or legal guardian.

(2) The application shall be submitted in person by the minor desiring employment, unless the school issuing officer determines that the minor may utilize a remote application process.

(3) The minor shall be accompanied by his or her parent, guardian, or custodian, whether applying in person or remotely.

(4) The following papers shall be submitted with the application:

(A) A statement of intention to employ signed by the prospective employer, or by someone duly authorized by the prospective employer, setting forth the specific nature of the occupation in which the prospective employer intends to employ the minor and the exact hours of the day and number of hours per day and days per week during which the minor shall be employed.

(B) Evidence of age showing that the minor is of the age required by this Act, which evidence shall be documentary, and shall be required in the order designated, as follows:

(i) a birth certificate; or

(ii) if a birth certificate is unavailable, the parent or legal guardian may present other reliable proof of the minor's identity and age that is supported by a sworn statement explaining why the birth certificate is not available. Other reliable proof of the minor's identity and age includes a passport, visa, or other governmental documentation of the minor's identity. If the student was not born in the United States, the school issuing officer must accept birth certificates or other reliable proof from a foreign government.

(C) A statement on a form approved by the Department and signed by the school issuing officer, showing the minor's name, address, grade last completed, the hours the minor's school is in session, and other relevant information, as determined by the school issuing officer, about the minor's school schedule, and the names of the minor's parent or legal guardian. If any of the information required to be on the work permit changes, the issuing officer must update the work permit and provide an updated copy to the Department, the minor's employer, and the minor's parent or legal guardian. If the minor does not have a permanent home address or is otherwise eligible for services under the federal McKinney-Vento Homeless Assistance Act, the lack of a birth certificate or permanent home address alone shall not be a barrier to receiving an employment certificate.

(D) A statement of physical fitness signed by a health care professional who has examined the minor, certifying that the minor is physically fit to be employed in all legal occupations or to be employed in legal occupations under limitations specified, or, at the discretion of the school issuing officer, the minor's most recent school physical. If the statement of physical fitness is limited, the employment certificate issued thereon shall state clearly the limitations upon its use, and shall be valid only when used under the limitations so stated. In any case where the health care professional deems it advisable that he or she may issue a certificate of physical fitness for a specified period of time, at the expiration of which the person for whom it was issued shall appear and be re-examined before being permitted to

continue work. Examinations shall be made in accordance with the standards and procedures prescribed by the Director, in consultation with the Director of the Department of Public Health and the State Superintendent of Education, and shall be recorded on a form furnished by the Department. When made by public health or public school physicians, the examination shall be made without charge to the minor. If a public health or public school health care professional is not available, a statement from a private health care professional who has examined the minor may be accepted, provided that the examination is made in accordance with the standards and procedures established by the Department. For purposes of this paragraph, "health care professional" means a physician licensed to practice medicine in all its branches, a licensed advanced practice registered nurse, or a licensed physician assistant.

(5) The school issuing officer shall have authority to verify the representations provided in the employment certificate application as required by Section 55. A school issuing officer shall not charge a fee for the consideration of an employment certificate application.

(6) It shall be the duty of the school board or local school authority to designate a place or places where certificates shall be issued and recorded, and physical examinations made without fee, and to establish and maintain the necessary records and clerical services for carrying out the provisions of this Act.

(c) Upon receipt of an application for an employment certificate, a school issuing officer shall issue an employment certificate only after examining and approving the written application and other papers required under this Section, and determining that the employment shall not be detrimental to the minor's health, welfare, and education. The school issuing officer shall consider any report of death, injury, or illness of a minor at that workplace, received under the requirements of Section 35, in the prior 2 years in determining whether the employment shall be detrimental to the minor's health, welfare, and education. Upon issuing an employment certificate to a minor, the school issuing officer shall notify the principal of the school attended by the minor, and provide copies to the Department, the minor's employer, and the minor's parent or legal guardian. The employment certificate shall be valid for a period of one year from the date of issuance, unless suspended or revoked.

(d) If the school issuing officer refuses to issue a certificate to a minor, the school issuing officer shall send to the principal of the school attended by the minor a notice of the refusal, including the name and address of the minor and of the minor's parent or legal guardian, and the reason for the refusal to issue the certificate.

(e) If a minor from another state seeks to obtain an Illinois employment certificate, the Department shall work with the State Superintendent of Education, or his or her duly authorized agents, to issue the certificate if the State Superintendent of Education deems that all requirements for issuance have been met.

(f) Upon request, the school issuing officer shall issue a certificate of age to any person between 16 and 20 years of age upon presentation of the same proof of age as is required for the issuance of employment certificates under this Act.

(g) Any certificate duly issued in accordance with this Act shall be prima facie evidence of the age of the minor for whom issued in any proceeding involving the employment of the minor under this Act, as to any act occurring subsequent to its issuance, or until revoked.

(h) The Department may suspend any certificate as an emergency action imperatively required for the health, safety, welfare, or education of the minor if:

(1) the parent or legal guardian of a minor, the school issuing officer, or the principal of the school attended by the minor for whom an employment certificate has been issued has asked for the revocation of the certificate by petition to the Department in writing, stating the reasons he or she believes that the employment is interfering with the health, safety, welfare, or education of the minor; or

(2) in the judgment of the Director, the employment certificate was improperly issued or if the minor is illegally employed.

If the certificate is suspended, the Department shall notify the employer of the minor, the parent or guardian of the minor, the minor's school principal, and the school issuing officer of the suspension in writing and shall schedule an administrative hearing to take place within 21 days after the date of any suspension. The minor shall not thereafter be employed, allowed, or permitted to work unless and until his or her employment certificate has been reinstated. After the hearing, an administrative law judge shall issue a final order either reinstating or revoking the employment certificate. If the certificate is revoked, the

employer shall not thereafter employ, permit, or allow the minor to work until the minor has obtained a new employment certificate authorizing the minor's employment by that employer.

Section 57. Prohibition on retaliation.

(a) An employer, or agent or officer of an employer, violates this Act if he or she takes an adverse action against, or in any other manner discriminates against, any person because that person has:

(1) exercised a right under this Act;

(2) made a complaint to the minor's employer or to the Director, or the Director's authorized representative;

(3) caused to be instituted or is about to cause to be instituted any proceeding under or related to this Act;

(4) participated in or cooperated with an investigation or proceeding under this Act; or

(5) testified or is about to testify in an investigation or proceeding under this Act.

(b) An employer, or agent or officer of an employer, does not violate this Act if he or she discharges a minor from employment because the employment was found to be unlawful or the Department suspended or revoked the minor's employment certificate.

Section 60. Department powers.

(a) The Department shall make, adopt, and enforce reasonable rules relating to the administration and enforcement of the provisions of this Act, including the issuance of employment certificates authorized under this Act, as may be deemed expedient. The rules shall be designed to protect the health, safety, welfare, and education of minors and to ensure that the conditions under which minors are employed, allowed, or permitted to work shall not impair their health, welfare, development, or education.

(b) In order to promote uniformity and efficiency of issuance, the Department shall, in consultation with the State Superintendent of Education, formulate the forms on which certificates shall be issued and also forms needed in connection with the issuance, and it shall supply the forms to the school issuing officers.

Section 65. Investigation.

(a) It shall be the duty of the Department to enforce the provisions of this Act. The Department shall have the power to conduct investigations in connection with the administration and enforcement of this Act and the authorized officers and employees of the Department are hereby authorized and empowered, to visit and inspect, at all reasonable times and as often as possible, all places covered by this Act.

(b) The Director, or the Director's authorized representative, may compel by subpoena, the attendance and testimony of witnesses and the production of books, payrolls, records, papers, and other evidence in any investigation or hearing and may administer oaths to witnesses.

(c) No employer may interfere with or obstruct an investigation conducted under this Act.

Section 70. Enforcement.

(a) The Department shall conduct hearings in accordance with the Illinois Administrative Procedure Act if, upon investigation, the Department finds cause to believe the Act, or any rules adopted thereunder, has been violated; or to consider whether to reinstate or revoke a minor's employment certificate in accordance with Section 55.

(b) After the hearing, if supported by the evidence, the Department may issue and cause to be served on any party an order to cease and desist from violation of the Act, take further affirmative or other action as deemed reasonable to eliminate the effect of the violation, and may revoke any certificate issued under the Act and determine the amount of any civil penalty allowed by the Act. The Department may serve orders by certified mail or by sending a copy by email to an email address previously designated by the party for purposes of receiving notice under this Act. An email address provided by the party in the course of the administrative proceeding shall not be used in any subsequent proceedings, unless the party designates that email address for the subsequent proceeding.

(c) Any party to a proceeding under the Act may apply for and obtain judicial review of an order of the Department entered under this Act in accordance with the provisions of the Administrative Review Law, and the Department in proceedings under this Section may obtain an order of court for the enforcement of its order.

(d) Whenever it appears that any employer has violated a valid order of the Department issued under this Act, the Director may commence an action and obtain from the court an order upon the employer commanding them to obey the order of the Department or be adjudged guilty of contempt of court and punished accordingly.

#### Section 75. Civil penalties.

(a) Any person employing, allowing, or permitting a minor to work who violates any of the provisions of this Act or any rule adopted under the Act shall be subject to civil penalties as follows:

(1) if a minor dies while working for an employer who is found by the Department to have been employing, allowing, or permitting the minor to work in violation of this Act, the employer is subject to a penalty not to exceed \$60,000, payable to the Department;

(2) if a minor receives an illness or an injury that is required to be reported to the Department under Section 35 while working for an employer who is found by the Department to have been employing, allowing, or permitting the minor to work in violation of this Act, the employer is subject to a penalty not to exceed \$30,000, payable to the Department;

(3) an employer who employs, allows, or permits a minor to work in violation of Section 40 shall be subject to a penalty not to exceed \$15,000, payable to the Department;

(4) an employer who fails to post or provide the required notice under subsection (g) of Section 35 shall be subject to a penalty not to exceed \$500, payable to the Department; and

(5) an employer who commits any other violation of this Act shall be subject to a penalty not to exceed \$10,000, payable to the Department.

In determining the amount of the penalty, the appropriateness of the penalty to the size of the business of the employer charged and the gravity of the violation shall be considered.

Each day during which any violation of this Act continues shall constitute a separate and distinct offense, and the employment of any minor in violation of the Act shall, with respect to each minor so employed, constitute a separate and distinct offense.

(b) Any administrative determination by the Department of the amount of each penalty shall be final unless reviewed as provided in Section 70.

(c) The amount of the penalty, when finally determined, may be recovered in a civil action brought by the Director in any circuit court, in which litigation the Director shall be represented by the Attorney General. In an action brought by the Department, the Department may request, and the Court may impose on a defendant employer, an additional civil penalty of up to an amount equal to the penalties assessed by the Department to be distributed to an impacted minor. In an action concerning multiple minors, any such penalty imposed by the Court shall be distributed equally among the minors employed in violation of this Act by the defendant employer.

(d) Penalties recovered under this Section shall be paid by certified check, money order, or by an electronic payment system designated by the Department, and deposited into the Child Labor and Day and Temporary Labor Services Enforcement Fund, a special fund in the State treasury. Moneys in the Fund shall be used, subject to appropriation, for exemplary programs, demonstration projects, and other activities or purposes related to the enforcement of this Act or for the activities or purposes related to the enforcement of the Day and Temporary Labor Services Act, or for the activities or purposes related to the enforcement of the Private Employment Agency Act.

#### Section 80. Criminal penalties.

(a) Any person who engages in any of the following activities shall be guilty of a Class A misdemeanor and shall be subject to a civil penalty of no less than \$500 and no more than \$2,500:

(1) employs, allows, or permits any minor to work in violation of this Act, or of any rule, order, or ruling issued under the provisions of this Act;

(2) obstructs the Department, its inspectors or deputies, or any other person authorized to inspect places of employment under this Act; or

(3) willfully fails to comply with the provisions of this Act.

(b) Whenever in the opinion of the Department a violation of this Act has occurred, it shall report the violation to the Attorney General who shall prosecute all violations reported.

(c) The amount of the penalty, when finally determined, shall be ordered by the court, in an action brought for a criminal violation, to be paid to the Department.

(d) Penalties recovered under this Section shall be paid into the Child Labor and Day and Temporary Labor Services Enforcement Fund.

Section 85. Department reporting and outreach.

(a) The Department shall maintain a toll-free telephone number to facilitate information requests concerning the issuance of certificates under this Act and the reporting of violations of this Act.

(b) The Department shall conduct ongoing outreach and education efforts concerning this Act targeted toward school districts, employers, and other appropriate community organizations. The Department shall, to the extent possible, coordinate these outreach and education activities with other appropriate local, State, and federal agencies.

(c) The Department shall file with the General Assembly, no later than January 1 each year, a report of its activities regarding administration and enforcement of this Act for the preceding fiscal year.

Section 90. Child performers; trust fund.

(a) As used in this Section:

"Artistic or creative services" includes, but is not limited to, services as: an actor, actress, dancer, musician, comedian, singer, stunt person, voice-over artist, runway or print model, other performer or entertainer, songwriter, musical producer, arranger, writer, director, producer, production executive, choreographer, composer, conductor, or designer.

"Child performer" means an unemancipated person under the age of 16 who is employed in this State and who agrees to render artistic or creative services.

(b) In addition to the requirements of Section 55, the person authorized to issue employment certificates must determine that a trust account, established by the child performer's parent or guardian, that meets the requirements of subsection (c) has been established designating the minor as the beneficiary of the trust account before an employment certificate for work as a child performer may be issued for a minor under the age of 16 years. The person authorized to issue employment certificates shall issue a temporary employment certificate having a duration of not more than 15 days without the establishment of a trust fund to permit a minor to provide artistic or creative services. No more than one temporary employment certificate may be issued for each child performer. The Department shall prescribe the form in which temporary employment certificates shall be issued and shall make the forms available on its website.

(c) A trust account subject to this Section must provide, at a minimum, the following:

(1) that at least 15% of the gross earnings of the child performer shall be deposited into the account;

(2) that the funds in the account shall be available only to the child performer;

(3) that the account shall be held by a bank, corporate fiduciary, or trust company, as those terms are defined in the Corporate Fiduciary Act;

(4) that the funds in the account shall become available to the child performer upon the child performer attaining the age of 18 years or upon the child performer being declared emancipated; and

(5) that the account meets the requirements of the Illinois Uniform Transfers to Minors Act.

(d) The parent or guardian of the child performer shall provide the employer with the information necessary to transfer moneys into the trust account. Once the child performer's employer deposits the money into the trust account, the child performer's employer shall have no further obligation or duty to monitor or account for the money. The trustee or trustees of the trust shall be the only individual, individuals, entity, or entities with the obligation or duty to monitor and account for money once it has been deposited by the child performer's employer.

(e) If the parent or guardian of the child performer fails to provide the employer with the information necessary to transfer funds into the trust account within 30 days after an employment certificate has been issued, the funds that were to be transferred to the trust account shall be transferred to the Office of the State Treasurer in accordance with Section 15-608 of the Revised Uniform Unclaimed Property Act.

(f) This Section does not apply to an employer of a child performer employed to perform services as an extra, services as a background performer, or services in a similar capacity.

(g) The Department may adopt rules to implement this Section.

Section 95. Minors featured in vlogs.

(a) A minor under the age of 16 is considered engaged in the work of vlogging when the following criteria are met at any time during the previous 12-month period:

(1) at least 30% of the vlogger's compensated video content produced within a 30-day period included the likeness, name, or photograph of the minor. Content percentage is measured by the percentage of time the likeness, name, or photograph of the minor visually appears or is the subject of an oral narrative in a video segment, as compared to the total length of the segment; and

(2) the number of views received per video segment on any online platform met the online platform's threshold for the generation of compensation or the vlogger received actual compensation for video content equal to or greater than \$0.10 per view.

(b) With the exception of Section 100, the provisions of this Act do not apply to a minor engaged in the work of vlogging.

(c) All vloggers whose content features a minor under the age of 16 engaged in the work of vlogging shall maintain the following records and shall provide them to the minor on an ongoing basis:

(1) the name and documentary proof of the age of the minor engaged in the work of vlogging;

(2) the number of vlogs that generated compensation as described in subsection (a) during the reporting period;

(3) the total number of minutes of the vlogs that the vlogger received compensation for during the reporting period;

(4) the total number of minutes each minor was featured in vlogs during the reporting period;

(5) the total compensation generated from vlogs featuring a minor during the reporting period; and

(6) the amount deposited into the trust account for the benefit of the minor engaged in the work of vlogging, as required by Section 100.

(d) If a vlogger whose vlog content features minors under the age of 16 engaged in the work of vlogging fails to maintain the records as provided in subsection (c), the minor may commence a civil action to enforce the provisions of this Section.

#### Section 100. Minor engaged in the work of vlogging; trust fund.

(a) A minor satisfying the criteria described in subsection (a) of Section 95 must be compensated by the vlogger. The vlogger must set aside gross earnings on the video content, including the likeness, name, or photograph of the minor in a trust account to be preserved for the benefit of the minor upon reaching the age of majority, according to the following distribution:

(1) where only one minor meets the content threshold described in Section 95, the percentage of total gross earnings on any video segment, including the likeness, name, or photograph of the minor that is equal to or greater than half of the content percentage that includes the minor as described in Section 95; or

(2) where more than one minor meets the content threshold described in Section 95 and a video segment includes more than one of those minors, the percentage described in paragraph (1) for all minors in any segment must be equally divided between the minors, regardless of differences in percentage of content provided by the individual minors.

(b) A trust account required under this Section must provide, at a minimum, the following:

(1) that the funds in the account shall be available only to the minor engaged in the work of vlogging;

(2) that the account shall be held by a bank, corporate fiduciary, or trust company, as those terms are defined in the Corporate Fiduciary Act;

(3) that the funds in the account shall become available to the minor engaged in the work of vlogging upon the minor attaining the age of 18 years or upon the minor being declared emancipated; and

(4) that the account meets the requirements of the Illinois Uniform Transfers to Minors Act.

(c) If a vlogger knowingly or recklessly violates this Section, a minor satisfying the criteria described in subsection (a) of Section 95 may commence an action to enforce the provisions of this Section regarding the trust account. The court may award, to a minor who prevails in any action brought in accordance with this Section, the following damages:

(1) actual damages;

(2) punitive damages; and

(3) the costs of the action, including attorney's fees and litigation costs.

(d) This Section does not affect a right or remedy available under any other law of the State.

(e) Nothing in this Section shall be interpreted to have any effect on a party that is neither the vlogger nor the minor engaged in the work of vlogging.

Section 105. No limitations on other laws. Nothing in this Act shall limit another State agency's authority to enforce violations of any other State law.

Section 110. Severability. If any part of this Act is decided to be unconstitutional and void, the decision shall not affect the validity of the remaining parts of this Act unless the part held void is indispensable to the operation of the remaining parts.

Section 115. Procedural changes from prior law. In accordance with Section 4 of the Statute on Statutes, any procedural change as compared to prior law effected by the repeal of the Child Labor Law and the enactment of this Act shall be applied retroactively. Any substantive change as compared to prior law effected by the repeal of the Child Labor Law and the enactment of this Act shall be applied prospectively only. Any changes to the remedies available to redress a legal violation are procedural in nature.

(820 ILCS 205/Act rep.)

Section 900. The Child Labor Law is repealed.

Section 905. The School Code is amended by changing Section 26-1 as follows:

(105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

Sec. 26-1. Compulsory school age; exemptions. Whoever has custody or control of any child (i) between the ages of 7 and 17 years (unless the child has already graduated from high school) for school years before the 2014-2015 school year or (ii) between the ages of 6 (on or before September 1) and 17 years (unless the child has already graduated from high school) beginning with the 2014-2015 school year shall cause such child to attend some public school in the district wherein the child resides the entire time it is in session during the regular school term, except as provided in Section 10-19.1, and during a required summer school program established under Section 10-22.33B; provided, that the following children shall not be required to attend the public schools:

1. Any child attending a private or a parochial school where children are taught the branches of education taught to children of corresponding age and grade in the public schools, and where the instruction of the child in the branches of education is in the English language;

2. Any child who is physically or mentally unable to attend school, such disability being certified to the county or district truant officer by a competent physician licensed in Illinois to practice medicine and surgery in all its branches, a chiropractic physician licensed under the Medical Practice Act of 1987, a licensed advanced practice registered nurse, a licensed physician assistant, or a Christian Science practitioner residing in this State and listed in the Christian Science Journal; or who is excused for temporary absence for cause by the principal or teacher of the school which the child attends, with absence for cause by illness being required to include the mental or behavioral health of the child for up to 5 days for which the child need not provide a medical note, in which case the child shall be given the opportunity to make up any school work missed during the mental or behavioral health absence and, after the second mental health day used, may be referred to the appropriate school support personnel; the exemptions in this paragraph (2) do not apply to any female who is pregnant or the mother of one or more children, except where a female is unable to attend school due to a complication arising from her pregnancy and the existence of such complication is certified to the county or district truant officer by a competent physician;

3. Any child necessarily and lawfully employed according to the provisions of the Child Labor Law of 2024 ~~law regulating child labor~~ may be excused from attendance at school by the county superintendent of schools or the superintendent of the public school which the child should be attending, on certification of the facts by and the recommendation of the school board of the public school district in which the child resides. In districts having part-time continuation schools, children so excused shall attend such schools at least 8 hours each week;

4. Any child over 12 and under 14 years of age while in attendance at confirmation classes;

5. Any child absent from a public school on a particular day or days or at a particular time of day for the reason that he is unable to attend classes or to participate in any examination, study, or work requirements on a particular day or days or at a particular time of day because of religious

reasons, including the observance of a religious holiday or participation in religious instruction, or because the tenets of his religion forbid secular activity on a particular day or days or at a particular time of day. A school board may require the parent or guardian of a child who is to be excused from attending school because of religious reasons to give notice, not exceeding 5 days, of the child's absence to the school principal or other school personnel. Any child excused from attending school under this paragraph 5 shall not be required to submit a written excuse for such absence after returning to school. A district superintendent shall develop and distribute to schools appropriate procedures regarding a student's absence for religious reasons, how schools are notified of a student's impending absence for religious reasons, and the requirements of Section 26-2b of this Code;

6. Any child 16 years of age or older who (i) submits to a school district evidence of necessary and lawful employment pursuant to paragraph 3 of this Section and (ii) is enrolled in a graduation incentives program pursuant to Section 26-16 of this Code or an alternative learning opportunities program established pursuant to Article 13B of this Code;

7. A child in any of grades 6 through 12 absent from a public school on a particular day or days or at a particular time of day for the purpose of sounding "Taps" at a military honors funeral held in this State for a deceased veteran. In order to be excused under this paragraph 7, the student shall notify the school's administration at least 2 days prior to the date of the absence and shall provide the school's administration with the date, time, and location of the military honors funeral. The school's administration may waive this 2-day notification requirement if the student did not receive at least 2 days advance notice, but the student shall notify the school's administration as soon as possible of the absence. A student whose absence is excused under this paragraph 7 shall be counted as if the student attended school for purposes of calculating the average daily attendance of students in the school district. A student whose absence is excused under this paragraph 7 must be allowed a reasonable time to make up school work missed during the absence. If the student satisfactorily completes the school work, the day of absence shall be counted as a day of compulsory attendance and he or she may not be penalized for that absence; and

8. Any child absent from a public school on a particular day or days or at a particular time of day for the reason that his or her parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat-support postings. Such a student shall be granted 5 days of excused absences in any school year and, at the discretion of the school board, additional excused absences to visit the student's parent or legal guardian relative to such leave or deployment of the parent or legal guardian. In the case of excused absences pursuant to this paragraph 8, the student and parent or legal guardian shall be responsible for obtaining assignments from the student's teacher prior to any period of excused absence and for ensuring that such assignments are completed by the student prior to his or her return to school from such period of excused absence.

Any child from a public middle school or high school, subject to guidelines established by the State Board of Education, shall be permitted by a school board one school day-long excused absence per school year for the child who is absent from school to engage in a civic event. The school board may require that the student provide reasonable advance notice of the intended absence to the appropriate school administrator and require that the student provide documentation of participation in a civic event to the appropriate school administrator.

(Source: P.A. 102-266, eff. 1-1-22; 102-321, eff. 1-1-22; 102-406, eff. 8-19-21; 102-813, eff. 5-13-22; 102-981, eff. 1-1-23.)

Section 910. The Child Care Act of 1969 is amended by changing Section 2.17 as follows:  
(225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

Sec. 2.17. "Foster family home" means the home of an individual or family:

(1) that is licensed or approved by the state in which it is situated as a foster family home that meets the standards established for the licensing or approval; and

(2) in which a child in foster care has been placed in the care of an individual who resides with the child and who has been licensed or approved by the state to be a foster parent and:

(A) who the Department of Children and Family Services deems capable of adhering to the reasonable and prudent parent standard;

(B) who provides 24-hour substitute care for children placed away from their parents or other caretakers; and

(3) who provides the care for no more than 6 children, except the Director of Children and Family Services, pursuant to Department regulations, may waive the numerical limitation of foster children who may be cared for in a foster family home for any of the following reasons to allow: (i) a parenting youth in foster care to remain with the child of the parenting youth; (ii) siblings to remain together; (iii) a child with an established meaningful relationship with the family to remain with the family; or (iv) a family with special training or skills to provide care to a child who has a severe disability. The family's or relative's own children, under 18 years of age, shall be included in determining the maximum number of children served.

For purposes of this Section, a "relative" includes any person, 21 years of age or over, other than the parent, who (i) is currently related to the child in any of the following ways by blood or adoption: grandparent, sibling, great-grandparent, uncle, aunt, nephew, niece, first cousin, great-uncle, or great-aunt; or (ii) is the spouse of such a relative; or (iii) is a child's step-father, step-mother, or adult step-brother or step-sister; or (iv) is a fictive kin; "relative" also includes a person related in any of the foregoing ways to a sibling of a child, even though the person is not related to the child, when the child and its sibling are placed together with that person. For purposes of placement of children pursuant to Section 7 of the Children and Family Services Act and for purposes of licensing requirements set forth in Section 4 of this Act, for children under the custody or guardianship of the Department pursuant to the Juvenile Court Act of 1987, after a parent signs a consent, surrender, or waiver or after a parent's rights are otherwise terminated, and while the child remains in the custody or guardianship of the Department, the child is considered to be related to those to whom the child was related under this Section prior to the signing of the consent, surrender, or waiver or the order of termination of parental rights.

The term "foster family home" includes homes receiving children from any State-operated institution for child care; or from any agency established by a municipality or other political subdivision of the State of Illinois authorized to provide care for children outside their own homes. The term "foster family home" does not include an "adoption-only home" as defined in Section 2.23 of this Act. The types of foster family homes are defined as follows:

(a) "Boarding home" means a foster family home which receives payment for regular full-time care of a child or children.

(b) "Free home" means a foster family home other than an adoptive home which does not receive payments for the care of a child or children.

(c) "Adoptive home" means a foster family home which receives a child or children for the purpose of adopting the child or children, but does not include an adoption-only home.

(d) "Work-wage home" means a foster family home which receives a child or children who pay part or all of their board by rendering some services to the family not prohibited by the Child Labor Law of 2024 or by standards or regulations of the Department prescribed under this Act. The child or children may receive a wage in connection with the services rendered the foster family.

(e) "Agency-supervised home" means a foster family home under the direct and regular supervision of a licensed child welfare agency, of the Department of Children and Family Services, of a circuit court, or of any other State agency which has authority to place children in child care facilities, and which receives no more than 8 children, unless of common parentage, who are placed and are regularly supervised by one of the specified agencies.

(f) "Independent home" means a foster family home, other than an adoptive home, which receives no more than 4 children, unless of common parentage, directly from parents, or other legally responsible persons, by independent arrangement and which is not subject to direct and regular supervision of a specified agency except as such supervision pertains to licensing by the Department.

(g) "Host home" means an emergency foster family home under the direction and regular supervision of a licensed child welfare agency, contracted to provide short-term crisis intervention services to youth served under the Comprehensive Community-Based Youth Services program, under the direction of the Department of Human Services. The youth shall not be under the custody or guardianship of the Department pursuant to the Juvenile Court Act of 1987.

(Source: P.A. 102-688, eff. 7-1-22; 103-564, eff. 11-17-23.)

Section 915. The Private Employment Agency Act is amended by changing Sections 10 and 12.6 as follows:

(225 ILCS 515/10) (from Ch. 111, par. 910)

Sec. 10. Licensee prohibitions. No licensee shall send or cause to be sent any female help or servants, inmate, or performer to enter any questionable place, or place of bad repute, house of ill-fame, or

[May 21, 2024]

assignment house, or to any house or place of amusement kept for immoral purposes, or place resorted to for the purpose of prostitution or gambling house, the character of which licensee knows either actually or by reputation.

No licensee shall permit questionable characters, prostitutes, gamblers, intoxicated persons, or procurers to frequent the agency.

No licensee shall accept any application for employment made by or on behalf of any child, or shall place or assist in placing any such child in any employment whatever, in violation of the Child Labor Law of 2024. A violation of any provision of this Section shall be a Class A misdemeanor.

No licensee shall publish or cause to be published any fraudulent or misleading notice or advertisement of its employment agencies by means of cards, circulars, or signs, or in newspapers or other publications; and all letterheads, receipts, and blanks shall contain the full name and address of the employment agency and licensee shall state in all notices and advertisements the fact that licensee is, or conducts, a private employment agency.

No licensee shall print, publish, or paint on any sign or window, or insert in any newspaper or publication, a name similar to that of the Illinois Public Employment Office.

No licensee shall print or stamp on any receipt or on any contract used by that agency any part of this Act, unless the entire Section from which that part is taken is printed or stamped thereon.

All written communications sent out by any licensee, directly or indirectly, to any person or firm with regard to employees or employment shall contain therein definite information that such person is a private employment agency.

No licensee or his or her employees shall knowingly give any false or misleading information, or make any false or misleading promise to any applicant who shall apply for employment or employees.

(Source: P.A. 90-372, eff. 7-1-98.)

(225 ILCS 515/12.6)

Sec. 12.6. Child Labor and Day and Temporary Labor Services Enforcement Fund. All moneys received as fees and penalties under this Act shall be deposited into the Child Labor and Day and Temporary Labor Services Enforcement Fund and may be used for the purposes set forth in Section ~~75-47.3~~ of the Child Labor Law of 2024.

(Source: P.A. 99-422, eff. 1-1-16.)

Section 920. The Day and Temporary Labor Services Act is amended by changing Section 67 as follows:

(820 ILCS 175/67)

Sec. 67. Action for civil penalties brought by an interested party.

(a) Upon a reasonable belief that a day and temporary labor service agency or a third party client covered by this Act is in violation of any part of this Act, an interested party may initiate a civil action in the county where the alleged offenses occurred or where any party to the action resides, asserting that a violation of the Act has occurred, pursuant to the following sequence of events:

(1) The interested party submits to the Department of Labor a complaint describing the violation and naming the day or temporary labor service agency or third party client alleged to have violated this Act.

(2) The Department sends notice of complaint to the named parties alleged to have violated this Act and the interested party. The named parties may either contest the alleged violation or cure the alleged violation.

(3) The named parties contest or cure the alleged violation within 30 days after the receipt of the notice of complaint or, if the named party does not respond within 30 days, the Department issues a notice of right to sue to the interested party as described in paragraph (4).

(4) The Department issues a notice of right to sue to the interested party, if one or more of the following has occurred:

(i) the named party has cured the alleged violation to the satisfaction of the Director;

(ii) the Director has determined that the allegation is unjustified or that the Department does not have jurisdiction over the matter or the parties; or

(iii) the Director has determined that the allegation is justified or has not made a determination, and either has decided not to exercise jurisdiction over the matter or has concluded administrative enforcement of the matter.

(b) If within 180 days after service of the notice of complaint to the parties, the Department has not (i) resolved the contest and cure period, (ii) with the mutual agreement of the parties, extended the time for the named party to cure the violation and resolve the complaint, or (iii) issued a right to sue letter, the interested party may initiate a civil action for penalties. The parties may extend the 180-day period by mutual agreement. The limitations period for the interested party to bring an action for the alleged violation of the Act shall be tolled for the 180-day period and for the period of any mutually agreed extensions. At the end of the 180-day period, or any mutually agreed extensions, the Department shall issue a right to sue letter to the interested party.

(c) Any claim or action filed under this Section must be made within 3 years of the alleged conduct resulting in the complaint plus any period for which the limitations period has been tolled.

(d) In an action brought pursuant to this Section, an interested party may recover against the covered entity any statutory penalties set forth in Section 70 and injunctive relief. An interested party who prevails in a civil action shall receive 10% of any statutory penalties assessed, plus any attorneys' fees and expenses in bringing the action. The remaining 90% of any statutory penalties assessed shall be deposited into the Child Labor and Day and Temporary Labor Services Enforcement Fund and shall be used exclusively for the purposes set forth in Section ~~75 47.3~~ of the Child Labor Law of 2024.

(Source: P.A. 103-437, eff. 8-4-23.)

Section 925. The Workers' Compensation Act is amended by changing Sections 7 and 8 as follows:  
(820 ILCS 305/7) (from Ch. 48, par. 138.7)

Sec. 7. The amount of compensation which shall be paid for an accidental injury to the employee resulting in death is:

(a) If the employee leaves surviving a widow, widower, child or children, the applicable weekly compensation rate computed in accordance with subparagraph 2 of paragraph (b) of Section 8, shall be payable during the life of the widow or widower and if any surviving child or children shall not be physically or mentally incapacitated then until the death of the widow or widower or until the youngest child shall reach the age of 18, whichever shall come later; provided that if such child or children shall be enrolled as a full time student in any accredited educational institution, the payments shall continue until such child has attained the age of 25. In the event any surviving child or children shall be physically or mentally incapacitated, the payments shall continue for the duration of such incapacity.

The term "child" means a child whom the deceased employee left surviving, including a posthumous child, a child legally adopted, a child whom the deceased employee was legally obligated to support or a child to whom the deceased employee stood in loco parentis. The term "children" means the plural of "child".

The term "physically or mentally incapacitated child or children" means a child or children incapable of engaging in regular and substantial gainful employment.

In the event of the remarriage of a widow or widower, where the decedent did not leave surviving any child or children who, at the time of such remarriage, are entitled to compensation benefits under this Act, the surviving spouse shall be paid a lump sum equal to 2 years compensation benefits and all further rights of such widow or widower shall be extinguished.

If the employee leaves surviving any child or children under 18 years of age who at the time of death shall be entitled to compensation under this paragraph (a) of this Section, the weekly compensation payments herein provided for such child or children shall in any event continue for a period of not less than 6 years.

Any beneficiary entitled to compensation under this paragraph (a) of this Section shall receive from the special fund provided in paragraph (f) of this Section, in addition to the compensation herein provided, supplemental benefits in accordance with paragraph (g) of Section 8.

(b) If no compensation is payable under paragraph (a) of this Section and the employee leaves surviving a parent or parents who at the time of the accident were totally dependent upon the earnings of the employee then weekly payments equal to the compensation rate payable in the case where the employee leaves surviving a widow or widower, shall be paid to such parent or parents for the duration of their lives, and in the event of the death of either, for the life of the survivor.

(c) If no compensation is payable under paragraphs (a) or (b) of this Section and the employee leaves surviving any child or children who are not entitled to compensation under the foregoing paragraph (a) but who at the time of the accident were nevertheless in any manner dependent upon the earnings of the employee, or leaves surviving a parent or parents who at the time of the accident were partially dependent

upon the earnings of the employee, then there shall be paid to such dependent or dependents for a period of 8 years weekly compensation payments at such proportion of the applicable rate if the employee had left surviving a widow or widower as such dependency bears to total dependency. In the event of the death of any such beneficiary the share of such beneficiary shall be divided equally among the surviving beneficiaries and in the event of the death of the last such beneficiary all the rights under this paragraph shall be extinguished.

(d) If no compensation is payable under paragraphs (a), (b) or (c) of this Section and the employee leaves surviving any grandparent, grandparents, grandchild or grandchildren or collateral heirs dependent upon the employee's earnings to the extent of 50% or more of total dependency, then there shall be paid to such dependent or dependents for a period of 5 years weekly compensation payments at such proportion of the applicable rate if the employee had left surviving a widow or widower as such dependency bears to total dependency. In the event of the death of any such beneficiary the share of such beneficiary shall be divided equally among the surviving beneficiaries and in the event of the death of the last such beneficiary all rights hereunder shall be extinguished.

(e) The compensation to be paid for accidental injury which results in death, as provided in this Section, shall be paid to the persons who form the basis for determining the amount of compensation to be paid by the employer, the respective shares to be in the proportion of their respective dependency at the time of the accident on the earnings of the deceased. The Commission or an Arbitrator thereof may, in its or his discretion, order or award the payment to the parent or grandparent of a child for the latter's support the amount of compensation which but for such order or award would have been paid to such child as its share of the compensation payable, which order or award may be modified from time to time by the Commission in its discretion with respect to the person to whom shall be paid the amount of the order or award remaining unpaid at the time of the modification.

The payments of compensation by the employer in accordance with the order or award of the Commission discharges such employer from all further obligation as to such compensation.

(f) The sum of \$8,000 for burial expenses shall be paid by the employer to the widow or widower, other dependent, next of kin or to the person or persons incurring the expense of burial.

In the event the employer failed to provide necessary first aid, medical, surgical or hospital service, he shall pay the cost thereof to the person or persons entitled to compensation under paragraphs (a), (b), (c) or (d) of this Section, or to the person or persons incurring the obligation therefore, or providing the same.

On January 15 and July 15, 1981, and on January 15 and July 15 of each year thereafter the employer shall within 60 days pay a sum equal to 1/8 of 1% of all compensation payments made by him after July 1, 1980, either under this Act or the Workers' Occupational Diseases Act, whether by lump sum settlement or weekly compensation payments, but not including hospital, surgical or rehabilitation payments, made during the first 6 months and during the second 6 months respectively of the fiscal year next preceding the date of the payments, into a special fund which shall be designated the "Second Injury Fund", of which the State Treasurer is ex-officio custodian, such special fund to be held and disbursed for the purposes hereinafter stated in paragraphs (f) and (g) of Section 8, either upon the order of the Commission or of a competent court. Said special fund shall be deposited the same as are State funds and any interest accruing thereon shall be added thereto every 6 months. It is subject to audit the same as State funds and accounts and is protected by the General bond given by the State Treasurer. It is considered always appropriated for the purposes of disbursements as provided in Section 8, paragraph (f), of this Act, and shall be paid out and disbursed as therein provided and shall not at any time be appropriated or diverted to any other use or purpose.

On January 15, 1991, the employer shall further pay a sum equal to one half of 1% of all compensation payments made by him from January 1, 1990 through June 30, 1990 either under this Act or under the Workers' Occupational Diseases Act, whether by lump sum settlement or weekly compensation payments, but not including hospital, surgical or rehabilitation payments, into an additional Special Fund which shall be designated as the "Rate Adjustment Fund". On March 15, 1991, the employer shall pay into the Rate Adjustment Fund a sum equal to one half of 1% of all such compensation payments made from July 1, 1990 through December 31, 1990. Within 60 days after July 15, 1991, the employer shall pay into the Rate Adjustment Fund a sum equal to one half of 1% of all such compensation payments made from January 1, 1991 through June 30, 1991. Within 60 days after January 15 of 1992 and each subsequent year through 1996, the employer shall pay into the Rate Adjustment Fund a sum equal to one half of 1% of all such compensation payments made in the last 6 months of the preceding calendar year. Within 60 days after July 15 of 1992 and each subsequent year through 1995, the employer shall pay into the Rate Adjustment

Fund a sum equal to one half of 1% of all such compensation payments made in the first 6 months of the same calendar year. Within 60 days after January 15 of 1997 and each subsequent year through 2005, the employer shall pay into the Rate Adjustment Fund a sum equal to three-fourths of 1% of all such compensation payments made in the last 6 months of the preceding calendar year. Within 60 days after July 15 of 1996 and each subsequent year through 2004, the employer shall pay into the Rate Adjustment Fund a sum equal to three-fourths of 1% of all such compensation payments made in the first 6 months of the same calendar year. Within 60 days after July 15 of 2005, the employer shall pay into the Rate Adjustment Fund a sum equal to 1% of such compensation payments made in the first 6 months of the same calendar year. Within 60 days after January 15 of 2006 and each subsequent year, the employer shall pay into the Rate Adjustment Fund a sum equal to 1.25% of such compensation payments made in the last 6 months of the preceding calendar year. Within 60 days after July 15 of 2006 and each subsequent year, the employer shall pay into the Rate Adjustment Fund a sum equal to 1.25% of such compensation payments made in the first 6 months of the same calendar year. The administrative costs of collecting assessments from employers for the Rate Adjustment Fund shall be paid from the Rate Adjustment Fund. The cost of an actuarial audit of the Fund shall be paid from the Rate Adjustment Fund. The State Treasurer is ex officio custodian of such Special Fund and the same shall be held and disbursed for the purposes hereinafter stated in paragraphs (f) and (g) of Section 8 upon the order of the Commission or of a competent court. The Rate Adjustment Fund shall be deposited the same as are State funds and any interest accruing thereon shall be added thereto every 6 months. It shall be subject to audit the same as State funds and accounts and shall be protected by the general bond given by the State Treasurer. It is considered always appropriated for the purposes of disbursements as provided in paragraphs (f) and (g) of Section 8 of this Act and shall be paid out and disbursed as therein provided and shall not at any time be appropriated or diverted to any other use or purpose. Within 5 days after the effective date of this amendatory Act of 1990, the Comptroller and the State Treasurer shall transfer \$1,000,000 from the General Revenue Fund to the Rate Adjustment Fund. By February 15, 1991, the Comptroller and the State Treasurer shall transfer \$1,000,000 from the Rate Adjustment Fund to the General Revenue Fund. The Comptroller and Treasurer are authorized to make transfers at the request of the Chairman up to a total of \$19,000,000 from the Second Injury Fund, the General Revenue Fund, and the Workers' Compensation Benefit Trust Fund to the Rate Adjustment Fund to the extent that there is insufficient money in the Rate Adjustment Fund to pay claims and obligations. Amounts may be transferred from the General Revenue Fund only if the funds in the Second Injury Fund or the Workers' Compensation Benefit Trust Fund are insufficient to pay claims and obligations of the Rate Adjustment Fund. All amounts transferred from the Second Injury Fund, the General Revenue Fund, and the Workers' Compensation Benefit Trust Fund shall be repaid from the Rate Adjustment Fund within 270 days of a transfer, together with interest at the rate earned by moneys on deposit in the Fund or Funds from which the moneys were transferred.

Upon a finding by the Commission, after reasonable notice and hearing, that any employer has willfully and knowingly failed to pay the proper amounts into the Second Injury Fund or the Rate Adjustment Fund required by this Section or if such payments are not made within the time periods prescribed by this Section, the employer shall, in addition to such payments, pay a penalty of 20% of the amount required to be paid or \$2,500, whichever is greater, for each year or part thereof of such failure to pay. This penalty shall only apply to obligations of an employer to the Second Injury Fund or the Rate Adjustment Fund accruing after the effective date of this amendatory Act of 1989. All or part of such a penalty may be waived by the Commission for good cause shown.

Any obligations of an employer to the Second Injury Fund and Rate Adjustment Fund accruing prior to the effective date of this amendatory Act of 1989 shall be paid in full by such employer within 5 years of the effective date of this amendatory Act of 1989, with at least one-fifth of such obligation to be paid during each year following the effective date of this amendatory Act of 1989. If the Commission finds, following reasonable notice and hearing, that an employer has failed to make timely payment of any obligation accruing under the preceding sentence, the employer shall, in addition to all other payments required by this Section, be liable for a penalty equal to 20% of the overdue obligation or \$2,500, whichever is greater, for each year or part thereof that obligation is overdue. All or part of such a penalty may be waived by the Commission for good cause shown.

The Chairman of the Illinois Workers' Compensation Commission shall, annually, furnish to the Director of the Department of Insurance a list of the amounts paid into the Second Injury Fund and the Rate Adjustment Fund by each insurance company on behalf of their insured employers. The Director shall verify to the Chairman that the amounts paid by each insurance company are accurate as best as the Director can

determine from the records available to the Director. The Chairman shall verify that the amounts paid by each self-insurer are accurate as best as the Chairman can determine from records available to the Chairman. The Chairman may require each self-insurer to provide information concerning the total compensation payments made upon which contributions to the Second Injury Fund and the Rate Adjustment Fund are predicated and any additional information establishing that such payments have been made into these funds. Any deficiencies in payments noted by the Director or Chairman shall be subject to the penalty provisions of this Act.

The State Treasurer, or his duly authorized representative, shall be named as a party to all proceedings in all cases involving claim for the loss of, or the permanent and complete loss of the use of one eye, one foot, one leg, one arm or one hand.

The State Treasurer or his duly authorized agent shall have the same rights as any other party to the proceeding, including the right to petition for review of any award. The reasonable expenses of litigation, such as medical examinations, testimony, and transcript of evidence, incurred by the State Treasurer or his duly authorized representative, shall be borne by the Second Injury Fund.

If the award is not paid within 30 days after the date the award has become final, the Commission shall proceed to take judgment thereon in its own name as is provided for other awards by paragraph (g) of Section 19 of this Act and take the necessary steps to collect the award.

Any person, corporation or organization who has paid or become liable for the payment of burial expenses of the deceased employee may in his or its own name institute proceedings before the Commission for the collection thereof.

For the purpose of administration, receipts and disbursements, the Special Fund provided for in paragraph (f) of this Section shall be administered jointly with the Special Fund provided for in Section 7, paragraph (f) of the Workers' Occupational Diseases Act.

(g) All compensation, except for burial expenses provided in this Section to be paid in case accident results in death, shall be paid in installments equal to the percentage of the average earnings as provided for in Section 8, paragraph (b) of this Act, at the same intervals at which the wages or earnings of the employees were paid. If this is not feasible, then the installments shall be paid weekly. Such compensation may be paid in a lump sum upon petition as provided in Section 9 of this Act. However, in addition to the benefits provided by Section 9 of this Act where compensation for death is payable to the deceased's widow, widower or to the deceased's widow, widower and one or more children, and where a partial lump sum is applied for by such beneficiary or beneficiaries within 18 months after the deceased's death, the Commission may, in its discretion, grant a partial lump sum of not to exceed 100 weeks of the compensation capitalized at their present value upon the basis of interest calculated at 3% per annum with annual rests, upon a showing that such partial lump sum is for the best interest of such beneficiary or beneficiaries.

(h) In case the injured employee is under 16 years of age at the time of the accident and is illegally employed, the amount of compensation payable under paragraphs (a), (b), (c), (d) and (f) of this Section shall be increased 50%.

Nothing herein contained repeals or amends the provisions of the Child Labor Law of 2024 relating to the employment of minors under the age of 16 years.

However, where an employer has on file an employment certificate issued pursuant to the Child Labor Law of 2024 or work permit issued pursuant to the Federal Fair Labor Standards Act, as amended, or a birth certificate properly and duly issued, such certificate, permit or birth certificate is conclusive evidence as to the age of the injured minor employee for the purposes of this Section only.

(i) Whenever the dependents of a deceased employee are noncitizens not residing in the United States, Mexico or Canada, the amount of compensation payable is limited to the beneficiaries described in paragraphs (a), (b) and (c) of this Section and is 50% of the compensation provided in paragraphs (a), (b) and (c) of this Section, except as otherwise provided by treaty.

In a case where any of the persons who would be entitled to compensation is living at any place outside of the United States, then payment shall be made to the personal representative of the deceased employee. The distribution by such personal representative to the persons entitled shall be made to such persons and in such manner as the Commission orders.

(Source: P.A. 102-1030, eff. 5-27-22.)

(820 ILCS 305/8) (from Ch. 48, par. 138.8)

Sec. 8. The amount of compensation which shall be paid to the employee for an accidental injury not resulting in death is:

(a) The employer shall provide and pay the negotiated rate, if applicable, or the lesser of the health care provider's actual charges or according to a fee schedule, subject to Section 8.2, in effect at the time the service was rendered for all the necessary first aid, medical and surgical services, and all necessary medical, surgical and hospital services thereafter incurred, limited, however, to that which is reasonably required to cure or relieve from the effects of the accidental injury, even if a health care provider sells, transfers, or otherwise assigns an account receivable for procedures, treatments, or services covered under this Act. If the employer does not dispute payment of first aid, medical, surgical, and hospital services, the employer shall make such payment to the provider on behalf of the employee. The employer shall also pay for treatment, instruction and training necessary for the physical, mental and vocational rehabilitation of the employee, including all maintenance costs and expenses incidental thereto. If as a result of the injury the employee is unable to be self-sufficient the employer shall further pay for such maintenance or institutional care as shall be required.

The employee may at any time elect to secure his own physician, surgeon and hospital services at the employer's expense, or,

Upon agreement between the employer and the employees, or the employees' exclusive representative, and subject to the approval of the Illinois Workers' Compensation Commission, the employer shall maintain a list of physicians, to be known as a Panel of Physicians, who are accessible to the employees. The employer shall post this list in a place or places easily accessible to his employees. The employee shall have the right to make an alternative choice of physician from such Panel if he is not satisfied with the physician first selected. If, due to the nature of the injury or its occurrence away from the employer's place of business, the employee is unable to make a selection from the Panel, the selection process from the Panel shall not apply. The physician selected from the Panel may arrange for any consultation, referral or other specialized medical services outside the Panel at the employer's expense. Provided that, in the event the Commission shall find that a doctor selected by the employee is rendering improper or inadequate care, the Commission may order the employee to select another doctor certified or qualified in the medical field for which treatment is required. If the employee refuses to make such change the Commission may relieve the employer of his obligation to pay the doctor's charges from the date of refusal to the date of compliance.

Any vocational rehabilitation counselors who provide service under this Act shall have appropriate certifications which designate the counselor as qualified to render opinions relating to vocational rehabilitation. Vocational rehabilitation may include, but is not limited to, counseling for job searches, supervising a job search program, and vocational retraining including education at an accredited learning institution. The employee or employer may petition to the Commission to decide disputes relating to vocational rehabilitation and the Commission shall resolve any such dispute, including payment of the vocational rehabilitation program by the employer.

The maintenance benefit shall not be less than the temporary total disability rate determined for the employee. In addition, maintenance shall include costs and expenses incidental to the vocational rehabilitation program.

When the employee is working light duty on a part-time basis or full-time basis and earns less than he or she would be earning if employed in the full capacity of the job or jobs, then the employee shall be entitled to temporary partial disability benefits. Temporary partial disability benefits shall be equal to two-thirds of the difference between the average amount that the employee would be able to earn in the full performance of his or her duties in the occupation in which he or she was engaged at the time of accident and the gross amount which he or she is earning in the modified job provided to the employee by the employer or in any other job that the employee is working.

Every hospital, physician, surgeon or other person rendering treatment or services in accordance with the provisions of this Section shall upon written request furnish full and complete reports thereof to, and permit their records to be copied by, the employer, the employee or his dependents, as the case may be, or any other party to any proceeding for compensation before the Commission, or their attorneys.

Notwithstanding the foregoing, the employer's liability to pay for such medical services selected by the employee shall be limited to:

(1) all first aid and emergency treatment; plus

(2) all medical, surgical and hospital services provided by the physician, surgeon or hospital initially chosen by the employee or by any other physician, consultant, expert, institution or other provider of services recommended by said initial service provider or any subsequent provider of medical services in the chain of referrals from said initial service provider; plus

(3) all medical, surgical and hospital services provided by any second physician, surgeon or hospital subsequently chosen by the employee or by any other physician, consultant, expert, institution or other provider of services recommended by said second service provider or any subsequent provider of medical services in the chain of referrals from said second service provider. Thereafter the employer shall select and pay for all necessary medical, surgical and hospital treatment and the employee may not select a provider of medical services at the employer's expense unless the employer agrees to such selection. At any time the employee may obtain any medical treatment he desires at his own expense. This paragraph shall not affect the duty to pay for rehabilitation referred to above.

(4) The following shall apply for injuries occurring on or after June 28, 2011 (the effective date of Public Act 97-18) and only when an employer has an approved preferred provider program pursuant to Section 8.1a on the date the employee sustained his or her accidental injuries:

(A) The employer shall, in writing, on a form promulgated by the Commission, inform the employee of the preferred provider program;

(B) Subsequent to the report of an injury by an employee, the employee may choose in writing at any time to decline the preferred provider program, in which case that would constitute one of the two choices of medical providers to which the employee is entitled under subsection (a)(2) or (a)(3); and

(C) Prior to the report of an injury by an employee, when an employee chooses non-emergency treatment from a provider not within the preferred provider program, that would constitute the employee's one choice of medical providers to which the employee is entitled under subsection (a)(2) or (a)(3).

When an employer and employee so agree in writing, nothing in this Act prevents an employee whose injury or disability has been established under this Act, from relying in good faith, on treatment by prayer or spiritual means alone, in accordance with the tenets and practice of a recognized church or religious denomination, by a duly accredited practitioner thereof, and having nursing services appropriate therewith, without suffering loss or diminution of the compensation benefits under this Act. However, the employee shall submit to all physical examinations required by this Act. The cost of such treatment and nursing care shall be paid by the employee unless the employer agrees to make such payment.

Where the accidental injury results in the amputation of an arm, hand, leg or foot, or the enucleation of an eye, or the loss of any of the natural teeth, the employer shall furnish an artificial of any such members lost or damaged in accidental injury arising out of and in the course of employment, and shall also furnish the necessary braces in all proper and necessary cases. In cases of the loss of a member or members by amputation, the employer shall, whenever necessary, maintain in good repair, refit or replace the artificial limbs during the lifetime of the employee. Where the accidental injury accompanied by physical injury results in damage to a denture, eye glasses or contact eye lenses, or where the accidental injury results in damage to an artificial member, the employer shall replace or repair such denture, glasses, lenses, or artificial member.

The furnishing by the employer of any such services or appliances is not an admission of liability on the part of the employer to pay compensation.

The furnishing of any such services or appliances or the servicing thereof by the employer is not the payment of compensation.

(b) If the period of temporary total incapacity for work lasts more than 3 working days, weekly compensation as hereinafter provided shall be paid beginning on the 4th day of such temporary total incapacity and continuing as long as the total temporary incapacity lasts. In cases where the temporary total incapacity for work continues for a period of 14 days or more from the day of the accident compensation shall commence on the day after the accident.

1. The compensation rate for temporary total incapacity under this paragraph (b) of this Section shall be equal to 66 2/3% of the employee's average weekly wage computed in accordance with Section 10, provided that it shall be not less than 66 2/3% of the sum of the Federal minimum wage under the Fair Labor Standards Act, or the Illinois minimum wage under the Minimum Wage Law, whichever is more, multiplied by 40 hours. This percentage rate shall be increased by 10% for each spouse and child, not to exceed 100% of the total minimum wage calculation, nor exceed the employee's average weekly wage computed in accordance with the provisions of Section 10, whichever is less.

2. The compensation rate in all cases other than for temporary total disability under this paragraph (b), and other than for serious and permanent disfigurement under paragraph (c) and other than for permanent partial disability under subparagraph (2) of paragraph (d) or under paragraph (e), of this Section shall be equal to 66 2/3% of the employee's average weekly wage computed in accordance with the provisions of Section 10, provided that it shall be not less than 66 2/3% of the sum of the Federal minimum wage under the Fair Labor Standards Act, or the Illinois minimum wage under the Minimum Wage Law, whichever is more, multiplied by 40 hours. This percentage rate shall be increased by 10% for each spouse and child, not to exceed 100% of the total minimum wage calculation, nor exceed the employee's average weekly wage computed in accordance with the provisions of Section 10, whichever is less.

2.1. The compensation rate in all cases of serious and permanent disfigurement under paragraph (c) and of permanent partial disability under subparagraph (2) of paragraph (d) or under paragraph (e) of this Section shall be equal to 60% of the employee's average weekly wage computed in accordance with the provisions of Section 10, provided that it shall be not less than 66 2/3% of the sum of the Federal minimum wage under the Fair Labor Standards Act, or the Illinois minimum wage under the Minimum Wage Law, whichever is more, multiplied by 40 hours. This percentage rate shall be increased by 10% for each spouse and child, not to exceed 100% of the total minimum wage calculation, nor exceed the employee's average weekly wage computed in accordance with the provisions of Section 10, whichever is less.

3. As used in this Section the term "child" means a child of the employee including any child legally adopted before the accident or whom at the time of the accident the employee was under legal obligation to support or to whom the employee stood in loco parentis, and who at the time of the accident was under 18 years of age and not emancipated. The term "children" means the plural of "child".

4. All weekly compensation rates provided under subparagraphs 1, 2 and 2.1 of this paragraph (b) of this Section shall be subject to the following limitations:

The maximum weekly compensation rate from July 1, 1975, except as hereinafter provided, shall be 100% of the State's average weekly wage in covered industries under the Unemployment Insurance Act, that being the wage that most closely approximates the State's average weekly wage.

The maximum weekly compensation rate, for the period July 1, 1984, through June 30, 1987, except as hereinafter provided, shall be \$293.61. Effective July 1, 1987 and on July 1 of each year thereafter the maximum weekly compensation rate, except as hereinafter provided, shall be determined as follows: if during the preceding 12 month period there shall have been an increase in the State's average weekly wage in covered industries under the Unemployment Insurance Act, the weekly compensation rate shall be proportionately increased by the same percentage as the percentage of increase in the State's average weekly wage in covered industries under the Unemployment Insurance Act during such period.

The maximum weekly compensation rate, for the period January 1, 1981 through December 31, 1983, except as hereinafter provided, shall be 100% of the State's average weekly wage in covered industries under the Unemployment Insurance Act in effect on January 1, 1981. Effective January 1, 1984 and on January 1, of each year thereafter the maximum weekly compensation rate, except as hereinafter provided, shall be determined as follows: if during the preceding 12 month period there shall have been an increase in the State's average weekly wage in covered industries under the Unemployment Insurance Act, the weekly compensation rate shall be proportionately increased by the same percentage as the percentage of increase in the State's average weekly wage in covered industries under the Unemployment Insurance Act during such period.

From July 1, 1977 and thereafter such maximum weekly compensation rate in death cases under Section 7, and permanent total disability cases under paragraph (f) or subparagraph 18 of paragraph (3) of this Section and for temporary total disability under paragraph (b) of this Section and for amputation of a member or enucleation of an eye under paragraph (e) of this Section shall be increased to 133-1/3% of the State's average weekly wage in covered industries under the Unemployment Insurance Act.

For injuries occurring on or after February 1, 2006, the maximum weekly benefit under paragraph (d)1 of this Section shall be 100% of the State's average weekly wage in covered industries under the Unemployment Insurance Act.

4.1. Any provision herein to the contrary notwithstanding, the weekly compensation rate for compensation payments under subparagraph 18 of paragraph (e) of this Section and under paragraph (f) of this Section and under paragraph (a) of Section 7 and for amputation of a member or enucleation of an eye under paragraph (e) of this Section, shall in no event be less than 50% of the State's average weekly wage in covered industries under the Unemployment Insurance Act.

4.2. Any provision to the contrary notwithstanding, the total compensation payable under Section 7 shall not exceed the greater of \$500,000 or 25 years.

5. For the purpose of this Section this State's average weekly wage in covered industries under the Unemployment Insurance Act on July 1, 1975 is hereby fixed at \$228.16 per week and the computation of compensation rates shall be based on the aforesaid average weekly wage until modified as hereinafter provided.

6. The Department of Employment Security of the State shall on or before the first day of December, 1977, and on or before the first day of June, 1978, and on the first day of each December and June of each year thereafter, publish the State's average weekly wage in covered industries under the Unemployment Insurance Act and the Illinois Workers' Compensation Commission shall on the 15th day of January, 1978 and on the 15th day of July, 1978 and on the 15th day of each January and July of each year thereafter, post and publish the State's average weekly wage in covered industries under the Unemployment Insurance Act as last determined and published by the Department of Employment Security. The amount when so posted and published shall be conclusive and shall be applicable as the basis of computation of compensation rates until the next posting and publication as aforesaid.

7. The payment of compensation by an employer or his insurance carrier to an injured employee shall not constitute an admission of the employer's liability to pay compensation.

(c) For any serious and permanent disfigurement to the hand, head, face, neck, arm, leg below the knee or the chest above the axillary line, the employee is entitled to compensation for such disfigurement, the amount determined by agreement at any time or by arbitration under this Act, at a hearing not less than 6 months after the date of the accidental injury, which amount shall not exceed 150 weeks (if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006) or 162 weeks (if the accidental injury occurs on or after February 1, 2006) at the applicable rate provided in subparagraph 2.1 of paragraph (b) of this Section.

No compensation is payable under this paragraph where compensation is payable under paragraphs (d), (e) or (f) of this Section.

A duly appointed member of a fire department in a city, the population of which exceeds 500,000 according to the last federal or State census, is eligible for compensation under this paragraph only where such serious and permanent disfigurement results from burns.

(d) 1. If, after the accidental injury has been sustained, the employee as a result thereof becomes partially incapacitated from pursuing his usual and customary line of employment, he shall, except in cases compensated under the specific schedule set forth in paragraph (e) of this Section, receive compensation for the duration of his disability, subject to the limitations as to maximum amounts fixed in paragraph (b) of this Section, equal to 66-2/3% of the difference between the average amount which he would be able to earn in the full performance of his duties in the occupation in which he was engaged at the time of the accident and the average amount which he is earning or is able to earn in some suitable employment or business after the accident. For accidental injuries that occur on or after September 1, 2011, an award for wage differential under this subsection shall be effective only until the employee reaches the age of 67 or 5 years from the date the award becomes final, whichever is later.

2. If, as a result of the accident, the employee sustains serious and permanent injuries not covered by paragraphs (c) and (e) of this Section or having sustained injuries covered by the aforesaid paragraphs (c) and (e), he shall have sustained in addition thereto other injuries which injuries do not incapacitate him from pursuing the duties of his employment but which would disable him from pursuing other suitable occupations, or which have otherwise resulted in physical impairment; or if such injuries partially incapacitate him from pursuing the duties of his usual and customary line of employment but do not result in an impairment of earning capacity, or having resulted in an impairment of earning capacity, the employee elects to waive his right to recover under the foregoing subparagraph 1 of paragraph (d) of this Section then in any of the foregoing events, he shall receive in addition to compensation for temporary total disability under paragraph (b) of this Section, compensation at the rate provided in subparagraph 2.1 of paragraph (b) of this Section for that percentage of 500 weeks that the partial disability resulting from the injuries covered

by this paragraph bears to total disability. If the employee shall have sustained a fracture of one or more vertebra or fracture of the skull, the amount of compensation allowed under this Section shall be not less than 6 weeks for a fractured skull and 6 weeks for each fractured vertebra, and in the event the employee shall have sustained a fracture of any of the following facial bones: nasal, lachrymal, vomer, zygoma, maxilla, palatine or mandible, the amount of compensation allowed under this Section shall be not less than 2 weeks for each such fractured bone, and for a fracture of each transverse process not less than 3 weeks. In the event such injuries shall result in the loss of a kidney, spleen or lung, the amount of compensation allowed under this Section shall be not less than 10 weeks for each such organ. Compensation awarded under this subparagraph 2 shall not take into consideration injuries covered under paragraphs (c) and (e) of this Section and the compensation provided in this paragraph shall not affect the employee's right to compensation payable under paragraphs (b), (c) and (e) of this Section for the disabilities therein covered.

(e) For accidental injuries in the following schedule, the employee shall receive compensation for the period of temporary total incapacity for work resulting from such accidental injury, under subparagraph 1 of paragraph (b) of this Section, and shall receive in addition thereto compensation for a further period for the specific loss herein mentioned, but shall not receive any compensation under any other provisions of this Act. The following listed amounts apply to either the loss of or the permanent and complete loss of use of the member specified, such compensation for the length of time as follows:

1. Thumb-

70 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

76 weeks if the accidental injury occurs on or after February 1, 2006.

2. First, or index finger-

40 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

43 weeks if the accidental injury occurs on or after February 1, 2006.

3. Second, or middle finger-

35 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

38 weeks if the accidental injury occurs on or after February 1, 2006.

4. Third, or ring finger-

25 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

27 weeks if the accidental injury occurs on or after February 1, 2006.

5. Fourth, or little finger-

20 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

22 weeks if the accidental injury occurs on or after February 1, 2006.

6. Great toe-

35 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

38 weeks if the accidental injury occurs on or after February 1, 2006.

7. Each toe other than great toe-

12 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

13 weeks if the accidental injury occurs on or after February 1, 2006.

8. The loss of the first or distal phalanx of the thumb or of any finger or toe shall be considered to be equal to the loss of one-half of such thumb, finger or toe and the compensation payable shall be one-half of the amount above specified. The loss of more than one phalanx shall be considered as the loss of the entire thumb, finger or toe. In no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

9. Hand-

190 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

205 weeks if the accidental injury occurs on or after February 1, 2006.

190 weeks if the accidental injury occurs on or after June 28, 2011 (the effective date of Public Act 97-18) and if the accidental injury involves carpal tunnel syndrome due to repetitive

or cumulative trauma, in which case the permanent partial disability shall not exceed 15% loss of use of the hand, except for cause shown by clear and convincing evidence and in which case the award shall not exceed 30% loss of use of the hand.

The loss of 2 or more digits, or one or more phalanges of 2 or more digits, of a hand may be compensated on the basis of partial loss of use of a hand, provided, further, that the loss of 4 digits, or the loss of use of 4 digits, in the same hand shall constitute the complete loss of a hand.

10. Arm-

235 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

253 weeks if the accidental injury occurs on or after February 1, 2006.

Where an accidental injury results in the amputation of an arm below the elbow, such injury shall be compensated as a loss of an arm. Where an accidental injury results in the amputation of an arm above the elbow, compensation for an additional 15 weeks (if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006) or an additional 17 weeks (if the accidental injury occurs on or after February 1, 2006) shall be paid, except where the accidental injury results in the amputation of an arm at the shoulder joint, or so close to shoulder joint that an artificial arm cannot be used, or results in the disarticulation of an arm at the shoulder joint, in which case compensation for an additional 65 weeks (if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006) or an additional 70 weeks (if the accidental injury occurs on or after February 1, 2006) shall be paid.

11. Foot-

155 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

167 weeks if the accidental injury occurs on or after February 1, 2006.

12. Leg-

200 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

215 weeks if the accidental injury occurs on or after February 1, 2006.

Where an accidental injury results in the amputation of a leg below the knee, such injury shall be compensated as loss of a leg. Where an accidental injury results in the amputation of a leg above the knee, compensation for an additional 25 weeks (if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006) or an additional 27 weeks (if the accidental injury occurs on or after February 1, 2006) shall be paid, except where the accidental injury results in the amputation of a leg at the hip joint, or so close to the hip joint that an artificial leg cannot be used, or results in the disarticulation of a leg at the hip joint, in which case compensation for an additional 75 weeks (if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006) or an additional 81 weeks (if the accidental injury occurs on or after February 1, 2006) shall be paid.

13. Eye-

150 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

162 weeks if the accidental injury occurs on or after February 1, 2006.

Where an accidental injury results in the enucleation of an eye, compensation for an additional 10 weeks (if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006) or an additional 11 weeks (if the accidental injury occurs on or after February 1, 2006) shall be paid.

14. Loss of hearing of one ear-

50 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

54 weeks if the accidental injury occurs on or after February 1, 2006.

Total and permanent loss of hearing of both ears-

200 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

215 weeks if the accidental injury occurs on or after February 1, 2006.

15. Testicle-

50 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

54 weeks if the accidental injury occurs on or after February 1, 2006.

Both testicles-

150 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

162 weeks if the accidental injury occurs on or after February 1, 2006.

16. For the permanent partial loss of use of a member or sight of an eye, or hearing of an ear, compensation during that proportion of the number of weeks in the foregoing schedule provided for the loss of such member or sight of an eye, or hearing of an ear, which the partial loss of use thereof bears to the total loss of use of such member, or sight of eye, or hearing of an ear.

(a) Loss of hearing for compensation purposes shall be confined to the frequencies of 1,000, 2,000 and 3,000 cycles per second. Loss of hearing ability for frequency tones above 3,000 cycles per second are not to be considered as constituting disability for hearing.

(b) The percent of hearing loss, for purposes of the determination of compensation claims for occupational deafness, shall be calculated as the average in decibels for the thresholds of hearing for the frequencies of 1,000, 2,000 and 3,000 cycles per second. Pure tone air conduction audiometric instruments, approved by nationally recognized authorities in this field, shall be used for measuring hearing loss. If the losses of hearing average 30 decibels or less in the 3 frequencies, such losses of hearing shall not then constitute any compensable hearing disability. If the losses of hearing average 85 decibels or more in the 3 frequencies, then the same shall constitute and be total or 100% compensable hearing loss.

(c) In measuring hearing impairment, the lowest measured losses in each of the 3 frequencies shall be added together and divided by 3 to determine the average decibel loss. For every decibel of loss exceeding 30 decibels an allowance of 1.82% shall be made up to the maximum of 100% which is reached at 85 decibels.

(d) If a hearing loss is established to have existed on July 1, 1975 by audiometric testing the employer shall not be liable for the previous loss so established nor shall he be liable for any loss for which compensation has been paid or awarded.

(e) No consideration shall be given to the question of whether or not the ability of an employee to understand speech is improved by the use of a hearing aid.

(f) No claim for loss of hearing due to industrial noise shall be brought against an employer or allowed unless the employee has been exposed for a period of time sufficient to cause permanent impairment to noise levels in excess of the following:

Sound Level DBA	
Slow Response	Hours Per Day
90	8
92	6
95	4
97	3
100	2
102	1-1/2
105	1
110	1/2
115	1/4

This subparagraph (f) shall not be applied in cases of hearing loss resulting from trauma or explosion.

17. In computing the compensation to be paid to any employee who, before the accident for which he claims compensation, had before that time sustained an injury resulting in the loss by amputation or partial loss by amputation of any member, including hand, arm, thumb or fingers, leg, foot or any toes, such loss or partial loss of any such member shall be deducted from any award made for the subsequent injury. For the permanent loss of use or the permanent partial loss of use of any such member or the partial loss of sight of an eye, for which compensation has been paid, then such loss shall be taken into consideration and deducted from any award for the subsequent injury.

18. The specific case of loss of both hands, both arms, or both feet, or both legs, or both eyes, or of any two thereof, or the permanent and complete loss of the use thereof, constitutes total and

permanent disability, to be compensated according to the compensation fixed by paragraph (f) of this Section. These specific cases of total and permanent disability do not exclude other cases.

Any employee who has previously suffered the loss or permanent and complete loss of the use of any of such members, and in a subsequent independent accident loses another or suffers the permanent and complete loss of the use of any one of such members the employer for whom the injured employee is working at the time of the last independent accident is liable to pay compensation only for the loss or permanent and complete loss of the use of the member occasioned by the last independent accident.

19. In a case of specific loss and the subsequent death of such injured employee from other causes than such injury leaving a widow, widower, or dependents surviving before payment or payment in full for such injury, then the amount due for such injury is payable to the widow or widower and, if there be no widow or widower, then to such dependents, in the proportion which such dependency bears to total dependency.

Beginning July 1, 1980, and every 6 months thereafter, the Commission shall examine the Second Injury Fund and when, after deducting all advances or loans made to such Fund, the amount therein is \$500,000 then the amount required to be paid by employers pursuant to paragraph (f) of Section 7 shall be reduced by one-half. When the Second Injury Fund reaches the sum of \$600,000 then the payments shall cease entirely. However, when the Second Injury Fund has been reduced to \$400,000, payment of one-half of the amounts required by paragraph (f) of Section 7 shall be resumed, in the manner herein provided, and when the Second Injury Fund has been reduced to \$300,000, payment of the full amounts required by paragraph (f) of Section 7 shall be resumed, in the manner herein provided. The Commission shall make the changes in payment effective by general order, and the changes in payment become immediately effective for all cases coming before the Commission thereafter either by settlement agreement or final order, irrespective of the date of the accidental injury.

On August 1, 1996 and on February 1 and August 1 of each subsequent year, the Commission shall examine the special fund designated as the "Rate Adjustment Fund" and when, after deducting all advances or loans made to said fund, the amount therein is \$4,000,000, the amount required to be paid by employers pursuant to paragraph (f) of Section 7 shall be reduced by one-half. When the Rate Adjustment Fund reaches the sum of \$5,000,000 the payment therein shall cease entirely. However, when said Rate Adjustment Fund has been reduced to \$3,000,000 the amounts required by paragraph (f) of Section 7 shall be resumed in the manner herein provided.

(f) In case of complete disability, which renders the employee wholly and permanently incapable of work, or in the specific case of total and permanent disability as provided in subparagraph 18 of paragraph (e) of this Section, compensation shall be payable at the rate provided in subparagraph 2 of paragraph (b) of this Section for life.

An employee entitled to benefits under paragraph (f) of this Section shall also be entitled to receive from the Rate Adjustment Fund provided in paragraph (f) of Section 7 of the supplementary benefits provided in paragraph (g) of this Section 8.

If any employee who receives an award under this paragraph afterwards returns to work or is able to do so, and earns or is able to earn as much as before the accident, payments under such award shall cease. If such employee returns to work, or is able to do so, and earns or is able to earn part but not as much as before the accident, such award shall be modified so as to conform to an award under paragraph (d) of this Section. If such award is terminated or reduced under the provisions of this paragraph, such employees have the right at any time within 30 months after the date of such termination or reduction to file petition with the Commission for the purpose of determining whether any disability exists as a result of the original accidental injury and the extent thereof.

Disability as enumerated in subdivision 18, paragraph (e) of this Section is considered complete disability.

If an employee who had previously incurred loss or the permanent and complete loss of use of one member, through the loss or the permanent and complete loss of the use of one hand, one arm, one foot, one leg, or one eye, incurs permanent and complete disability through the loss or the permanent and complete loss of the use of another member, he shall receive, in addition to the compensation payable by the employer and after such payments have ceased, an amount from the Second Injury Fund provided for in paragraph (f) of Section 7, which, together with the compensation payable from the employer in whose employ he was when the last accidental injury was incurred, will equal the amount payable for permanent and complete disability as provided in this paragraph of this Section.

The custodian of the Second Injury Fund provided for in paragraph (f) of Section 7 shall be joined with the employer as a party respondent in the application for adjustment of claim. The application for adjustment of claim shall state briefly and in general terms the approximate time and place and manner of the loss of the first member.

In its award the Commission or the Arbitrator shall specifically find the amount the injured employee shall be weekly paid, the number of weeks compensation which shall be paid by the employer, the date upon which payments begin out of the Second Injury Fund provided for in paragraph (f) of Section 7 of this Act, the length of time the weekly payments continue, the date upon which the pension payments commence and the monthly amount of the payments. The Commission shall 30 days after the date upon which payments out of the Second Injury Fund have begun as provided in the award, and every month thereafter, prepare and submit to the State Comptroller a voucher for payment for all compensation accrued to that date at the rate fixed by the Commission. The State Comptroller shall draw a warrant to the injured employee along with a receipt to be executed by the injured employee and returned to the Commission. The endorsed warrant and receipt is a full and complete acquittance to the Commission for the payment out of the Second Injury Fund. No other appropriation or warrant is necessary for payment out of the Second Injury Fund. The Second Injury Fund is appropriated for the purpose of making payments according to the terms of the awards.

As of July 1, 1980 to July 1, 1982, all claims against and obligations of the Second Injury Fund shall become claims against and obligations of the Rate Adjustment Fund to the extent there is insufficient money in the Second Injury Fund to pay such claims and obligations. In that case, all references to "Second Injury Fund" in this Section shall also include the Rate Adjustment Fund.

(g) Every award for permanent total disability entered by the Commission on and after July 1, 1965 under which compensation payments shall become due and payable after the effective date of this amendatory Act, and every award for death benefits or permanent total disability entered by the Commission on and after the effective date of this amendatory Act shall be subject to annual adjustments as to the amount of the compensation rate therein provided. Such adjustments shall first be made on July 15, 1977, and all awards made and entered prior to July 1, 1975 and on July 15 of each year thereafter. In all other cases such adjustment shall be made on July 15 of the second year next following the date of the entry of the award and shall further be made on July 15 annually thereafter. If during the intervening period from the date of the entry of the award, or the last periodic adjustment, there shall have been an increase in the State's average weekly wage in covered industries under the Unemployment Insurance Act, the weekly compensation rate shall be proportionately increased by the same percentage as the percentage of increase in the State's average weekly wage in covered industries under the Unemployment Insurance Act. The increase in the compensation rate under this paragraph shall in no event bring the total compensation rate to an amount greater than the prevailing maximum rate at the time that the annual adjustment is made. Such increase shall be paid in the same manner as herein provided for payments under the Second Injury Fund to the injured employee, or his dependents, as the case may be, out of the Rate Adjustment Fund provided in paragraph (f) of Section 7 of this Act. Payments shall be made at the same intervals as provided in the award or, at the option of the Commission, may be made in quarterly payment on the 15th day of January, April, July and October of each year. In the event of a decrease in such average weekly wage there shall be no change in the then existing compensation rate. The within paragraph shall not apply to cases where there is disputed liability and in which a compromise lump sum settlement between the employer and the injured employee, or his dependents, as the case may be, has been duly approved by the Illinois Workers' Compensation Commission.

Provided, that in cases of awards entered by the Commission for injuries occurring before July 1, 1975, the increases in the compensation rate adjusted under the foregoing provision of this paragraph (g) shall be limited to increases in the State's average weekly wage in covered industries under the Unemployment Insurance Act occurring after July 1, 1975.

For every accident occurring on or after July 20, 2005 but before the effective date of this amendatory Act of the 94th General Assembly (Senate Bill 1283 of the 94th General Assembly), the annual adjustments to the compensation rate in awards for death benefits or permanent total disability, as provided in this Act, shall be paid by the employer. The adjustment shall be made by the employer on July 15 of the second year next following the date of the entry of the award and shall further be made on July 15 annually thereafter. If during the intervening period from the date of the entry of the award, or the last periodic adjustment, there shall have been an increase in the State's average weekly wage in covered industries under the Unemployment Insurance Act, the employer shall increase the weekly compensation rate proportionately by the same percentage as the percentage of increase in the State's average weekly wage in covered industries

under the Unemployment Insurance Act. The increase in the compensation rate under this paragraph shall in no event bring the total compensation rate to an amount greater than the prevailing maximum rate at the time that the annual adjustment is made. In the event of a decrease in such average weekly wage there shall be no change in the then existing compensation rate. Such increase shall be paid by the employer in the same manner and at the same intervals as the payment of compensation in the award. This paragraph shall not apply to cases where there is disputed liability and in which a compromise lump sum settlement between the employer and the injured employee, or his or her dependents, as the case may be, has been duly approved by the Illinois Workers' Compensation Commission.

The annual adjustments for every award of death benefits or permanent total disability involving accidents occurring before July 20, 2005 and accidents occurring on or after the effective date of this amendatory Act of the 94th General Assembly (Senate Bill 1283 of the 94th General Assembly) shall continue to be paid from the Rate Adjustment Fund pursuant to this paragraph and Section 7(f) of this Act.

(h) In case death occurs from any cause before the total compensation to which the employee would have been entitled has been paid, then in case the employee leaves any widow, widower, child, parent (or any grandchild, grandparent or other lineal heir or any collateral heir dependent at the time of the accident upon the earnings of the employee to the extent of 50% or more of total dependency) such compensation shall be paid to the beneficiaries of the deceased employee and distributed as provided in paragraph (g) of Section 7.

(h-1) In case an injured employee is under legal disability at the time when any right or privilege accrues to him or her under this Act, a guardian may be appointed pursuant to law, and may, on behalf of such person under legal disability, claim and exercise any such right or privilege with the same effect as if the employee himself or herself had claimed or exercised the right or privilege. No limitations of time provided by this Act run so long as the employee who is under legal disability is without a conservator or guardian.

(i) In case the injured employee is under 16 years of age at the time of the accident and is illegally employed, the amount of compensation payable under paragraphs (b), (c), (d), (e) and (f) of this Section is increased 50%.

However, where an employer has on file an employment certificate issued pursuant to the Child Labor Law of 2024 or work permit issued pursuant to the Federal Fair Labor Standards Act, as amended, or a birth certificate properly and duly issued, such certificate, permit or birth certificate is conclusive evidence as to the age of the injured minor employee for the purposes of this Section.

Nothing herein contained repeals or amends the provisions of the Child Labor Law of 2024 relating to the employment of minors under the age of 16 years.

(j) 1. In the event the injured employee receives benefits, including medical, surgical or hospital benefits under any group plan covering non-occupational disabilities contributed to wholly or partially by the employer, which benefits should not have been payable if any rights of recovery existed under this Act, then such amounts so paid to the employee from any such group plan as shall be consistent with, and limited to, the provisions of paragraph 2 hereof, shall be credited to or against any compensation payment for temporary total incapacity for work or any medical, surgical or hospital benefits made or to be made under this Act. In such event, the period of time for giving notice of accidental injury and filing application for adjustment of claim does not commence to run until the termination of such payments. This paragraph does not apply to payments made under any group plan which would have been payable irrespective of an accidental injury under this Act. Any employer receiving such credit shall keep such employee safe and harmless from any and all claims or liabilities that may be made against him by reason of having received such payments only to the extent of such credit.

Any excess benefits paid to or on behalf of a State employee by the State Employees' Retirement System under Article 14 of the Illinois Pension Code on a death claim or disputed disability claim shall be credited against any payments made or to be made by the State of Illinois to or on behalf of such employee under this Act, except for payments for medical expenses which have already been incurred at the time of the award. The State of Illinois shall directly reimburse the State Employees' Retirement System to the extent of such credit.

2. Nothing contained in this Act shall be construed to give the employer or the insurance carrier the right to credit for any benefits or payments received by the employee other than compensation payments provided by this Act, and where the employee receives payments other than compensation payments, whether as full or partial salary, group insurance benefits, bonuses, annuities or any other payments, the

employer or insurance carrier shall receive credit for each such payment only to the extent of the compensation that would have been payable during the period covered by such payment.

3. The extension of time for the filing of an Application for Adjustment of Claim as provided in paragraph 1 above shall not apply to those cases where the time for such filing had expired prior to the date on which payments or benefits enumerated herein have been initiated or resumed. Provided however that this paragraph 3 shall apply only to cases wherein the payments or benefits hereinabove enumerated shall be received after July 1, 1969.

(Source: P.A. 97-18, eff. 6-28-11; 97-268, eff. 8-8-11; 97-813, eff. 7-13-12.)

Section 999. Effective date. This Act shall take effect January 1, 2025, with the exception of Sections 95 and 100, which shall take effect July 1, 2024."

Under the rules, the foregoing **Senate Bill No. 3646**, with House Amendment No. 2, 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. 3650

A bill for AN ACT concerning employment.

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. 3650

Passed the House, as amended, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3650**

AMENDMENT NO. 1. Amend Senate Bill 3650 by replacing everything after the enacting clause with the following:

"Section 5. The Day and Temporary Labor Services Act is amended by changing Sections 5, 10, 11, 42, 45, 55, and 85 and by adding Section 43 as follows:

(820 ILCS 175/5)

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

"Applicant" means a natural person who seeks a work assignment at a day and temporary labor service agency.

"Day or temporary laborer" means a natural person who contracts for employment with a day and temporary labor service agency.

"Day and temporary labor" means work performed by a day or temporary laborer at a third party client, the duration of which may be specific or undefined, pursuant to a contract or understanding between the day and temporary labor service agency and the third party client. "Day and temporary labor" does not include labor or employment of a professional or clerical nature.

"Day and temporary labor service agency" means any person or entity engaged in the business of employing day or temporary laborers to provide services, for a fee, to or for any third party client pursuant to a contract with the day and temporary labor service agency and the third party client.

"Department" means the Department of Labor.

"Interested party" means an organization that monitors or is attentive to compliance with public or worker safety laws, wage and hour requirements, or other statutory requirements.

"Labor dispute" means any controversy concerning wages, hours, terms, or conditions of employment.

"Third party client" means any person that contracts with a day and temporary labor service agency for obtaining day or temporary laborers.

"Person" means every natural person, firm, partnership, co-partnership, limited liability company, corporation, association, business trust, or other legal entity, or its legal representatives, agents, or assigns.

(Source: P.A. 103-437, eff. 8-4-23.)

(820 ILCS 175/10)

Sec. 10. Employment notice and application receipt. ~~Notice.~~

[May 21, 2024]

(a) Employment notice. Whenever a day and temporary labor service agency agrees to send one or more persons to work as day or temporary laborers, the day and temporary labor service agency shall provide to each day or temporary laborer, at the time of dispatch, a statement containing the following items on a form approved by the Department:

- (1) the name of the day or temporary laborer;
- (2) the name and nature of the work to be performed, including a list of basic job duties, and the types of equipment, protective clothing, and training that are required for the task;
- (3) the wages offered;
- (4) the name and address, including county, of the destination of each day or temporary laborer;
- (5) terms of transportation; ~~and~~
- (6) whether a meal or equipment, or both, are provided, either by the day and temporary labor service agency or the third party client, and the cost of the meal and equipment, if any; and -
- (7) for a day or temporary laborer entitled to the pay requirements described in Section 42, either:

(A) the seniority and hourly wage of the comparator being used to determine the wage if the wage is determined under paragraph (1) of subsection (a) of Section 42; or

(B) the standard occupational classification used if the wage is determined under paragraph (2) of subsection (a) of Section 42.

If a day or temporary laborer is assigned to the same assignment for more than one day, the day and temporary labor service agency is required to provide the employment notice only on the first day of the assignment and on any day that any of the terms listed on the employment notice are changed.

~~If the day or temporary laborer is not placed with a third party client or otherwise contracted to work for that day, the day and temporary labor service agency shall, upon request, provide the day and temporary laborer with a confirmation that the day or temporary laborer sought work, signed by an employee of the day and temporary labor service agency, which shall include the name of the agency, the name and address of the day or temporary laborer, and the date and the time that the day or temporary laborer receives the confirmation.~~

~~(b) (Blank). No day and temporary labor service agency may send any day or temporary laborer to any place where a strike, a lockout, or other labor trouble exists.~~

(b-5) Application receipt. If an applicant seeks a work assignment as a day or temporary laborer with a day and temporary labor service agency, including in-person, online, or through an app-based system, and is not placed with a third party client or otherwise contracted to work for that day by the day and temporary labor service agency, the day and temporary labor service agency shall provide the applicant with a confirmation that the applicant sought work, signed by an employee of the day and temporary labor service agency, on a form approved by the Department, that shall include:

- (1) the name and location of the day and temporary labor service agency and branch office;
- (2) the name and address of the applicant;
- (3) the date and the time that the applicant sought the work assignment;
- (4) the manner in which the applicant sought the work assignment; and
- (5) the specific work sites or type of jobs sought by the applicant, if applicable.

(c) The Department shall recommend to day and temporary labor service agencies that those agencies employ personnel who can effectively communicate information required in subsections (a) and ~~(b)~~ (b-5) to day or temporary laborers in Spanish, Polish, or any other language that is generally understood in the locale of the day and temporary labor service agency.

(Source: P.A. 99-78, eff. 7-20-15; 100-517, eff. 6-1-18.)

(820 ILCS 175/11)

Sec. 11. Right to refuse assignment to a labor dispute.

(a) No day and temporary labor service agency may send a day or temporary laborer to a place where a strike, a lockout, or ~~work stoppage or other labor trouble~~ exists because of a labor dispute or where a picket, bannering, or handbilling exists because of a labor dispute without providing, at or before the time of dispatch, a statement, in writing and in a language that the day and temporary laborer understands, informing the day or temporary laborer of the labor dispute and the day or temporary laborer's right to refuse the assignment without prejudice to receiving another assignment.

(b) The failure by a day and temporary labor service agency to provide any of the information required by this Section shall constitute a notice violation under Section 95. The failure of a day and temporary labor service agency to provide each piece of information required by this Section at each time it

is required by this Section shall constitute a separate and distinct notice violation. If a day and temporary labor service agency claims that it has provided a notice as required under this Section electronically, the day and temporary labor service agency shall bear the burden of showing that the notice was provided if there is a dispute.

(Source: P.A. 103-437, eff. 8-4-23.)

(820 ILCS 175/42)

Sec. 42. Equal pay for equal work.

(a) A day and temporary labor service agency shall pay a day or temporary laborer who is assigned to work and performs work at the same third party client for more than 720 hours within a 12-month period, beginning on or after April 1, 2024, in accordance with one of the following methods: 90 calendar days shall be paid not less than the rate of pay and equivalent benefits as the lowest paid

(1) Third party client employee compensation as a basis for compensation. The day or temporary laborer shall be paid as follows:

(A) if there is a directly hired comparator employee of the third party client with the same or substantially similar level of seniority at the company and performing the same or substantially similar work on jobs the performance of which requires substantially similar skill, effort, and responsibility, and that are performed under similar working conditions, not less than the straight-time hourly rate of pay or hourly equivalent of the lowest paid directly hired comparator employee of the third party client who is entitled to overtime under the Fair Labor Standards Act of 1938, as amended, with the same or substantially similar level of seniority at the company and performing the same or substantially similar work on jobs the performance of which requires substantially similar skill, effort, and responsibility, and that are performed under similar working conditions; or -

(B) if ~~if~~ there is not a directly hired comparator ~~comparative~~ employee of the third party client, the day or temporary laborer shall be paid not less than the straight-time hourly rate of pay or hourly ~~and~~ equivalent benefits of the lowest paid directly ~~direct~~ hired employee of the third party client who is entitled to overtime under the Fair Labor Standards Act of 1938, as amended, ~~company~~ with the closest level of seniority at the third party client ~~company~~. A day and temporary labor service agency may pay the hourly cash equivalent of the actual cost benefits in lieu of benefits required under this Section.

(2) Bureau of Labor Statistics data as a basis for compensation. At the sole discretion of the third party client, the day or temporary laborer shall be paid as follows:

(A) if a day or temporary laborer has been assigned to work and performs work at the same third party client for more than 720 hours within a 12-month period, not less than the median base hourly rate, or hourly equivalent if paid on a salary basis, of workers working in the same or a substantially similar job classification, as reflected in the detail level of the most recent Standard Occupational Classification System published by the United States Department of Labor's Bureau of Labor Statistics, in the same metropolitan area or non-metropolitan area of Illinois where the work is performed, as reflected in the most recent Occupational Employment and Wage Statistics Survey, or any successor publication, published by the United States Department of Labor's Bureau of Labor Statistics; or

(B) if a day or temporary laborer has been assigned to work and performs work at the same third party client for more than 4,160 hours within a 48-month period, not less than the 75th percentile base hourly rate, or hourly equivalent if paid on a salary basis, of workers working in the same or substantially similar job classification, as reflected in the detail level of the most recent Standard Occupational Classification System published by the United States Department of Labor's Bureau of Labor Statistics, in the same metropolitan area or non-metropolitan area of Illinois where the work is performed, as reflected in the most recent Occupational Employment and Wage Statistics Survey, or any successor publication, published by the United States Department of Labor's Bureau of Labor Statistics.

The Department shall provide on its website a link to the publications specified in this paragraph and a link to the United States Department of Labor's guidance on determining standard occupational classifications.

(b) A day and temporary labor agency shall provide a day or temporary laborer who is assigned to work and performs work at the same third party client for more than 720 hours within a 12-month period, beginning on or after April 1, 2024, substantially similar benefits to the job classification of employees

performing the same or substantially similar work on jobs and performed under similar working conditions. A day and temporary labor service agency may pay the hourly average cash equivalent of the actual cost of the benefits the third party client provides the applicable directly hired employees in lieu of benefits required under this subsection.

(c) Upon request, a third party client to which a day or temporary laborer has been assigned to work and performed work for more than 720 hours within a 12-month period or 4,160 hours within a 48-month period ~~90 calendar days~~ shall be obligated to timely provide the day and temporary labor service agency with all necessary information related to job duties, working conditions, pay, seniority, and benefits it provides to the applicable classification of directly hired employees necessary for the day and temporary labor service agency to comply with this Section. Upon receipt of the accurate and complete information described in this subsection from the third party client, it shall be the responsibility and duty of the day and temporary labor service agency to calculate and determine the straight-time hourly rate of pay and the benefits it shall offer to the day or temporary laborer, including any cash equivalent. The failure by a third party client to provide any of the information required under this Section shall constitute a notice violation by the third party client under Section 95. For purposes of this Section, the day and temporary labor service agency shall be considered a person aggrieved as described in Section 95. ~~For the purposes of this Section, the calculation of the 90 calendar days may not begin until April 1, 2024.~~

(d) For purposes of this Section, "seniority" means the number of calendar months a day or temporary laborer has been assigned to and worked at the third party client compared to the number of calendar months a directly hired comparator employee has been employed by the third party client.

(Source: P.A. 103-437, eff. 8-4-23; 103-564, eff. 11-17-23.)

(820 ILCS 175/43 new)

Sec. 43. Exception to equal pay requirements. The requirements set forth in Section 42 shall not apply to any company where the direct hire employees of the third party client performing the same or substantially similar work as the day or temporary laborers assigned to work at the third party client are covered by a valid collective bargaining agreement in effect on April 1, 2024 for the period covered by that current collective bargaining agreement. Thereafter, the hourly cash payment specified in subsection (b) of Section 42 shall not be required if the direct hire employees of the third party client performing the same or substantially similar work as the day or temporary laborers assigned to work at the third party client are covered by a valid collective bargaining agreement for any period covered by that collective bargaining agreement.

(820 ILCS 175/45)

Sec. 45. Registration; Department of Labor.

(a) A day and temporary labor service agency which is located, operates or transacts business within this State shall register with the Department of Labor in accordance with rules adopted by the Department for day and temporary labor service agencies and shall be subject to this Act and any rules adopted under this Act. Each day and temporary labor service agency shall provide proof of an employer account number issued by the Department of Employment Security for the payment of unemployment insurance contributions as required under the Unemployment Insurance Act, and proof of valid workers' compensation insurance in effect at the time of registration covering all of its employees. If, at any time, a day and temporary labor service agency's workers' compensation insurance coverage lapses, the agency shall have an affirmative duty to report the lapse of such coverage to the Department and the agency's registration shall be suspended until the agency's workers' compensation insurance is reinstated. The Department may assess each day and temporary labor service agency a non-refundable registration fee not exceeding \$3,000 per year per agency and a non-refundable fee not to exceed \$750 for each branch office or other location where the agency regularly contracts with day or temporary laborers for services. The fee may be paid by check, money order, or the State Treasurer's E-Pay program or any successor program, and the Department may not refuse to accept a check on the basis that it is not a certified check or a cashier's check. The Department may charge an additional fee to be paid by a day and temporary labor service agency if the agency, or any person on the agency's behalf, issues or delivers a check to the Department that is not honored by the financial institution upon which it is drawn. The Department shall also adopt rules for violation hearings and penalties for violations of this Act or the Department's rules in conjunction with the penalties set forth in this Act.

(a-1) At the time of registration with the Department of Labor each year, the day and temporary labor service agency shall submit to the Department of Labor a report containing the information identified in paragraph (9) of subsection (a) of Section 12, broken down by branch office, in the aggregate for all day or temporary laborers assigned within Illinois and subject to this Act during the preceding year. This

information shall be submitted on a form created by the Department of Labor. The Department of Labor shall aggregate the information submitted by all registering day and temporary labor service agencies by removing identifying data and shall have the information available to the public only on a municipal and county basis. As used in this paragraph, "identifying data" means any and all information that: (i) provides specific information on individual worker identity; (ii) identifies the service agency in any manner; and (iii) identifies clients utilizing the day and temporary labor service agency or any other information that can be traced back to any specific registering day and temporary labor service agency or its client. The information and reports submitted to the Department of Labor under this subsection by the registering day and temporary labor service agencies are exempt from inspection and copying under Section 7.5 of the Freedom of Information Act.

(b) It is a violation of this Act to operate a day and temporary labor service agency without first registering with the Department in accordance with subsection (a) of this Section. The Department shall create and maintain at regular intervals on its website, accessible to the public: (1) a list of all registered day and temporary labor service agencies in the State whose registration is in good standing; (2) a list of day and temporary labor service agencies in the State whose registration has been suspended, including the reason for the suspension, the date the suspension was initiated, and the date, if known, the suspension is to be lifted; and (3) a list of day and temporary labor service agencies in the State whose registration has been revoked, including the reason for the revocation and the date the registration was revoked. The Department has the authority to assess a penalty against any day and temporary labor service agency that fails to register with the Department of Labor in accordance with this Act or any rules adopted under this Act of \$500 for each violation. Each day during which a day and temporary labor service agency operates without registering with the Department shall be a separate and distinct violation of this Act.

(c) A day and temporary labor service agency applying for registration with the Department ~~An applicant~~ is not eligible to register to operate a day and temporary labor service agency under this Act if the day and temporary labor service agency applying for registration with the Department ~~applicant~~ or any of its officers, directors, partners, or managers or any owner of 25% or greater beneficial interest:

(1) has been involved, as owner, officer, director, partner, or manager, of any day and temporary labor service agency whose registration has been revoked or has been suspended without being reinstated within the 5 years immediately preceding the filing of the application; or

(2) is under the age of 18.

(d) Every agency shall post and keep posted at each location, in a position easily accessible to all day or temporary laborers ~~s~~, notices as supplied and required by the Department containing a copy or summary of the provisions of the Act and a notice which informs the public of a toll-free telephone number for day or temporary laborers and the public to file wage dispute complaints and other alleged violations by day and temporary labor service agencies. Every day and temporary labor service agency employing day or temporary laborers who communicate with the day and temporary labor service agency by electronic communication shall also provide all required notices by email to its day or temporary laborers or on a website, regularly used by the employer to communicate work-related information, that all day or temporary laborers are able to regularly access, freely and without interference. Such notices shall be in English and any other language generally understood in the locale of the day and temporary labor service agency.

(Source: P.A. 103-201, eff. 1-1-24; 103-437, eff. 8-4-23; revised 12-15-23.)

(820 ILCS 175/55)

Sec. 55. Enforcement by the Department. It shall be the duty of the Department to enforce the provisions of this Act when, in the Department's judgment, there is cause and sufficient resources for investigation. The Department shall have the power to conduct investigations in connection with the administration and enforcement of this Act and any investigator with the Department shall be authorized to visit and inspect, at all reasonable times, any places covered by this Act and shall be authorized to inspect, at all reasonable times, contracts for the employment of all day or temporary laborers entered into by a third party client if the Department has received a complaint indicating that the third party client may have contracted with a day and temporary labor service agency that is not registered under this Act. The Department shall conduct hearings in accordance with the Illinois Administrative Procedure Act upon written complaint by an investigator of the Department or any interested person of a violation of the Act. After the hearing, if supported by the evidence, the Department may (i) issue and cause to be served on any party an order to cease and desist from further violation of the Act, (ii) take affirmative or other action as deemed reasonable to eliminate the effect of the violation, (iii) deny, suspend, or revoke any registration under this Act, and (iv) determine the amount of any civil penalty allowed by the Act. The Director of Labor

or his or her representative may compel, by subpoena, the attendance and testimony of witnesses and the production of books, payrolls, records, papers, and other evidence in any investigation or hearing and may administer oaths to witnesses. Nothing in this Act applies to labor or employment of a clerical or professional nature.

(Source: P.A. 103-437, eff. 8-4-23.)

(820 ILCS 175/85)

Sec. 85. Third party clients.

(a) It is a violation of this Act for a third party client to enter into a contract for the employment of day or temporary laborers with any day and temporary labor service agency not registered under Section 45 of this Act. A third party client has a duty to verify a day and temporary labor service agency's status with the Department before entering into a contract with such an agency, and on March 1 and September 1 of each year. A day and temporary labor service agency shall be required to provide each of its third party clients with proof of valid registration issued by the Department at the time of entering into a contract. A day and temporary labor service agency shall be required to notify, both by telephone and in writing, each day or temporary laborer it employs and each third party client with whom it has a contract within 24 hours of any denial, suspension, or revocation of its registration by the Department. All contracts between any day and temporary labor service agency and any third party client shall be considered null and void from the date any such denial, suspension, or revocation of registration becomes effective and until such time as the day and temporary labor service agency becomes registered and considered in good standing by the Department as provided in Section 50 and Section 55. Upon request, the Department shall provide to a third party client a list of entities registered as day and temporary labor service agencies. The Department shall provide on the Internet a list of entities registered as day and temporary labor service agencies. A third party client may rely on information provided by the Department or maintained on the Department's website pursuant to Section 45 of this Act and shall be held harmless if such information maintained or provided by the Department was inaccurate. Any third party client that violates this provision of the Act is subject to a civil penalty of not less than \$100 and not to exceed \$1,500. Each day during which a third party client contracts with a day and temporary labor service agency not registered under Section 45 of this Act shall constitute a separate and distinct offense.

(b) If a third party client leases or contracts with a day and temporary service agency for the services of a day or temporary laborer, the third party client shall share all legal responsibility and liability for the payment of wages under the Illinois Wage Payment and Collection Act and the Minimum Wage Law.

(c) Before the assignment of an employee to a worksite employer, a day and temporary labor service agency must:

(1) inquire about the client company's safety and health practices and hazards at the actual workplace where the day or temporary laborer will be working to assess the safety conditions, workers tasks, and the client company's safety program; these activities are required at the start of any contract to place day or temporary laborers and may include visiting the client company's actual worksite. If, during the inquiry or anytime during the period of the contract, the day and temporary labor service agency becomes aware of existing job hazards that are not mitigated by the client company, the day and temporary labor service agency must make the client company aware, urge the client company to correct it, and document these efforts, otherwise the day and temporary labor service agency must remove the day or temporary laborers from the client company's worksite;

(2) provide training to the day or temporary laborer for general awareness safety training for recognized industry hazards the day or temporary laborer may encounter at the client company's worksite. Industry hazard training must be completed, in the preferred language of the day or temporary laborer, and must be provided at no expense to the day or temporary laborer. The training date and training content must be maintained by the day and temporary staffing agency and provided to the day or temporary laborer;

(3) transmit a general description of the training program including topics covered to the client company, whether electronically or on paper, at the start of the contract with the client company;

(4) provide the Department's hotline number for the employee to call to report safety hazards and concerns as part of the employment materials provided to the day or temporary laborer; and

(5) inform the day or temporary laborer who the day or temporary laborer should report safety concerns to at the workplace.

Nothing in this Section shall diminish any existing client company or a day and temporary labor service agency's responsibility as an employer to provide a place of employment free from recognized

hazards or to otherwise comply with other health and safety or employment laws. The client company and the day and temporary labor service agency are responsible for compliance with this Section and the rules adopted under this Section.

(d) Before the day or temporary laborer engages in work for a client company, the client company must:

(1) document and inform the day and temporary labor service agency about anticipated job hazards likely encountered by the day or temporary laborer;

(2) review the safety and health awareness training provided by the day and temporary labor service agency to determine if it addresses recognized hazards for the client company's industry;

(3) provide specific training tailored to the particular hazards at the client company's worksite consistent with training requirements provided for in standards, guidances, or best practices issued by the federal Occupational Safety and Health Administration; and

(4) document and maintain records of site-specific training and provide confirmation that the training occurred to the day and temporary labor service agency within 3 business days of providing the training.

(e) If the client company changes the job tasks or work location and new hazards may be encountered, the client company must:

(1) inform both the day and temporary labor service agency and the day or temporary laborer; and

(2) inform both the day and temporary labor service agency staffing agency and the day or temporary laborer of job hazards not previously covered before the day or temporary laborer undertakes the new tasks and update personal protective equipment and training for the new job tasks consistent with training requirements provided for in standards, guidances, or best practices issued by the federal Occupational Safety and Health Administration, if necessary.

(f) A day and temporary labor service agency or day or temporary laborer may refuse a new job task at the worksite when the task has not been reviewed or if the day or temporary laborer has not had appropriate training to do the new task.

(g) A client company that supervises a day or temporary laborer must provide worksite specific training to the day or temporary laborer and must allow a day and temporary labor service agency to visit any worksite where the day or temporary laborer works or will be working to observe and confirm the client company's training and information related to the worksite's job tasks, safety and health practices, and hazards.

(Source: P.A. 103-437, eff. 8-4-23.)

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

Under the rules, the foregoing **Senate Bill No. 3650**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 581

A bill for AN ACT concerning regulation.

Passed the House, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bill No. 581** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 5172

A bill for AN ACT concerning government.

[May 21, 2024]

Passed the House, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bill No. 5172** was taken up, ordered printed and placed on first reading.

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. 3599

A bill for AN ACT concerning regulation.

Passed the House, May 21, 2024.

JOHN W. HOLLMAN, Clerk of the House

### **READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME**

**House Bill No. 581**, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5172**, sponsored by Senator Villa, was taken up, read by title a first time and referred to the Committee on Assignments.

### **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 3173

Motion to Concur in House Amendment No. 2 to Senate Bill 3402

Motion to Concur in House Amendment No. 2 to Senate Bill 3581

At the hour of 7:04 o'clock p.m., the Chair announced that the Senate stands adjourned until Wednesday, May 22, 2024, or until the call of the President.