



SENATE JOURNAL

STATE OF ILLINOIS

**ONE HUNDRED THIRD GENERAL
ASSEMBLY**

117TH LEGISLATIVE DAY

THURSDAY, MAY 23, 2024

10:04 O'CLOCK A.M.

SENATE
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117th Legislative Day

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The Senate met pursuant to adjournment.
Senator Bill Cunningham, Chicago, Illinois, presiding.
Prayer by Reverend Joel Jackle-Hugh, First Presbyterian Church, Virden, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, May 22, 2024, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

ALPLM PIPA Report Mar. 2024, submitted by the Abraham Lincoln Presidential Library and Museum.

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

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

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 4226
Amendment No. 2 to House Bill 4488
Amendment No. 1 to House Bill 4621
Amendment No. 2 to House Bill 5371
Amendment No. 1 to House Bill 5496
Amendment No. 2 to House Bill 5496
Amendment No. 1 to House Bill 5511
Amendment No. 2 to House Bill 5511

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

Amendment No. 2 to Senate Bill 1732

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 317
Motion to Concur in House Amendment No. 1 to Senate Bill 381
Motion to Concur in House Amendment No. 2 to Senate Bill 463
Motion to Concur in House Amendment No. 2 to Senate Bill 647
Motion to Concur in House Amendment No. 1 to Senate Bill 692
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Motion to Concur in House Amendment No. 3 to Senate Bill 2628
 Motion to Concur in House Amendment No. 1 to Senate Bill 2641
 Motion to Concur in House Amendment No. 1 to Senate Bill 2643
 Motion to Concur in House Amendment No. 2 to Senate Bill 2644
 Motion to Concur in House Amendment No. 1 to Senate Bill 2658
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 Motion to Concur in House Amendment No. 2 to Senate Bill 3314
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 Motion to Concur in House Amendment No. 1 to Senate Bill 3412
 Motion to Concur in House Amendment No. 1 to Senate Bill 3448
 Motion to Concur in House Amendment No. 1 to Senate Bill 3463
 Motion to Concur in House Amendment No. 1 to Senate Bill 3467
 Motion to Concur in House Amendment No. 2 to Senate Bill 3473
 Motion to Concur in House Amendment No. 1 to Senate Bill 3506
 Motion to Concur in House Amendment No. 1 to Senate Bill 3538
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 Motion to Concur in House Amendment No. 1 to Senate Bill 3597
 Motion to Concur in House Amendment No. 2 to Senate Bill 3646
 Motion to Concur in House Amendment No. 1 to Senate Bill 3649
 Motion to Concur in House Amendment No. 1 to Senate Bill 3650
 Motion to Concur in House Amendment No. 2 to Senate Bill 3686
 Motion to Concur in House Amendment No. 2 to Senate Bill 3753
 Motion to Concur in House Amendment No. 2 to Senate Bill 3768
 Motion to Concur in House Amendment No. 1 to Senate Bill 3771

REPORT FROM STANDING COMMITTEE

Senator D. Turner, Chair of the Committee on Agriculture, to which was referred **House Bill No. 1855**, 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.

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. 1996

[May 23, 2024]

A bill for AN ACT concerning employment.

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

House Amendment No. 2 to SENATE BILL NO. 1996

House Amendment No. 6 to SENATE BILL NO. 1996

Passed the House, as amended, May 22, 2024.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 1996

AMENDMENT NO. 2. Amend Senate Bill 1996 by replacing everything after the enacting clause with the following:

"Section 5. The Child Labor Law is amended by changing Section 22 as follows:
(820 ILCS 205/22) (from Ch. 48, par. 31.22)

Sec. 22. This Act may be known and ~~and~~ cited as the "Child Labor Law".

(Source: Laws 1945, p. 754)."

AMENDMENT NO. 6 TO SENATE BILL 1996

AMENDMENT NO. 6. Amend Senate Bill 1996, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 416 as follows:
(215 ILCS 5/416)

Sec. 416. Illinois Workers' Compensation Commission Operations Fund Surcharge.

(a) As of July 30, 2004 (the effective date of Public Act 93-840), every company licensed or authorized by the Illinois Department of Insurance and insuring employers' liabilities arising under the Workers' Compensation Act or the Workers' Occupational Diseases Act shall remit to the Director a surcharge based upon the annual direct written premium, as reported under Section 136 of this Act, of the company in the manner provided in this Section. Such proceeds shall be deposited into the Illinois Workers' Compensation Commission Operations Fund as established in the Workers' Compensation Act. If a company survives or was formed by a merger, consolidation, reorganization, or reincorporation, the direct written premiums of all companies party to the merger, consolidation, reorganization, or reincorporation shall, for purposes of determining the amount of the fee imposed by this Section, be regarded as those of the surviving or new company.

(b) Beginning (1) Except as provided in subsection (b)(2) of this Section, beginning on July 30, 2004 (the effective date of Public Act 93-840) and on July 1 of each year thereafter through 2023, the Director shall charge an annual Illinois Workers' Compensation Commission Operations Fund Surcharge from every company subject to subsection (a) of this Section equal to 1.01% of its direct written premium for insuring employers' liabilities arising under the Workers' Compensation Act or Workers' Occupational Diseases Act as reported in each company's annual statement filed for the previous year as required by Section 136. Within 15 days after the effective date of this amendatory Act of the 103rd General Assembly and on July 1 of each year thereafter, the Director shall charge an annual Illinois Workers' Compensation Commission Operations Fund Surcharge from every company subject to subsection (a) of this Section equal to 1.092% of its direct written premium for insuring employers' liabilities arising under the Workers' Compensation Act or Workers' Occupational Diseases Act as reported in each company's annual statement filed for the previous year as required by Section 136. The Illinois Workers' Compensation Commission Operations Fund Surcharge shall be collected by companies subject to subsection (a) of this Section as a separately stated surcharge on insured employers at the rate of 1.092% 1.01% of direct written premium for the surcharge due in 2024 and each year thereafter. The Illinois Workers' Compensation Commission Operations Fund Surcharge shall not be collected by companies subject to subsection (a) of this Section from any employer that self-insures its liabilities arising under the Workers' Compensation Act or Workers' Occupational Diseases Act, provided that the employer has paid the Illinois Workers' Compensation Commission Operations Fund Fee pursuant to Section 4d of the Workers' Compensation Act. All sums collected by the Department of Insurance under the provisions of this Section shall be paid promptly after the receipt of the same, accompanied by a detailed statement thereof, into the Illinois Workers' Compensation Commission Operations Fund in the State treasury.

[May 23, 2024]

(b)(2) (Blank). ~~The surcharge due pursuant to Public Act 93-840 shall be collected instead of the surcharge due on July 1, 2004 under Public Act 93-32. Payment of the surcharge due under Public Act 93-840 shall discharge the employer's obligations due on July 1, 2004.~~

(c) In addition to the authority specifically granted under Article XXV of this Code, the Director shall have such authority to adopt rules or establish forms as may be reasonably necessary for purposes of enforcing this Section. The Director shall also have authority to defer, waive, or abate the surcharge or any penalties imposed by this Section if in the Director's opinion the company's solvency and ability to meet its insured obligations would be immediately threatened by payment of the surcharge due.

(d) When a company fails to pay the full amount of any annual Illinois Workers' Compensation Commission Operations Fund Surcharge of \$100 or more due under this Section, there shall be added to the amount due as a penalty an amount equal to 10% of the deficiency for each month or part of a month that the deficiency remains unpaid.

(e) The Department of Insurance may enforce the collection of any delinquent payment, penalty, or portion thereof by legal action or in any other manner by which the collection of debts due the State of Illinois may be enforced under the laws of this State.

(f) Whenever it appears to the satisfaction of the Director that a company has paid pursuant to this Act an Illinois Workers' Compensation Commission Operations Fund Surcharge in an amount in excess of the amount legally collectable from the company, the Director shall issue a credit memorandum for an amount equal to the amount of such overpayment. A credit memorandum may be applied for the 2-year period from the date of issuance, against the payment of any amount due during that period under the surcharge imposed by this Section or, subject to reasonable rule of the Department of Insurance including requirement of notification, may be assigned to any other company subject to regulation under this Act. Any application of credit memoranda after the period provided for in this Section is void.

(g) Annually, the Governor may direct a transfer of up to 2% of all moneys collected under this Section to the Insurance Financial Regulation Fund.

(Source: P.A. 102-775, eff. 5-13-22.)

Section 10. The Workers' Compensation Act is amended by changing Sections 4, 4a-5, 4d, 7, 19, and 25.5 as follows:

(820 ILCS 305/4) (from Ch. 48, par. 138.4)

(Text of Section from P.A. 101-40 and 102-37)

Sec. 4. (a) Any employer, including but not limited to general contractors and their subcontractors, who shall come within the provisions of Section 3 of this Act, and any other employer who shall elect to provide and pay the compensation provided for in this Act shall:

(1) File with the Commission annually an application for approval as a self-insurer which shall include a current financial statement, and annually, thereafter, an application for renewal of self-insurance, which shall include a current financial statement. Said application and financial statement shall be signed and sworn to by the president or vice president and secretary or assistant secretary of the employer if it be a corporation, or by all of the partners, if it be a copartnership, or by the owner if it be neither a copartnership nor a corporation. All initial applications and all applications for renewal of self-insurance must be submitted at least 60 days prior to the requested effective date of self-insurance. An employer may elect to provide and pay compensation as provided for in this Act as a member of a group workers' compensation pool under Article V 3/4 of the Illinois Insurance Code. If an employer becomes a member of a group workers' compensation pool, the employer shall not be relieved of any obligations imposed by this Act.

If the sworn application and financial statement of any such employer does not satisfy the Commission of the financial ability of the employer who has filed it, the Commission shall require such employer to,

(2) Furnish security, indemnity or a bond guaranteeing the payment by the employer of the compensation provided for in this Act, provided that any such employer whose application and financial statement shall not have satisfied the commission of his or her financial ability and who shall have secured his liability in part by excess liability insurance shall be required to furnish to the Commission security, indemnity or bond guaranteeing his or her payment up to the effective limits of the excess coverage, or

(3) Insure his entire liability to pay such compensation in some insurance carrier authorized, licensed, or permitted to do such insurance business in this State. Every policy of an insurance carrier,

insuring the payment of compensation under this Act shall cover all the employees and the entire compensation liability of the insured: Provided, however, that any employer may insure his or her compensation liability with 2 or more insurance carriers or may insure a part and qualify under subsection 1, 2, or 4 for the remainder of his or her liability to pay such compensation, subject to the following two provisions:

Firstly, the entire compensation liability of the employer to employees working at or from one location shall be insured in one such insurance carrier or shall be self-insured, and

Secondly, the employer shall submit evidence satisfactorily to the Commission that his or her entire liability for the compensation provided for in this Act will be secured. Any provisions in any policy, or in any endorsement attached thereto, attempting to limit or modify in any way, the liability of the insurance carriers issuing the same except as otherwise provided herein shall be wholly void.

Nothing herein contained shall apply to policies of excess liability carriage secured by employers who have been approved by the Commission as self-insurers, or

(4) Make some other provision, satisfactory to the Commission, for the securing of the payment of compensation provided for in this Act, and

(5) Upon becoming subject to this Act and thereafter as often as the Commission may in writing demand, file with the Commission in form prescribed by it evidence of his or her compliance with the provision of this Section.

(a-1) Regardless of its state of domicile or its principal place of business, an employer shall make payments to its insurance carrier or group self-insurance fund, where applicable, based upon the premium rates of the situs where the work or project is located in Illinois if:

(A) the employer is engaged primarily in the building and construction industry; and

(B) subdivision (a)(3) of this Section applies to the employer or the employer is a member of a group self-insurance plan as defined in subsection (1) of Section 4a.

The Illinois Workers' Compensation Commission shall impose a penalty upon an employer for violation of this subsection (a-1) if:

(i) the employer is given an opportunity at a hearing to present evidence of its compliance with this subsection (a-1); and

(ii) after the hearing, the Commission finds that the employer failed to make payments upon the premium rates of the situs where the work or project is located in Illinois.

The penalty shall not exceed \$1,000 for each day of work for which the employer failed to make payments upon the premium rates of the situs where the work or project is located in Illinois, but the total penalty shall not exceed \$50,000 for each project or each contract under which the work was performed.

Any penalty under this subsection (a-1) must be imposed not later than one year after the expiration of the applicable limitation period specified in subsection (d) of Section 6 of this Act. Penalties imposed under this subsection (a-1) shall be deposited into the Illinois Workers' Compensation Commission Operations Fund, a special fund that is created in the State treasury. Subject to appropriation, moneys in the Fund shall be used solely for the operations of the Illinois Workers' Compensation Commission, the salaries and benefits of the Self-Insurers Advisory Board employees, the operating costs of the Self-Insurers Advisory Board, and by the Department of Insurance for the purposes authorized in subsection (c) of Section 25.5 of this Act.

(a-2) Every Employee Leasing Company (ELC), as defined in Section 15 of the Employee Leasing Company Act, shall at a minimum provide the following information to the Commission or any entity designated by the Commission regarding each workers' compensation insurance policy issued to the ELC:

(1) Any client company of the ELC listed as an additional named insured.

(2) Any informational schedule attached to the master policy that identifies any individual client company's name, FEIN, and job location.

(3) Any certificate of insurance coverage document issued to a client company specifying its rights and obligations under the master policy that establishes both the identity and status of the client, as well as the dates of inception and termination of coverage, if applicable.

(b) The sworn application and financial statement, or security, indemnity or bond, or amount of insurance, or other provisions, filed, furnished, carried, or made by the employer, as the case may be, shall be subject to the approval of the Commission.

Deposits under escrow agreements shall be cash, negotiable United States government bonds or negotiable general obligation bonds of the State of Illinois. Such cash or bonds shall be deposited in escrow with any State or National Bank or Trust Company having trust authority in the State of Illinois.

Upon the approval of the sworn application and financial statement, security, indemnity or bond or amount of insurance, filed, furnished or carried, as the case may be, the Commission shall send to the employer written notice of its approval thereof. The certificate of compliance by the employer with the provisions of subparagraphs (2) and (3) of paragraph (a) of this Section shall be delivered by the insurance carrier to the Illinois Workers' Compensation Commission within five days after the effective date of the policy so certified. The insurance so certified shall cover all compensation liability occurring during the time that the insurance is in effect and no further certificate need be filed in case such insurance is renewed, extended or otherwise continued by such carrier. The insurance so certified shall not be cancelled or in the event that such insurance is not renewed, extended or otherwise continued, such insurance shall not be terminated until at least 10 days after receipt by the Illinois Workers' Compensation Commission of notice of the cancellation or termination of said insurance; provided, however, that if the employer has secured insurance from another insurance carrier, or has otherwise secured the payment of compensation in accordance with this Section, and such insurance or other security becomes effective prior to the expiration of the 10 days, cancellation or termination may, at the option of the insurance carrier indicated in such notice, be effective as of the effective date of such other insurance or security.

(c) Whenever the Commission shall find that any corporation, company, association, aggregation of individuals, reciprocal or interinsurers exchange, or other insurer effecting workers' compensation insurance in this State shall be insolvent, financially unsound, or unable to fully meet all payments and liabilities assumed or to be assumed for compensation insurance in this State, or shall practice a policy of delay or unfairness toward employees in the adjustment, settlement, or payment of benefits due such employees, the Commission may after reasonable notice and hearing order and direct that such corporation, company, association, aggregation of individuals, reciprocal or interinsurers exchange, or insurer, shall from and after a date fixed in such order discontinue the writing of any such workers' compensation insurance in this State. Subject to such modification of the order as the Commission may later make on review of the order, as herein provided, it shall thereupon be unlawful for any such corporation, company, association, aggregation of individuals, reciprocal or interinsurers exchange, or insurer to effect any workers' compensation insurance in this State. A copy of the order shall be served upon the Director of Insurance by registered mail. Whenever the Commission finds that any service or adjustment company used or employed by a self-insured employer or by an insurance carrier to process, adjust, investigate, compromise or otherwise handle claims under this Act, has practiced or is practicing a policy of delay or unfairness toward employees in the adjustment, settlement or payment of benefits due such employees, the Commission may after reasonable notice and hearing order and direct that such service or adjustment company shall from and after a date fixed in such order be prohibited from processing, adjusting, investigating, compromising or otherwise handling claims under this Act.

Whenever the Commission finds that any self-insured employer has practiced or is practicing delay or unfairness toward employees in the adjustment, settlement or payment of benefits due such employees, the Commission may, after reasonable notice and hearing, order and direct that after a date fixed in the order such self-insured employer shall be disqualified to operate as a self-insurer and shall be required to insure his entire liability to pay compensation in some insurance carrier authorized, licensed and permitted to do such insurance business in this State, as provided in subparagraph 3 of paragraph (a) of this Section.

All orders made by the Commission under this Section shall be subject to review by the courts, said review to be taken in the same manner and within the same time as provided by Section 19 of this Act for review of awards and decisions of the Commission, upon the party seeking the review filing with the clerk of the court to which said review is taken a bond in an amount to be fixed and approved by the court to which the review is taken, conditioned upon the payment of all compensation awarded against the person taking said review pending a decision thereof and further conditioned upon such other obligations as the court may impose. Upon the review the Circuit Court shall have power to review all questions of fact as well as of law. The penalty hereinafter provided for in this paragraph shall not attach and shall not begin to run until the final determination of the order of the Commission.

(d) Whenever a Commissioner, with due process and after a hearing, determines an employer has knowingly failed to provide coverage as required by paragraph (a) of this Section, the failure shall be deemed an immediate serious danger to public health, safety, and welfare sufficient to justify service by the Commission of a work-stop order on such employer, requiring the cessation of all business operations of

such employer at the place of employment or job site. If a business is declared to be extra hazardous, as defined in Section 3, a Commissioner may issue an emergency work-stop order on such an employer ex parte, prior to holding a hearing, requiring the cessation of all business operations of such employer at the place of employment or job site while awaiting the ruling of the Commission. Whenever a Commissioner issues an emergency work-stop order, the Commission shall issue a notice of emergency work-stop hearing to be posted at the employer's places of employment and job sites. Any law enforcement agency in the State shall, at the request of the Commission, render any assistance necessary to carry out the provisions of this Section, including, but not limited to, preventing any employee of such employer from remaining at a place of employment or job site after a work-stop order has taken effect. Any work-stop order shall be lifted upon proof of insurance as required by this Act. Any orders under this Section are appealable under Section 19(f) to the Circuit Court.

Any individual employer, corporate officer or director of a corporate employer, partner of an employer partnership, or member of an employer limited liability company who knowingly fails to provide coverage as required by paragraph (a) of this Section is guilty of a Class 4 felony. This provision shall not apply to any corporate officer or director of any publicly-owned corporation. Each day's violation constitutes a separate offense. The State's Attorney of the county in which the violation occurred, or the Attorney General, shall bring such actions in the name of the People of the State of Illinois, or may, in addition to other remedies provided in this Section, bring an action for an injunction to restrain the violation or to enjoin the operation of any such employer.

Any individual employer, corporate officer or director of a corporate employer, partner of an employer partnership, or member of an employer limited liability company who negligently fails to provide coverage as required by paragraph (a) of this Section is guilty of a Class A misdemeanor. This provision shall not apply to any corporate officer or director of any publicly-owned corporation. Each day's violation constitutes a separate offense. The State's Attorney of the county in which the violation occurred, or the Attorney General, shall bring such actions in the name of the People of the State of Illinois.

The criminal penalties in this subsection (d) shall not apply where there exists a good faith dispute as to the existence of an employment relationship. Evidence of good faith shall include, but not be limited to, compliance with the definition of employee as used by the Internal Revenue Service.

All investigative actions must be acted upon within 90 days of the issuance of the complaint. Employers who are subject to and who knowingly fail to comply with this Section shall not be entitled to the benefits of this Act during the period of noncompliance, but shall be liable in an action under any other applicable law of this State. In the action, such employer shall not avail himself or herself of the defenses of assumption of risk or negligence or that the injury was due to a co-employee. In the action, proof of the injury shall constitute prima facie evidence of negligence on the part of such employer and the burden shall be on such employer to show freedom of negligence resulting in the injury. The employer shall not join any other defendant in any such civil action. Nothing in this amendatory Act of the 94th General Assembly shall affect the employee's rights under subdivision (a)3 of Section 1 of this Act. Any employer or carrier who makes payments under subdivision (a)3 of Section 1 of this Act shall have a right of reimbursement from the proceeds of any recovery under this Section.

An employee of an uninsured employer, or the employee's dependents in case death ensued, may, instead of proceeding against the employer in a civil action in court, file an application for adjustment of claim with the Commission in accordance with the provisions of this Act and the Commission shall hear and determine the application for adjustment of claim in the manner in which other claims are heard and determined before the Commission.

All proceedings under this subsection (d) shall be reported on an annual basis to the Workers' Compensation Advisory Board.

An investigator with the Department of Insurance may issue a citation to any employer that is not in compliance with its obligation to have workers' compensation insurance under this Act. The amount of the fine shall be based on the period of time the employer was in non-compliance, but shall be no less than \$500, and shall not exceed \$10,000. An employer that has been issued a citation shall pay the fine to the Department of Insurance and provide to the Department of Insurance proof that it obtained the required workers' compensation insurance within 10 days after the citation was issued. This Section does not affect any other obligations this Act imposes on employers.

Upon a finding by the Commission, after reasonable notice and hearing, of the knowing and willful failure or refusal of an employer to comply with any of the provisions of paragraph (a) of this Section, the failure or refusal of an employer, service or adjustment company, or an insurance carrier to comply with any

order of the Illinois Workers' Compensation Commission pursuant to paragraph (c) of this Section disqualifying him or her to operate as a self insurer and requiring him or her to insure his or her liability, or the knowing and willful failure of an employer to comply with a citation issued by an investigator with the Department of Insurance, the Commission may assess a civil penalty of up to \$500 per day for each day of such failure or refusal after the effective date of this amendatory Act of 1989. The minimum penalty under this Section shall be the sum of \$10,000. Each day of such failure or refusal shall constitute a separate offense. The Commission may assess the civil penalty personally and individually against the corporate officers and directors of a corporate employer, the partners of an employer partnership, and the members of an employer limited liability company, after a finding of a knowing and willful refusal or failure of each such named corporate officer, director, partner, or member to comply with this Section. The liability for the assessed penalty shall be against the named employer first, and if the named employer fails or refuses to pay the penalty to the Commission within 30 days after the final order of the Commission, then the named corporate officers, directors, partners, or members who have been found to have knowingly and willfully refused or failed to comply with this Section shall be liable for the unpaid penalty or any unpaid portion of the penalty. Upon investigation by the Department of Insurance, the Attorney General shall have the authority to prosecute all proceedings to enforce the civil and administrative provisions of this Section before the Commission. The Commission and the Department of Insurance shall promulgate procedural rules for enforcing this Section relating to their respective duties prescribed herein.

If an employer is found to be in non-compliance with any provisions of paragraph (a) of this Section more than once, all minimum penalties will double. Therefore, upon the failure or refusal of an employer, service or adjustment company, or insurance carrier to comply with any order of the Commission pursuant to paragraph (c) of this Section disqualifying him or her to operate as a self-insurer and requiring him or her to insure his or her liability, or the knowing and willful failure of an employer to comply with a citation issued by an investigator with the Department of Insurance, the Commission may assess a civil penalty of up to \$1,000 per day for each day of such failure or refusal after the effective date of this amendatory Act of the 101st General Assembly. The minimum penalty under this Section shall be the sum of \$20,000. In addition, employers with 2 or more violations of any provisions of paragraph (a) of this Section may not self-insure for one year or until all penalties are paid.

A Commission decision imposing penalties under this Section may be judicially reviewed only as described in Section 19(f). After expiration of the period for seeking judicial review, the Commission's final decision imposing penalties may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. The Commission's final decision imposing penalties is a debt due and owing to the State and can be enforced to the same extent as a judgment entered by a circuit court. The Attorney General shall represent the Commission and the Department of Insurance in any action challenging the final decision in circuit court. If the court affirms the Commission's decision, the court shall enter judgment against the employer in the amount of the fines assessed by the Commission. The Attorney General shall make reasonable efforts to collect the amounts due under the Commission's decision.

~~Upon the failure or refusal of any employer, service or adjustment company or insurance carrier to comply with the provisions of this Section and with the orders of the Commission under this Section, or the order of the court on review after final adjudication, the Commission may bring a civil action to recover the amount of the penalty in Cook County or in Sangamon County in which litigation the Commission shall be represented by the Attorney General. The Commission shall send notice of its finding of non-compliance and assessment of the civil penalty to the Attorney General. It shall be the duty of the Attorney General within 30 days after receipt of the notice, to institute prosecutions and promptly prosecute all reported violations of this Section.~~

Any individual employer, corporate officer or director of a corporate employer, partner of an employer partnership, or member of an employer limited liability company who, with the intent to avoid payment of compensation under this Act to an injured employee or the employee's dependents, knowingly transfers, sells, encumbers, assigns, or in any manner disposes of, conceals, secretes, or destroys any property belonging to the employer, officer, director, partner, or member is guilty of a Class 4 felony.

Penalties and fines collected pursuant to this paragraph (d) shall be deposited upon receipt into a special fund which shall be designated the Injured Workers' Benefit Fund, of which the State Treasurer is ex-officio custodian, such special fund to be held and disbursed in accordance with this paragraph (d) for the purposes hereinafter stated in this paragraph (d), upon the final order of the Commission. The Injured Workers' Benefit Fund shall be deposited the same as are State funds and any interest accruing thereon shall be added thereto every 6 months. The Injured Workers' Benefit Fund is subject to audit the same as State

funds and accounts and is protected by the general bond given by the State Treasurer. The Injured Workers' Benefit Fund is considered always appropriated for the purposes of disbursements as provided in this paragraph, and shall be paid out and disbursed as herein provided and shall not at any time be appropriated or diverted to any other use or purpose. Moneys in the Injured Workers' Benefit Fund shall be used only for payment of workers' compensation benefits for injured employees when the employer has failed to provide coverage as determined under this paragraph (d) and has failed to pay the benefits due to the injured employee. The employer shall reimburse the Injured Workers' Benefit Fund for any amounts paid to an employee on account of the compensation awarded by the Commission. The Attorney General shall make reasonable efforts to obtain reimbursement for the Injured Workers' Benefit Fund.

~~The Commission shall have the right to obtain reimbursement from the employer for compensation obligations paid by the Injured Workers' Benefit Fund.~~ Any such amounts obtained shall be deposited by the Commission into the Injured Workers' Benefit Fund. If an injured employee or his or her personal representative receives payment from the Injured Workers' Benefit Fund, the State of Illinois has the same rights under paragraph (b) of Section 5 that the employer who failed to pay the benefits due to the injured employee would have had if the employer had paid those benefits, and any moneys recovered by the State as a result of the State's exercise of its rights under paragraph (b) of Section 5 shall be deposited into the Injured Workers' Benefit Fund. The custodian of the Injured Workers' Benefit Fund shall be joined with the employer as a party respondent in the application for adjustment of claim. After July 1, 2006, the Commission shall make disbursements from the Fund once each year to each eligible claimant. An eligible claimant is an injured worker who has within the previous fiscal year obtained a final award for benefits from the Commission against the employer and the Injured Workers' Benefit Fund and has notified the Commission within 90 days of receipt of such award. Within a reasonable time after the end of each fiscal year, the Commission shall make a disbursement to each eligible claimant. At the time of disbursement, if there are insufficient moneys in the Fund to pay all claims, each eligible claimant shall receive a pro-rata share, as determined by the Commission, of the available moneys in the Fund for that year. Payment from the Injured Workers' Benefit Fund to an eligible claimant pursuant to this provision shall discharge the obligations of the Injured Workers' Benefit Fund regarding the award entered by the Commission.

(e) This Act shall not affect or disturb the continuance of any existing insurance, mutual aid, benefit, or relief association or department, whether maintained in whole or in part by the employer or whether maintained by the employees, the payment of benefits of such association or department being guaranteed by the employer or by some person, firm or corporation for him or her: Provided, the employer contributes to such association or department an amount not less than the full compensation herein provided, exclusive of the cost of the maintenance of such association or department and without any expense to the employee. This Act shall not prevent the organization and maintaining under the insurance laws of this State of any benefit or insurance company for the purpose of insuring against the compensation provided for in this Act, the expense of which is maintained by the employer. This Act shall not prevent the organization or maintaining under the insurance laws of this State of any voluntary mutual aid, benefit or relief association among employees for the payment of additional accident or sick benefits.

(f) No existing insurance, mutual aid, benefit or relief association or department shall, by reason of anything herein contained, be authorized to discontinue its operation without first discharging its obligations to any and all persons carrying insurance in the same or entitled to relief or benefits therein.

(g) Any contract, oral, written or implied, of employment providing for relief benefit, or insurance or any other device whereby the employee is required to pay any premium or premiums for insurance against the compensation provided for in this Act shall be null and void. Any employer withholding from the wages of any employee any amount for the purpose of paying any such premium shall be guilty of a Class B misdemeanor.

In the event the employer does not pay the compensation for which he or she is liable, then an insurance company, association or insurer which may have insured such employer against such liability shall become primarily liable to pay to the employee, his or her personal representative or beneficiary the compensation required by the provisions of this Act to be paid by such employer. The insurance carrier may be made a party to the proceedings in which the employer is a party and an award may be entered jointly against the employer and the insurance carrier.

(h) It shall be unlawful for any employer, insurance company or service or adjustment company to interfere with, restrain or coerce an employee in any manner whatsoever in the exercise of the rights or remedies granted to him or her by this Act or to discriminate, attempt to discriminate, or threaten to

discriminate against an employee in any way because of his or her exercise of the rights or remedies granted to him or her by this Act.

It shall be unlawful for any employer, individually or through any insurance company or service or adjustment company, to discharge or to threaten to discharge, or to refuse to rehire or recall to active service in a suitable capacity an employee because of the exercise of his or her rights or remedies granted to him or her by this Act.

(i) If an employer elects to obtain a life insurance policy on his employees, he may also elect to apply such benefits in satisfaction of all or a portion of the death benefits payable under this Act, in which case, the employer's compensation premium shall be reduced accordingly.

(j) Within 45 days of receipt of an initial application or application to renew self-insurance privileges the Self-Insurers Advisory Board shall review and submit for approval by the Chairman of the Commission recommendations of disposition of all initial applications to self-insure and all applications to renew self-insurance privileges filed by private self-insurers pursuant to the provisions of this Section and Section 4a-9 of this Act. Each private self-insurer shall submit with its initial and renewal applications the application fee required by Section 4a-4 of this Act.

The Chairman of the Commission shall promptly act upon all initial applications and applications for renewal in full accordance with the recommendations of the Board or, should the Chairman disagree with any recommendation of disposition of the Self-Insurer's Advisory Board, he shall within 30 days of receipt of such recommendation provide to the Board in writing the reasons supporting his decision. The Chairman shall also promptly notify the employer of his decision within 15 days of receipt of the recommendation of the Board.

If an employer is denied a renewal of self-insurance privileges pursuant to application it shall retain said privilege for 120 days after receipt of a notice of cancellation of the privilege from the Chairman of the Commission.

All orders made by the Chairman under this Section shall be subject to review by the courts, such review to be taken in the same manner and within the same time as provided by subsection (f) of Section 19 of this Act for review of awards and decisions of the Commission, upon the party seeking the review filing with the clerk of the court to which such review is taken a bond in an amount to be fixed and approved by the court to which the review is taken, conditioned upon the payment of all compensation awarded against the person taking such review pending a decision thereof and further conditioned upon such other obligations as the court may impose. Upon the review the Circuit Court shall have power to review all questions of fact as well as of law.

(Source: P.A. 101-40, eff. 1-1-20; 102-37, eff. 7-1-21.)

(Text of Section from P.A. 101-384 and 102-37)

Sec. 4. (a) Any employer, including but not limited to general contractors and their subcontractors, who shall come within the provisions of Section 3 of this Act, and any other employer who shall elect to provide and pay the compensation provided for in this Act shall:

(1) File with the Commission annually an application for approval as a self-insurer which shall include a current financial statement, and annually, thereafter, an application for renewal of self-insurance, which shall include a current financial statement. Said application and financial statement shall be signed and sworn to by the president or vice president and secretary or assistant secretary of the employer if it be a corporation, or by all of the partners, if it be a copartnership, or by the owner if it be neither a copartnership nor a corporation. All initial applications and all applications for renewal of self-insurance must be submitted at least 60 days prior to the requested effective date of self-insurance. An employer may elect to provide and pay compensation as provided for in this Act as a member of a group workers' compensation pool under Article V 3/4 of the Illinois Insurance Code. If an employer becomes a member of a group workers' compensation pool, the employer shall not be relieved of any obligations imposed by this Act.

If the sworn application and financial statement of any such employer does not satisfy the Commission of the financial ability of the employer who has filed it, the Commission shall require such employer to,

(2) Furnish security, indemnity or a bond guaranteeing the payment by the employer of the compensation provided for in this Act, provided that any such employer whose application and financial statement shall not have satisfied the commission of his or her financial ability and who shall have secured his liability in part by excess liability insurance shall be required to furnish to the

Commission security, indemnity or bond guaranteeing his or her payment up to the effective limits of the excess coverage, or

(3) Insure his entire liability to pay such compensation in some insurance carrier authorized, licensed, or permitted to do such insurance business in this State. Every policy of an insurance carrier, insuring the payment of compensation under this Act shall cover all the employees and the entire compensation liability of the insured: Provided, however, that any employer may insure his or her compensation liability with 2 or more insurance carriers or may insure a part and qualify under subsection 1, 2, or 4 for the remainder of his or her liability to pay such compensation, subject to the following two provisions:

Firstly, the entire compensation liability of the employer to employees working at or from one location shall be insured in one such insurance carrier or shall be self-insured, and

Secondly, the employer shall submit evidence satisfactorily to the Commission that his or her entire liability for the compensation provided for in this Act will be secured. Any provisions in any policy, or in any endorsement attached thereto, attempting to limit or modify in any way, the liability of the insurance carriers issuing the same except as otherwise provided herein shall be wholly void.

Nothing herein contained shall apply to policies of excess liability carriage secured by employers who have been approved by the Commission as self-insurers, or

(4) Make some other provision, satisfactory to the Commission, for the securing of the payment of compensation provided for in this Act, and

(5) Upon becoming subject to this Act and thereafter as often as the Commission may in writing demand, file with the Commission in form prescribed by it evidence of his or her compliance with the provision of this Section.

(a-1) Regardless of its state of domicile or its principal place of business, an employer shall make payments to its insurance carrier or group self-insurance fund, where applicable, based upon the premium rates of the situs where the work or project is located in Illinois if:

(A) the employer is engaged primarily in the building and construction industry; and

(B) subdivision (a)(3) of this Section applies to the employer or the employer is a member of a group self-insurance plan as defined in subsection (1) of Section 4a.

The Illinois Workers' Compensation Commission shall impose a penalty upon an employer for violation of this subsection (a-1) if:

(i) the employer is given an opportunity at a hearing to present evidence of its compliance with this subsection (a-1); and

(ii) after the hearing, the Commission finds that the employer failed to make payments upon the premium rates of the situs where the work or project is located in Illinois.

The penalty shall not exceed \$1,000 for each day of work for which the employer failed to make payments upon the premium rates of the situs where the work or project is located in Illinois, but the total penalty shall not exceed \$50,000 for each project or each contract under which the work was performed.

Any penalty under this subsection (a-1) must be imposed not later than one year after the expiration of the applicable limitation period specified in subsection (d) of Section 6 of this Act. Penalties imposed under this subsection (a-1) shall be deposited into the Illinois Workers' Compensation Commission Operations Fund, a special fund that is created in the State treasury. Subject to appropriation, moneys in the Fund shall be used solely for the operations of the Illinois Workers' Compensation Commission and by the Department of Insurance for the purposes authorized in subsection (c) of Section 25.5 of this Act.

(a-2) Every Employee Leasing Company (ELC), as defined in Section 15 of the Employee Leasing Company Act, shall at a minimum provide the following information to the Commission or any entity designated by the Commission regarding each workers' compensation insurance policy issued to the ELC:

(1) Any client company of the ELC listed as an additional named insured.

(2) Any informational schedule attached to the master policy that identifies any individual client company's name, FEIN, and job location.

(3) Any certificate of insurance coverage document issued to a client company specifying its rights and obligations under the master policy that establishes both the identity and status of the client, as well as the dates of inception and termination of coverage, if applicable.

(b) The sworn application and financial statement, or security, indemnity or bond, or amount of insurance, or other provisions, filed, furnished, carried, or made by the employer, as the case may be, shall be subject to the approval of the Commission.

Deposits under escrow agreements shall be cash, negotiable United States government bonds or negotiable general obligation bonds of the State of Illinois. Such cash or bonds shall be deposited in escrow with any State or National Bank or Trust Company having trust authority in the State of Illinois.

Upon the approval of the sworn application and financial statement, security, indemnity or bond or amount of insurance, filed, furnished or carried, as the case may be, the Commission shall send to the employer written notice of its approval thereof. The certificate of compliance by the employer with the provisions of subparagraphs (2) and (3) of paragraph (a) of this Section shall be delivered by the insurance carrier to the Illinois Workers' Compensation Commission within five days after the effective date of the policy so certified. The insurance so certified shall cover all compensation liability occurring during the time that the insurance is in effect and no further certificate need be filed in case such insurance is renewed, extended or otherwise continued by such carrier. The insurance so certified shall not be cancelled or in the event that such insurance is not renewed, extended or otherwise continued, such insurance shall not be terminated until at least 10 days after receipt by the Illinois Workers' Compensation Commission of notice of the cancellation or termination of said insurance; provided, however, that if the employer has secured insurance from another insurance carrier, or has otherwise secured the payment of compensation in accordance with this Section, and such insurance or other security becomes effective prior to the expiration of the 10 days, cancellation or termination may, at the option of the insurance carrier indicated in such notice, be effective as of the effective date of such other insurance or security.

(c) Whenever the Commission shall find that any corporation, company, association, aggregation of individuals, reciprocal or interinsurers exchange, or other insurer effecting workers' compensation insurance in this State shall be insolvent, financially unsound, or unable to fully meet all payments and liabilities assumed or to be assumed for compensation insurance in this State, or shall practice a policy of delay or unfairness toward employees in the adjustment, settlement, or payment of benefits due such employees, the Commission may after reasonable notice and hearing order and direct that such corporation, company, association, aggregation of individuals, reciprocal or interinsurers exchange, or insurer, shall from and after a date fixed in such order discontinue the writing of any such workers' compensation insurance in this State. Subject to such modification of the order as the Commission may later make on review of the order, as herein provided, it shall thereupon be unlawful for any such corporation, company, association, aggregation of individuals, reciprocal or interinsurers exchange, or insurer to effect any workers' compensation insurance in this State. A copy of the order shall be served upon the Director of Insurance by registered mail. Whenever the Commission finds that any service or adjustment company used or employed by a self-insured employer or by an insurance carrier to process, adjust, investigate, compromise or otherwise handle claims under this Act, has practiced or is practicing a policy of delay or unfairness toward employees in the adjustment, settlement or payment of benefits due such employees, the Commission may after reasonable notice and hearing order and direct that such service or adjustment company shall from and after a date fixed in such order be prohibited from processing, adjusting, investigating, compromising or otherwise handling claims under this Act.

Whenever the Commission finds that any self-insured employer has practiced or is practicing delay or unfairness toward employees in the adjustment, settlement or payment of benefits due such employees, the Commission may, after reasonable notice and hearing, order and direct that after a date fixed in the order such self-insured employer shall be disqualified to operate as a self-insurer and shall be required to insure his entire liability to pay compensation in some insurance carrier authorized, licensed and permitted to do such insurance business in this State, as provided in subparagraph 3 of paragraph (a) of this Section.

All orders made by the Commission under this Section shall be subject to review by the courts, said review to be taken in the same manner and within the same time as provided by Section 19 of this Act for review of awards and decisions of the Commission, upon the party seeking the review filing with the clerk of the court to which said review is taken a bond in an amount to be fixed and approved by the court to which the review is taken, conditioned upon the payment of all compensation awarded against the person taking said review pending a decision thereof and further conditioned upon such other obligations as the court may impose. Upon the review the Circuit Court shall have power to review all questions of fact as well as of law. The penalty hereinafter provided for in this paragraph shall not attach and shall not begin to run until the final determination of the order of the Commission.

(d) Whenever a panel of 3 Commissioners comprised of one member of the employing class, one representative of a labor organization recognized under the National Labor Relations Act or an attorney who has represented labor organizations or has represented employees in workers' compensation cases, and one member not identified with either the employing class or a labor organization, with due process and after a

hearing, determines an employer has knowingly failed to provide coverage as required by paragraph (a) of this Section, the failure shall be deemed an immediate serious danger to public health, safety, and welfare sufficient to justify service by the Commission of a work-stop order on such employer, requiring the cessation of all business operations of such employer at the place of employment or job site. Any law enforcement agency in the State shall, at the request of the Commission, render any assistance necessary to carry out the provisions of this Section, including, but not limited to, preventing any employee of such employer from remaining at a place of employment or job site after a work-stop order has taken effect. Any work-stop order shall be lifted upon proof of insurance as required by this Act. Any orders under this Section are appealable under Section 19(f) to the Circuit Court.

Any individual employer, corporate officer or director of a corporate employer, partner of an employer partnership, or member of an employer limited liability company who knowingly fails to provide coverage as required by paragraph (a) of this Section is guilty of a Class 4 felony. This provision shall not apply to any corporate officer or director of any publicly-owned corporation. Each day's violation constitutes a separate offense. The State's Attorney of the county in which the violation occurred, or the Attorney General, shall bring such actions in the name of the People of the State of Illinois, or may, in addition to other remedies provided in this Section, bring an action for an injunction to restrain the violation or to enjoin the operation of any such employer.

Any individual employer, corporate officer or director of a corporate employer, partner of an employer partnership, or member of an employer limited liability company who negligently fails to provide coverage as required by paragraph (a) of this Section is guilty of a Class A misdemeanor. This provision shall not apply to any corporate officer or director of any publicly-owned corporation. Each day's violation constitutes a separate offense. The State's Attorney of the county in which the violation occurred, or the Attorney General, shall bring such actions in the name of the People of the State of Illinois.

The criminal penalties in this subsection (d) shall not apply where there exists a good faith dispute as to the existence of an employment relationship. Evidence of good faith shall include, but not be limited to, compliance with the definition of employee as used by the Internal Revenue Service.

Employers who are subject to and who knowingly fail to comply with this Section shall not be entitled to the benefits of this Act during the period of noncompliance, but shall be liable in an action under any other applicable law of this State. In the action, such employer shall not avail himself or herself of the defenses of assumption of risk or negligence or that the injury was due to a co-employee. In the action, proof of the injury shall constitute prima facie evidence of negligence on the part of such employer and the burden shall be on such employer to show freedom of negligence resulting in the injury. The employer shall not join any other defendant in any such civil action. Nothing in this amendatory Act of the 94th General Assembly shall affect the employee's rights under subdivision (a)3 of Section 1 of this Act. Any employer or carrier who makes payments under subdivision (a)3 of Section 1 of this Act shall have a right of reimbursement from the proceeds of any recovery under this Section.

An employee of an uninsured employer, or the employee's dependents in case death ensued, may, instead of proceeding against the employer in a civil action in court, file an application for adjustment of claim with the Commission in accordance with the provisions of this Act and the Commission shall hear and determine the application for adjustment of claim in the manner in which other claims are heard and determined before the Commission.

All proceedings under this subsection (d) shall be reported on an annual basis to the Workers' Compensation Advisory Board.

An investigator with the Department of Insurance may issue a citation to any employer that is not in compliance with its obligation to have workers' compensation insurance under this Act. The amount of the fine shall be based on the period of time the employer was in non-compliance, but shall be no less than \$500, and shall not exceed \$2,500. An employer that has been issued a citation shall pay the fine to the Department of Insurance and provide to the Department of Insurance proof that it obtained the required workers' compensation insurance within 10 days after the citation was issued. This Section does not affect any other obligations this Act imposes on employers.

Upon a finding by the Commission, after reasonable notice and hearing, of the knowing and wilful failure or refusal of an employer to comply with any of the provisions of paragraph (a) of this Section, the failure or refusal of an employer, service or adjustment company, or an insurance carrier to comply with any order of the Illinois Workers' Compensation Commission pursuant to paragraph (c) of this Section disqualifying him or her to operate as a self insurer and requiring him or her to insure his or her liability, or the knowing and willful failure of an employer to comply with a citation issued by an investigator with the

Department of Insurance, the Commission may assess a civil penalty of up to \$500 per day for each day of such failure or refusal after the effective date of this amendatory Act of 1989. The minimum penalty under this Section shall be the sum of \$10,000. Each day of such failure or refusal shall constitute a separate offense. The Commission may assess the civil penalty personally and individually against the corporate officers and directors of a corporate employer, the partners of an employer partnership, and the members of an employer limited liability company, after a finding of a knowing and willful refusal or failure of each such named corporate officer, director, partner, or member to comply with this Section. The liability for the assessed penalty shall be against the named employer first, and if the named employer fails or refuses to pay the penalty to the Commission within 30 days after the final order of the Commission, then the named corporate officers, directors, partners, or members who have been found to have knowingly and willfully refused or failed to comply with this Section shall be liable for the unpaid penalty or any unpaid portion of the penalty. Upon investigation by the Department of Insurance, the Attorney General shall have the authority to prosecute all proceedings to enforce the civil and administrative provisions of this Section before the Commission. The Commission and the Department of Insurance shall promulgate procedural rules for enforcing this Section relating to their respective duties prescribed herein.

A Commission decision imposing penalties under this Section may be judicially reviewed only as described in Section 19(f). After expiration of the period for seeking judicial review, the Commission's final decision imposing penalties may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. The Commission's final decision imposing penalties is a debt due and owing to the State and can be enforced to the same extent as a judgment entered by a circuit court. The Attorney General shall represent the Commission and the Department of Insurance in any action challenging the final decision in circuit court. If the court affirms the Commission's decision, the court shall enter judgment against the employer in the amount of the fines assessed by the Commission. The Attorney General shall make reasonable efforts to collect the amounts due under the Commission's decision.

~~Upon the failure or refusal of any employer, service or adjustment company or insurance carrier to comply with the provisions of this Section and with the orders of the Commission under this Section, or the order of the court on review after final adjudication, the Commission may bring a civil action to recover the amount of the penalty in Cook County or in Sangamon County in which litigation the Commission shall be represented by the Attorney General. The Commission shall send notice of its finding of non-compliance and assessment of the civil penalty to the Attorney General. It shall be the duty of the Attorney General within 30 days after receipt of the notice, to institute prosecutions and promptly prosecute all reported violations of this Section.~~

Any individual employer, corporate officer or director of a corporate employer, partner of an employer partnership, or member of an employer limited liability company who, with the intent to avoid payment of compensation under this Act to an injured employee or the employee's dependents, knowingly transfers, sells, encumbers, assigns, or in any manner disposes of, conceals, secretes, or destroys any property belonging to the employer, officer, director, partner, or member is guilty of a Class 4 felony.

Penalties and fines collected pursuant to this paragraph (d) shall be deposited upon receipt into a special fund which shall be designated the Injured Workers' Benefit Fund, of which the State Treasurer is ex-officio custodian, such special fund to be held and disbursed in accordance with this paragraph (d) for the purposes hereinafter stated in this paragraph (d), upon the final order of the Commission. The Injured Workers' Benefit Fund shall be deposited the same as are State funds and any interest accruing thereon shall be added thereto every 6 months. The Injured Workers' Benefit Fund is subject to audit the same as State funds and accounts and is protected by the general bond given by the State Treasurer. The Injured Workers' Benefit Fund is considered always appropriated for the purposes of disbursements as provided in this paragraph, and shall be paid out and disbursed as herein provided and shall not at any time be appropriated or diverted to any other use or purpose. Moneys in the Injured Workers' Benefit Fund shall be used only for payment of workers' compensation benefits for injured employees when the employer has failed to provide coverage as determined under this paragraph (d) and has failed to pay the benefits due to the injured employee. The employer shall reimburse the Injured Workers' Benefit Fund for any amounts paid to an employee on account of the compensation awarded by the Commission. The Attorney General shall make reasonable efforts to obtain reimbursement for the Injured Workers' Benefit Fund.

~~The Commission shall have the right to obtain reimbursement from the employer for compensation obligations paid by the Injured Workers' Benefit Fund.~~ Any such amounts obtained shall be deposited by the Commission into the Injured Workers' Benefit Fund. If an injured employee or his or her personal representative receives payment from the Injured Workers' Benefit Fund, the State of Illinois has the same

rights under paragraph (b) of Section 5 that the employer who failed to pay the benefits due to the injured employee would have had if the employer had paid those benefits, and any moneys recovered by the State as a result of the State's exercise of its rights under paragraph (b) of Section 5 shall be deposited into the Injured Workers' Benefit Fund. The custodian of the Injured Workers' Benefit Fund shall be joined with the employer as a party respondent in the application for adjustment of claim. After July 1, 2006, the Commission shall make disbursements from the Fund once each year to each eligible claimant. An eligible claimant is an injured worker who has within the previous fiscal year obtained a final award for benefits from the Commission against the employer and the Injured Workers' Benefit Fund and has notified the Commission within 90 days of receipt of such award. Within a reasonable time after the end of each fiscal year, the Commission shall make a disbursement to each eligible claimant. At the time of disbursement, if there are insufficient moneys in the Fund to pay all claims, each eligible claimant shall receive a pro-rata share, as determined by the Commission, of the available moneys in the Fund for that year. Payment from the Injured Workers' Benefit Fund to an eligible claimant pursuant to this provision shall discharge the obligations of the Injured Workers' Benefit Fund regarding the award entered by the Commission.

(e) This Act shall not affect or disturb the continuance of any existing insurance, mutual aid, benefit, or relief association or department, whether maintained in whole or in part by the employer or whether maintained by the employees, the payment of benefits of such association or department being guaranteed by the employer or by some person, firm or corporation for him or her: Provided, the employer contributes to such association or department an amount not less than the full compensation herein provided, exclusive of the cost of the maintenance of such association or department and without any expense to the employee. This Act shall not prevent the organization and maintaining under the insurance laws of this State of any benefit or insurance company for the purpose of insuring against the compensation provided for in this Act, the expense of which is maintained by the employer. This Act shall not prevent the organization or maintaining under the insurance laws of this State of any voluntary mutual aid, benefit or relief association among employees for the payment of additional accident or sick benefits.

(f) No existing insurance, mutual aid, benefit or relief association or department shall, by reason of anything herein contained, be authorized to discontinue its operation without first discharging its obligations to any and all persons carrying insurance in the same or entitled to relief or benefits therein.

(g) Any contract, oral, written or implied, of employment providing for relief benefit, or insurance or any other device whereby the employee is required to pay any premium or premiums for insurance against the compensation provided for in this Act shall be null and void. Any employer withholding from the wages of any employee any amount for the purpose of paying any such premium shall be guilty of a Class B misdemeanor.

In the event the employer does not pay the compensation for which he or she is liable, then an insurance company, association or insurer which may have insured such employer against such liability shall become primarily liable to pay to the employee, his or her personal representative or beneficiary the compensation required by the provisions of this Act to be paid by such employer. The insurance carrier may be made a party to the proceedings in which the employer is a party and an award may be entered jointly against the employer and the insurance carrier.

(h) It shall be unlawful for any employer, insurance company or service or adjustment company to interfere with, restrain or coerce an employee in any manner whatsoever in the exercise of the rights or remedies granted to him or her by this Act or to discriminate, attempt to discriminate, or threaten to discriminate against an employee in any way because of his or her exercise of the rights or remedies granted to him or her by this Act.

It shall be unlawful for any employer, individually or through any insurance company or service or adjustment company, to discharge or to threaten to discharge, or to refuse to rehire or recall to active service in a suitable capacity an employee because of the exercise of his or her rights or remedies granted to him or her by this Act.

(i) If an employer elects to obtain a life insurance policy on his employees, he may also elect to apply such benefits in satisfaction of all or a portion of the death benefits payable under this Act, in which case, the employer's compensation premium shall be reduced accordingly.

(j) Within 45 days of receipt of an initial application or application to renew self-insurance privileges the Self-Insurers Advisory Board shall review and submit for approval by the Chairman of the Commission recommendations of disposition of all initial applications to self-insure and all applications to renew self-insurance privileges filed by private self-insurers pursuant to the provisions of this Section and Section

4a-9 of this Act. Each private self-insurer shall submit with its initial and renewal applications the application fee required by Section 4a-4 of this Act.

The Chairman of the Commission shall promptly act upon all initial applications and applications for renewal in full accordance with the recommendations of the Board or, should the Chairman disagree with any recommendation of disposition of the Self-Insurer's Advisory Board, he shall within 30 days of receipt of such recommendation provide to the Board in writing the reasons supporting his decision. The Chairman shall also promptly notify the employer of his decision within 15 days of receipt of the recommendation of the Board.

If an employer is denied a renewal of self-insurance privileges pursuant to application it shall retain said privilege for 120 days after receipt of a notice of cancellation of the privilege from the Chairman of the Commission.

All orders made by the Chairman under this Section shall be subject to review by the courts, such review to be taken in the same manner and within the same time as provided by subsection (f) of Section 19 of this Act for review of awards and decisions of the Commission, upon the party seeking the review filing with the clerk of the court to which such review is taken a bond in an amount to be fixed and approved by the court to which the review is taken, conditioned upon the payment of all compensation awarded against the person taking such review pending a decision thereof and further conditioned upon such other obligations as the court may impose. Upon the review the Circuit Court shall have power to review all questions of fact as well as of law.

(Source: P.A. 101-384, eff. 1-1-20; 102-37, eff. 7-1-21.)

(820 ILCS 305/4a-5) (from Ch. 48, par. 138.4a-5)

Sec. 4a-5. There is hereby created a Self-Insurers Security Fund. The State Treasurer shall be the officio custodian of the Self-Insurers Security Fund. Moneys in the Fund shall be deposited in a separate account in the same manner 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. The funds in the Self-Insurers Security Fund shall not be subject to appropriation and shall be made available for the purposes of compensating employees who are eligible to receive benefits from their employers pursuant to the provisions of the Workers' Compensation Act or Workers' Occupational Diseases Act, when, pursuant to this Section, the Board has determined that a private self-insurer has become an insolvent self-insurer and is unable to pay compensation benefits due to financial insolvency. Moneys in the Fund may be used to compensate any type of injury or occupational disease which is compensable under either Act; and for all claims for related administrative fees, operating costs of the Board, attorney's fees, and other costs reasonably incurred by the Board. Moneys in the Self-Insurers Security Fund may also be used for paying the salaries and benefits of the Self-Insurers Advisory Board employees and the operating costs of the Board. The Chairman, with the advice of the Board, may direct the State Comptroller and the State Treasurer to transfer up to \$2,000,000 in any fiscal year from the Self-Insurers Security Fund to the Illinois Workers' Compensation Commission Operations Fund, to the extent that there are insufficient funds in the Illinois Workers' Compensation Commission Operations Fund to pay the operating costs of the Illinois Workers' Compensation Commission or the salaries and benefits of employees of the Illinois Workers' Compensation Commission. No later than October 31 of the fiscal year following any transfer from the Self-Insurers Security Fund to the Illinois Workers' Compensation Commission Operations Fund, the Chairman, with the advice of the Board, shall direct the State Comptroller and the State Treasurer to transfer from the Illinois Workers' Compensation Commission Operations Fund to the Self-Insurers Security Fund an amount equivalent to the sum of all amounts transferred from the Self-Insurers Security Fund to the Illinois Workers' Compensation Commission Operations Fund in the prior fiscal year with interest at the rate earned by moneys on deposit in the Self-Insurers Security Fund. Upon receipt of funds from any transfer between the Self-Insurers Security Fund and the Illinois Workers' Compensation Commission Operations Fund, the Chairman shall submit notice, including the date and amount of the transfer, to the Governor and the General Assembly. Payment from the Self-Insurers Security Fund shall be made by the Comptroller only upon the authorization of the Chairman as evidenced by properly certified vouchers of the Commission, upon the direction of the Board. (Source: P.A. 101-40, eff. 1-1-20; 102-558, eff. 8-20-21; 102-910, eff. 5-27-22.)

(820 ILCS 305/4d)

Sec. 4d. Illinois Workers' Compensation Commission Operations Fund Fee.

(a) As of the effective date of this amendatory Act of the 93rd General Assembly, each employer that self-insures its liabilities arising under this Act or Workers' Occupational Diseases Act shall pay a fee

measured by the annual actual wages paid in this State of such an employer in the manner provided in this Section. Such proceeds shall be deposited in the Illinois Workers' Compensation Commission Operations Fund. If an employer survives or was formed by a merger, consolidation, reorganization, or reincorporation, the actual wages paid in this State of all employers party to the merger, consolidation, reorganization, or reincorporation shall, for purposes of determining the amount of the fee imposed by this Section, be regarded as those of the surviving or new employer.

(b) Beginning on July 30, 2004 (the effective date of Public Act 93-840) and on July 1 of each year thereafter through 2023, the Chairman shall charge and collect an annual Illinois Workers' Compensation Commission Operations Fund Fee from every employer subject to subsection (a) of this Section equal to 0.0075% of its annual actual wages paid in this State as reported in each employer's annual self-insurance renewal filed for the previous year as required by Section 4 of this Act and Section 4 of the Workers' Occupational Diseases Act. Beginning on July 1, 2024 and on July 1 of each year thereafter, the Chairman shall charge and collect an annual Illinois Workers' Compensation Commission Operations Fund Fee from every employer subject to subsection (a) of this Section equal to 0.0081% of its annual actual wages paid in this State as reported in each employer's annual self-insurance renewal filed for the previous year as required by Section 4 of this Act and Section 4 of the Workers' Occupational Diseases Act. All sums collected by the Commission under the provisions of this Section shall be paid promptly after the receipt of the same, accompanied by a detailed statement thereof, into the Illinois Workers' Compensation Commission Operations Fund. The fee due pursuant to Public Act 93-840 shall be collected instead of the fee due on July 1, 2004 under Public Act 93-32. Payment of the fee due under Public Act 93-840 shall discharge the employer's obligations due on July 1, 2004.

(c) In addition to the authority specifically granted under Section 16, the Chairman shall have such authority to adopt rules or establish forms as may be reasonably necessary for purposes of enforcing this Section. The Commission shall have authority to defer, waive, or abate the fee or any penalties imposed by this Section if in the Commission's opinion the employer's solvency and ability to meet its obligations to pay workers' compensation benefits would be immediately threatened by payment of the fee due.

(d) When an employer fails to pay the full amount of any annual Illinois Workers' Compensation Commission Operations Fund Fee of \$100 or more due under this Section, there shall be added to the amount due as a penalty the greater of \$1,000 or an amount equal to 5% of the deficiency for each month or part of a month that the deficiency remains unpaid.

(e) The Commission may enforce the collection of any delinquent payment, penalty or portion thereof by legal action or in any other manner by which the collection of debts due the State of Illinois may be enforced under the laws of this State.

(f) Whenever it appears to the satisfaction of the Chairman that an employer has paid pursuant to this Act an Illinois Workers' Compensation Commission Operations Fund Fee in an amount in excess of the amount legally collectable from the employer, the Chairman shall issue a credit memorandum for an amount equal to the amount of such overpayment. A credit memorandum may be applied for the 2-year period from the date of issuance against the payment of any amount due during that period under the fee imposed by this Section or, subject to reasonable rule of the Commission including requirement of notification, may be assigned to any other employer subject to regulation under this Act. Any application of credit memoranda after the period provided for in this Section is void.

(Source: P.A. 95-331, eff. 8-21-07.)

(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 through 2024, 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 through 2023, 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. Within 60 days after July 15 of 2024 and each subsequent year thereafter, the employer shall pay into the Rate Adjustment Fund a sum equal to 1.375% of such compensation payments made in the first 6 months of the same calendar year. Within 60 days after January 15 of 2025 and each subsequent year thereafter, the employer shall pay into the Rate Adjustment Fund a sum equal to 1.375% of such compensation payments made in the last 6 months of the preceding 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 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 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 305/19) (from Ch. 48, par. 138.19)

Sec. 19. Any disputed questions of law or fact shall be determined as herein provided.

(a) It shall be the duty of the Commission upon notification that the parties have failed to reach an agreement, to designate an Arbitrator.

1. Whenever any claimant misconceives his remedy and files an application for adjustment of claim under this Act and it is subsequently discovered, at any time before final disposition of such cause, that the claim for disability or death which was the basis for such application should properly have been made under the Workers' Occupational Diseases Act, then the provisions of Section 19, paragraph (a-1) of the Workers' Occupational Diseases Act having reference to such application shall apply.

2. Whenever any claimant misconceives his remedy and files an application for adjustment of claim under the Workers' Occupational Diseases Act and it is subsequently discovered, at any time before final disposition of such cause that the claim for injury or death which was the basis for such application should properly have been made under this Act, then the application so filed under the Workers' Occupational Diseases Act may be amended in form, substance or both to assert claim for such disability or death under this Act and it shall be deemed to have been so filed as amended on the date of the original filing thereof, and such compensation may be awarded as is warranted by the whole evidence pursuant to this Act. When such amendment is submitted, further or additional evidence may be heard by the Arbitrator or Commission when deemed necessary. Nothing in this Section contained shall be construed to be or permit a waiver of any provisions of this Act with reference to notice but notice if given shall be deemed to be a notice under the provisions of this Act if given within the time required herein.

(b) The Arbitrator shall make such inquiries and investigations as he or they shall deem necessary and may examine and inspect all books, papers, records, places, or premises relating to the questions in dispute and hear such proper evidence as the parties may submit.

The hearings before the Arbitrator shall be held in the vicinity where the injury occurred after 10 days' notice of the time and place of such hearing shall have been given to each of the parties or their attorneys of record.

The Arbitrator may find that the disabling condition is temporary and has not yet reached a permanent condition and may order the payment of compensation up to the date of the hearing, which award shall be reviewable and enforceable in the same manner as other awards, and in no instance be a bar to a further

hearing and determination of a further amount of temporary total compensation or of compensation for permanent disability, but shall be conclusive as to all other questions except the nature and extent of said disability.

The decision of the Arbitrator shall be filed with the Commission which Commission shall immediately send to each party or his attorney a copy of such decision, together with a notification of the time when it was filed. As of the effective date of this amendatory Act of the 94th General Assembly, all decisions of the Arbitrator shall set forth in writing findings of fact and conclusions of law, separately stated, if requested by either party. Unless a petition for review is filed by either party within 30 days after the receipt by such party of the copy of the decision and notification of time when filed, and unless such party petitioning for a review shall within 35 days after the receipt by him of the copy of the decision, file with the Commission either an agreed statement of the facts appearing upon the hearing before the Arbitrator, or if such party shall so elect a correct transcript of evidence of the proceedings at such hearings, then the decision shall become the decision of the Commission and in the absence of fraud shall be conclusive. The Petition for Review shall contain a statement of the petitioning party's specific exceptions to the decision of the arbitrator. The jurisdiction of the Commission to review the decision of the arbitrator shall not be limited to the exceptions stated in the Petition for Review. The Commission, or any member thereof, may grant further time not exceeding 30 days, in which to file such agreed statement or transcript of evidence. Such agreed statement of facts or correct transcript of evidence, as the case may be, shall be authenticated by the signatures of the parties or their attorneys, and in the event they do not agree as to the correctness of the transcript of evidence it shall be authenticated by the signature of the Arbitrator designated by the Commission.

Whether the employee is working or not, if the employee is not receiving or has not received medical, surgical, or hospital services or other services or compensation as provided in paragraph (a) of Section 8, or compensation as provided in paragraph (b) of Section 8, the employee may at any time petition for an expedited hearing by an Arbitrator on the issue of whether or not he or she is entitled to receive payment of the services or compensation. Provided the employer continues to pay compensation pursuant to paragraph (b) of Section 8, the employer may at any time petition for an expedited hearing on the issue of whether or not the employee is entitled to receive medical, surgical, or hospital services or other services or compensation as provided in paragraph (a) of Section 8, or compensation as provided in paragraph (b) of Section 8. When an employer has petitioned for an expedited hearing, the employer shall continue to pay compensation as provided in paragraph (b) of Section 8 unless the arbitrator renders a decision that the employee is not entitled to the benefits that are the subject of the expedited hearing or unless the employee's treating physician has released the employee to return to work at his or her regular job with the employer or the employee actually returns to work at any other job. If the arbitrator renders a decision that the employee is not entitled to the benefits that are the subject of the expedited hearing, a petition for review filed by the employee shall receive the same priority as if the employee had filed a petition for an expedited hearing by an Arbitrator. Neither party shall be entitled to an expedited hearing when the employee has returned to work and the sole issue in dispute amounts to less than 12 weeks of unpaid compensation pursuant to paragraph (b) of Section 8.

Expedited hearings shall have priority over all other petitions and shall be heard by the Arbitrator and Commission with all convenient speed. Any party requesting an expedited hearing shall give notice of a request for an expedited hearing under this paragraph. A copy of the Application for Adjustment of Claim shall be attached to the notice. The Commission shall adopt rules and procedures under which the final decision of the Commission under this paragraph is filed not later than 180 days from the date that the Petition for Review is filed with the Commission.

Where 2 or more insurance carriers, private self-insureds, or a group workers' compensation pool under Article V 3/4 of the Illinois Insurance Code dispute coverage for the same injury, any such insurance carrier, private self-insured, or group workers' compensation pool may request an expedited hearing pursuant to this paragraph to determine the issue of coverage, provided coverage is the only issue in dispute and all other issues are stipulated and agreed to and further provided that all compensation benefits including medical benefits pursuant to Section 8(a) continue to be paid to or on behalf of petitioner. Any insurance carrier, private self-insured, or group workers' compensation pool that is determined to be liable for coverage for the injury in issue shall reimburse any insurance carrier, private self-insured, or group workers' compensation pool that has paid benefits to or on behalf of petitioner for the injury.

(b-1) If the employee is not receiving medical, surgical or hospital services as provided in paragraph (a) of Section 8 or compensation as provided in paragraph (b) of Section 8, the employee, in accordance

with Commission Rules, may file a petition for an emergency hearing by an Arbitrator on the issue of whether or not he is entitled to receive payment of such compensation or services as provided therein. Such petition shall have priority over all other petitions and shall be heard by the Arbitrator and Commission with all convenient speed.

Such petition shall contain the following information and shall be served on the employer at least 15 days before it is filed:

- (i) the date and approximate time of accident;
- (ii) the approximate location of the accident;
- (iii) a description of the accident;
- (iv) the nature of the injury incurred by the employee;
- (v) the identity of the person, if known, to whom the accident was reported and the date on which it was reported;
- (vi) the name and title of the person, if known, representing the employer with whom the employee conferred in any effort to obtain compensation pursuant to paragraph (b) of Section 8 of this Act or medical, surgical or hospital services pursuant to paragraph (a) of Section 8 of this Act and the date of such conference;
- (vii) a statement that the employer has refused to pay compensation pursuant to paragraph (b) of Section 8 of this Act or for medical, surgical or hospital services pursuant to paragraph (a) of Section 8 of this Act;
- (viii) the name and address, if known, of each witness to the accident and of each other person upon whom the employee will rely to support his allegations;
- (ix) the dates of treatment related to the accident by medical practitioners, and the names and addresses of such practitioners, including the dates of treatment related to the accident at any hospitals and the names and addresses of such hospitals, and a signed authorization permitting the employer to examine all medical records of all practitioners and hospitals named pursuant to this paragraph;
- (x) a copy of a signed report by a medical practitioner, relating to the employee's current inability to return to work because of the injuries incurred as a result of the accident or such other documents or affidavits which show that the employee is entitled to receive compensation pursuant to paragraph (b) of Section 8 of this Act or medical, surgical or hospital services pursuant to paragraph (a) of Section 8 of this Act. Such reports, documents or affidavits shall state, if possible, the history of the accident given by the employee, and describe the injury and medical diagnosis, the medical services for such injury which the employee has received and is receiving, the physical activities which the employee cannot currently perform as a result of any impairment or disability due to such injury, and the prognosis for recovery;
- (xi) complete copies of any reports, records, documents and affidavits in the possession of the employee on which the employee will rely to support his allegations, provided that the employer shall pay the reasonable cost of reproduction thereof;
- (xii) a list of any reports, records, documents and affidavits which the employee has demanded by subpoena and on which he intends to rely to support his allegations;
- (xiii) a certification signed by the employee or his representative that the employer has received the petition with the required information 15 days before filing.

Fifteen days after receipt by the employer of the petition with the required information the employee may file said petition and required information and shall serve notice of the filing upon the employer. The employer may file a motion addressed to the sufficiency of the petition. If an objection has been filed to the sufficiency of the petition, the arbitrator shall rule on the objection within 2 working days. If such an objection is filed, the time for filing the final decision of the Commission as provided in this paragraph shall be tolled until the arbitrator has determined that the petition is sufficient.

The employer shall, within 15 days after receipt of the notice that such petition is filed, file with the Commission and serve on the employee or his representative a written response to each claim set forth in the petition, including the legal and factual basis for each disputed allegation and the following information: (i) complete copies of any reports, records, documents and affidavits in the possession of the employer on which the employer intends to rely in support of his response, (ii) a list of any reports, records, documents and affidavits which the employer has demanded by subpoena and on which the employer intends to rely in support of his response, (iii) the name and address of each witness on whom the employer will rely to support his response, and (iv) the names and addresses of any medical practitioners selected by the employer

pursuant to Section 12 of this Act and the time and place of any examination scheduled to be made pursuant to such Section.

Any employer who does not timely file and serve a written response without good cause may not introduce any evidence to dispute any claim of the employee but may cross examine the employee or any witness brought by the employee and otherwise be heard.

No document or other evidence not previously identified by either party with the petition or written response, or by any other means before the hearing, may be introduced into evidence without good cause. If, at the hearing, material information is discovered which was not previously disclosed, the Arbitrator may extend the time for closing proof on the motion of a party for a reasonable period of time which may be more than 30 days. No evidence may be introduced pursuant to this paragraph as to permanent disability. No award may be entered for permanent disability pursuant to this paragraph. Either party may introduce into evidence the testimony taken by deposition of any medical practitioner.

The Commission shall adopt rules, regulations and procedures whereby the final decision of the Commission is filed not later than 90 days from the date the petition for review is filed but in no event later than 180 days from the date the petition for an emergency hearing is filed with the Illinois Workers' Compensation Commission.

All service required pursuant to this paragraph (b-1) must be by personal service or by certified mail and with evidence of receipt. In addition for the purposes of this paragraph, all service on the employer must be at the premises where the accident occurred if the premises are owned or operated by the employer. Otherwise service must be at the employee's principal place of employment by the employer. If service on the employer is not possible at either of the above, then service shall be at the employer's principal place of business. After initial service in each case, service shall be made on the employer's attorney or designated representative.

(c)(1) At a reasonable time in advance of and in connection with the hearing under Section 19(e) or 19(h), the Commission may on its own motion order an impartial physical or mental examination of a petitioner whose mental or physical condition is in issue, when in the Commission's discretion it appears that such an examination will materially aid in the just determination of the case. The examination shall be made by a member or members of a panel of physicians chosen for their special qualifications by the Illinois State Medical Society. The Commission shall establish procedures by which a physician shall be selected from such list.

(2) Should the Commission at any time during the hearing find that compelling considerations make it advisable to have an examination and report at that time, the commission may in its discretion so order.

(3) A copy of the report of examination shall be given to the Commission and to the attorneys for the parties.

(4) Either party or the Commission may call the examining physician or physicians to testify. Any physician so called shall be subject to cross-examination.

(5) The examination shall be made, and the physician or physicians, if called, shall testify, without cost to the parties. The Commission shall determine the compensation and the pay of the physician or physicians. The compensation for this service shall not exceed the usual and customary amount for such service.

(6) The fees and payment thereof of all attorneys and physicians for services authorized by the Commission under this Act shall, upon request of either the employer or the employee or the beneficiary affected, be subject to the review and decision of the Commission.

(d) If any employee shall persist in insanitary or injurious practices which tend to either imperil or retard his recovery or shall refuse to submit to such medical, surgical, or hospital treatment as is reasonably essential to promote his recovery, the Commission may, in its discretion, reduce or suspend the compensation of any such injured employee. However, when an employer and employee so agree in writing, the foregoing provision shall not be construed to authorize the reduction or suspension of compensation of an employee who is 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.

(e) This paragraph shall apply to all hearings before the Commission. Such hearings may be held in its office or elsewhere as the Commission may deem advisable. The taking of testimony on such hearings may be had before any member of the Commission. If a petition for review and agreed statement of facts or transcript of evidence is filed, as provided herein, the Commission shall promptly review the decision of the Arbitrator and all questions of law or fact which appear from the statement of facts or transcript of evidence.

In all cases in which the hearing before the arbitrator is held after December 18, 1989, no additional evidence shall be introduced by the parties before the Commission on review of the decision of the Arbitrator. In reviewing decisions of an arbitrator the Commission shall award such temporary compensation, permanent compensation and other payments as are due under this Act. The Commission shall file in its office its decision thereon, and shall immediately send to each party or his attorney a copy of such decision and a notification of the time when it was filed. Decisions shall be filed within 60 days after the Statement of Exceptions and Supporting Brief and Response thereto are required to be filed or oral argument whichever is later.

In the event either party requests oral argument, such argument shall be had before a panel of 3 members of the Commission (or before all available members pursuant to the determination of 7 members of the Commission that such argument be held before all available members of the Commission) pursuant to the rules and regulations of the Commission. A panel of 3 members, which shall be comprised of not more than one representative citizen of the employing class and not more than one representative from a labor organization recognized under the National Labor Relations Act or an attorney who has represented labor organizations or has represented employees in workers' compensation cases, shall hear the argument; provided that if all the issues in dispute are solely the nature and extent of the permanent partial disability, if any, a majority of the panel may deny the request for such argument and such argument shall not be held; and provided further that 7 members of the Commission may determine that the argument be held before all available members of the Commission. A decision of the Commission shall be approved by a majority of Commissioners present at such hearing if any; provided, if no such hearing is held, a decision of the Commission shall be approved by a majority of a panel of 3 members of the Commission as described in this Section. The Commission shall give 10 days' notice to the parties or their attorneys of the time and place of such taking of testimony and of such argument.

In any case the Commission in its decision may find specially upon any question or questions of law or fact which shall be submitted in writing by either party whether ultimate or otherwise; provided that on issues other than nature and extent of the disability, if any, the Commission in its decision shall find specially upon any question or questions of law or fact, whether ultimate or otherwise, which are submitted in writing by either party; provided further that not more than 5 such questions may be submitted by either party. Any party may, within 20 days after receipt of notice of the Commission's decision, or within such further time, not exceeding 30 days, as the Commission may grant, file with the Commission either an agreed statement of the facts appearing upon the hearing, or, if such party shall so elect, a correct transcript of evidence of the additional proceedings presented before the Commission, in which report the party may embody a correct statement of such other proceedings in the case as such party may desire to have reviewed, such statement of facts or transcript of evidence to be authenticated by the signature of the parties or their attorneys, and in the event that they do not agree, then the authentication of such transcript of evidence shall be by the signature of any member of the Commission.

If a reporter does not for any reason furnish a transcript of the proceedings before the Arbitrator in any case for use on a hearing for review before the Commission, within the limitations of time as fixed in this Section, the Commission may, in its discretion, order a trial de novo before the Commission in such case upon application of either party. The applications for adjustment of claim and other documents in the nature of pleadings filed by either party, together with the decisions of the Arbitrator and of the Commission and the statement of facts or transcript of evidence hereinbefore provided for in paragraphs (b) and (c) shall be the record of the proceedings of the Commission, and shall be subject to review as hereinafter provided.

At the request of either party or on its own motion, the Commission shall set forth in writing the reasons for the decision, including findings of fact and conclusions of law separately stated. The Commission shall by rule adopt a format for written decisions for the Commission and arbitrators. The written decisions shall be concise and shall succinctly state the facts and reasons for the decision. The Commission may adopt in whole or in part, the decision of the arbitrator as the decision of the Commission. When the Commission does so adopt the decision of the arbitrator, it shall do so by order. Whenever the Commission adopts part of the arbitrator's decision, but not all, it shall include in the order the reasons for not adopting all of the arbitrator's decision. When a majority of a panel, after deliberation, has arrived at its decision, the decision shall be filed as provided in this Section without unnecessary delay, and without regard to the fact that a member of the panel has expressed an intention to dissent. Any member of the panel may file a dissent. Any dissent shall be filed no later than 10 days after the decision of the majority has been filed.

Decisions rendered by the Commission and dissents, if any, shall be published together by the Commission. The conclusions of law set out in such decisions shall be regarded as precedents by arbitrators for the purpose of achieving a more uniform administration of this Act.

(f) The decision of the Commission acting within its powers, according to the provisions of paragraph (d) of Section 4 and paragraph (e) of this Section shall, in the absence of fraud, be conclusive unless reviewed as in this paragraph hereinafter provided. However, the Arbitrator or the Commission may on his or its own motion, or on the motion of either party, correct any clerical error or errors in computation within 15 days after the date of receipt of any award by such Arbitrator or any decision on review of the Commission and shall have the power to recall the original award on arbitration or decision on review, and issue in lieu thereof such corrected award or decision. Where such correction is made the time for review herein specified shall begin to run from the date of the receipt of the corrected award or decision.

(1) Except in cases of claims against the State of Illinois other than those claims under Section 18.1, in which case the decision of the Commission shall not be subject to judicial review, the Circuit Court of the county where any of the parties defendant may be found, or if none of the parties defendant can be found in this State then the Circuit Court of the county where the accident occurred, shall by summons to the Commission have power to review all questions of law and fact presented by such record.

A proceeding for review shall be commenced within 20 days of the receipt of notice of the decision of the Commission. The summons shall be issued by the clerk of such court upon written request returnable on a designated return day, not less than 10 or more than 60 days from the date of issuance thereof, and the written request shall contain the last known address of other parties in interest and their attorneys of record who are to be served by summons. Service upon any member of the Commission or the Secretary or the Assistant Secretary thereof shall be service upon the Commission, and service upon other parties in interest and their attorneys of record shall be by summons, and such service shall be made upon the Commission and other parties in interest by mailing notices of the commencement of the proceedings and the return day of the summons to the office of the Commission and to the last known place of residence of other parties in interest or their attorney or attorneys of record. The clerk of the court issuing the summons shall on the day of issue mail notice of the commencement of the proceedings which shall be done by mailing a copy of the summons to the office of the Commission, and a copy of the summons to the other parties in interest or their attorney or attorneys of record and the clerk of the court shall make certificate that he has so sent said notices in pursuance of this Section, which shall be evidence of service on the Commission and other parties in interest.

The Commission shall not be required to certify the record of their proceedings to the Circuit Court, unless the party commencing the proceedings for review in the Circuit Court as above provided, shall file with the Commission notice of intent to file for review in Circuit Court. It shall be the duty of the Commission upon such filing of notice of intent to file for review in the Circuit Court to prepare a true and correct copy of such testimony and a true and correct copy of all other matters contained in such record and certified to by the Secretary or Assistant Secretary thereof. The changes made to this subdivision (f)(1) by this amendatory Act of the 98th General Assembly apply to any Commission decision entered after the effective date of this amendatory Act of the 98th General Assembly.

No request for a summons may be filed and no summons shall issue unless the party seeking to review the decision of the Commission shall exhibit to the clerk of the Circuit Court proof of filing with the Commission of the notice of the intent to file for review in the Circuit Court or an affidavit of the attorney setting forth that notice of intent to file for review in the Circuit Court has been given in writing to the Secretary or Assistant Secretary of the Commission.

(2) No such summons shall issue unless the one against whom the Commission shall have rendered an award for the payment of money shall upon the filing of his written request for such summons file with the clerk of the court a bond conditioned that if he shall not successfully prosecute the review, he will pay the award and the costs of the proceedings in the courts. The amount of the bond shall be fixed by any member of the Commission and the surety or sureties of the bond shall be approved by the clerk of the court. The acceptance of the bond by the clerk of the court shall constitute evidence of his approval of the bond.

The following shall not be required to file a bond to secure the payment of the award and the costs of the proceedings in the court to authorize the court to issue such summons:

(1) the State Treasurer, for a fund administered by the State Treasurer ex officio against whom the Commission shall have rendered an award for the payment of money; and

(2) a county, city, town, township, incorporated village, school district, body politic, or municipal corporation against whom the Commission shall have rendered an award for the payment of money.

The court may confirm or set aside the decision of the Commission. If the decision is set aside and the facts found in the proceedings before the Commission are sufficient, the court may enter such decision as is justified by law, or may remand the cause to the Commission for further proceedings and may state the questions requiring further hearing, and give such other instructions as may be proper. If the court affirms the Commission's decision imposing fines on the employer under subsection (d) of Section 4, the court shall enter judgment against the employer in the amount of the fines assessed by the Commission. Appeals shall be taken to the Appellate Court in accordance with Supreme Court Rules 22(g) and 303. Appeals shall be taken from the Appellate Court to the Supreme Court in accordance with Supreme Court Rule 315.

It shall be the duty of the clerk of any court rendering a decision affecting or affirming an award of the Commission to promptly furnish the Commission with a copy of such decision, without charge.

The decision of a majority of the members of the panel of the Commission, shall be considered the decision of the Commission.

(g) Except in the case of a claim against the State of Illinois, either party may present a certified copy of the award of the Arbitrator, or a certified copy of the decision of the Commission when the same has become final, when no proceedings for review are pending, providing for the payment of compensation according to this Act, to the Circuit Court of the county in which such accident occurred or either of the parties are residents, whereupon the court shall enter a judgment in accordance therewith. In a case where the employer refuses to pay compensation according to such final award or such final decision upon which such judgment is entered the court shall in entering judgment thereon, tax as costs against him the reasonable costs and attorney fees in the arbitration proceedings and in the court entering the judgment for the person in whose favor the judgment is entered, which judgment and costs taxed as therein provided shall, until and unless set aside, have the same effect as though duly entered in an action duly tried and determined by the court, and shall with like effect, be entered and docketed. The Circuit Court shall have power at any time upon application to make any such judgment conform to any modification required by any subsequent decision of the Supreme Court upon appeal, or as the result of any subsequent proceedings for review, as provided in this Act.

Judgment shall not be entered until 15 days' notice of the time and place of the application for the entry of judgment shall be served upon the employer by filing such notice with the Commission, which Commission shall, in case it has on file the address of the employer or the name and address of its agent upon whom notices may be served, immediately send a copy of the notice to the employer or such designated agent.

(h) An agreement or award under this Act providing for compensation in installments, may at any time within 18 months after such agreement or award be reviewed by the Commission at the request of either the employer or the employee, on the ground that the disability of the employee has subsequently recurred, increased, diminished or ended.

However, as to accidents occurring subsequent to July 1, 1955, which are covered by any agreement or award under this Act providing for compensation in installments made as a result of such accident, such agreement or award may at any time within 30 months, or 60 months in the case of an award under Section 8(d)1, after such agreement or award be reviewed by the Commission at the request of either the employer or the employee on the ground that the disability of the employee has subsequently recurred, increased, diminished or ended.

On such review, compensation payments may be re-established, increased, diminished or ended. The Commission shall give 15 days' notice to the parties of the hearing for review. Any employee, upon any petition for such review being filed by the employer, shall be entitled to one day's notice for each 100 miles necessary to be traveled by him in attending the hearing of the Commission upon the petition, and 3 days in addition thereto. Such employee shall, at the discretion of the Commission, also be entitled to 5 cents per mile necessarily traveled by him within the State of Illinois in attending such hearing, not to exceed a distance of 300 miles, to be taxed by the Commission as costs and deposited with the petition of the employer.

When compensation which is payable in accordance with an award or settlement contract approved by the Commission, is ordered paid in a lump sum by the Commission, no review shall be had as in this paragraph mentioned.

(i) Each party, upon taking any proceedings or steps whatsoever before any Arbitrator, Commission or court, shall file with the Commission his address, or the name and address of any agent upon whom all notices to be given to such party shall be served, either personally or by registered mail, addressed to such party or agent at the last address so filed with the Commission. In the event such party has not filed his address, or the name and address of an agent as above provided, service of any notice may be had by filing such notice with the Commission.

(j) Whenever in any proceeding testimony has been taken or a final decision has been rendered and after the taking of such testimony or after such decision has become final, the injured employee dies, then in any subsequent proceedings brought by the personal representative or beneficiaries of the deceased employee, such testimony in the former proceeding may be introduced with the same force and effect as though the witness having so testified were present in person in such subsequent proceedings and such final decision, if any, shall be taken as final adjudication of any of the issues which are the same in both proceedings.

(k) In case where there has been any unreasonable or vexatious delay of payment or intentional underpayment of compensation, or proceedings have been instituted or carried on by the one liable to pay the compensation, which do not present a real controversy, but are merely frivolous or for delay, then the Commission may award compensation additional to that otherwise payable under this Act equal to 50% of the amount payable at the time of such award. Failure to pay compensation in accordance with the provisions of Section 8, paragraph (b) of this Act, shall be considered unreasonable delay.

When determining whether this subsection (k) shall apply, the Commission shall consider whether an Arbitrator has determined that the claim is not compensable or whether the employer has made payments under Section 8(j).

(l) If the employee has made written demand for payment of benefits under Section 8(a) or Section 8(b), the employer shall have 14 days after receipt of the demand to set forth in writing the reason for the delay. In the case of demand for payment of medical benefits under Section 8(a), the time for the employer to respond shall not commence until the expiration of the allotted 30 days specified under Section 8.2(d). In case the employer or his or her insurance carrier shall without good and just cause fail, neglect, refuse, or unreasonably delay the payment of benefits under Section 8(a) or Section 8(b), the Arbitrator or the Commission shall allow to the employee additional compensation in the sum of \$30 per day for each day that the benefits under Section 8(a) or Section 8(b) have been so withheld or refused, not to exceed \$10,000. A delay in payment of 14 days or more shall create a rebuttable presumption of unreasonable delay.

(m) If the commission finds that an accidental injury was directly and proximately caused by the employer's willful violation of a health and safety standard under the Health and Safety Act or the Occupational Safety and Health Act in force at the time of the accident, the arbitrator or the Commission shall allow to the injured employee or his dependents, as the case may be, additional compensation equal to 25% of the amount which otherwise would be payable under the provisions of this Act exclusive of this paragraph. The additional compensation herein provided shall be allowed by an appropriate increase in the applicable weekly compensation rate.

(n) After June 30, 1984, decisions of the Illinois Workers' Compensation Commission reviewing an award of an arbitrator of the Commission shall draw interest at a rate equal to the yield on indebtedness issued by the United States Government with a 26-week maturity next previously auctioned on the day on which the decision is filed. Said rate of interest shall be set forth in the Arbitrator's Decision. Interest shall be drawn from the date of the arbitrator's award on all accrued compensation due the employee through the day prior to the date of payments. However, when an employee appeals an award of an Arbitrator or the Commission, and the appeal results in no change or a decrease in the award, interest shall not further accrue from the date of such appeal.

The employer or his insurance carrier may tender the payments due under the award to stop the further accrual of interest on such award notwithstanding the prosecution by either party of review, certiorari, appeal to the Supreme Court or other steps to reverse, vacate or modify the award.

(o) By the 15th day of each month each insurer providing coverage for losses under this Act shall notify each insured employer of any compensable claim incurred during the preceding month and the amounts paid or reserved on the claim including a summary of the claim and a brief statement of the reasons for compensability. A cumulative report of all claims incurred during a calendar year or continued from the

previous year shall be furnished to the insured employer by the insurer within 30 days after the end of that calendar year.

The insured employer may challenge, in proceeding before the Commission, payments made by the insurer without arbitration and payments made after a case is determined to be noncompensable. If the Commission finds that the case was not compensable, the insurer shall purge its records as to that employer of any loss or expense associated with the claim, reimburse the employer for attorneys' fees arising from the challenge and for any payment required of the employer to the Rate Adjustment Fund or the Second Injury Fund, and may not reflect the loss or expense for rate making purposes. The employee shall not be required to refund the challenged payment. The decision of the Commission may be reviewed in the same manner as in arbitrated cases. No challenge may be initiated under this paragraph more than 3 years after the payment is made. An employer may waive the right of challenge under this paragraph on a case by case basis.

(p) After filing an application for adjustment of claim but prior to the hearing on arbitration the parties may voluntarily agree to submit such application for adjustment of claim for decision by an arbitrator under this subsection (p) where such application for adjustment of claim raises only a dispute over temporary total disability, permanent partial disability or medical expenses. Such agreement shall be in writing in such form as provided by the Commission. Applications for adjustment of claim submitted for decision by an arbitrator under this subsection (p) shall proceed according to rule as established by the Commission. The Commission shall promulgate rules including, but not limited to, rules to ensure that the parties are adequately informed of their rights under this subsection (p) and of the voluntary nature of proceedings under this subsection (p). The findings of fact made by an arbitrator acting within his or her powers under this subsection (p) in the absence of fraud shall be conclusive. However, the arbitrator may on his own motion, or the motion of either party, correct any clerical errors or errors in computation within 15 days after the date of receipt of such award of the arbitrator and shall have the power to recall the original award on arbitration, and issue in lieu thereof such corrected award. The decision of the arbitrator under this subsection (p) shall be considered the decision of the Commission and proceedings for review of questions of law arising from the decision may be commenced by either party pursuant to subsection (f) of Section 19. The Advisory Board established under Section 13.1 shall compile a list of certified Commission arbitrators, each of whom shall be approved by at least 7 members of the Advisory Board. The chairman shall select 5 persons from such list to serve as arbitrators under this subsection (p). By agreement, the parties shall select one arbitrator from among the 5 persons selected by the chairman except that if the parties do not agree on an arbitrator from among the 5 persons, the parties may, by agreement, select an arbitrator of the American Arbitration Association, whose fee shall be paid by the State in accordance with rules promulgated by the Commission. Arbitration under this subsection (p) shall be voluntary.

(Source: P.A. 101-384, eff. 1-1-20; 102-775, eff. 5-13-22.)

(820 ILCS 305/25.5)

Sec. 25.5. Unlawful acts; penalties.

(a) It is unlawful for any person, company, corporation, insurance carrier, healthcare provider, or other entity to:

(1) Intentionally present or cause to be presented any false or fraudulent claim for the payment of any workers' compensation benefit.

(2) Intentionally make or cause to be made any false or fraudulent material statement or material representation for the purpose of obtaining or denying any workers' compensation benefit.

(3) Intentionally make or cause to be made any false or fraudulent statements with regard to entitlement to workers' compensation benefits with the intent to prevent an injured worker from making a legitimate claim for any workers' compensation benefits.

(4) Intentionally prepare or provide an invalid, false, or counterfeit certificate of insurance as proof of workers' compensation insurance.

(5) Intentionally make or cause to be made any false or fraudulent material statement or material representation for the purpose of obtaining workers' compensation insurance at less than the proper amount for that insurance.

(6) Intentionally make or cause to be made any false or fraudulent material statement or material representation on an initial or renewal self-insurance application or accompanying financial statement for the purpose of obtaining self-insurance status or reducing the amount of security that may be required to be furnished pursuant to Section 4 of this Act.

(7) Intentionally make or cause to be made any false or fraudulent material statement to the Department of Insurance's fraud and insurance non-compliance unit in the course of an investigation of fraud or insurance non-compliance.

(8) Intentionally assist, abet, solicit, or conspire with any person, company, or other entity to commit any of the acts in paragraph (1), (2), (3), ~~(4)~~, (5), (6), or (7) of this subsection (a).

(8.5) Intentionally assist, abet, solicit, or conspire with any person, company, or other entity to commit any of the acts in paragraph (4) of this subsection (a).

(9) Intentionally present a bill or statement for the payment for medical services that were not provided.

For the purposes of paragraphs (2), (3), (5), (6), (7), and (9), the term "statement" includes any writing, notice, proof of injury, bill for services, hospital or doctor records and reports, or X-ray and test results.

(b) Sentences for violations of paragraphs (1), (2), (3), (5), (6), (7), (8), and (9) of subsection (a) are as follows:

(1) A violation in which the value of the property obtained or attempted to be obtained is \$300 or less is a Class A misdemeanor.

(2) A violation in which the value of the property obtained or attempted to be obtained is more than \$300 but not more than \$10,000 is a Class 3 felony.

(3) A violation in which the value of the property obtained or attempted to be obtained is more than \$10,000 but not more than \$100,000 is a Class 2 felony.

(4) A violation in which the value of the property obtained or attempted to be obtained is more than \$100,000 is a Class 1 felony.

(5) A person convicted under this ~~subsection~~ Section shall be ordered to pay monetary restitution to the injured worker, insurance company, or self-insured entity, or any other person for any financial loss sustained as a result of a violation of this Section, ~~including any court costs and attorney fees.~~ An order of restitution also includes expenses incurred and paid by the State of Illinois, ~~or an insurance company, a or self-insured entity, an injured worker, or any other person~~ in connection with any medical evaluation or treatment services. For the purposes of this subsection, "person" includes any legal entity created under Section 535 of the Illinois Insurance Code.

For the purposes of this ~~subsection~~ Section, where the exact value of property obtained or attempted to be obtained is either not alleged or is not specifically set by the terms of a policy of insurance, the value of the property shall be the fair market replacement value of the property claimed to be lost, the reasonable costs of reimbursing a vendor or other claimant for services to be rendered, or both. Notwithstanding the foregoing, an injured worker, an insurance company, self-insured entity, or any other person suffering financial loss sustained as a result of violation of this Section may seek restitution, including court costs and attorney's fees in a civil action in a court of competent jurisdiction.

(b-5) Sentences for violations of paragraphs (4) and (8.5) of subsection (a) are as follows:

(1) A violation in which the value of the property obtained or attempted to be obtained is \$10,000 or less, is a Class 3 felony and a civil penalty of up to \$10,000 per violation, payable to the Injured Workers' Benefit Fund, shall be assessed.

(2) A violation in which the value of the property obtained or attempted to be obtained is more than \$10,000, but not more than \$100,000, is a Class 2 felony and a civil penalty of up to \$10,000 per violation, payable to the Injured Workers' Benefit Fund, shall be assessed.

(3) A violation in which the value of the property obtained or attempted to be obtained is more than \$100,000 is a Class 1 felony and a civil penalty of up to \$10,000 per violation, payable to the Injured Workers' Benefit Fund, shall be assessed.

(4) A person convicted under this subsection shall be ordered to pay monetary restitution to the injured worker, insurance company, self-insured entity, or any other person for any financial loss sustained as a result of a violation of this Section. An order of restitution also includes expenses incurred and paid by the State of Illinois, an insurance company, a self-insured entity, an injured person, or any other person in connection with any medical evaluation or treatment services.

For the purposes of this subsection, the value of the property obtained or attempted to be obtained shall be the amount of premiums saved by use of the invalid, false, or counterfeit certificate of insurance, the value of any payments under any contract obtained by reliance on the invalid, false, or counterfeit certificate of insurance, or both. Notwithstanding the foregoing, an injured worker, insurance company, self-insured entity, or any other person suffering financial loss sustained as a result of violation of this subsection may

seek restitution, including court costs and attorney's fees in a civil action in a court of competent jurisdiction.

(c) The Department of Insurance shall establish a fraud and insurance non-compliance unit responsible for investigating incidences of fraud and insurance non-compliance pursuant to this Section. The size of the staff of the unit shall be subject to appropriation by the General Assembly. It shall be the duty of the fraud and insurance non-compliance unit to determine the identity of insurance carriers, employers, employees, or other persons or entities who have violated the fraud and insurance non-compliance provisions of this Section. The fraud and insurance non-compliance unit shall report violations of the fraud and insurance non-compliance provisions of this Section to the Special Prosecutions Bureau of the Criminal Division of the Office of the Attorney General or to the State's Attorney of the county in which the offense allegedly occurred, either of whom has the authority to prosecute violations under this Section.

With respect to the subject of any investigation being conducted, the fraud and insurance non-compliance unit shall have the general power of subpoena of the Department of Insurance, including the authority to issue a subpoena to a medical provider, pursuant to Section 8-802 of the Code of Civil Procedure.

(d) Any person may report allegations of insurance non-compliance and fraud pursuant to this Section to the Department of Insurance's fraud and insurance non-compliance unit whose duty it shall be to investigate the report. The unit shall notify the Commission of reports of insurance non-compliance. Any person reporting an allegation of insurance non-compliance or fraud against either an employee or employer under this Section must identify himself. Except as provided in this subsection and in subsection (e), all reports shall remain confidential except to refer an investigation to the Attorney General or State's Attorney for prosecution or if the fraud and insurance non-compliance unit's investigation reveals that the conduct reported may be in violation of other laws or regulations of the State of Illinois, the unit may report such conduct to the appropriate governmental agency charged with administering such laws and regulations. Any person who intentionally makes a false report under this Section to the fraud and insurance non-compliance unit is guilty of a Class A misdemeanor.

(e) In order for the fraud and insurance non-compliance unit to investigate a report of fraud related to an employee's claim, (i) the employee must have filed with the Commission an Application for Adjustment of Claim and the employee must have either received or attempted to receive benefits under this Act that are related to the reported fraud or (ii) the employee must have made a written demand for the payment of benefits that are related to the reported fraud. There shall be no immunity, under this Act or otherwise, for any person who files a false report or who files a report without good and just cause. Confidentiality of medical information shall be strictly maintained. Investigations that are not referred for prosecution shall be destroyed upon the expiration of the statute of limitations for the acts under investigation and shall not be disclosed except that the person making the report shall be notified that the investigation is being closed. It is unlawful for any employer, insurance carrier, service adjustment company, third party administrator, self-insured, or similar entity to file or threaten to file a report of fraud against an employee because of the exercise by the employee of the rights and remedies granted to the employee by this Act.

(e-5) (Blank).

(f) Any person convicted of fraud related to workers' compensation pursuant to this Section shall be subject to the penalties prescribed in the Criminal Code of 2012 and shall be ineligible to receive or retain any compensation, disability, or medical benefits as defined in this Act if the compensation, disability, or medical benefits were owed or received as a result of fraud for which the recipient of the compensation, disability, or medical benefit was convicted. This subsection applies to accidental injuries or diseases that occur on or after the effective date of this amendatory Act of the 94th General Assembly.

(g) Civil liability. Any person convicted of fraud who knowingly obtains, attempts to obtain, or causes to be obtained any benefits under this Act by the making of a false claim or who knowingly misrepresents any material fact shall be civilly liable to the payor of benefits or the insurer or the payor's or insurer's subrogee or assignee in an amount equal to 3 times the value of the benefits or insurance coverage wrongfully obtained or twice the value of the benefits or insurance coverage attempted to be obtained, plus reasonable attorney's fees and expenses incurred by the payor or the payor's subrogee or assignee who successfully brings a claim under this subsection. This subsection applies to accidental injuries or diseases that occur on or after the effective date of this amendatory Act of the 94th General Assembly.

(h) The fraud and insurance non-compliance unit shall submit a written report on an annual basis to the Chairman of the Commission, the Workers' Compensation Advisory Board, the General Assembly, the

Governor, and the Attorney General by January 1 and July 1 of each year. This report shall include, at the minimum, the following information:

- (1) The number of allegations of insurance non-compliance and fraud reported to the fraud and insurance non-compliance unit.
- (2) The source of the reported allegations (individual, employer, or other).
- (3) The number of allegations investigated by the fraud and insurance non-compliance unit.
- (4) The number of criminal referrals made in accordance with this Section and the entity to which the referral was made.
- (5) All proceedings under this Section.
- (6) Recommendations regarding opportunities for additional fraud detection.

(Source: P.A. 102-37, eff. 7-1-21.)

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

Under the rules, the foregoing **Senate Bill No. 1996**, with House Amendments numbered 2 and 6, 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. 890

A bill for AN ACT concerning transportation.

Passed the House, May 22, 2024.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bill No. 890** 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 bills of the following titles, to-wit:

SENATE BILL NO. 693

A bill for AN ACT concerning local government.

SENATE BILL NO. 859

A bill for AN ACT concerning State government.

SENATE BILL NO. 1102

A bill for AN ACT concerning local government.

SENATE BILL NO. 2285

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 2617

A bill for AN ACT concerning health.

SENATE BILL NO. 3237

A bill for AN ACT concerning education.

SENATE BILL NO. 3421

A bill for AN ACT concerning civil law.

SENATE BILL NO. 3687

A bill for AN ACT concerning regulation.

Passed the House, May 22, 2024.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

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

SENATE BILL NO. 2690

[May 23, 2024]

A bill for AN ACT concerning education.
SENATE BILL NO. 2697
A bill for AN ACT concerning regulation.
SENATE BILL NO. 2938
A bill for AN ACT concerning local government.
SENATE BILL NO. 3151
A bill for AN ACT concerning education.
SENATE BILL NO. 3203
A bill for AN ACT concerning regulation.
SENATE BILL NO. 3284
A bill for AN ACT concerning civil law.
SENATE BILL NO. 3285
A bill for AN ACT concerning civil law.
Passed the House, May 22, 2024.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:
SENATE BILL NO. 2743
A bill for AN ACT concerning State government.
SENATE BILL NO. 2764
A bill for AN ACT concerning business.
SENATE BILL NO. 2781
A bill for AN ACT concerning conservation.
SENATE BILL NO. 2850
A bill for AN ACT concerning local government.
SENATE BILL NO. 3679
A bill for AN ACT concerning local government.
Passed the House, May 22, 2024.

JOHN W. HOLLMAN, Clerk of the House

JOINT ACTION MOTIONS FILED

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

Motion to Concur in House Amendment No. 2 to Senate Bill 1996
Motion to Concur in House Amendment No. 6 to Senate Bill 1996

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 890, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

At the hour of 10:24 o'clock a.m., Senator Koehler, presiding.

At the hour of 10:26 o'clock a.m., Senator Cunningham, presiding.

[May 23, 2024]

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Johnson, **House Bill No. 4895** 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 16.

The following voted in the affirmative:

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

The following voted in the negative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cervantes, **House Bill No. 4911** 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	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Toro
Bennett	Halpin	McConchie	Tracy
Bryant	Harris, N.	Morrison	Turner, D.
Castro	Harriss, E.	Murphy	Turner, S.
Cervantes	Hastings	Peters	Ventura
Chesney	Holmes	Plummer	Villa
Collins	Hunter	Porfirio	Villanueva
Cunningham	Johnson	Preston	Villivalam
Curran	Jones, E.	Rezin	Walker
DeWitte	Joyce	Rose	Wilcox
Edly-Allen	Koehler	Simmons	Mr. President

Ellman	Lewis	Sims
Faraci	Lightford	Stadelman

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

Ordered that the Secretary inform the House of Representatives thereof.

HOUSE BILL RECALLED

On motion of Senator Syverson, **House Bill No. 5000** was recalled from the order of third reading to the order of second reading.

Senator Syverson offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 5000

AMENDMENT NO. 1. Amend House Bill 5000 by replacing everything after the enacting clause with the following:

"Section 5. The Assisted Living and Shared Housing Act is amended by changing Sections 10, 75, and 76 as follows:

(210 ILCS 9/10)

Sec. 10. Definitions. For purposes of this Act:

"Activities of daily living" means eating, dressing, bathing, toileting, transferring, or personal hygiene.

"Assisted living establishment" or "establishment" means a home, building, residence, or any other place where sleeping accommodations are provided for at least 3 unrelated adults, at least 80% of whom are 55 years of age or older and where the following are provided consistent with the purposes of this Act:

(1) services consistent with a social model that is based on the premise that the resident's unit in assisted living and shared housing is his or her own home;

(2) community-based residential care for persons who need assistance with activities of daily living, including personal, supportive, and intermittent health-related services available 24 hours per day, if needed, to meet the scheduled and unscheduled needs of a resident;

(3) mandatory services, whether provided directly by the establishment or by another entity arranged for by the establishment, with the consent of the resident or resident's representative; and

(4) a physical environment that is a homelike setting that includes the following and such other elements as established by the Department: individual living units each of which shall accommodate small kitchen appliances and contain private bathing, washing, and toilet facilities, or private washing and toilet facilities with a common bathing room readily accessible to each resident. Units shall be maintained for single occupancy except in cases in which 2 residents choose to share a unit. Sufficient common space shall exist to permit individual and group activities.

"Assisted living establishment" or "establishment" does not mean any of the following:

(1) A home, institution, or similar place operated by the federal government or the State of Illinois.

(2) A long term care facility licensed under the Nursing Home Care Act, a facility licensed under the Specialized Mental Health Rehabilitation Act of 2013, a facility licensed under the ID/DD Community Care Act, or a facility licensed under the MC/DD Act. However, a facility licensed under any of those Acts may convert distinct parts of the facility to assisted living. If the facility elects to do so, the facility shall retain the Certificate of Need for its nursing and sheltered care beds that were converted.

(3) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness and that is required to be licensed under the Hospital Licensing Act.

(4) A facility for child care as defined in the Child Care Act of 1969.

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

(6) A nursing home or sanitarium operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer in accordance with the creed or tenants of a well-recognized church or religious denomination.

(7) A facility licensed by the Department of Human Services as a community-integrated living arrangement as defined in the Community-Integrated Living Arrangements Licensure and Certification Act.

(8) A supportive residence licensed under the Supportive Residences Licensing Act.

(9) The portion of a life care facility as defined in the Life Care Facilities Act not licensed as an assisted living establishment under this Act; a life care facility may apply under this Act to convert sections of the community to assisted living.

(10) A free-standing hospice facility licensed under the Hospice Program Licensing Act.

(11) A shared housing establishment.

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

"Department" means the Department of Public Health.

"Director" means the Director of Public Health.

"Emergency situation" means imminent danger of death or serious physical harm to a resident of an establishment.

"Infection control committee" means persons, including an infection preventionist, who develop and implement policies governing control of infections and communicable diseases and are qualified through education, training, experience, or certification or a combination of such qualifications.

"Infection preventionist" means a registered nurse who develops and implements policies governing control of infections and communicable diseases and is qualified through education, training, experience, or certification or a combination of such qualifications.

"License" means any of the following types of licenses issued to an applicant or licensee by the Department:

(1) "Probationary license" means a license issued to an applicant or licensee that has not held a license under this Act prior to its application or pursuant to a license transfer in accordance with Section 50 of this Act.

(2) "Regular license" means a license issued by the Department to an applicant or licensee that is in substantial compliance with this Act and any rules promulgated under this Act.

"Licensee" means a person, agency, association, corporation, partnership, or organization that has been issued a license to operate an assisted living or shared housing establishment.

"Licensed health care professional" means a registered professional nurse, an advanced practice registered nurse, a physician assistant, and a licensed practical nurse.

"Mandatory services" include the following:

(1) 3 meals per day available to the residents prepared by the establishment or an outside contractor;

(2) housekeeping services including, but not limited to, vacuuming, dusting, and cleaning the resident's unit;

(3) personal laundry and linen services available to the residents provided or arranged for by the establishment;

(4) security provided 24 hours each day including, but not limited to, locked entrances or building or contract security personnel;

(5) an emergency communication response system, which is a procedure in place 24 hours each day by which a resident can notify building management, an emergency response vendor, or others able to respond to his or her need for assistance; and

(6) assistance with activities of daily living as required by each resident.

"Negotiated risk" is the process by which a resident, or his or her representative, may formally negotiate with providers what risks each are willing and unwilling to assume in service provision and the resident's living environment. The provider assures that the resident and the resident's representative, if any, are informed of the risks of these decisions and of the potential consequences of assuming these risks.

"Owner" means the individual, partnership, corporation, association, or other person who owns an assisted living or shared housing establishment. In the event an assisted living or shared housing establishment is operated by a person who leases or manages the physical plant, which is owned by another person, "owner" means the person who operates the assisted living or shared housing establishment, except that if the person who owns the physical plant is an affiliate of the person who operates the assisted living or

shared housing establishment and has significant control over the day to day operations of the assisted living or shared housing establishment, the person who owns the physical plant shall incur jointly and severally with the owner all liabilities imposed on an owner under this Act.

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

"Resident" means a person residing in an assisted living or shared housing establishment.

"Resident's representative" means a person, other than the owner, agent, or employee of an establishment or of the health care provider unless related to the resident, designated in writing by a resident to be his or her representative. This designation may be accomplished through the Illinois Power of Attorney Act, pursuant to the guardianship process under the Probate Act of 1975, or pursuant to an executed designation of representative form specified by the Department.

"Self" means the individual or the individual's designated representative.

"Shared housing establishment" or "establishment" means a publicly or privately operated free-standing residence for 16 or fewer persons, at least 80% of whom are 55 years of age or older and who are unrelated to the owners and one manager of the residence, where the following are provided:

(1) services consistent with a social model that is based on the premise that the resident's unit is his or her own home;

(2) community-based residential care for persons who need assistance with activities of daily living, including housing and personal, supportive, and intermittent health-related services available 24 hours per day, if needed, to meet the scheduled and unscheduled needs of a resident; and

(3) mandatory services, whether provided directly by the establishment or by another entity arranged for by the establishment, with the consent of the resident or the resident's representative.

"Shared housing establishment" or "establishment" does not mean any of the following:

(1) A home, institution, or similar place operated by the federal government or the State of Illinois.

(2) A long term care facility licensed under the Nursing Home Care Act, a facility licensed under the Specialized Mental Health Rehabilitation Act of 2013, a facility licensed under the ID/DD Community Care Act, or a facility licensed under the MC/DD Act. A facility licensed under any of those Acts may, however, convert sections of the facility to assisted living. If the facility elects to do so, the facility shall retain the Certificate of Need for its nursing beds that were converted.

(3) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness and that is required to be licensed under the Hospital Licensing Act.

(4) A facility for child care as defined in the Child Care Act of 1969.

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

(6) A nursing home or sanitarium operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer in accordance with the creed or tenants of a well-recognized church or religious denomination.

(7) A facility licensed by the Department of Human Services as a community-integrated living arrangement as defined in the Community-Integrated Living Arrangements Licensure and Certification Act.

(8) A supportive residence licensed under the Supportive Residences Licensing Act.

(9) A life care facility as defined in the Life Care Facilities Act; a life care facility may apply under this Act to convert sections of the community to assisted living.

(10) A free-standing hospice facility licensed under the Hospice Program Licensing Act.

(11) An assisted living establishment.

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

"Total assistance" means that staff or another individual performs the entire activity of daily living without participation by the resident.

(Source: P.A. 99-180, eff. 7-29-15; 100-513, eff. 1-1-18.)

(210 ILCS 9/75)

Sec. 75. Residency requirements.

(a) No individual shall be accepted for residency or remain in residence if the establishment cannot provide or secure appropriate services, if the individual requires a level of service or type of service for which the establishment is not licensed or which the establishment does not provide, or if the establishment does not have the staff appropriate in numbers and with appropriate skill to provide such services.

(b) Only adults may be accepted for residency.

(c) A person shall not be accepted for residency if:

(1) the person poses a serious threat to himself or herself or to others;

(2) the person is not able to communicate his or her needs and no resident representative residing in the establishment, and with a prior relationship to the person, has been appointed to direct the provision of services;

(3) the person requires total assistance with 2 or more activities of daily living;

(4) the person requires the assistance of more than one paid caregiver at any given time with an activity of daily living;

(5) the person requires more than minimal assistance in moving to a safe area in an emergency;

(6) the person has a severe mental illness, which for the purposes of this Section means a condition that is characterized by the presence of a major mental disorder as classified in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV) (American Psychiatric Association, 1994), where the individual is a person with a substantial disability due to mental illness in the areas of self-maintenance, social functioning, activities of community living and work skills, and the disability specified is expected to be present for a period of not less than one year, but does not mean Alzheimer's disease and other forms of dementia based on organic or physical disorders;

(7) the person requires intravenous therapy or intravenous feedings unless self-administered or administered by a qualified, licensed health care professional;

(8) the person requires gastrostomy feedings unless self-administered or administered by a licensed health care professional;

(9) the person requires insertion, sterile irrigation, and replacement of catheter, except for routine maintenance of urinary catheters, unless the catheter care is self-administered or administered by a licensed health care professional or a nurse in compliance with education, certification, and training in catheter care or infection control by the Centers for Disease Control and Prevention with oversight from an infection preventionist or infection control committee;

(10) the person requires sterile wound care unless care is self-administered or administered by a licensed health care professional;

(11) (blank);

(12) the person is a diabetic requiring routine insulin injections unless the injections are self-administered or administered by a licensed health care professional;

(13) the person requires treatment of stage 3 or stage 4 decubitus ulcers or exfoliative dermatitis;

(14) the person requires 5 or more skilled nursing visits per week for conditions other than those listed in items (13) and (15) of this subsection for a period of 3 consecutive weeks or more except when the course of treatment is expected to extend beyond a 3 week period for rehabilitative purposes and is certified as temporary by a physician; or

(15) other reasons prescribed by the Department by rule.

(d) A resident with a condition listed in items (1) through (15) of subsection (c) shall have his or her residency terminated.

(e) Residency shall be terminated when services available to the resident in the establishment are no longer adequate to meet the needs of the resident. This provision shall not be interpreted as limiting the authority of the Department to require the residency termination of individuals.

(f) Subsection (d) of this Section shall not apply to terminally ill residents who receive or would qualify for hospice care and such care is coordinated by a hospice program licensed under the Hospice Program Licensing Act or other licensed health care professional employed by a licensed home health agency and the establishment and all parties agree to the continued residency.

(g) Items (3), (4), (5), and (9) of subsection (c) shall not apply to a quadriplegic, paraplegic, or individual with neuro-muscular diseases, such as muscular dystrophy and multiple sclerosis, or other chronic diseases and conditions as defined by rule if the individual is able to communicate his or her needs and does not require assistance with complex medical problems, and the establishment is able to accommodate the individual's needs. The Department shall prescribe rules pursuant to this Section that address special safety and service needs of these individuals.

(h) For the purposes of items (7) through (10) of subsection (c), a licensed health care professional may not be employed by the owner or operator of the establishment, its parent entity, or any other entity

with ownership common to either the owner or operator of the establishment or parent entity, including but not limited to an affiliate of the owner or operator of the establishment. Nothing in this Section is meant to limit a resident's right to choose his or her health care provider.

(i) Subsection (h) is not applicable to residents admitted to an assisted living establishment under a life care contract as defined in the Life Care Facilities Act if the life care facility has both an assisted living establishment and a skilled nursing facility. A licensed health care professional providing health-related or supportive services at a life care assisted living or shared housing establishment must be employed by an entity licensed by the Department under the Nursing Home Care Act or the Home Health, Home Services, and Home Nursing Agency Licensing Act.

(Source: P.A. 103-444, eff. 1-1-24.)

(210 ILCS 9/76)

Sec. 76. Vaccinations.

(a) Before a prospective resident's admission to an assisted living establishment or shared housing establishment that does not provide medication administration as an optional service, the establishment shall advise the prospective resident to consult a physician to determine whether the prospective resident should obtain a vaccination against pneumococcal pneumonia or influenza, or both.

(b) An assisted living establishment or shared housing establishment that provides medication administration as an optional service shall annually administer or arrange for administration of a vaccination against influenza to each resident, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention that are most recent to the time of vaccination, unless the vaccination is medically contraindicated or the resident has refused the vaccine. Influenza vaccinations for all residents age 65 or over shall be completed by November 30 of each year or as soon as practicable if vaccine supplies are not available before November 1. Residents admitted after November 30, during the flu season, and until February 1 shall, as medically appropriate, receive an influenza vaccination prior to or upon admission or as soon as practicable if vaccine supplies are not available at the time of the admission, unless the vaccine is medically contraindicated or the resident has refused the vaccine. In the event that the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention determines that dates of administration other than those stated in this Section are optimal to protect the health of residents, the Department is authorized to adopt rules to require vaccinations at those times rather than the times stated in this Section. An establishment shall document in the resident's medication record that an annual vaccination against influenza was administered, arranged, refused, or medically contraindicated.

An assisted living establishment or shared housing establishment that provides medication administration as an optional service shall administer or arrange for administration of a pneumococcal vaccination to each resident who is age 65 or over, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, who has not received this immunization prior to or upon admission to the establishment, unless the resident refuses the offer for vaccination or the vaccination is medically contraindicated. An establishment shall document in each resident's medication record that a vaccination against pneumococcal pneumonia was offered and administered, arranged, refused, or medically contraindicated.

An assisted living establishment or shared housing establishment that provides catheter care to one or more residents shall designate at least one person as an Infection Prevention and Control Professional to develop and implement policies governing control of infections and communicable diseases. The Infection Prevention and Control Professionals shall be qualified through education, training, experience, or certification or a combination of such qualifications. The Infection Prevention and Control Professional's qualifications shall be documented and shall be made available for inspection by the Department. The Department shall adopt rules to implement the changes made by this amendatory Act of the 103rd General Assembly.

(Source: P.A. 93-1003, eff. 8-23-04; 94-429, eff. 8-2-05.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

[May 23, 2024]

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Syverson, **House Bill No. 5000** 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	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Toro
Bennett	Halpin	McConchie	Tracy
Bryant	Harris, N.	Morrison	Turner, D.
Castro	Harriss, E.	Murphy	Turner, S.
Cervantes	Hastings	Peters	Ventura
Chesney	Holmes	Plummer	Villa
Collins	Hunter	Porfirio	Villanueva
Cunningham	Johnson	Preston	Villivalam
Curran	Jones, E.	Rezin	Walker
DeWitte	Joyce	Rose	Wilcox
Edly-Allen	Koehler	Simmons	Mr. President
Ellman	Lewis	Sims	
Faraci	Lightford	Stadelman	

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

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

On motion of Senator Lightford, **House Bill No. 5250** 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	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Toro
Bennett	Halpin	McConchie	Tracy
Bryant	Harris, N.	Morrison	Turner, D.
Castro	Harriss, E.	Murphy	Turner, S.
Cervantes	Hastings	Peters	Ventura
Chesney	Holmes	Plummer	Villa
Collins	Hunter	Porfirio	Villanueva
Cunningham	Johnson	Preston	Villivalam
Curran	Jones, E.	Rezin	Walker
DeWitte	Joyce	Rose	Wilcox
Edly-Allen	Koehler	Simmons	Mr. President
Ellman	Lewis	Sims	
Faraci	Lightford	Stadelman	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **House Bill No. 5276** 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	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Toro
Bennett	Halpin	McConchie	Tracy
Bryant	Harris, N.	Morrison	Turner, D.
Castro	Harriss, E.	Murphy	Turner, S.
Cervantes	Hastings	Peters	Ventura
Chesney	Holmes	Plummer	Villa
Collins	Hunter	Porfirio	Villanueva
Cunningham	Johnson	Preston	Villivalam
Curran	Jones, E.	Rezin	Walker
DeWitte	Joyce	Rose	Wilcox
Edly-Allen	Koehler	Simmons	Mr. President
Ellman	Lewis	Sims	
Faraci	Lightford	Stadelman	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villivalam, **House Bill No. 5507** 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 20.

The following voted in the affirmative:

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

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.

HOUSE BILL RECALLED

On motion of Senator Toro, **House Bill No. 2161** was recalled from the order of third reading to the order of second reading.

Senator Toro offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 2161

AMENDMENT NO. 2. Amend House Bill 2161 on page 28, by replacing lines 16 through 21 with the following:

"(E) Nothing contained in this Act may be construed to obligate an employer, employment agency, or labor organization to make accommodations or modifications to reasonable workplace rules or policies for an employee based on family responsibilities, including accommodations or modifications related to leave, scheduling, productivity, attendance, absenteeism, timeliness, work performance, referrals from a labor union hiring hall, and benefits, as long as its rules or policies are applied in accordance with this Act. Further, nothing contained in this Act prevents an employer from taking adverse action or otherwise enforcing reasonable workplace rules or policies related to leave, scheduling, productivity, attendance, absenteeism, timeliness, work performance, referrals from a labor union hiring hall, and benefits against an employee with family responsibilities as long as its policies are applied in accordance with this Act."; and

on page 30, immediately above line 2, by inserting the following:

"(Text of Section after amendment by P.A. 103-472)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Toro, **House Bill No. 2161** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 37; NAYS 19.

The following voted in the affirmative:

Aquino	Glowiak Hilton	Loughran Cappel	Turner, D.
Belt	Halpin	Martwick	Ventura
Castro	Harris, N.	Morrison	Villa
Cervantes	Hastings	Murphy	Villanueva

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Collins	Holmes	Peters	Villivalam
Cunningham	Hunter	Porfirio	Walker
Edly-Allen	Johnson	Preston	Mr. President
Ellman	Jones, E.	Simmons	
Faraci	Koehler	Sims	
Fine	Lightford	Toro	

The following voted in the negative:

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

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

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

On motion of Senator Castro, **House Bill No. 5087** 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	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Toro
Bennett	Halpin	McConchie	Tracy
Bryant	Harris, N.	Morrison	Turner, D.
Castro	Harriss, E.	Murphy	Turner, S.
Cervantes	Hastings	Peters	Ventura
Chesney	Holmes	Plummer	Villa
Collins	Hunter	Porfirio	Villanueva
Cunningham	Johnson	Preston	Villivalam
Curran	Jones, E.	Rezin	Walker
DeWitte	Joyce	Rose	Wilcox
Edly-Allen	Koehler	Simmons	Mr. President
Ellman	Lewis	Sims	
Faraci	Lightford	Stadelman	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villa, **House Bill No. 4357** 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:

Aquino	Fowler	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Toro
Bennett	Halpin	McConchie	Tracy
Bryant	Harris, N.	Morrison	Turner, D.
Castro	Harriss, E.	Murphy	Turner, S.
Cervantes	Hastings	Peters	Ventura
Chesney	Holmes	Plummer	Villa
Collins	Hunter	Porfirio	Villanueva
Cunningham	Johnson	Preston	Villivalam
Curran	Jones, E.	Rezin	Walker
DeWitte	Joyce	Rose	Wilcox
Edly-Allen	Koehler	Simmons	Mr. President
Ellman	Lewis	Sims	
Faraci	Lightford	Stadelman	
Fine	Loughran Cappel	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. 4367** 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	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Toro
Bennett	Halpin	McConchie	Tracy
Bryant	Harris, N.	Morrison	Turner, D.
Castro	Harriss, E.	Murphy	Turner, S.
Cervantes	Hastings	Peters	Ventura
Chesney	Holmes	Plummer	Villa
Collins	Hunter	Porfirio	Villanueva
Cunningham	Johnson	Preston	Villivalam
Curran	Jones, E.	Rezin	Walker
DeWitte	Joyce	Rose	Wilcox
Edly-Allen	Koehler	Simmons	Mr. President
Ellman	Lewis	Sims	
Faraci	Lightford	Stadelman	

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

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

On motion of Senator Porfirio, **House Bill No. 4426** 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; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Plummer

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Johnson, **House Bill No. 4491** 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	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Toro
Bennett	Halpin	McConchie	Tracy
Bryant	Harris, N.	Morrison	Turner, D.
Castro	Harriss, E.	Murphy	Turner, S.
Cervantes	Hastings	Peters	Ventura
Chesney	Holmes	Plummer	Villa
Collins	Hunter	Porfirio	Villanueva
Cunningham	Johnson	Preston	Villivalam
Curran	Jones, E.	Rezin	Walker
DeWitte	Joyce	Rose	Wilcox
Edly-Allen	Koehler	Simmons	Mr. President

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Ellman	Lewis	Sims
Faraci	Lightford	Stadelman

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

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

On motion of Senator Villanueva, **House Bill No. 5239** 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 19.

The following voted in the affirmative:

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

The following voted in the negative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 11:21 o'clock a.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 11:30 o'clock a.m., the Senate resumed consideration of business.
Senator Cunningham, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its May 23, 2024 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

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Behavioral and Mental Health: **Motion to Concur in House Amendment No. 2 to Senate Bill 647.**

Education: **Motion to Concur in House Amendment No. 2 to Senate Bill 463, Motion to Concur in House Amendment No. 1 to Senate Bill 3348 and Motion to Concur in House Amendment No. 1 to Senate Bill 3349.**

Energy and Public Utilities: **Motion to Concur in House Amendment No. 1 to Senate Bill 3173, Motion to Concur in House Amendment No. 2 to Senate Bill 3481 and Motion to Concur in House Amendment No. 2 to Senate Bill 3686.**

Environment and Conservation: **Motion to Concur in House Amendment No. 1 to Senate Bill 2876, Motion to Concur in House Amendment No. 1 to Senate Bill 2960, Motion to Concur in House Amendment No. 1 to Senate Bill 3342 and Motion to Concur in House Amendment No. 1 to Senate Bill 3448.**

Executive: **House Bills Numbered 581, 681, 3713 and 4592; Committee Amendment No. 3 to Senate Bill 3527; Floor Amendment No. 2 to House Bill 2911; Floor Amendment No. 1 to House Bill 4226; Floor Amendment No. 2 to House Bill 4293; Floor Amendment No. 2 to House Bill 4488; Floor Amendment No. 1 to House Bill 5511; Motion to Concur in House Amendment No. 2 to Senate Bill 1996, Motion to Concur in House Amendment No. 6 to Senate Bill 1996, Motion to Concur in House Amendment No. 1 to Senate Bill 2643, Motion to Concur in House Amendment No. 1 to Senate Bill 2662, Motion to Concur in House Amendment No. 1 to Senate Bill 3463 and Motion to Concur in House Amendment No. 1 to Senate Bill 3592.**

Higher Education: **Motion to Concur in House Amendment No. 1 to Senate Bill 3132.**

Insurance: **Motion to Concur in House Amendment No. 1 to Senate Bill 2641.**

Judiciary: **House Bill No. 4781; Floor Amendment No. 2 to House Bill 4276; Motion to Concur in House Amendment No. 1 to Senate Bill 381, Motion to Concur in House Amendment No. 2 to Senate Bill 2644, Motion to Concur in House Amendment No. 2 to Senate Bill 2740, Motion to Concur in House Amendment No. 2 to Senate Bill 2919 and Motion to Concur in House Amendment No. 2 to Senate Bill 3314.**

Labor: **Motion to Concur in House Amendment No. 1 to Senate Bill 2737, Motion to Concur in House Amendment No. 1 to Senate Bill 3208, Motion to Concur in House Amendment No. 2 to Senate Bill 3646 and Motion to Concur in House Amendment No. 1 to Senate Bill 3650.**

Licensed Activities: **Motion to Concur in House Amendment No. 5 to Senate Bill 774, Motion to Concur in House Amendment No. 1 to Senate Bill 2586 and Motion to Concur in House Amendment No. 1 to Senate Bill 3467.**

Local Government: **Motion to Concur in House Amendment No. 2 to Senate Bill 3402, Motion to Concur in House Amendment No. 1 to Senate Bill 3538, Motion to Concur in House Amendment No. 2 to Senate Bill 3538 and Motion to Concur in House Amendment No. 1 to Senate Bill 3597.**

Public Health: **Motion to Concur in House Amendment No. 1 to Senate Bill 2658.**

Revenue: **Motion to Concur in House Amendment No. 2 to Senate Bill 3282.**

State Government: **Floor Amendment No. 2 to House Bill 899; Motion to Concur in House Amendment No. 1 to Senate Bill 856, Motion to Concur in House Amendment No. 3 to Senate Bill 2628, Motion to Concur in House Amendment No. 1 to Senate Bill 2907 and Motion to Concur in House Amendment No. 1 to Senate Bill 2959.**

Senator Lightford, Chair of the Committee on Assignments, during its May 23, 2024 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 3 to House Bill 5395

The foregoing floor amendment was placed on the Secretary's Desk.

Senator Lightford, Chair of the Committee on Assignments, during its May 23, 2024 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution No. 1018

The foregoing resolution was placed on the Senate Calendar.

LEGISLATIVE MEASURES FILED

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

Amendment No. 3 to House Bill 4488
Amendment No. 3 to House Bill 5511
Amendment No. 4 to House Bill 5511

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

Amendment No. 1 to House Bill 681

Senator Aquino asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

POSTING NOTICES WAIVED

Senator Castro moved to waive the six-day posting requirement on **House Bills numbered 581, 681 and 4592** so that the measures may be heard in the Committee on Executive that is scheduled to meet May 23, 2024.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet at 1:00 o'clock p.m.:

Education in Room 212
Public Health in Room 400
Judiciary in Room 409

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

Higher Education in Room 212
Insurance in Room 400

The Chair announced the following committees to meet at 2:30 o'clock p.m.:

Revenue in Room 400
Local Government in Room 409

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

Labor in Room 212
Behavioral and Mental Health in Room 409

The Chair announced the following committees to meet at 4:00 o'clock p.m.:

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

At the hour of 11:38 o'clock a.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 7:15 o'clock p.m., the Senate resumed consideration of business.
Senator Koehler, presiding.

PRESENTATION OF CELEBRATION OF LIFE RESOLUTION

SENATE RESOLUTION NO. 1036

Offered by Senator Hastings and all Senators:
Mourns the death of Willie E. Johnson of Olympia Fields.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

PRESENTATION OF CONGRATULATORY RESOLUTION

SENATE RESOLUTION NO. 1037

Offered by Senator Tracy:
Congratulates the Jacksonville Middle School 8th grade boys track team, the Crimson, on their accomplishments at the 2024 Illinois Elementary School Association (IESA) Class 4A 8th Grade Boys State Track and Field Meet. Wishes them continued success in the future.

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

REPORTS FROM STANDING COMMITTEES

Senator Johnson, Chair of the Committee on Education, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 2 to Senate Bill 463; Motion to Concur in House Amendment No. 1 to Senate Bill 3348; Motion to Concur in House Amendment No. 1 to Senate Bill 3349

Under the rules, the foregoing motions are eligible for consideration by the Senate.

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Senator Martwick, Chair of the Committee on Judiciary, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 381; Motion to Concur in House Amendment No. 2 to Senate Bill 2644; Motion to Concur in House Amendment No. 2 to Senate Bill 2740; Motion to Concur in House Amendment No. 2 to Senate Bill 2919; Motion to Concur in House Amendment No. 2 to Senate Bill 3314

Under the rules, the foregoing motions are eligible for consideration by the Senate.

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. 2 to House Bill 4276

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

Senator Villa, Chair of the Committee on Public Health, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 2658

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator N. Harris, Chair of the Committee on Insurance, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 2641

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Villanueva, Vice-Chair of the Committee on Higher Education, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 3132

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Holmes, Chair of the Committee on Local Government, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 2 to Senate Bill 3402; Motion to Concur in House Amendment No. 1 to Senate Bill 3538; Motion to Concur in House Amendment No. 2 to Senate Bill 3538; Motion to Concur in House Amendment No. 1 to Senate Bill 3597

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Villanueva, Chair of the Committee on Revenue, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 2 to Senate Bill 3282

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Fine, Chair of the Committee on Behavioral and Mental Health, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 2 to Senate Bill 647

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Peters, Chair of the Committee on Labor, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 2737; Motion to Concur in House Amendment No. 1 to Senate Bill 3208; Motion to Concur in House Amendment No. 2 to Senate Bill 3646; Motion to Concur in House Amendment No. 1 to Senate Bill 3650

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Glowiak Hilton, Chair of the Committee on Licensed Activities, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 5 to Senate Bill 774; Motion to Concur in House Amendment No. 1 to Senate Bill 2586; Motion to Concur in House Amendment No. 1 to Senate Bill 3467

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Castro, Chair of the Committee on Executive, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 2 to Senate Bill 1996; Motion to Concur in House Amendment No. 6 to Senate Bill 1996; Motion to Concur in House Amendment No. 1 to Senate Bill 2643; Motion to Concur in House Amendment No. 1 to Senate Bill 2662; Motion to Concur in House Amendment No. 1 to Senate Bill 3463; Motion to Concur in House Amendment No. 1 to Senate Bill 3592

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bills Numbered 581, 681 and 4592**, reported the same back with the recommendation that the bills do pass.

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

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

Senate Amendment No. 2 to House Bill 2911
 Senate Amendment No. 1 to House Bill 4226
 Senate Amendment No. 2 to House Bill 4293
 Senate Amendment No. 2 to House Bill 4488
 Senate Amendment No. 1 to House Bill 5511

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

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

Senate Amendment No. 2 to Senate Bill 899

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

Senator Joyce, Chair of the Committee on State Government, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 856; Motion to Concur in House Amendment No. 3 to Senate Bill 2628; Motion to Concur in House Amendment No. 1 to Senate Bill 2907; Motion to Concur in House Amendment No. 1 to Senate Bill 2959

Under the rules, the foregoing motions are eligible for consideration by the Senate.

LEGISLATIVE MEASURES FILED

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

Amendment No. 2 to House Bill 681
 Amendment No. 3 to House Bill 681
 Amendment No. 4 to House Bill 4488

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 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. 222

A bill for AN ACT concerning civil law.
 Passed the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bill No. 222** 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. 898

A bill for AN ACT concerning transportation.

[May 23, 2024]

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. 898

Passed the House, as amended, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 898

AMENDMENT NO. 2. Amend Senate Bill 898 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 3-101, 3-111, and 3-111.1 as follows:

(625 ILCS 5/3-101) (from Ch. 95 1/2, par. 3-101)

Sec. 3-101. Certificate of title required.

(a) Except as provided in Section 3-102, every owner of a vehicle which is in this State and for which no Illinois certificate of title has been issued by the Secretary of State shall make application to the Secretary of State for an Illinois ~~a~~ certificate of title of the vehicle. Except as provided in Section 3-102, every owner of a vehicle, excluding vehicles acquired by insurance companies through a settlement of an insurance claim or by lienholders taking title through repossession, that is in this State for which no Illinois certificate of title has been issued by the Secretary of State and every owner of a vehicle that is in the State applying for a duplicate certificate of title or a corrected certificate of title, including a dealer lien release certificate of title, must make application to the Secretary of State for an Illinois duplicate certificate of title or corrected certificate of title. A certificate of title issued to any owner of a vehicle, excluding vehicles acquired by insurance companies through a settlement of an insurance claim or by lienholders taking title through repossession, in this State showing an Illinois address for the owner that has been issued by an entity other than the Secretary of State must be converted to an Illinois title before the owner can transfer ownership of the vehicle.

Under no circumstances shall a dealer required to obtain an Illinois certificate of title pursuant to this Code be allowed to obtain an out-of-state certificate of title for purposes of a vehicle held for sale in this State by the dealer. Under no circumstances shall a dealer be allowed to obtain an out-of-state certificate of title in lieu of an Illinois-issued dealer lien release certificate of title when a dealer may have need of such title issuance. Nothing in this Section shall be construed so as to allow a dealer to acquire an out-of-state certificate of title in lieu of acquiring an Illinois certificate of title for purposes of a vehicle held for sale in this State by the dealer.

(b) Every owner of a motorcycle or motor driven cycle purchased new on and after January 1, 1980 shall make application to the Secretary of State for a certificate of title. However, if such cycle is not properly manufactured or equipped for general highway use pursuant to the provisions of this Act, it shall not be eligible for license registration, but shall be issued a distinctive certificate of title except as provided in Sections 3-102 and 3-110 of this Act.

(c) The Secretary of State shall not register or renew the registration of a vehicle unless a certificate of title has been issued by the Secretary of State to the owner or an application therefor has been delivered by the owner to the Secretary of State.

(d) Every owner of an all-terrain vehicle or off-highway motorcycle purchased on or after January 1, 1998 shall make application to the Secretary of State for a certificate of title.

(e) Every owner of a low-speed vehicle manufactured after January 1, 2010 shall make application to the Secretary of State for a certificate of title.

(Source: P.A. 96-653, eff. 1-1-10; 97-983, eff. 8-17-12.)

(625 ILCS 5/3-111) (from Ch. 95 1/2, par. 3-111)

Sec. 3-111. Lost, stolen or mutilated certificates. (a) If a certificate of title is lost, stolen, mutilated or destroyed or becomes illegible, the first lienholder or, if none, the owner or legal representative of the owner named in the certificate, as shown by the records of the Secretary of State, shall promptly make application to the Secretary of State for and may obtain a duplicate upon furnishing information satisfactory to the Secretary of State. The duplicate certificate of title shall contain the legend "This is a duplicate certificate and may be subject to the rights of a person under the original certificate." It shall be mailed to the first lienholder named in it or, if none, to the owner or the owner's designee. A certificate of title or a duplicate certificate of title issued by another State showing an Illinois address for the owner cannot be used to

transfer ownership of a vehicle, except if the transfer is to or from an insurance company or a lienholder of the vehicle through repossession.

(b) The Secretary of State shall not issue a duplicate certificate of title to any person within 15 days after the issuance of an original certificate of title to such person.

(c) A person recovering an original certificate of title for which a duplicate has been issued shall promptly surrender the original certificate to the Secretary of State.

(d) An application for a duplicate certificate of title must state the current vehicle odometer reading at the time of application and that the stated odometer reading is one of the following: actual mileage, not the actual mileage or mileage is in excess of its mechanical limits.

(e) If a Display certificate of title is lost, stolen, mutilated or destroyed or becomes illegible, the owner or legal representative of the owner named in the original Display certificate of title and in the certificate of title, as shown by the records of the Secretary of State, shall promptly make application for and may obtain a duplicate upon furnishing information satisfactory to the Secretary of State. The duplicate Display certificate of title shall contain the legend "Duplicate Display Certificate of Title." It shall be mailed to the owner or legal representative of the owner named in the original Display certificate of title and in the certificate of title. Such duplicate Display certificate of title shall be attached and displayed in the same manner and in the same place as the original Display certificate of title would have been attached and displayed had it not been lost, stolen, mutilated or destroyed or had it not become illegible.

(Source: P.A. 86-444.)

(625 ILCS 5/3-111.1) (from Ch. 95 1/2, par. 3-111.1)

Sec. 3-111.1. Corrected certificates. An application for a corrected certificate of title must state the current vehicle odometer reading at the time of application and that the stated odometer reading is one of the following: actual mileage, not the actual mileage or mileage is in excess of its mechanical limits. The corrected certificate issued under this Section shall contain the notation "corrected". A certificate of title or a corrected certificate of title issued by another State showing an Illinois address for the owner cannot be used to transfer ownership of a vehicle, except if the transfer is to or from an insurance company or a lienholder of the vehicle through repossession. The owner of a vehicle with a certificate of title or duplicate certificate of title issued by another state showing an Illinois address cannot transfer ownership of the vehicle without first converting the certificate of title to an Illinois certificate of title, except if the transfer is to or from an insurance company or a lienholder of the vehicle through repossession.

(Source: P.A. 90-212, eff. 1-1-98.)

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

Under the rules, the foregoing **Senate Bill No. 898**, 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 adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 65

WHEREAS, It is appropriate and right to celebrate the diversity of cultures and heritages, as such celebrations serve as a reminder that, despite our differing backgrounds, everyone in Illinois is bound by a common hope for a better and more inclusive future for our children; and

WHEREAS, The Arab American community has a long and integral history in the United States; and

WHEREAS, Men and women of Arab descent have shared their rich culture, strong work ethic, and dedication to education, while embracing the American spirit of opportunity and helping build a better State and nation for all; and

WHEREAS, For over a century, Arab Americans have been making valuable contributions to every aspect of American society, including medicine, law, business, technology, government, and culture; and

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WHEREAS, The history of Arab Americans in American life often remains neglected and has been riddled with misunderstanding and bigotry; and

WHEREAS, People of Middle Eastern descent began migrating to the United States in significant numbers in the 1800s; today, it is estimated that the current population of Arab Americans is approximately four million people; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we declare the month of April 2024 as Arab American Heritage Month in the State of Illinois; and be it further

RESOLVED, That we recognize and celebrate the contributions to cultural diversity, economic growth, and the overall development of our State and nation made by the Arab American community; and be it further

RESOLVED, That we encourage all Illinoisans and their families to learn about and celebrate the contributions of Arab Americans to Illinois and the United States.

Adopted by the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 65 was referred to the Committee on Assignments.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 66

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to those who have served our country and, in doing so, have made the ultimate sacrifice for our nation; and

WHEREAS, Lance Corporal Sean P. Maher was born in Elk Grove Village to Janet R. and Dan C. Maher on March 19, 1985; as a child, he was a member of Cub Scouts Pack 72 Wildwood, Boy Scout Troop 71 Gurnee, and St. Paul The Apostle Catholic Church in Gurnee, where he served as an altar boy; he enjoyed sports of all types and caddied for Michael Jordan and Scottie Pippen; he was named Athlete of the Year in 8th grade at Woodland Elementary School, where he has a scholarship in his name; he graduated Warren Township High School in 2003, and his football jersey has since been retired in his honor; and

WHEREAS, LCpl Maher enlisted in the United States Marines in August of 2003, one week after his 18th birthday, despite having a football scholarship and a full ride to Southern Illinois University; he completed basic training in San Diego, California and was assigned to Weapons Company 1st Battalion 3rd Marines 31st MEU 1st Marine Division Kaneohe Bay Hawaii; and

WHEREAS, LCpl Maher was killed in action on February 2, 2005 in the town of Hit, Iraq as he came under small arms fire while responding to a helicopter crash; he had taken another marine's watch that morning to let his fellow soldier sleep in on his birthday; and

WHEREAS, LCpl Maher was awarded numerous citations for his service, including the Marine Rifle Sharpshooter Badge, the National Defense Service Medal, the Navy and Marine Corps Achievement Medal, the Global War on Terrorism Service Medal, the Global War on Terrorism Expeditionary Medal, the Armed Forces Expeditionary Medal; posthumously, he received the AIA Hawaii Medal of Honor, the Purple Heart, and the Navy and Marine Corps Achievement Medal; and

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WHEREAS, LCpl Maher was named an honorary member of Lake Villa VFW Post 4308; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate U.S. Route 45 from Belvidere Road (Illinois 120) in Grayslake north to Washington Street as the "U.S. Marine Corps Lance Corporal Sean P. Maher Memorial Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name "U.S. Marine Corps Lance Corporal Sean P. Maher Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of LCpl Maher, Lake Villa VFW Post 4308, and the Secretary of the Illinois Department of Transportation.

Adopted by the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 66 was referred to the Committee on Assignments.

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. 462

A bill for AN ACT concerning education.

SENATE BILL NO. 3550

A bill for AN ACT concerning State government.

SENATE BILL NO. 3567

A bill for AN ACT concerning revenue.

SENATE BILL NO. 3571

A bill for AN ACT concerning education.

SENATE BILL NO. 3691

A bill for AN ACT concerning aging.

Passed the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

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

SENATE BILL NO. 536

A bill for AN ACT concerning finance.

SENATE BILL NO. 694

A bill for AN ACT concerning local government.

Passed the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

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

SENATE BILL NO. 726

A bill for AN ACT concerning health.

SENATE BILL NO. 951

A bill for AN ACT concerning civil law.

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SENATE BILL NO. 1479

A bill for AN ACT concerning regulation.
Passed the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

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

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

SENATE BILL NO. 839

A bill for AN ACT concerning safety.

SENATE BILL NO. 3288

A bill for AN ACT concerning civil law.

SENATE BILL NO. 3351

A bill for AN ACT concerning housing.

SENATE BILL NO. 3418

A bill for AN ACT concerning transportation.

SENATE BILL NO. 3513

A bill for AN ACT concerning State government.

SENATE BILL NO. 3514

A bill for AN ACT concerning State government.

SENATE BILL NO. 3529

A bill for AN ACT concerning health.

SENATE BILL NO. 3548

A bill for AN ACT concerning regulation.

SENATE BILL NO. 3551

A bill for AN ACT concerning regulation.

SENATE BILL NO. 3566

A bill for AN ACT concerning safety.

Passed the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

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

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

SENATE BILL NO. 1089

A bill for AN ACT concerning health.

SENATE BILL NO. 3219

A bill for AN ACT concerning State government.

SENATE BILL NO. 3235

A bill for AN ACT concerning regulation.

SENATE BILL NO. 3343

A bill for AN ACT concerning civil law.

SENATE BILL NO. 3426

A bill for AN ACT concerning revenue.

SENATE BILL NO. 3547

A bill for AN ACT concerning State government.

SENATE BILL NO. 3751

A bill for AN ACT concerning regulation.

Passed the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

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

[May 23, 2024]

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. 2442
A bill for AN ACT concerning regulation.

SENATE BILL NO. 2625
A bill for AN ACT concerning liquor.

SENATE BILL NO. 2744
A bill for AN ACT concerning regulation.

SENATE BILL NO. 2918
A bill for AN ACT concerning local government.

SENATE BILL NO. 2968
A bill for AN ACT concerning State government.

SENATE BILL NO. 3501
A bill for AN ACT concerning safety.

SENATE BILL NO. 3763
A bill for AN ACT concerning health.

Passed the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

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

SENATE BILL NO. 2770
A bill for AN ACT concerning employment.

SENATE BILL NO. 3622
A bill for AN ACT concerning government.

SENATE BILL NO. 3631
A bill for AN ACT concerning State government.

SENATE BILL NO. 3648
A bill for AN ACT concerning government.

Passed the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

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

SENATE BILL NO. 3155
A bill for AN ACT concerning revenue.

SENATE BILL NO. 3182
A bill for AN ACT concerning regulation.

SENATE BILL NO. 3216
A bill for AN ACT concerning liquor.

SENATE BILL NO. 3302
A bill for AN ACT concerning liquor.

SENATE BILL NO. 3305
A bill for AN ACT concerning regulation.

Passed the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

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

SENATE BILL NO. 3310

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A bill for AN ACT concerning civil law.
SENATE BILL NO. 3476
A bill for AN ACT concerning revenue.
SENATE BILL NO. 3713
A bill for AN ACT concerning civil law.
SENATE BILL NO. 3762
A bill for AN ACT concerning government.
SENATE BILL NO. 3775
A bill for AN ACT concerning transportation.
SENATE BILL NO. 3807
A bill for AN ACT concerning State government.
Passed the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:
SENATE BILL NO. 3594
A bill for AN ACT concerning education.
SENATE BILL NO. 3601
A bill for AN ACT concerning safety.
SENATE BILL NO. 3606
A bill for AN ACT concerning education.
SENATE BILL NO. 3615
A bill for AN ACT concerning State government.
SENATE BILL NO. 3617
A bill for AN ACT concerning revenue.
SENATE BILL NO. 3652
A bill for AN ACT concerning civil law.
SENATE BILL NO. 3661
A bill for AN ACT concerning regulation.
Passed the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:
SENATE BILL NO. 3696
A bill for AN ACT concerning commercial transactions.
SENATE BILL NO. 3716
A bill for AN ACT concerning transportation.
SENATE BILL NO. 3741
A bill for AN ACT concerning regulation.
SENATE BILL NO. 3767
A bill for AN ACT concerning regulation.
SENATE BILL NO. 3779
A bill for AN ACT concerning regulation.
SENATE BILL NO. 3793
A bill for AN ACT concerning State government.
Passed the House, May 23, 2024.

JOHN W. HOLLMAN, Clerk of the House

JOINT ACTION MOTION FILED

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

Motion to Concur in House Amendment No. 2 to Senate Bill 898

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 222, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

HOUSE BILL RECALLED

On motion of Senator Villanueva, **House Bill No. 277** was recalled from the order of third reading to the order of second reading.

Senator Villanueva offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 277

AMENDMENT NO. 3. Amend House Bill 277, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 6-308 as follows:

(625 ILCS 5/6-308)

Sec. 6-308. Procedures for traffic violations.

(a) Any person cited for violating this Code or a similar provision of a local ordinance for which a violation is a petty offense as defined by Section 5-1-17 of the Unified Code of Corrections, excluding business offenses as defined by Section 5-1-2 of the Unified Code of Corrections or a violation of Section 15-111 or subsection (d) of Section 3-401 of this Code, shall not be required to sign the citation for his or her release. All other provisions of this Code or similar provisions of local ordinances shall be governed by the pretrial release provisions of the Illinois Supreme Court Rules when it is not practical or feasible to take the person before a judge to have conditions of pretrial release set or to avoid undue delay because of the hour or circumstances.

(b) Whenever a person fails to appear in court, the court may continue the case for a minimum of 30 days and the clerk of the court shall send notice of the continued court date to the person's last known address and, if the clerk of the court elects to establish a system to send text, email, and telephone notifications, may also send notifications to an email address and may send a text message to the person's last known cellular telephone number. If the person does not have a cellular telephone number, the clerk of the court may reach the person by calling the person's last known landline telephone number regarding continued court dates. The notice shall include a statement that a subsequent failure to appear in court could result in a warrant for the defendant's arrest and other significant consequences affecting their driving privileges. If the person does not (i) appear in court on or before the continued court date, (ii) satisfy the charge without a court appearance if allowed by Illinois Supreme Court Rule, or (iii) satisfy the court that the person's appearance in and surrender to the court is impossible for no fault of the person, the court shall enter an ex parte judgment of conviction imposing a single assessment, specified in the applicable assessment Schedule 10, 10.5, or 11 for the charged offense, as provided in the Criminal and Traffic Assessment Act, plus a fine allowed by statute. The clerk of the court shall notify the Secretary of State, in a form and manner prescribed by the Secretary, of the court's order. ~~If the person does not appear in court on or before the continued court date or satisfy the court that the person's appearance in and surrender to the court is impossible for no fault of the person, the court shall enter an order of failure to appear. The clerk of the court shall notify the Secretary of State, on a report prescribed by the Secretary, of the court's order. The Secretary, when notified by the clerk of the court that an order of failure to appear has been entered, shall immediately suspend the person's driver's license, which shall be designated by the Secretary as a Failure to Appear suspension. The Secretary shall not remove the suspension, nor issue any permit or privileges to the person whose license has been suspended, until notified by the ordering court that the person has appeared~~

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and resolved the violation. Upon compliance, the clerk of the court shall present the person with a notice of compliance containing the seal of the court, and shall notify the Secretary that the person has appeared and resolved the violation.

(c) Illinois Supreme Court Rules shall govern pretrial release and appearance procedures when a person who is a resident of another state that is not a member of the Nonresident Violator Compact of 1977 is cited for violating this Code or a similar provision of a local ordinance.

(d) The changes made to this Section by this amendatory Act of the 103rd General Assembly apply to each individual whose license was suspended pursuant to this Section between January 1, 2020 and the effective date of this amendatory Act of the 103rd General Assembly, and the suspension shall be lifted by the Secretary of State without further action by any court.
(Source: P.A. 100-674, eff. 1-1-19; 101-652, eff. 1-1-23.)"

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Villanueva, **House Bill No. 277** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 41; NAYS 15.

The following voted in the affirmative:

Aquino	Halpin	McConchie	Turner, D.
Belt	Hastings	Morrison	Ventura
Castro	Holmes	Murphy	Villa
Cervantes	Hunter	Peters	Villanueva
Collins	Johnson	Porfirio	Villivalam
Cunningham	Jones, E.	Preston	Walker
Edly-Allen	Joyce	Simmons	Wilcox
Ellman	Koehler	Sims	Mr. President
Faraci	Lewis	Stadelman	
Feigenholtz	Lightford	Toro	
Fine	Martwick	Tracy	

The following voted in the negative:

Anderson	Curran	Harriss, E.	Stoller
Bennett	DeWitte	McClure	Syverson
Bryant	Fowler	Plummer	Turner, S.
Chesney	Głowiak Hilton	Rose	

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

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

On motion of Senator N. Harris, **House Bill No. 307** 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.

[May 23, 2024]

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

YEAS 58; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Plummer

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator N. Harris, **House Bill No. 4284** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 42; NAYS 17.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	DeWitte	Plummer	Turner, S.
Bennett	Fowler	Rezin	Wilcox
Bryant	Harriss, E.	Rose	

Chesney	Lewis	Stoller
Curran	McClure	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 Martwick, **House Bill No. 4588** 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	Lightford	Stoller
Aquino	Fine	Loughran Cappel	Syverson
Belt	Fowler	Martwick	Toro
Bennett	Glowiak Hilton	McClure	Tracy
Bryant	Halpin	McConchie	Turner, D.
Castro	Harris, N.	Morrison	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 Johnson, **House Bill No. 4819** 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	Hastings	Peters	Ventura
Chesney	Holmes	Plummer	Villa
Collins	Hunter	Porfirio	Villanueva
Cunningham	Johnson	Preston	Villivalam

Curran	Jones, E.	Rezin	Walker
DeWitte	Joyce	Rose	Wilcox
Edly-Allen	Koehler	Simmons	Mr. President
Ellman	Lewis	Sims	
Faraci	Lightford	Stadelman	

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

Ordered that the Secretary inform the House of Representatives thereof.

Senator E. Harriss asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 4819**.

On motion of Senator Loughran Cappel, **House Bill No. 4838** 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 59; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Feigenholtz, **House Bill No. 4926** 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 40; NAYS 17; Present 1.

The following voted in the affirmative:

Aquino	Glowiak Hilton	Lightford	Turner, D.
Belt	Halpin	Martwick	Ventura
Castro	Harris, N.	Morrison	Villa
Cervantes	Hastings	Murphy	Villanueva
Collins	Holmes	Peters	Villivalam
Cunningham	Hunter	Porfirio	Walker

Edly-Allen	Johnson	Preston	Mr. President
Ellman	Jones, E.	Simmons	
Faraci	Joyce	Sims	
Feigenholtz	Koehler	Stadelman	
Fine	Lewis	Toro	

The following voted in the negative:

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

The following voted present:

Rose

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

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

On motion of Senator Fine, **House Bill No. 5028** 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 59; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Loughran Cappel, **House Bill No. 5057** 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.

[May 23, 2024]

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

YEAS 55; NAYS 2.

The following voted in the affirmative:

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

The following voted in the negative:

Chesney
Plummer

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

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

On motion of Senator Halpin, **House Bill No. 5086** 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 2.

The following voted in the affirmative:

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

The following voted in the negative:

Chesney
Plummer

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

Ordered that the Secretary inform the House of Representatives thereof.

HOUSE BILL RECALLED

On motion of Senator Fine, **House Bill No. 2499** was recalled from the order of third reading to the order of second reading.

Senator Fine offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 2499

AMENDMENT NO. 2. Amend House Bill 2499, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Sections 121-2.05, 356z.18, 367.3, 367a, and 368f and by adding Section 352c as follows:

(215 ILCS 5/121-2.05) (from Ch. 73, par. 733-2.05)

Sec. 121-2.05. Group insurance policies issued and delivered in other State-Transactions in this State. With the exception of insurance transactions authorized under Sections 230.2 or 367.3 of this Code or transactions described under Section 352c, transactions in this State involving group legal, group life and group accident and health or blanket accident and health insurance or group annuities where the master policy of such groups was lawfully issued and delivered in, and under the laws of, a State in which the insurer was authorized to do an insurance business, to a group properly established pursuant to law or regulation, and where the policyholder is domiciled or otherwise has a bona fide situs.
(Source: P.A. 86-753.)

(215 ILCS 5/352c new)

Sec. 352c. Short-term, limited-duration insurance prohibited.

(a) In this Section:

"Excepted benefits" has the meaning given to that term in 42 U.S.C. 300gg-91 and implementing regulations. "Excepted benefits" includes individual, group, or blanket coverage.

"Short-term, limited-duration insurance" means any type of accident and health insurance offered or provided within this State pursuant to a group or individual policy or individual certificate by a company, regardless of the situs state of the delivery of the policy, that has an expiration date specified in the contract that is fewer than 365 days after the original effective date. Regardless of the duration of coverage, "short-term, limited-duration insurance" does not include excepted benefits or any student health insurance coverage.

(b) On and after January 1, 2025, no company shall issue, deliver, amend, or renew short-term, limited-duration insurance to any natural or legal person that is a resident or domiciled in this State.

(215 ILCS 5/356z.18)

(Text of Section before amendment by P.A. 103-512)

Sec. 356z.18. Prosthetic and customized orthotic devices.

(a) For the purposes of this Section:

"Customized orthotic device" means a supportive device for the body or a part of the body, the head, neck, or extremities, and includes the replacement or repair of the device based on the patient's physical condition as medically necessary, excluding foot orthotics defined as an in-shoe device designed to support the structural components of the foot during weight-bearing activities.

"Licensed provider" means a prosthetist, orthotist, or pedorthist licensed to practice in this State.

"Prosthetic device" means an artificial device to replace, in whole or in part, an arm or leg and includes accessories essential to the effective use of the device and the replacement or repair of the device based on the patient's physical condition as medically necessary.

(b) This amendatory Act of the 96th General Assembly shall provide benefits to any person covered thereunder for expenses incurred in obtaining a prosthetic or custom orthotic device from any Illinois licensed prosthetist, licensed orthotist, or licensed pedorthist as required under the Orthotics, Prosthetics, and Pedorthics Practice Act.

(c) A group or individual major medical policy of accident or health insurance or managed care plan or medical, health, or hospital service corporation contract that provides coverage for prosthetic or custom orthotic care and is amended, delivered, issued, or renewed 6 months after the effective date of this amendatory Act of the 96th General Assembly must provide coverage for prosthetic and orthotic devices in accordance with this subsection (c). The coverage required under this Section shall be subject to the other general exclusions, limitations, and financial requirements of the policy, including coordination of benefits, participating provider requirements, utilization review of health care services, including review of medical necessity, case management, and experimental and investigational treatments, and other managed care provisions under terms and conditions that are no less favorable than the terms and conditions that apply to substantially all medical and surgical benefits provided under the plan or coverage.

(d) The policy or plan or contract may require prior authorization for the prosthetic or orthotic devices in the same manner that prior authorization is required for any other covered benefit.

(e) Repairs and replacements of prosthetic and orthotic devices are also covered, subject to the co-payments and deductibles, unless necessitated by misuse or loss.

(f) A policy or plan or contract may require that, if coverage is provided through a managed care plan, the benefits mandated pursuant to this Section shall be covered benefits only if the prosthetic or orthotic devices are provided by a licensed provider employed by a provider service who contracts with or is designated by the carrier, to the extent that the carrier provides in-network and out-of-network service, the coverage for the prosthetic or orthotic device shall be offered no less extensively.

(g) The policy or plan or contract shall also meet adequacy requirements as established by the Health Care Reimbursement Reform Act of 1985 of the Illinois Insurance Code.

(h) This Section shall not apply to accident only, specified disease, short-term ~~travel hospital or medical~~, hospital confinement indemnity or other fixed indemnity, credit, dental, vision, Medicare supplement, long-term care, basic hospital and medical-surgical expense coverage, disability income insurance coverage, coverage issued as a supplement to liability insurance, workers' compensation insurance, or automobile medical payment insurance.

(Source: P.A. 96-833, eff. 6-1-10.)

(Text of Section after amendment by P.A. 103-512)

Sec. 356z.18. Prosthetic and customized orthotic devices.

(a) For the purposes of this Section:

"Customized orthotic device" means a supportive device for the body or a part of the body, the head, neck, or extremities, and includes the replacement or repair of the device based on the patient's physical condition as medically necessary, excluding foot orthotics defined as an in-shoe device designed to support the structural components of the foot during weight-bearing activities.

"Licensed provider" means a prosthetist, orthotist, or pedorthist licensed to practice in this State.

"Prosthetic device" means an artificial device to replace, in whole or in part, an arm or leg and includes accessories essential to the effective use of the device and the replacement or repair of the device based on the patient's physical condition as medically necessary.

(b) This amendatory Act of the 96th General Assembly shall provide benefits to any person covered thereunder for expenses incurred in obtaining a prosthetic or custom orthotic device from any Illinois licensed prosthetist, licensed orthotist, or licensed pedorthist as required under the Orthotics, Prosthetics, and Pedorthics Practice Act.

(c) A group or individual major medical policy of accident or health insurance or managed care plan or medical, health, or hospital service corporation contract that provides coverage for prosthetic or custom orthotic care and is amended, delivered, issued, or renewed 6 months after the effective date of this amendatory Act of the 96th General Assembly must provide coverage for prosthetic and orthotic devices in accordance with this subsection (c). The coverage required under this Section shall be subject to the other general exclusions, limitations, and financial requirements of the policy, including coordination of benefits,

participating provider requirements, utilization review of health care services, including review of medical necessity, case management, and experimental and investigational treatments, and other managed care provisions under terms and conditions that are no less favorable than the terms and conditions that apply to substantially all medical and surgical benefits provided under the plan or coverage.

(d) With respect to an enrollee at any age, in addition to coverage of a prosthetic or custom orthotic device required by this Section, benefits shall be provided for a prosthetic or custom orthotic device determined by the enrollee's provider to be the most appropriate model that is medically necessary for the enrollee to perform physical activities, as applicable, such as running, biking, swimming, and lifting weights, and to maximize the enrollee's whole body health and strengthen the lower and upper limb function.

(e) The requirements of this Section do not constitute an addition to this State's essential health benefits that requires defrayal of costs by this State pursuant to 42 U.S.C. 18031(d)(3)(B).

(f) The policy or plan or contract may require prior authorization for the prosthetic or orthotic devices in the same manner that prior authorization is required for any other covered benefit.

(g) Repairs and replacements of prosthetic and orthotic devices are also covered, subject to the co-payments and deductibles, unless necessitated by misuse or loss.

(h) A policy or plan or contract may require that, if coverage is provided through a managed care plan, the benefits mandated pursuant to this Section shall be covered benefits only if the prosthetic or orthotic devices are provided by a licensed provider employed by a provider service who contracts with or is designated by the carrier, to the extent that the carrier provides in-network and out-of-network service, the coverage for the prosthetic or orthotic device shall be offered no less extensively.

(i) The policy or plan or contract shall also meet adequacy requirements as established by the Health Care Reimbursement Reform Act of 1985 of the Illinois Insurance Code.

(j) This Section shall not apply to accident only, specified disease, short-term ~~travel hospital or medical~~, hospital confinement indemnity or other fixed indemnity, credit, dental, vision, Medicare supplement, long-term care, basic hospital and medical-surgical expense coverage, disability income insurance coverage, coverage issued as a supplement to liability insurance, workers' compensation insurance, or automobile medical payment insurance.

(Source: P.A. 103-512, eff. 1-1-25.)

(215 ILCS 5/367.3) (from Ch. 73, par. 979.3)

Sec. 367.3. Group accident and health insurance; discretionary groups.

(a) No group health insurance offered to a resident of this State under a policy issued to a group, other than one specifically described in Section 367(1), shall be delivered or issued for delivery in this State unless the Director determines that:

- (1) the issuance of the policy is not contrary to the public interest;
- (2) the issuance of the policy will result in economies of acquisition and administration; and
- (3) the benefits under the policy are reasonable in relation to the premium charged.

(b) No such group health insurance may be offered in this State under a policy issued in another state unless this State or the state in which the group policy is issued has made a determination that the requirements of subsection (a) have been met.

Where insurance is to be offered in this State under a policy described in this subsection, the insurer shall file for informational review purposes:

- (1) a copy of the group master contract;
- (2) a copy of the statute authorizing the issuance of the group policy in the state of situs, which statute has the same or similar requirements as this State, or in the absence of such statute, a certification by an officer of the company that the policy meets the Illinois minimum standards required for individual accident and health policies under authority of Section 401 of this Code, as now or hereafter amended, as promulgated by rule at 50 Illinois Administrative Code, Ch. I, Sec. 2007, et seq., as now or hereafter amended, or by a successor rule;
- (3) evidence of approval by the state of situs of the group master policy; and
- (4) copies of all supportive material furnished to the state of situs to satisfy the criteria for approval.

(c) The Director may, at any time after receipt of the information required under subsection (b) and after finding that the standards of subsection (a) have not been met, order the insurer to cease the issuance or marketing of that coverage in this State.

(d) Notwithstanding subsections (a) and (b), group ~~Group~~ accident and health insurance subject to the provisions of this Section is also subject to the provisions of Sections 352c and Section 367i of this Code and rules thereunder.

(Source: P.A. 90-655, eff. 7-30-98.)

(215 ILCS 5/367a) (from Ch. 73, par. 979a)

Sec. 367a. Blanket accident and health insurance.

(1) Blanket accident and health insurance is ~~the that~~ form of accident and health insurance providing ~~excepted~~ benefits, as defined in Section 352c, that ~~covers~~ covering special groups of persons as enumerated in one of the following paragraphs (a) to (g), inclusive:

(a) Under a policy or contract issued to any carrier for hire, which shall be deemed the policyholder, covering a group defined as all persons who may become passengers on such carrier.

(b) Under a policy or contract issued to an employer, who shall be deemed the policyholder, covering all employees or any group of employees defined by reference to exceptional hazards incident to such employment.

(c) Under a policy or contract issued to a college, school, or other institution of learning or to the head or principal thereof, who or which shall be deemed the policyholder, covering students or teachers. However, student health insurance coverage, as defined in 45 CFR 147.145, shall remain subject to the standards and requirements for individual health insurance coverage except where inconsistent with that regulation. An issuer providing student health insurance coverage or a policy or contract covering students for limited-scope dental or vision under 45 CFR 148.220 shall require an individual application or enrollment form and shall furnish each insured individual a certificate, which shall have been approved by the Director under Section 355.

(d) Under a policy or contract issued in the name of any volunteer fire department, first aid, or other such volunteer group, which shall be deemed the policyholder, covering all of the members of such department or group.

(e) Under a policy or contract issued to a creditor, who shall be deemed the policyholder, to insure debtors of the creditors; Provided, however, that in the case of a loan which is subject to the Small Loans Act, no insurance premium or other cost shall be directly or indirectly charged or assessed against, or collected or received from the borrower.

(f) Under a policy or contract issued to a sports team or to a camp, which team or camp sponsor shall be deemed the policyholder, covering members or campers.

(g) Under a policy or contract issued to any other substantially similar group which, in the discretion of the Director, may be subject to the issuance of a blanket accident and health policy or contract.

(2) Any insurance company authorized to write accident and health insurance in this state shall have the power to issue blanket accident and health insurance. No such blanket policy may be issued or delivered in this State unless a copy of the form thereof shall have been filed in accordance with Section 355, and it contains in substance such of those provisions contained in Sections 357.1 through 357.30 as may be applicable to blanket accident and health insurance and the following provisions:

(a) A provision that the policy and the application shall constitute the entire contract between the parties, and that all statements made by the policyholder shall, in absence of fraud, be deemed representations and not warranties, and that no such statements shall be used in defense to a claim under the policy, unless it is contained in a written application.

(b) A provision that to the group or class thereof originally insured shall be added from time to time all new persons or individuals eligible for coverage.

(3) An individual application shall not be required from a person covered under a blanket accident or health policy or contract, nor shall it be necessary for the insurer to furnish each person a certificate.

(4) All benefits under any blanket accident and health policy shall be payable to the person insured, or to his designated beneficiary or beneficiaries, or to his or her estate, except that if the person insured be a minor or person under legal disability, such benefits may be made payable to his or her parent, guardian, or other person actually supporting him or her. Provided further, however, that the policy may provide that all or any portion of any indemnities provided by any such policy on account of hospital, nursing, medical or surgical services may, at the insurer's option, be paid directly to the hospital or person rendering such services; but the policy may not require that the service be rendered by a particular hospital or person. Payment so made shall discharge the insurer's obligation with respect to the amount of insurance so paid.

(5) Nothing contained in this section shall be deemed to affect the legal liability of policyholders for the death of or injury to, any such member of such group.

(Source: P.A. 83-1362.)

(215 ILCS 5/368f)

Sec. 368f. Military service member insurance reinstatement.

(a) No Illinois resident activated for military service and no spouse or dependent of the resident who becomes eligible for a federal government-sponsored health insurance program, including the TriCare program providing coverage for civilian dependents of military personnel, as a result of the activation shall be denied reinstatement into the same individual health insurance coverage with the health insurer that the resident lapsed as a result of activation or becoming covered by the federal government-sponsored health insurance program. The resident shall have the right to reinstatement in the same individual health insurance coverage without medical underwriting, subject to payment of the current premium charged to other persons of the same age and gender that are covered under the same individual health coverage. Except in the case of birth or adoption that occurs during the period of activation, reinstatement must be into the same coverage type as the resident held prior to lapsing the individual health insurance coverage and at the same or, at the option of the resident, higher deductible level. The reinstatement rights provided under this subsection (a) are not available to a resident or dependents if the activated person is discharged from the military under other than honorable conditions.

(b) The health insurer with which the reinstatement is being requested must receive a request for reinstatement no later than 63 days following the later of (i) deactivation or (ii) loss of coverage under the federal government-sponsored health insurance program. The health insurer may request proof of loss of coverage and the timing of the loss of coverage of the government-sponsored coverage in order to determine eligibility for reinstatement into the individual coverage. The effective date of the reinstatement of individual health coverage shall be the first of the month following receipt of the notice requesting reinstatement.

(c) All insurers must provide written notice to the policyholder of individual health coverage of the rights described in subsection (a) of this Section. In lieu of the inclusion of the notice in the individual health insurance policy, an insurance company may satisfy the notification requirement by providing a single written notice:

(1) in conjunction with the enrollment process for a policyholder initially enrolling in the individual coverage on or after the effective date of this amendatory Act of the 94th General Assembly; or

(2) by mailing written notice to policyholders whose coverage was effective prior to the effective date of this amendatory Act of the 94th General Assembly no later than 90 days following the effective date of this amendatory Act of the 94th General Assembly.

(d) The provisions of subsection (a) of this Section do not apply to any policy or certificate providing coverage for any specified disease, specified accident or accident-only coverage, credit, dental, disability income, hospital indemnity or other fixed indemnity, long-term care, Medicare supplement, vision care, or short-term travel ~~nonrenewable health policy~~ or other limited-benefit supplemental insurance, or any coverage issued as a supplement to any liability insurance, workers' compensation or similar insurance, or any insurance under which benefits are payable with or without regard to fault, whether written on a group, blanket, or individual basis.

(e) Nothing in this Section shall require an insurer to reinstate the resident if the insurer requires residency in an enrollment area and those residency requirements are not met after deactivation or loss of coverage under the government-sponsored health insurance program.

(f) All terms, conditions, and limitations of the individual coverage into which reinstatement is made apply equally to all insureds enrolled in the coverage.

(g) The Secretary may adopt rules as may be necessary to carry out the provisions of this Section.

(Source: P.A. 94-1037, eff. 7-20-06.)

Section 10. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

(215 ILCS 125/5-3) (from Ch. 111 1/2, par. 1411.2)

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.22a, 155.49, 352c, 355.2, 355.3, 355b, 355c, 356f, 356g.5-1, 356m, 356q, 356v, 356w, 356x, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13,

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356z.14, 356z.15, 356z.17, 356z.18, 356z.19, 356z.20, 356z.21, 356z.22, 356z.23, 356z.24, 356z.25, 356z.26, 356z.28, 356z.29, 356z.30, 356z.30a, 356z.31, 356z.32, 356z.33, 356z.34, 356z.35, 356z.36, 356z.37, 356z.38, 356z.39, 356z.40, 356z.41, 356z.44, 356z.45, 356z.46, 356z.47, 356z.48, 356z.49, 356z.50, 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.58, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.65, 356z.67, 356z.68, 364, 364.01, 364.3, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370c, 370c.1, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and XXXIIB of the Illinois Insurance Code.

(b) For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, Health Maintenance Organizations in the following categories are deemed to be "domestic companies":

(1) a corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act;

(2) a corporation organized under the laws of this State; or

(3) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a "domestic company" under Article VIII 1/2 of the Illinois Insurance Code.

(c) In considering the merger, consolidation, or other acquisition of control of a Health Maintenance Organization pursuant to Article VIII 1/2 of the Illinois Insurance Code,

(1) the Director shall give primary consideration to the continuation of benefits to enrollees and the financial conditions of the acquired Health Maintenance Organization after the merger, consolidation, or other acquisition of control takes effect;

(2)(i) the criteria specified in subsection (1)(b) of Section 131.8 of the Illinois Insurance Code shall not apply and (ii) the Director, in making his determination with respect to the merger, consolidation, or other acquisition of control, need not take into account the effect on competition of the merger, consolidation, or other acquisition of control;

(3) the Director shall have the power to require the following information:

(A) certification by an independent actuary of the adequacy of the reserves of the Health Maintenance Organization sought to be acquired;

(B) pro forma financial statements reflecting the combined balance sheets of the acquiring company and the Health Maintenance Organization sought to be acquired as of the end of the preceding year and as of a date 90 days prior to the acquisition, as well as pro forma financial statements reflecting projected combined operation for a period of 2 years;

(C) a pro forma business plan detailing an acquiring party's plans with respect to the operation of the Health Maintenance Organization sought to be acquired for a period of not less than 3 years; and

(D) such other information as the Director shall require.

(d) The provisions of Article VIII 1/2 of the Illinois Insurance Code and this Section 5-3 shall apply to the sale by any health maintenance organization of greater than 10% of its enrollee population (including, without limitation, the health maintenance organization's right, title, and interest in and to its health care certificates).

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be managed or serviced, and (ii) need not take into account the effect of the management contract or service agreement on competition.

(f) Except for small employer groups as defined in the Small Employer Rating, Renewability and Portability Health Insurance Act and except for medicare supplement policies as defined in Section 363 of the Illinois Insurance Code, a Health Maintenance Organization may by contract agree with a group or other enrollment unit to effect refunds or charge additional premiums under the following terms and conditions:

(i) the amount of, and other terms and conditions with respect to, the refund or additional premium are set forth in the group or enrollment unit contract agreed in advance of the period for which a refund is to be paid or additional premium is to be charged (which period shall not be less than one year); and

(ii) the amount of the refund or additional premium shall not exceed 20% of the Health Maintenance Organization's profitable or unprofitable experience with respect to the group or other enrollment unit for the period (and, for purposes of a refund or additional premium, the profitable or unprofitable experience shall be calculated taking into account a pro rata share of the Health Maintenance Organization's administrative and marketing expenses, but shall not include any refund to be made or additional premium to be paid pursuant to this subsection (f)). The Health Maintenance Organization and the group or enrollment unit may agree that the profitable or unprofitable experience may be calculated taking into account the refund period and the immediately preceding 2 plan years.

The Health Maintenance Organization shall include a statement in the evidence of coverage issued to each enrollee describing the possibility of a refund or additional premium, and upon request of any group or enrollment unit, provide to the group or enrollment unit a description of the method used to calculate (1) the Health Maintenance Organization's profitable experience with respect to the group or enrollment unit and the resulting refund to the group or enrollment unit or (2) the Health Maintenance Organization's unprofitable experience with respect to the group or enrollment unit and the resulting additional premium to be paid by the group or enrollment unit.

In no event shall the Illinois Health Maintenance Organization Guaranty Association be liable to pay any contractual obligation of an insolvent organization to pay any refund authorized under this Section.

(g) Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 102-30, eff. 1-1-22; 102-34, eff. 6-25-21; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-589, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-775, eff. 5-13-22; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-901, eff. 7-1-22; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-123, eff. 1-1-24; 103-154, eff. 6-30-23; 103-420, eff. 1-1-24; 103-426, eff. 8-4-23; 103-445, eff. 1-1-24; 103-551, eff. 8-11-23; revised 8-29-23.)

Section 15. The Limited Health Service Organization Act is amended by changing Section 4003 as follows:

(215 ILCS 130/4003) (from Ch. 73, par. 1504-3)

Sec. 4003. Illinois Insurance Code provisions. Limited health service organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.37, 155.49, 352c, 355.2, 355.3, 355b, 356q, 356v, 356z.4, 356z.4a, 356z.10, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.57, 356z.59, 356z.61, 356z.64, 356z.67, 356z.68, 364.3, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1 and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code. Nothing in this Section shall require a limited health care plan to cover any service that is not a limited health service. For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, limited health service organizations in the following categories are deemed to be domestic companies:

(1) a corporation under the laws of this State; or

(2) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a domestic company under Article VIII 1/2 of the Illinois Insurance Code.

(Source: P.A. 102-30, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-731, eff. 1-1-23; 102-775, eff. 5-13-22; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-426, eff. 8-4-23; 103-445, eff. 1-1-24; revised 8-29-23.)

(215 ILCS 190/Act rep.)

Section 20. The Short-Term, Limited-Duration Health Insurance Coverage Act is repealed.

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

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Fine, **House Bill No. 2499** 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 40; NAYS 19.

The following voted in the affirmative:

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

The following voted in the negative:

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

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

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

On motion of Senator Collins, **House Bill No. 5142** 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 40; NAYS 19.

The following voted in the affirmative:

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

The following voted in the negative:

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

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

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

HOUSE BILL RECALLED

On motion of Senator Peters, **House Bill No. 5395** was recalled from the order of third reading to the order of second reading.

Senator Peters offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 5395

AMENDMENT NO. 3. Amend House Bill 5395, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 67, line 18, by replacing "Subsections" with "Subsection (a) and subsections"; and

on page 67, by replacing line 19 with "policies issued in the large group market as defined in Section 5 of the Illinois Health Insurance Portability and Accountability Act. For large group"; and

on page 68, line 18, by deleting "employer"; and

on page 68, line 20, by replacing "large employer" with "plan sponsor or its administrator"; and

on page 68, immediately below line 22, by inserting the following:

"In this subsection, "administrator" and "plan sponsor" have the meaning given to those terms in 29 U.S.C. 1002(16)."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Peters, **House Bill No. 5395** 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 45; NAYS 14.

The following voted in the affirmative:

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

The following voted in the negative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Walker, **Senate Bill No. 458** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was recommended Do Adopt the Committee on Education.

Senator Walker offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 458

AMENDMENT NO. 2. Amend Senate Bill 458 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 2-3.130 as follows:

(105 ILCS 5/2-3.130)

Sec. 2-3.130. Isolated time out, time out, and physical restraint rules; grant program; third-party assistance; goals and plans.

(a) For purposes of this Section, "isolated time out", "physical restraint", and "time out" have the meanings given to those terms under Section 10-20.33.

(b) The State Board of Education shall promulgate rules governing the use of isolated time out, time out, and physical restraint in special education nonpublic facilities and the public schools. The rules shall include provisions governing the documentation and reporting that is required each time these interventions are used.

The rules adopted by the State Board shall include a procedure by which a person who believes a violation of Section 10-20.33 or 34-18.20 has occurred may file a complaint. The rules adopted by the State Board shall include training requirements that must be included in training programs used to train and certify school personnel.

The State Board shall establish procedures for progressive enforcement actions to ensure that schools fully comply with the documentation and reporting requirements for isolated time out, time out, and physical restraint established by rule, which shall include meaningful and appropriate sanctions for the failure to comply, including the failure to report to the parent or guardian and to the State Board, the failure to timely report, and the failure to provide detailed documentation.

(c) Subject to appropriation, the State Board shall, by adoption of emergency rules under subsection (rr) of Section 5-45 of the Illinois Administrative Procedure Act if it so chooses, create a grant program for school districts, special education nonpublic facilities approved under Section 14-7.02 of this Code, and special education cooperatives to implement school-wide, culturally sensitive, and trauma-informed practices, positive behavioral interventions and supports, and restorative practices within a multi-tiered system of support aimed at reducing the need for interventions, such as isolated time out, time out, and physical restraint. The State Board shall give priority in grant funding to those school districts, special education nonpublic facilities approved under Section 14-7.02 of this Code, and special education cooperatives that submit a plan to achieve a significant reduction or elimination in the use of isolated time out and physical restraint in less than 3 years.

(d) Subject to the Illinois Procurement Code, the Illinois School Student Records Act, the Mental Health and Developmental Disabilities Confidentiality Act, and the federal Family Educational Rights and Privacy Act of 1974, the State Board may contract with a third party to provide assistance with the oversight and monitoring of the use of isolated time out, time out, and physical restraint by school districts.

(e) For the purpose of this subsection and subsection (f), "entity" means a school district, a special education nonpublic school approved under Section 14-7.02 of this Code and located in this State, or a special education cooperative to the extent the cooperative operates separate schools or programs within schools.

The State Board shall establish goals within 90 days after August 13, 2021 (the effective date of Public Act 102-339) ~~this amendatory Act of the 102nd General Assembly~~, with specific benchmarks, for entities to accomplish the systemic reduction of isolated time out, time out, and physical restraint ~~within 3 years after the effective date of this amendatory Act of the 102nd General Assembly~~. The State Board shall engage in meaningful consultation with stakeholders to establish the goals, including in the review and evaluation of the data submitted. The State Board shall also consult stakeholders in efforts to develop strategies to measure and reduce racial and ethnic disparities in the use of isolated time out, time out, and physical restraint. Each entity shall create a time out and physical restraint oversight team that includes, but is not limited to, teachers, paraprofessionals, school service personnel, and administrators to develop (i) an entity-specific plan for reducing and eventually eliminating the use of isolated time out, time out, and physical restraint in accordance with the goals and benchmarks established by the State Board and (ii) procedures to implement the plan developed by the team.

The progress toward the reduction and eventual elimination of the use of isolated time out and physical restraint shall be measured by the reduction in the overall number of incidents of those interventions and the total number of students subjected to those interventions. In limited cases, upon written application made by an entity and approved by the State Board based on criteria developed by the State Board to show good cause, the reduction in the use of those interventions may be measured by the frequency of the use of those interventions on individual students and the student population as a whole. The State Board shall specify a date for submission of the plans. Entities shall submit a report once each year until August 1, 2027 ~~for 3 years after the effective date of this amendatory Act of the 102nd General Assembly~~ to the State Board on the progress made toward achieving the goals and benchmarks established by the State Board and modify their plans as necessary to satisfy those goals and benchmarks. Entities shall notify parents and guardians that the plans and reports are available for review. On or before June 30, 2026 ~~2023~~, the State Board shall issue a report to the General Assembly on the progress made by entities to

achieve those goals and benchmarks. The required plans shall include, but not be limited to, the specific actions that are to be taken to:

(1) reduce and eventually eliminate a reliance on isolated time out, time out, and physical restraint for behavioral interventions and develop noncoercive environments;

(2) develop individualized student plans that are oriented toward prevention of the use of isolated time out, time out, and physical restraint with the intent that a plan be separate and apart from a student's individualized education program or a student's plan for services under Section 504 of the federal Rehabilitation Act of 1973;

(3) ensure that appropriate personnel are fully informed of the student's history, including any history of physical or sexual abuse, and other relevant medical and mental health information, except that any disclosure of student information must be consistent with federal and State laws and rules governing student confidentiality and privacy rights; and

(4) support a vision for cultural change that reinforces the following:

(A) positive behavioral interventions and support rather than isolated time out, time out, and physical restraint;

(B) effective ways to de-escalate situations to avoid isolated time out, time out, and physical restraint;

(C) crisis intervention techniques that use alternatives to isolated time out, time out, and physical restraint; and

(D) use of debriefing meetings to reassess what occurred and why it occurred and to think through ways to prevent use of the intervention the next time.

(f) An entity, as defined in subsection (e), is exempt from the requirement to submit a plan and the annual reports under subsection (e) if the entity is able to demonstrate to the satisfaction of the State Board that (i) within the previous 3 years, the entity has never engaged in the use of isolated time out, time out, or physical restraint and (ii) the entity has adopted a written policy that prohibits the use isolated time out, time out, and physical restraint on a student and is able to demonstrate the enforcement of that policy.

(g) The State Board shall establish a system of ongoing review, auditing, and monitoring to ensure that entities comply with the documentation and reporting requirements and meet the State Board's established goals and benchmarks for reducing and eventually eliminating the use of isolated time out, time out, and physical restraint.

(Source: P.A. 102-339, eff. 8-13-21; 103-175, eff. 6-30-23.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Walker, **Senate Bill No. 458** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

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

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

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

SENATE BILL RECALLED

On motion of Senator Villivalam, **Senate Bill No. 496** was recalled from the order of third reading to the order of second reading.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 496

AMENDMENT NO. 1. Amend Senate Bill 496 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Sections 1A-16.1, 1A-16.2, 1A-16.7, and 1A-16.8 and by adding Section 1A-16.3 as follows:

(10 ILCS 5/1A-16.1)

(Text of Section before amendment by P.A. 103-210)

Sec. 1A-16.1. Automatic voter registration; Secretary of State.

(a) The Office of the Secretary of State and the State Board of Elections, pursuant to an interagency contract and ~~jointly adopted~~ ~~jointly adopted~~ rules, shall establish an automatic voter registration program that satisfies the requirements of this Section and other applicable law.

(b) ~~If, as part of an application, an application for renewal, or a change of address form, or a recertification form for a driver's license, other than a temporary visitor's driver's license, or a State identification card issued by the Office of the Secretary of State, an applicant presents documentation that establishes that the applicant is a United States citizen, as described in subsection (g), and is of age to register to vote or if the information provided to the Office of the Secretary of State under subsection (c) indicates that the applicant is currently registered to vote in Illinois and, upon reviewing the documents and information submitted by the applicant, the Office of the Secretary of State determines that the name or residence address documentation submitted by the applicant differs from the information regarding the applicant provided under subsection (c) meets the requirements of the federal REAL ID Act of 2005, then that application shall serve as a dual-purpose application, unless the applicant declines in accordance with subsection (g) of Section 1A-16.7. The dual-purpose application shall:~~

(1) also serve as an application to register to vote in Illinois;

(2) ~~allow an applicant to change the applicant's his or her~~ registered residence address or name as it appears on the voter registration rolls;

(3) ~~in a single affirmation, including the affirmation required for a driver's license or State identification card, allow the applicant to affirm, under penalty of perjury, to the truth and correctness of the information submitted in the dual-purpose application that is necessary to assess the applicant's eligibility to register to vote or to change the applicant's registered residence address or name as it appears on the voter registration rolls provide the applicant with an opportunity to affirmatively decline to register to vote or to change his or her registered residence address or name by providing a check box on the application form without requiring the applicant to state the reason; and~~

(4) ~~allow the applicant to notify the Office of the Secretary of State of the applicant's preferred language unless the applicant declines to register to vote or change his or her registered residence address or name, require the applicant to attest, by signature under penalty of perjury as described in~~

subsection (e) of this Section, to meeting the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her driver's license or identification card dual-purpose application.

The Office of the Secretary of State shall record the type of documents presented by the applicant that establishes the applicant is a United States citizen as described in subsection (g) and shall enter United States citizenship in a designated field. Based on the entry of United States citizenship in the designated field, the Office of the Secretary of State shall initiate a dual-purpose application through an automated process that is not subject to the discretion of individual employees of the Office of the Secretary of State.

(b-5) If, as part of an application, an application for renewal, or a change of address form, or a recertification form for a driver's license, other than a temporary visitor's driver's license, or a State identification card issued by the Office of the Secretary of State, other than an application or form that pertains to a standard driver's license or identification card for an applicant who does not have and is not eligible for a social security number, an applicant presents documentation that neither establishes that the applicant is a United States citizen nor establishes that the applicant is not a United States citizen and the information provided to the Office of the Secretary of State under subsection (c) does not indicate that the applicant is currently registered to vote in Illinois does not meet the requirements of the federal REAL ID Act of 2005, then that application shall serve as a dual-purpose application. The dual-purpose application that, shall: (1) also serve as an application to register to vote in Illinois; (2) allow an applicant to change his or her registered residence address or name as it appears on the voter registration rolls; and (3) if the applicant chooses to register to vote, shall also serve as an application to register to vote in Illinois. If the applicant chooses to register to vote, the applicant shall be required or to change his or her registered residence address or name, then require the applicant to attest, by a separate signature under penalty of perjury, to meeting the qualifications to register to vote in Illinois at the applicant's his or her residence address as indicated on the his or her dual-purpose application. The dual-purpose application shall allow the applicant to notify the Office of the Secretary of State of the applicant's preferred language.

(b-8) If an applicant presents to the Secretary of State documentation that establishes the applicant is not a United States citizen, no application submitted by that applicant shall serve as a dual-purpose application under this Section.

(b-10) Before asking any applicant described in subsection (b) to provide the written affirmation described in that subsection, the The Office of the Secretary of State shall clearly and conspicuously inform each applicant in writing: (i) of the qualifications to register to vote in Illinois; (ii) of the penalties provided by law for submission of a false voter registration application, including the immigration-related consequences of incorrectly claiming United States citizenship and of the applicant's opportunity not to proceed in order to avoid the penalties; and (iii) that the , unless the applicant declines to register to vote or update his or her voter registration, his or her dual-purpose application shall also serve as both an application to register to vote and his or her attestation that he or she meets the eligibility requirements for voter registration, and that the his or her application to register to vote or update voter his or her registration will be transmitted to the State Board of Elections for the purpose of registering the person to vote at the residence address to be indicated on the applicant's his or her driver's license or identification card, and (iv) that declining to register to vote is confidential and will not affect any services the person may be seeking from the Office of the Secretary of State.

The Office of the Secretary of State may provide additional instructions specific to applicants under subsection (b).

(b-15) Before asking any applicant described in subsection (b-5) to provide the attestation described in that subsection, the Office of the Secretary of State shall clearly and conspicuously inform each applicant in writing: (i) of the qualifications to register to vote in Illinois; (ii) of the penalties provided by law for submission of a false voter registration application, including the immigration-related consequences of incorrectly claiming United States citizenship and of the applicant's opportunity to withdraw an application to avoid the penalties; (iii) that the application shall also serve as an application to register to vote and that the application to register to vote or update voter registration will be transmitted to the State Board of Elections for the purpose of registering the person to vote at the residence address to be indicated on the applicant's driver's license or identification card, unless the applicant withdraws the application or declines to register to vote or update the applicant's voter registration; and (iv) that declining to register to vote or withdrawing a voter application is confidential and will not affect any services the person may be seeking from the Office of the Secretary of State. The Office of the Secretary of State may provide additional instructions specific to applicants under subsection (b-5).

(c) ~~The Office of the Secretary of State shall review information provided to the Office of the Secretary of State by the State Board of Elections to determine inform each applicant for a driver's license or permit, other than a temporary visitor's driver's license, or a State identification card issued by the Office of the Secretary of State whether each the applicant under subsections (b) and (b-5) is currently registered to vote in Illinois and, if registered, at what address, and shall inform each applicant described in subsection (b-5) for a driver's license or permit or State identification card issued by the Office of the Secretary of State whether the applicant is currently registered and, if registered, at what address.~~

(d) ~~The Office of the Secretary of State shall not require an applicant for a driver's license or State identification card to provide duplicate identification or information in order to complete an application to register to vote or change his or her registered residence address or name. Before transmitting any personal information about an applicant to the State Board of Elections, the Office of the Secretary of State shall review its records of the identification documents the applicant provided in order to complete the application for a driver's license or State identification card; to confirm that nothing in those documents indicates that the applicant does not satisfy the qualifications to register to vote in Illinois at his or her residence address. If the applicant provides the Office of the Secretary of State with an address designated by the Attorney General as a substitute mailing address under Section 15 of the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act or is a judicial officer of peace officer who provides the Office of the Secretary of State with a work address instead of a residence address, as authorized by subsection (a) of Section 6-106 of the Illinois Vehicle Code, the applicant shall not be offered voter registration by the Office of the Secretary of State.~~

(e) ~~A completed, signed application for (i) a driver's license or permit, other than a temporary visitor's driver's license, or a State identification card issued by the Office of the Secretary of State that includes the presentation of documentation that establishes that the applicant is a United States citizen and is of age to register to vote or for which the information provided to the Office of the Secretary of State under subsection (c) indicates that the applicant is currently registered to vote in Illinois, that meets the requirements of the federal REAL ID Act of 2005; or (ii) a completed application under subsection (b-5) of this Section with a separate signature attesting the applicant meets the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her application shall constitute a signed application to register to vote in Illinois at the residence address indicated in the application unless the person affirmatively declined in the application to register to vote or to change his or her registered residence address or name. If the identification documents provided to complete the dual-purpose application indicate that the applicant he or she does not satisfy the qualifications to register to vote in Illinois at the specified his or her residence address, the application shall be marked as incomplete.~~

(f) ~~For each completed and signed application that constitutes an application to register to vote in Illinois or provides for a change in the applicant's registered residence address or name, the Office of the Secretary of State shall electronically transmit to the State Board of Elections personal information needed to complete the person's registration to vote in Illinois at the specified his or her residence address, including the applicant's choice language preference as indicated by the applicant or as otherwise collected by the Office of the Secretary of State during the permitting, licensing, or identification card transaction. The application to register to vote shall be processed in accordance with Section 1A-16.7.~~

(g) ~~Documentation that establishes that the applicant is a United States citizen shall include:~~

~~(1) a valid, unexpired United States passport or passport card or a United States passport or passport card that has been expired for no more than 2 years;~~

~~(2) a certified copy of a birth certificate filed with the Division of Vital Records or an equivalent agency in the individual's state of birth;~~

~~(3) a Consular Report of Birth Abroad issued by the United States Department of State, Form FS-240, DS-1350, or FS-545; and~~

~~(4) a Certificate of Citizenship issued by the United States Department of Homeland Security, Form N-560 or form N-561. If the federal REAL ID Act of 2005 is repealed, abrogated, superseded, or otherwise no longer in effect, then the State Board of Elections shall establish criteria for determining reliable personal information indicating citizenship status and shall adopt rules as necessary for the Secretary of State to continue processing dual-purpose applications under this Section.~~

(h) ~~As used in this Section, "dual-purpose application" means an application, an application for renewal or a change of address form, or a recertification form for driver's license or permit, other than a temporary visitor's driver's license, or a State identification card offered by the Secretary of State that also~~

serves as an application to register to vote in Illinois. "Dual-purpose application" does not mean an application under subsection (c) of Section 6-109 of the Illinois Vehicle Code.

(i) The changes made to this Section by this amendatory Act of the 103rd General Assembly shall be implemented no later than January 1, 2026.

(Source: P.A. 100-464, eff. 8-28-17; revised 9-20-2023.)

(Text of Section after amendment by P.A. 103-210)

Sec. 1A-16.1. Automatic voter registration; Secretary of State.

(a) The Office of the Secretary of State and the State Board of Elections, pursuant to an interagency contract and jointly adopted ~~jointly adopted~~ rules, shall establish an automatic voter registration program that satisfies the requirements of this Section and other applicable law.

(b) If, as part of an application, an application for renewal, or a change of address form, or a recertification form for a driver's license or a State identification card issued by the Office of the Secretary of State, an applicant presents documentation that establishes that the applicant is a United States citizen, as described in subsection (g), and is of age to register to vote or if the information provided to the Office of the Secretary of State under subsection (c) indicates that the applicant is currently registered to vote in Illinois and, upon reviewing the documents and information submitted by the applicant, the Office of the Secretary of State determines that the name or residence address documentation submitted by the applicant differs from the information regarding the applicant provided under subsection (c) meets the requirements of the federal REAL ID Act of 2005, then that application shall serve as a dual-purpose application, unless the applicant declines in accordance with subsection (g) of Section 1A-16.7. The dual-purpose application shall:

(1) also serve as an application to register to vote in Illinois;

(2) allow an applicant to change the applicant's his or her registered residence address or name as it appears on the voter registration rolls;

(3) in a single affirmation, including the affirmation required for a driver's license or State identification card, allow the applicant to affirm, under penalty of perjury, to the truth and correctness of the information submitted in the dual-purpose application that is necessary to assess the applicant's eligibility to register to vote or to change the applicant's registered residence address or name as it appears on the voter registration rolls provide the applicant with an opportunity to affirmatively decline to register to vote or to change his or her registered residence address or name by providing a check box on the application form without requiring the applicant to state the reason; and

(4) allow the applicant to notify the Office of the Secretary of State of the applicant's preferred language unless the applicant declines to register to vote or change his or her registered residence address or name, require the applicant to attest, by signature under penalty of perjury as described in subsection (e) of this Section, to meeting the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her driver's license or identification card dual-purpose application.

The Office of the Secretary of State shall record the type of documents presented by the applicant that establishes the applicant is a United States citizen as described in subsection (g) and shall enter United States citizenship in a designated field. Based on the entry of United States citizenship in the designated field, the Office of the Secretary of State shall initiate a dual-purpose application through an automated process that is not subject to the discretion of individual employees of the Office of the Secretary of State.

(b-5) If, as part of an application, an application for renewal, or a change of address form, or a recertification form for a driver's license or a State identification card issued by the Office of the Secretary of State, other than an application or form that pertains to a standard driver's license or identification card for an applicant who does not have and is not eligible for and does not list a social security number, an applicant presents documentation that neither establishes that the applicant is a United States citizen nor establishes that the applicant is not a United States citizen and the information provided to the Office of the Secretary of State under subsection (c) does not indicate that the applicant is currently registered to vote in Illinois for the applicant, does not meet the requirements of the federal REAL ID Act of 2005, then that application shall serve as a dual-purpose application. The dual-purpose application that, shall: (1) also serve as an application to register to vote in Illinois; (2) allow an applicant to change his or her registered residence address or name as it appears on the voter registration rolls; and (3) if the applicant chooses to register to vote, shall also serve as an application to register to vote in Illinois. If the applicant chooses to register to vote, the applicant shall be required or to change his or her registered residence address or name, then require the applicant to attest, by a separate signature under penalty of perjury, to meeting the

qualifications to register to vote in Illinois at the applicant's ~~his or her~~ residence address as indicated on the ~~his or her~~ dual-purpose application.

The dual-purpose application shall allow the applicant to notify the Office of the Secretary of State of the applicant's preferred language.

(b-8) If an applicant presents to the Secretary of State documentation that establishes the applicant is not a United States citizen, no application submitted by that applicant shall serve as a dual-purpose application under this Section.

(b-10) Before asking any applicant described in subsection (b) to provide the written affirmation described in that subsection, the ~~The~~ Office of the Secretary of State shall clearly and conspicuously inform each applicant in writing: (i) of the qualifications to register to vote in Illinois; (ii) of the penalties provided by law for submission of a false voter registration application, including the immigration-related consequences of incorrectly claiming United States citizenship and of the applicant's opportunity not to proceed in order to avoid the penalties; and, (iii) that the ~~applicant~~ ~~declines to register to vote or update his or her voter registration, his or her dual-purpose~~ application shall also serve as ~~both~~ an application to register to vote ~~and his or her attestation that he or she meets the eligibility requirements for voter registration, and that the his or her~~ application to register to vote or update voter ~~his or her~~ registration will be transmitted to the State Board of Elections for the purpose of registering the person to vote at the residence address to be indicated on the applicant's ~~his or her~~ driver's license or identification card, ~~and (iv) that declining to register to vote is confidential and will not affect any services the person may be seeking from the Office of the Secretary of State.~~ The Office of the Secretary of State may provide additional instructions specific to applicants under subsection (b).

(b-15) Before asking any applicant described in subsection (b-5) to provide the attestation described in that subsection, the Office of the Secretary of State shall clearly and conspicuously inform each applicant in writing: (i) of the qualifications to register to vote in Illinois; (ii) of the penalties provided by law for submission of a false voter registration application, including the immigration-related consequences of incorrectly claiming United States citizenship and of the applicant's opportunity to withdraw an application to avoid the penalties; (iii) that the application shall also serve as an application to register to vote and that the application to register to vote or update voter registration will be transmitted to the State Board of Elections for the purpose of registering the person to vote at the residence address to be indicated on the applicant's driver's license or identification card, unless the applicant withdraws the application or declines to register to vote or update the applicant's voter registration; and (iv) that declining to register to vote or withdrawing a voter application is confidential and will not affect any services the person may be seeking from the Office of the Secretary of State. The Office of the Secretary of State may provide additional instructions specific to applicants under subsection (b-5).

(c) The Office of the Secretary of State shall review information provided to the Office of the Secretary of State by the State Board of Elections to ~~determine whether each~~ ~~inform each applicant for a driver's license or permit or a State identification card issued by the Office of the Secretary of State, other than an application or form that pertains to a standard driver's license or identification card and does not list a social security number for the applicant, whether the~~ applicant under subsections (b) and (b-5) is currently registered to vote in Illinois and, if registered, at what address, and shall ~~inform each applicant described in subsection (b-5) for a driver's license or permit or State identification card issued by the Office of the Secretary of State whether the applicant is currently registered and, if registered, at what address.~~

(d) The Office of the Secretary of State shall not require an applicant for a driver's license or State identification card to provide duplicate identification or information in order to complete an application to register to vote or change his or her registered residence address or name. Before transmitting any personal information about an applicant to the State Board of Elections, the Office of the Secretary of State shall review its records of the ~~identification~~ documents the applicant provided in order to complete the application for a driver's license or State identification card; to confirm that nothing in those documents indicates that the applicant does not satisfy the qualifications to register to vote in Illinois at his or her residence address. If the applicant provides the Office of the Secretary of State with an address designated by the Attorney General as a substitute mailing address under Section 15 of the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act or is a judicial officer of peace officer who provides the Office of the Secretary of State with a work address instead of a residence address, as authorized by subsection (a) of Section 6-106 of the Illinois Vehicle Code, the applicant shall not be offered voter registration by the Office of the Secretary of State.

(e) A completed, signed application for (i) a driver's license or permit or a State identification card issued by the Office of the Secretary of State that includes the presentation of documentation that establishes that the applicant is a United States citizen and is of age to register to vote or for which the information provided to the Office of the Secretary of State under subsection (c) indicates that the applicant is currently registered to vote in Illinois, that meets the requirements of the federal REAL ID Act of 2005; or (ii) a completed application under subsection (b-5) of this Section with a separate signature attesting the applicant meets the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her application shall constitute a signed application to register to vote in Illinois at the residence address indicated in the application ~~unless the person affirmatively declined in the application to register to vote or to change his or her registered residence address or name.~~ If the ~~identification~~ documents provided to complete the dual-purpose application indicate that the applicant ~~he or she~~ does not satisfy the qualifications to register to vote in Illinois at the specified his or her residence address, the application shall be marked as incomplete.

(f) For each completed and signed application that constitutes an application to register to vote in Illinois or provides for a change in the applicant's registered residence address or name, the Office of the Secretary of State shall electronically transmit to the State Board of Elections personal information needed to complete the person's registration to vote in Illinois at the specified his or her residence address, including the applicant's choice language preference as indicated by the applicant or as otherwise collected by the Office of the Secretary of State during the permitting, licensing, or identification card transaction. The application to register to vote shall be processed in accordance with Section 1A-16.7.

(g) Documentation that establishes that the applicant is a United States citizen shall include:

(1) a valid, unexpired United States passport or passport card or a United States passport or passport card that has been expired for no more than 2 years;

(2) a certified copy of a birth certificate filed with the Division of Vital Records or an equivalent agency in the individual's state of birth;

(3) a Consular Report of Birth Abroad issued by the United States Department of State, Form FS-240, DS-1350, or FS-545; and

(4) a Certificate of Citizenship issued by the United States Department of Homeland Security, Form N-560 or form N-561. ~~If the federal REAL ID Act of 2005 is repealed, abrogated, superseded, or otherwise no longer in effect, then the State Board of Elections shall establish criteria for determining reliable personal information indicating citizenship status and shall adopt rules as necessary for the Secretary of State to continue processing dual purpose applications under this Section.~~

(h) As used in this Section, "dual-purpose application" means an application, an application for renewal ~~or~~ a change of address ~~form, or a recertification form~~ for driver's license or permit or a State identification card offered by the Secretary of State, other than an application or form that pertains to a standard driver's license or identification card for an applicant who does not have and is not eligible for, a social security number ~~and does not list a social security number for the applicant,~~ that also serves as an application to register to vote in Illinois. "Dual-purpose application" does not mean an application under subsection (c) of Section 6-109 of the Illinois Vehicle Code.

(i) The changes made to this Section by this amendatory Act of the 103rd General Assembly shall be implemented no later than January 1, 2026.

(Source: P.A. 103-210, eff. 7-1-24; revised 9-20-23.)

(10 ILCS 5/1A-16.2)

Sec. 1A-16.2. Automatic voter registration; designated automatic voter registration agencies.

(a) Each designated automatic voter registration agency shall, pursuant to an interagency contract and ~~jointly adopted jointly adopted~~ rules with the State Board of Elections, agree to participate in an automatic voter registration program established by the State Board of Elections that satisfies the requirements of this Section and other applicable law. If the designated automatic voter registration agency provides applications, applications for renewal, change of address forms, filing, or recertification forms to individuals for services offered by another agency, then the State Board of Elections and the designated automatic voter agency shall consult with the other agency. The State Board of Elections shall consider the current technological capabilities of the designated voter registration agency when drafting interagency contracts and ~~jointly adopted jointly adopted~~ rules. The State Board of Elections and the designated automatic voter registration agency shall amend these contracts and rules as the technological capabilities of the designated voter registration agencies improve.

(b) As provided in subsection (a) of this Section, when each designated automatic voter registration agency provides that collects or cross-references reliable personal information indicating citizenship status may provide that an application or form for a license, permit, program, or service described in subsection (a) that, as part of the application or form, the applicant presents documentation that establishes that the applicant is a United States citizen as described in subsection (g) of Section 1A-16.1, the application or form shall serve as a dual-purpose application, unless the applicant declines in accordance with subsection (g) of Section 1A-16.7. The dual-purpose application shall:

(1) also serve as an application to register to vote in Illinois;

(2) ~~allow an applicant to change the applicant's his or her registered residence address or name as it appears on the voter registration rolls;~~

(3) in a single affirmation including the affirmation required for the designated automatic voter registration agency's application, allow the applicant to affirm, under penalty of perjury, to the truth and correctness of information submitted in the dual-purpose application that is necessary to assess the applicant's eligibility to register to vote or to change the applicant's registered residence address or name as it appears on the voter registration rolls provide the applicant with an opportunity to affirmatively decline to register to vote or change his or her registered residence address or name by providing a check box on the application form without requiring the applicant to state the reason; and

(4) ~~allow the applicant to notify the agency of the applicant's preferred language unless the applicant declines to register to vote or to change his or her registered residence address or name; require the applicant to attest, by signature under penalty of perjury, to meeting the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her dual purpose application.~~

The agency shall record the type of document presented by the applicant that establishes that the applicant is a United States citizen as described in subsection (g) of Section 1A-16.1.

(c) As provided in subsection (a) of this Section, when each designated automatic voter registration agency provides that does not collect or cross-reference records containing reliable personal information indicating citizenship status may provide that an application or, an application for renewal, a change of address form, or a recertification form for a license, permit, program, or service described in subsection (a) that, as part of the application of form, the applicant presents documentation that neither establishes that the applicant is a United States citizen nor establishes that the applicant is not a United States citizen, the application or form shall serve as a dual-purpose application if the applicant chooses to register to vote. The dual-purpose application shall:

(1) also serve as an application to register to vote in Illinois;

(2) allow an applicant to change his or her registered residence address or name as it appears on the voter registration rolls; ~~and~~

(3) if the applicant chooses to register to vote or to change the applicant's his or her registered residence address or name, then require the applicant to attest, by a separate signature under penalty of perjury, to meeting the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her dual-purpose application; ~~and-~~

(4) allow the applicant to notify the agency of the applicant's preferred language.

(c-1) If an applicant presents documentation to the designated automatic voter registration agency that establishes that the applicant is not a United States citizen or the applicant attests that the applicant is not a United States citizen, no application submitted by that applicant shall serve as a dual-purpose application under this Section.

(c-5) Before asking any applicant described in subsection (b) of this Section to provide the affirmation described in that subsection, the The designated automatic voter registration agency shall clearly and conspicuously inform each applicant in writing: (i) of the qualifications to register to vote in Illinois; (ii) of the penalties provided by law for submission of a false voter registration application, including the immigration-related consequences of incorrectly claiming United States citizenship and of the applicant's opportunity not to proceed in order to avoid the penalties; (iii) that the application shall serve as an application to register to vote or change the applicant's voter registration, and that the application, unless the applicant declines to register to vote or update his or her voter registration, his or her application shall also serve as both an application to register to vote and his or her attestation that he or she meets the eligibility requirements for voter registration, and that his or her application to register to vote or update his or her registration will be transmitted to the State Board of Elections for the purpose of registering the person to vote at the residence address to be indicated on the dual-purpose application; (iv) that information

identifying the agency at which he or she applied to register to vote is confidential; ~~(v) that declining to register to vote is confidential and will not affect any services the person may be seeking from the agency;~~ and ~~(v)~~ (v) any additional information needed in order to comply with Section 7 of the federal National Voter Registration Act of 1993. The designated automatic voter registration agency may provide additional instructions specific to applicants under subsection (b).

(c-10) Before asking any applicant described in subsection (c) to provide the attestation described in that subsection, the designated automatic voter registration agency shall clearly and conspicuously inform each applicant in writing: (i) of the qualifications to register to vote in Illinois; (ii) of the penalties provided by law for submission of a false voter registration application, including the immigration-related consequences of incorrectly claiming United States citizenship, and of the applicant's opportunity to withdraw an application to avoid the penalties; (iii) that the application shall also serve as an application to register to vote or update the applicant's voter registration and that the application to register to vote or update voter registration will be transmitted to the State Board of Elections for the purpose of registering the person to vote at the residence address to be indicated on the dual-purpose application, unless the applicant withdraws the application or declines to register to vote or update the applicant's voter registration; (iv) that information identifying the agency at which the applicant applied to register to vote is confidential; (v) that withdrawing a voter registration application or otherwise declining to register to vote is confidential and will not affect any services the person may be seeking from the agency; and (vi) any additional information needed in order to comply with Section 7 of the federal National Voter Registration Act of 1993. The designated automatic voter registration agency may provide additional instructions specific to applicants under subsection (c).

(d) The designated automatic voter registration agency shall review information provided to the agency by the State Board of Elections to inform each applicant covered by subsection (c) whether the applicant is currently registered to vote in Illinois and, if registered, at what address.

(e) The designated automatic voter registration agency shall not require an applicant for a dual-purpose application to provide duplicate identification or information in order to complete an application to register to vote or change the applicant's ~~his or her~~ registered residence address or name. Before transmitting any personal information about an applicant to the State Board of Elections, the agency shall review its records of the ~~identification~~ documents the applicant provided or that the agency cross-references in order to complete the dual-purpose application, to confirm that nothing in those documents indicates that the applicant does not satisfy the qualifications to register to vote in Illinois at the applicant's ~~his or her~~ residence address. A completed and signed dual-purpose application, including a completed application under subsection (c) of this Section with a separate signature attesting that the applicant meets the qualifications to register to vote in Illinois at the ~~his or her~~ residence address as indicated on the ~~his or her~~ application, shall constitute an application to register to vote in Illinois at the residence address indicated in the application ~~unless the person affirmatively declined in the application to register to vote or to change his or her registered residence address or name.~~ If the ~~identification~~ documents provided to complete the dual-purpose application, or that the agency cross-references, indicate that the applicant ~~he or she~~ does not satisfy the qualifications to register to vote in Illinois at his or her residence address, the application shall be marked as incomplete. If the applicant provides the designated automatic voter registration agency with an address designated by the Attorney General as a substitute mailing address under Section 15 of the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act, or is a judicial officer or peace officer who provides the designated automatic voter registration agency with a work address instead of a residence address, the applicant shall not be offered voter registration by the designated automatic voter registration agency.

(f) For each completed and signed dual-purpose application that constitutes an application to register to vote in Illinois or provides for a change in the applicant's registered residence address or name, the designated automatic voter registration agency shall electronically transmit to the State Board of Elections personal information needed to complete the person's registration to vote in Illinois at his or her residence address, including the applicant's language preference as indicated by the applicant or as otherwise collected by the designated automatic voter registration agency in the course of receiving applications and other forms regarding licenses, permits, programs, and services offered by the designated automatic voter registration agency. The application to register to vote shall be processed in accordance with Section 1A-16.7.

(g) As used in this Section:

"Designated automatic voter registration agency" or "agency" means the divisions of Family and Community Services and Rehabilitation Services of the Department of Human Services, the

Department of Employment Security, the Department of Financial and Professional Regulation, the Department of Natural Resources, or an agency of the local, tribal, State, or federal government that ~~has been determined by the State Board of Elections to have access to reliable personal information~~ and has entered into an interagency contract with the State Board of Elections to participate in the automatic voter registration program under this Section.

"Dual-purpose application" means an application, an application for renewal, a change of address form, or a recertification form for a license, permit, program, or service offered by a designated automatic voter registration agency that also serves as an application to register to vote in Illinois.

~~"Reliable personal information" means information about individuals obtained from government sources that may be used to verify whether an individual is eligible to register to vote.~~

~~(h) (Blank). This Section shall be implemented no later than July 1, 2019.~~

(i) If an agency under this Section receives documentation that an applicant is a United States citizen, as described in subsection (g) of Section 1A-16.1 for more than one person listed on an application for a license, permit, program, or service, each person for whom the agency receives the documentation may be considered an applicant under this Section and the application may serve as a dual-purpose application for each person.

(j) The changes made to this Section by this amendatory Act of the 103rd General Assembly shall be implemented no later than January 1, 2026.

(Source: P.A. 100-464, eff. 8-28-17.)

(10 ILCS 5/1A-16.3 new)

Sec. 1A-16.3. Language assistance.

(a) Every facility operated by the Driver Services Department of the Office of the Secretary of State and all facilities of a designated voter registration agency located in a political subdivision covered by Section 203 of the federal Voting Rights Act shall display and make plainly visible signage informing applicants about the type of language assistance available. The signage shall be in the covered languages applicable for the political subdivision.

(b) Every facility operated by the Driver Services Department of the Office of the Secretary of State and all facilities of a designated voter registration agency located in a political subdivision covered by Section 203 of the federal Voting Rights Act shall make available, in the covered languages, all written materials and verbal communication regarding voter registration for the purpose of processing the applicant's dual-purpose application described in Sections 1A-16.1 and 1A-16.2. Every facility operated by the Driver Services Department of the Office of the Secretary of State and all facilities of a designated voter registration agency shall make available, in the 5 most common non-English languages in this State, all written materials and verbal communications regarding voter registration for the purpose of processing an applicant's dual-purpose application described in Sections 1A-16.1 and 1A-16.2. These materials shall include the notices described in subsection (b-10) of Section 1A-16.1 and subsection (e) of Section 2-105 of the Illinois Vehicle Code, the affirmations described in paragraph (3) of subsection (b) of Section 1A-16.1 and paragraph (3) of subsection (b) of Section 1A-16.2, and the attestations described in subsection (b-5) of Section 1A-16.1 and paragraph (3) of subsection (c) of Section 1A-16.2.

(c) In addition to the requirements under subsections (a) and (b), the Driver Services Department of the Office of the Secretary of State, as part of every transaction described in subsections (b) and (b-5) of Section 1A-16.1 completed through its website, and each designated automatic voter registration agency, as defined in subsection (g) of Section 1A-16.2, as part of every transaction described in subsections (b) and (c) of Section 1A-16.2 completed through its website, shall make available, in the covered languages required in any jurisdiction in this State by Section 203 of the federal Voting Rights Act and in the 5 most common non-English languages in this State, all information and questions provided to an applicant regarding voter registration for the purpose of processing the applicant's dual-purpose application as described in Sections 1A-16.1 and 1A-16.2. These materials shall include, but not be limited to, the notices described in subsection (b-10) of Section 1A-16.1 and subsection (e) of Section 2-105 of the Illinois Vehicle Code, the affirmations described in paragraph (3) of subsection (b) of Section 1A-16.1 and paragraph (3) of subsection (b) of Section 1A-16.2, and the attestations described in subsection (b-5) of Section 1A-16.1 and paragraph (3) of subsection (c) of Section 1A-16.2. The Office of the Secretary of the State shall determine the 5 most common non-English languages in this State by referring to the best available data from the United States Census Bureau or other sources that the Office of the Secretary of the State considers relevant and reliable.

(10 ILCS 5/1A-16.7)

Sec. 1A-16.7. Automatic voter registration.

(a) The State Board of Elections shall establish and maintain a portal for automatic government agency voter registration that permits an eligible person to electronically apply to register to vote or to update his or her existing voter registration as provided in Section 1A-16.1 or Section 1A-16.2. The portal shall interface with the online voter registration system established in Section 1A-16.5 of this Code and shall be capable of receiving and processing voter registration application information, including electronic signatures, from the Office of the Secretary of State and each designated automatic voter registration agency, as defined in Section 1A-16.2. The State Board of Elections may cross-reference voter registration information from any designated automatic voter registration agency, as defined under Section 1A-16.2 of this Code, with information contained in the database of the Secretary of State as provided under subsection (c) of Section 1A-16.5 of this Code. The State Board of Elections shall modify the online voter registration system as necessary to implement this Section.

(b) Voter registration data received from the Office of the Secretary of State or a designated automatic voter registration agency through the online registration application system shall be processed as provided in Section 1A-16.5 of this Code.

(c) The State Board of Elections shall establish technical specifications applicable to each automatic government registration program, including data format and transmission specifications. The Office of the Secretary of State and each designated automatic voter registration agency shall maintain a data transfer mechanism capable of transmitting voter registration application information, including electronic signatures where available, to the online voter registration system established in Section 1A-16.5 of this Code.

(d) The State Board of Elections shall, by rule, establish criteria and procedures for determining whether an agency of the State or federal government seeking to become a designated automatic voter registration agency in the course of receiving applications and other forms regarding licenses, permits, programs, and services offered by the agency, receives documentation that an applicant is a United States citizen, as described in subsection (g) of Section 1A-16.1 ~~has access to reliable personal information, as defined under this subsection (d) and subsection (f) of Section 1A-16.2 of this Code~~, and otherwise meets the requirements to enter into an interagency contract and to operate as a designated automatic voter registration agency. The State Board of Elections shall approve each interagency contract upon affirmative vote of a majority of its members.

~~As used in this subsection (d), "reliable personal information" means information about individuals obtained from government sources that may be used to verify whether an individual is eligible to register to vote.~~

(e) Whenever an applicant's data is transferred from the Office of the Secretary of State or a designated automatic voter registration agency, the agency must transmit a signature image if available. If no signature image was provided by the agency ~~and~~ ~~or~~ ~~if~~ no signature image is available in the Office of the Secretary of State's database or the statewide voter registration database, ~~or other database available to the State Board of Elections~~, the applicant must be notified that voter ~~his or her~~ registration will remain in a pending status until the applicant: ~~and the applicant will be required to~~

(1) provides provide identification that complies with the federal Help America Vote Act of 2002 and a signature to the election authority on election day in the polling place or during early voting;

(2) provides identification that complies with the federal Help America Vote Act of 2002 and a signature with a mail ballot, or provides a signature in accordance with the procedures described in subsection (g-5) of Section 19-8; or

(3) provides a signature in response to the notice described in subsection (g) or by other paper or electronic means determined by the State Board of Elections.

(f) Upon receipt of personal information collected and transferred by the Office of the Secretary of State or a designated automatic voter registration agency, the State Board of Elections shall check the information against the statewide voter registration database. The State Board of Elections shall create and electronically transmit to the appropriate election authority a voter registration application for any individual who is not registered to vote in Illinois and is not disqualified as provided in this Section or whose information reliably indicates a more recent update to the name or address of a person already included in the statewide voter database. The election authority shall process the application accordingly. If the individual provides the Office of the Secretary of State or a designated automatic voter registration agency

with an address designated by the Attorney General as a substitute mailing address under Section 15 of the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act or if the State Board of Elections otherwise determines that the individual is a program participant under Section 10 of the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act, the State Board of Elections shall not create or electronically transmit to an election authority a voter registration the application for the individual. The State Board of Elections may provide alternative voter registration procedures for the individuals described in this subsection.

(g) The appropriate election authority shall ensure that any applicant about whom it receives information from the State Board of Elections under subsection (f) ~~who is registered to vote or whose existing voter registration is updated under this Section~~ is promptly sent written notice of the change. The notice required by this subsection (g) may be sent or combined with other notices required or permitted by law, including, but not limited to, any notices sent pursuant to Section 1A-16.5 of this Code. Any notice required by this subsection (g) shall contain, at a minimum: (i) the applicant's name and residential address as reflected on the voter registration list; (ii) ~~a statement notifying the applicant to contact the appropriate election authority if his or her voter registration has been updated in error;~~ (iii) the qualifications to register to vote in Illinois; ~~(iv) a statement notifying the applicant that he or she may opt out of voter registration or request a change to his or her registration information at any time by contacting an election official;~~ and (iii) ~~(iv)~~ contact information for the appropriate election authority, including a phone number, address, electronic mail address, and website address.

For an applicant under subsection (b) of Section 1A-16.1 or subsection (b) of Section 1A-16.2 who is not currently registered to vote in Illinois, the notice shall be sent within 5 business days after the transmission of the voter registration application to the election authority and shall contain:

(1) the following statement: "After your recent visit to [an Illinois Secretary of State Driver Services Facility, or designated automatic voter registration agency] we started an automatic voter registration process for you. You will be registered to vote unless you complete, sign, and return this card by [deadline date].";

(2) the notices required by Section 5(c)(2) of the National Voter Registration Act of 1993; and

(3) an opportunity to provide a signature as described in subsection (e) and to select a language for election materials if applicable to the jurisdiction, by prepaid postage.

For an applicant under subsection (b) of Section 1A-16.1 or subsections (b) of Section 1A-16.2 who is currently registered to vote in Illinois and whose application contains a change in the applicant's registered residence address or name, the notice shall be sent within 5 business days after the transmission of the voter registration application to the election authority and shall contain:

(1) the following statement: "After your recent visit to [an Illinois Secretary of State Driver Services Facility or designated automatic voter registration agency], we started an update to your voter registration. Your voter registration will be updated unless you complete, sign and return this card by [deadline date].";

(2) the notices required by Section 5(c)(2) of the National Voter Registration Act of 1993; and

(3) an opportunity to provide a signature as described in subsection (e), and to select a language for election materials if applicable to the jurisdiction, by prepaid postage.

Any notice required by this subsection shall, at a minimum, be provided in languages for which there is coverage for the jurisdiction of the election authority under Section 203 of the federal Voting Rights Act, as identified by the United States Census Bureau in the Federal Register. Any notice required by this subsection must also comply with all applicable, federal, State, and local laws, regulations, and ordinances that relate to providing language access to individuals with limited English proficiency. If the State Board of Elections has received language preference information regarding the applicant and has transmitted that information to the appropriate election authority, the appropriate election authority shall take all practicable measures to send the notice to the applicant in the applicant's preferred language.

(g-5) If an applicant under subsection (b) of Section 1A-16.1 or subsection (b) of Section 1A-16.2 returns the notice described in subsection (g) declining to be registered within 23 days after the mailing of the notice, the applicant shall not be registered to vote and the applicant shall be deemed not to have attempted to register to vote. If an applicant under subsection (b) of Section 1A-16.1 or subsection (b) of Section 1A-16.2 returns the notice described in subsection (g) declining or correcting the update within 23 days after the mailing of the notice, the applicant's update shall be declined or corrected in the statewide voter registration database. If an applicant returns the notice described in subsection (g) but does not do so within 23 days after the mailing of the notice, then the applicant shall be registered to vote under the name

and address contained in the dual-purpose application. If an applicant returns the notice described in subsection (g) declining to be registered or declining or correcting the update more than 23 days after the mailing of the notice, then the notice shall be processed as a request to cancel or update the applicant's registration. During the 23-day period specified in this subsection, an applicant's voter registration or updated voter registration shall be in a pending status.

(g-6) If an applicant under subsection (b) of Section 1A-16.1 or subsection (b) of Section 1A-16.2 returns the notice indicating a language preference, the language preference shall be retained as part of the person's registration information.

(h) The appropriate election authority shall ensure that any applicant whose voter registration application is not accepted or deemed incomplete is promptly sent written notice of the application's status. The notice required by this subsection may be sent or combined with other notices required or permitted by law, including, but not limited to, any notices sent pursuant to Section 1A-16.5 of this Code. Any notice required by this subsection (h) shall contain, at a minimum, the reason the application was not accepted or deemed incomplete and contact information for the appropriate election authority, including a phone number, address, electronic mail address, and website address.

(i) If the Office of the Secretary of State or a designated automatic voter registration agency transfers information, or if the State Board of Elections creates and transmits a voter registration application, for a person who does not qualify as an eligible voter, then it shall not constitute a completed voter registration form, and the person shall not be considered to have registered to vote.

(j) If the registration is processed by any election authority, then it shall be presumed to have been effected and officially authorized by the State, and that person shall not be found on that basis to have made a false claim to citizenship or to have committed an act of moral turpitude, nor shall that person be subject to penalty under any relevant laws, including, but not limited to, Sections 29-10 and 29-19 of this Code. This subsection (j) does not apply to a person who knows that he or she is not entitled to register to vote and who willfully votes, registers to vote, or attests under penalty of perjury that he or she is eligible to register to vote or willfully attempts to vote or to register to vote.

(k) The State Board of Elections, the Office of the Secretary of State, and each designated automatic voter registration agency shall implement policies and procedures to protect the privacy and security of voter information as it is acquired, stored, and transmitted among agencies, including policies for the retention and preservation of voter information. Information designated as confidential under this Section may be recorded and shared among the State Board of Elections, election authorities, the Office of the Secretary of State, and designated automatic voter registration agencies, but shall be used only for voter registration purposes, shall not be disclosed to the public except in the aggregate as required by subsection (m) of this Section, and shall not be subject to the Freedom of Information Act. The following information shall be designated as confidential:

- (1) any portion of an applicant's Social Security number;
- (2) any portion of an applicant's driver's license number or State identification number;
- (3) an applicant's decision to decline voter registration;
- (4) the identity of the person providing information relating to a specific applicant; ~~and~~
- (5) the personal residence and contact information of any applicant for whom notice has been given by an appropriate legal authority; ~~and-~~
- (6) the personal residence and contact information relating to an applicant who returns a notice described subsection (g) declining to register to vote that was received by the election authority within 23 days after mailing the notice or for whom the 23-day period has not passed.

This subsection (k) shall not apply to information the State Board of Elections is required to share with the Electronic Registration Information Center.

(l) The voter registration procedures implemented under this Section shall comport with the federal National Voter Registration Act of 1993, as amended, and shall specifically require that the State Board of Elections track registration data received through the online registration system that originated from a designated automatic voter registration agency for the purposes of maintaining statistics.

Nothing in this Code shall require designated voter registration agencies to transmit information that is confidential client information under State or federal law without the consent of the applicant.

(m) The State Board of Elections, each election authority that maintains a website, the Office of the Secretary of State, and each designated automatic voter registration agency that maintains a website shall provide information on their websites informing the public about the new registration procedures described in this Section. The Office of the Secretary of State and each designated automatic voter registration agency

shall display signage or provide literature for the public containing information about the new registration procedures described in this Section.

(n) No later than 6 months after the effective date of this amendatory Act of the 100th General Assembly, the State Board of Elections shall hold at least one public hearing on implementing this amendatory Act of the 100th General Assembly at which the public may provide input.

(o) The State Board of Elections shall submit an annual public report to the General Assembly and the Governor detailing the progress made to implement this Section. The report shall include all of the following: the number of records transferred under this Section by agency, the number of voters newly added to the statewide voter registration list because of records transferred under this Section by agency, the number of updated registrations under this Section by agency, the number of persons who opted out of voter registration, and the number of voters who submitted voter registration forms using the online procedure described in Section 1A-16.5 of this Code. The 2018 and 2019 annual reports may include less detail if election authorities are not equipped to provide complete information to the State Board of Elections. Any report produced under this subsection (o) shall exclude any information that identifies any individual personally.

(p) The State Board of Elections, in consultation with election authorities, the Office of the Secretary of State, designated automatic voter registration agencies, and community organizations, shall adopt rules as necessary to implement the provisions of this Section.

(q) The changes made to this Section by this amendatory Act of the 103rd General Assembly shall be implemented no later than January 1, 2026.

(Source: P.A. 100-464, eff. 8-28-17.)

(10 ILCS 5/1A-16.8)

Sec. 1A-16.8. Automatic transfer of registration based upon information from the National Change of Address database and designated automatic voter registration agencies.

(a) The State Board of Elections shall cross-reference the statewide voter registration database against the United States Postal Service's National Change of Address database twice each calendar year, April 15 and October 1 in odd-numbered years and April 15 and December 1 in even-numbered years or with the same frequency as in subsection (b) of this Section, and shall share the findings with the election authorities.

(b) In addition, beginning no later than September 1, 2017, the State Board of Elections shall utilize data provided as part of its membership in the Electronic Registration Information Center in order to cross-reference the statewide voter registration database against databases of relevant personal information kept by designated automatic voter registration agencies, including, but not limited to, driver's license information kept by the Secretary of State, at least 6 times each calendar year and shall share the findings with election authorities.

This subsection (b) shall no longer apply once Sections 1A-16.1 and 1A-16.2 of this Code are fully implemented as determined by the State Board of Elections. Upon a determination by the State Board of Elections of full implementation of Sections 1A-16.1 and 1A-16.2 of this Code, the State Board of Elections shall file notice of full implementation and the inapplicability of this subsection (b) with the Index Department of the Office of the Secretary of State, the Governor, the General Assembly, and the Legislative Reference Bureau.

(b-5) The State Board of Elections shall not be required to share any data on any voter attained using the National Change of Address database under subsection (a) of this Section if that voter has a more recent government transaction indicated using the cross-reference under subsection (b) of this Section. If there is contradictory or unclear data between data obtained under subsections (a) and (b) of this Section, then data obtained under subsection (b) of this Section shall take priority.

(c) An election authority shall automatically register any voter who has moved into its jurisdiction from another jurisdiction in Illinois or has moved within its jurisdiction provided that:

(1) the election authority whose jurisdiction includes the new registration address provides the voter an opportunity to reject the change in registration address through a mailing, sent by non-forwardable mail, to the new registration address, and

(2) when the election authority whose jurisdiction includes the previous registration address is a different election authority, then that election authority provides the same opportunity through a mailing, sent by forwardable mail, to the previous registration address.

This change in registration shall trigger the same inter-jurisdictional or intra-jurisdictional workflows as if the voter completed a new registration card, including the cancellation of the voter's previous registration. Should the registration of a voter be changed from one address to another within the State and

should the voter appear at the polls and offer to vote from the prior registration address, attesting that the prior registration address is the true current address, the voter, if confirmed by the election authority as having been registered at the prior registration address and canceled only by the process authorized by this Section, shall be issued a regular ballot, and the change of registration address shall be canceled. If the election authority is unable to immediately confirm the registration, the voter shall be permitted to register and vote a regular ballot, provided that he or she meets the documentary requirements for same-day registration. If the election authority is unable to confirm the registration and the voter does not meet the requirements for same-day registration, the voter shall be issued a provisional ballot.

(c-5) An agency that does not receive documentation that an applicant is a United States citizen, as described in subsection (g) of Section 1A-16.1, may enter into an agreement with the State Board of Elections to transmit information that shall serve only to update an applicant's existing voter registration record. Under the agreement, the agency shall transmit information on all clients who may be registered to vote with a clear indication that the information shall be used only for updates. The State Board of Elections shall determine which applicants are already registered to vote and, for any voter whose information provided to the agency differs from that on the voter registration record, provide that information to the voter's local election authority who shall update a registered voter's records in accordance with the procedures described in Section 1A-16.7. The State Board of Election and local election authority shall take no action under this subsection for any applicant not already registered to vote.

This subsection shall be implemented no later than January 1, 2026.

(d) No voter shall be disqualified from voting due to an error relating to an update of registration under this Section.

(Source: P.A. 99-522, eff. 6-30-16; 100-464, eff. 8-28-17.)

Section 10. The Illinois Vehicle Code is amended by changing Section 2-105 as follows:

(625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

Sec. 2-105. Offices of Secretary of State.

(a) The Secretary of State shall maintain offices in the State capital and in such other places in the State as he may deem necessary to properly carry out the powers and duties vested in him.

(b) The Secretary of State may construct and equip one or more buildings in the State of Illinois outside of the County of Sangamon as he deems necessary to properly carry out the powers and duties vested in him. The Secretary of State may, on behalf of the State of Illinois, acquire public or private property needed therefor by lease, purchase or eminent domain. The care, custody and control of such sites and buildings constructed thereon shall be vested in the Secretary of State. Expenditures for the construction and equipping of any of such buildings upon premises owned by another public entity shall not be subject to the provisions of any State law requiring that the State be vested with absolute fee title to the premises. The exercise of the authority vested in the Secretary of State by this Section is subject to the appropriation of the necessary funds.

(c) Pursuant to Sections 1A-16.1, 1A-16.7, and 1A-25 of the Election Code, the Secretary of State shall make driver services facilities available for use as places of accepting applications for voter registration.

(d) (Blank).

(e) Each applicant person applying at a driver services facility for a driver's license or permit, a corrected driver's license or permit, an Illinois Identification Card ~~identification card~~ or a corrected Illinois Identification Card who has presented documentation establishing United States citizenship as set forth in subsection (g) of Section 1A-16.1 of the Election Code ~~identification card~~ shall be notified, under the procedures set forth in Sections 1A-16.1 and 1A-16.7 of the Election Code, that the applicant's unless he or she affirmatively declines, his or her personal information shall be transferred to the State Board of Elections for the purpose of creating an electronic voter registration application. Each applicant applying at a driver services facility for a driver's license or permit, a corrected driver's license or permit or a State identification card or a corrected Illinois Identification Card who presented documentation that neither establishes that the applicant is a United States citizen nor establishes that the applicant is not a United States citizen, but who affirmatively indicated they wished to apply to register to vote and attested, in writing, to United States citizenship, shall be notified, under the procedures set forth in Sections 1A-16.1 and 1A-16.7 of the Election Code that the applicant's personal information will be transmitted to the State Board of Elections for the purpose of creating an electronic voter registration application. Such notification may be made in writing or verbally issued by an employee or the Secretary of State.

The Secretary of State shall promulgate such rules as may be necessary for the efficient execution of his duties and the duties of his employees under this Section.

(f) Any person applying at a driver services facility for issuance or renewal of a driver's license or Illinois Identification Card shall be provided, without charge, with a brochure warning the person of the dangers of financial identity theft. The Department of Financial and Professional Regulation shall prepare these brochures and provide them to the Secretary of State for distribution. The brochures shall (i) identify signs warning the reader that he or she might be an intended victim of the crime of financial identity theft, (ii) instruct the reader in how to proceed if the reader believes that he or she is the victim of the crime of identity theft, and (iii) provide the reader with names and telephone numbers of law enforcement and other governmental agencies that provide assistance to victims of financial identity theft.

~~(g) (Blank). The changes made by this amendatory Act of the 100th General Assembly shall be implemented no later than July 1, 2018.~~

(h) The changes made to this Section by this amendatory Act of the 103rd General Assembly shall be implemented no later than January 1, 2026.

(Source: P.A. 100-464, eff. 8-28-17.)

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

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Villivalam, **Senate Bill No. 496** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 40; NAYS 19.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	DeWitte	McConchie	Syverson
Bennett	Fowler	Plummer	Tracy

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Bryant	Harriss, E.	Rezin	Turner, S.
Chesney	Lewis	Rose	Wilcox
Curran	McClure	Stoller	

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

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

SENATE BILL RECALLED

On motion of Senator Ventura, **Senate Bill No. 497** was recalled from the order of third reading to the order of second reading.

Senator Ventura offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 497

AMENDMENT NO. 1, Amend Senate Bill 497 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Section 10-10 as follows:
(10 ILCS 5/10-10) (from Ch. 46, par. 10-10)

Sec. 10-10. Within 24 hours after the receipt of the certificate of nomination or nomination papers or proposed question of public policy, as the case may be, and the objector's petition, the chair of the electoral board other than the State Board of Elections shall send a call by registered or certified mail: to each of the members of the electoral board; to the objector who filed the objector's petition; either to the candidate whose certificate of nomination or nomination papers are objected to or to the principal proponent or attorney for proponents of a question of public policy, as the case may be, whose petitions are objected to; to the election authority to whom the ballot is certified; and to the appropriate county clerk. The chair of the electoral board other than the State Board of Elections shall also cause the sheriff of the county or counties in which such officers and persons reside to serve a copy of such call upon each of such officers and persons, which call shall set out the fact that the electoral board is required to meet to hear and pass upon the objections to nominations made for the office, designating it, and shall state the day, hour and place at which the electoral board shall meet for the purpose, which place shall be in the county court house in the county in the case of the County Officers Electoral Board, the Municipal Officers Electoral Board, the Township Officers Electoral Board or the Education Officers Electoral Board, except that the Municipal Officers Electoral Board, the Township Officers Electoral Board, and the Education Officers Electoral Board may meet at the location where the governing body of the municipality, township, or community college district, respectively, holds its regularly scheduled meetings, if that location is available; provided that voter records may be removed from the offices of an election authority only at the discretion and under the supervision of the election authority. In those cases where the State Board of Elections is the electoral board designated under Section 10-9, the chair of the State Board of Elections shall, within 24 hours after the receipt of the certificate of nomination or nomination papers or petitions for a proposed amendment to Article IV of the Constitution or proposed statewide question of public policy, send a call by registered or certified mail to the objector who files the objector's petition, and either to the candidate whose certificate of nomination or nomination papers are objected to or to the principal proponent or attorney for proponents of the proposed Constitutional amendment or statewide question of public policy and shall state the day, hour, and place at which the electoral board shall meet for the purpose, which place may be in the Capitol Building or in the principal or permanent branch office of the State Board. The day of the meeting shall not be less than 3 nor more than 5 days after the receipt of the certificate of nomination or nomination papers and the objector's petition by the chair of the electoral board.

The electoral board shall have the power to administer oaths and to subpoena and examine witnesses and, at the request of either party and only upon a vote by a majority of its members, may authorize the chair to issue subpoenas requiring the attendance of witnesses and subpoenas duces tecum requiring the production of such books, papers, records and documents as may be evidence of any matter under inquiry before the electoral board, in the same manner as witnesses are subpoenaed in the Circuit Court.

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Service of such subpoenas shall be made by any sheriff or other person in the same manner as in cases in such court and the fees of such sheriff shall be the same as is provided by law, and shall be paid by the objector or candidate who causes the issuance of the subpoena. In case any person so served shall knowingly neglect or refuse to obey any such subpoena, or to testify, the electoral board shall at once file a petition in the circuit court of the county in which such hearing is to be heard, or has been attempted to be heard, setting forth the facts, of such knowing refusal or neglect, and accompanying the petition with a copy of the citation and the answer, if one has been filed, together with a copy of the subpoena and the return of service thereon, and shall apply for an order of court requiring such person to attend and testify, and forthwith produce books and papers, before the electoral board. Any circuit court of the state, excluding the judge who is sitting on the electoral board, upon such showing shall order such person to appear and testify, and to forthwith produce such books and papers, before the electoral board at a place to be fixed by the court. If such person shall knowingly fail or refuse to obey such order of the court without lawful excuse, the court shall punish him or her by fine and imprisonment, as the nature of the case may require and may be lawful in cases of contempt of court.

The electoral board on the first day of its meeting shall adopt rules of procedure for the introduction of evidence and the presentation of arguments and may, in its discretion, provide for the filing of briefs by the parties to the objection or by other interested persons.

In the event of a State Electoral Board hearing on objections to a petition for an amendment to Article IV of the Constitution pursuant to Section 3 of Article XIV of the Constitution, or to a petition for a question of public policy to be submitted to the voters of the entire State, the certificates of the county clerks and boards of election commissioners showing the results of the random sample of signatures on the petition shall be prima facie valid and accurate, and shall be presumed to establish the number of valid and invalid signatures on the petition sheets reviewed in the random sample, as prescribed in Section 28-11 and 28-12 of this Code. Either party, however, may introduce evidence at such hearing to dispute the findings as to particular signatures. In addition to the foregoing, in the absence of competent evidence presented at such hearing by a party substantially challenging the results of a random sample, or showing a different result obtained by an additional sample, this certificate of a county clerk or board of election commissioners shall be presumed to establish the ratio of valid to invalid signatures within the particular election jurisdiction.

The electoral board shall take up the question as to whether or not the certificate of nomination or nomination papers or petitions are in proper form, and whether or not they were filed within the time and under the conditions required by law, and whether or not they are the genuine certificate of nomination or nomination papers or petitions which they purport to be, and whether or not in the case of the certificate of nomination in question it represents accurately the decision of the caucus or convention issuing it, and in general shall decide whether or not the certificate of nomination or nominating papers or petitions on file are valid or whether the objections thereto should be sustained and the decision of a majority of the electoral board shall be final subject to judicial review as provided in Section 10-10.1. The nomination papers of a candidate shall be deemed invalid and a candidate's name shall not appear on the ballot if the candidate is found to have personally engaged in material fraud or a pattern of fraud in connection with the signatures on the nominating papers or false swearing with respect to the nominating papers. The electoral board must state its findings in writing and must state in writing which objections, if any, it has sustained. A copy of the decision shall be served upon the parties to the proceedings in open proceedings before the electoral board. If a party does not appear for receipt of the decision, the decision shall be deemed to have been served on the absent party on the date when a copy of the decision is personally delivered or on the date when a copy of the decision is deposited in the United States mail, in a sealed envelope or package, with postage prepaid, addressed to each party affected by the decision or to such party's attorney of record, if any, at the address on record for such person in the files of the electoral board.

Upon the expiration of the period within which a proceeding for judicial review must be commenced under Section 10-10.1, the electoral board shall, unless a proceeding for judicial review has been commenced within such period, transmit, by registered or certified mail, a certified copy of its ruling, together with the original certificate of nomination or nomination papers or petitions and the original objector's petition, to the officer or board with whom the certificate of nomination or nomination papers or petitions, as objected to, were on file and to the election authority to whom the ballot is certified and the appropriate county clerk, and such officer or board shall abide by and comply with the ruling so made to all intents and purposes.

(Source: P.A. 103-467, eff. 8-4-23.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Ventura, **Senate Bill No. 497** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Simmons, **Senate Bill No. 863** was recalled from the order of third reading to the order of second reading.

Senator Simmons offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 863

AMENDMENT NO. 1. Amend Senate Bill 863 by replacing everything after the enacting clause with the following:

"Section 5. The Legislative Commission Reorganization Act of 1984 is amended by changing Section 9-2.5 as follows:

(25 ILCS 130/9-2.5)

Sec. 9-2.5. Newsletters and brochures. The Legislative Printing Unit may not print for any member of the General Assembly any newsletters or brochures during the period beginning February 1 of the year of a general primary election, except that in 2022 the period shall begin on May 15, 2022, and ending the day after the general primary election and during a period beginning September 1 of the year of a general election and ending the day after the general election. A member of the General Assembly may not mail,

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during a period beginning February 1 of the year of a general primary election, except that in 2022 the period shall begin on May 15, 2022, and ending the day after the general primary election and during a period beginning September 1 of the year of a general election and ending the day after the general election, any newsletters or brochures that were printed, at any time, by the Legislative Printing Unit, except that such a newsletter or brochure may be mailed during those times if it is mailed to a constituent in response to that constituent's inquiry concerning the needs of that constituent or questions raised by that constituent. Newsletters and printed material may include autobiographical or biographical information about a member of the General Assembly as long as the information does not include: (1) information about past or future campaigns; (2) information designed to provide an economic benefit to the member or the member's family; or (3) family news unrelated to the member's official role.
(Source: P.A. 102-668, eff. 11-15-21; 102-692, eff. 1-7-22.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Simmons, **Senate Bill No. 863** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 43; NAYS 14.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Fowler	Rezin	Tracy
Bennett	Harriss, E.	Rose	Wilcox
Curran	Lewis	Stoller	
DeWitte	Plummer	Syverson	

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

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

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SENATE BILL RECALLED

On motion of Senator Simmons, **Senate Bill No. 899** was recalled from the order of third reading to the order of second reading.

Senator Simmons offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 899

AMENDMENT NO. 1. Amend Senate Bill 899 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 15-107 and 15-116 as follows: (625 ILCS 5/15-107) (from Ch. 95 1/2, par. 15-107)

Sec. 15-107. Length of vehicles.

(a) The maximum length of a single vehicle on any highway of this State may not exceed 42 feet except the following:

(1) Semitrailers.

(2) Charter or regulated route buses may be up to 45 feet in length, not including energy absorbing bumpers.

(a-1) A motor home as defined in Section 1-145.01 may be up to 45 feet in length, not including energy absorbing bumpers. The length limitations described in this subsection (a-1) shall be exclusive of energy-absorbing bumpers and rear view mirrors.

(b) The Department shall have the authority to restrict vehicle length on its roadways as it deems appropriate. ~~(Blank).~~

(c) Except as provided in subsections (c-1) and (c-2), combinations of vehicles may not exceed a total of 2 vehicles except the following:

(1) A truck tractor semitrailer may draw one trailer.

(2) A truck tractor semitrailer may draw one converter dolly or one semitrailer.

(3) A truck tractor semitrailer may draw one vehicle that is defined in Chapter 1 as special mobile equipment, provided the overall dimension does not exceed 60 feet.

(4) A truck in transit may draw 3 trucks in transit coupled together by the triple saddlemount method.

(5) Recreational vehicles consisting of 3 vehicles, provided the following:

(A) The total overall dimension does not exceed 60 feet.

(B) The towing vehicle is a properly registered vehicle capable of towing another vehicle using a fifth-wheel type assembly.

(C) The second vehicle in the combination of vehicles is a recreational vehicle that is towed by a fifth-wheel assembly. This vehicle must be properly registered and must be equipped with brakes, regardless of weight.

(D) The third vehicle must be the lightest of the 3 vehicles and be a trailer or semitrailer designed or used for transporting a boat, all-terrain vehicle, personal watercraft, or motorcycle.

(E) The towed vehicles may be only for the use of the operator of the towing vehicle.

(F) All vehicles must be properly equipped with operating brakes and safety equipment required by this Code, except the additional brake requirement in subdivision (C) of this subparagraph (5).

(6) A tow truck in combination with a disabled vehicle or combination of disabled vehicles, provided the towing vehicle:

(A) Is specifically designed as a tow truck having a gross vehicle weight rating of at least 18,000 pounds and equipped with air brakes, provided that air brakes are required only if the towing vehicle is towing a vehicle, semitrailer, or tractor-trailer combination that is equipped with air brakes. For the purpose of this subsection, gross vehicle weight rating, or GVWR, means the value specified by the manufacturer as the loaded weight of the tow truck.

(B) Is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions.

(C) Is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles.

(D) Does not engage a tow exceeding 50 highway miles from the initial point of wreck or disablement to a place of repair. Any additional movement of the vehicles may occur only upon issuance of authorization for that movement under the provisions of Sections 15-301 through 15-318 of this Code.

The Department may by rule or regulation prescribe additional requirements regarding length limitations for a tow truck towing another vehicle.

For purposes of this Section, a tow-dolly that merely serves as substitute wheels for another legally licensed vehicle is considered part of the licensed vehicle and not a separate vehicle.

(7) Commercial vehicles consisting of 3 vehicles, provided the following:

(A) The total overall dimension does not exceed 65 feet.

(B) The towing vehicle is a properly registered vehicle capable of towing another vehicle using a fifth-wheel type assembly or a goose-neck hitch ball.

(C) The third vehicle must be the lightest of the 3 vehicles and be a trailer or semitrailer.

(D) All vehicles must be properly equipped with operating brakes and safety equipment required by this Code.

(E) The combination of vehicles must be operated by a person who holds a commercial driver's license (CDL).

(F) The combination of vehicles must be en route to a location where new or used trailers are sold by an Illinois or out-of-state licensed new or used trailer dealer.

(c-1) A combination of 3 vehicles is allowed access to any State designated highway if:

(1) the length of neither towed vehicle exceeds 28.5 feet;

(2) the overall wheel base of the combination of vehicles does not exceed 62 feet; and

(3) the combination of vehicles is en route to a location where new or used trailers are sold by an Illinois or out-of-state licensed new or used trailer dealer.

(c-2) A combination of 3 vehicles is allowed access from any State designated highway onto any county, township, or municipal highway for a distance of 5 highway miles for the purpose of delivery or collection of one or both of the towed vehicles if:

(1) the length of neither towed vehicle exceeds 28.5 feet;

(2) the combination of vehicles does not exceed 40,000 pounds in gross weight and 8 feet 6 inches in width;

(3) there is no sign prohibiting that access;

(4) the route is not being used as a thoroughfare between State designated highways; and

(5) the combination of vehicles is en route to a location where new or used trailers are sold by an Illinois or out-of-state licensed new or used trailer dealer.

(d) On Class I highways there are no overall length limitations on motor vehicles operating in combinations provided:

(1) The length of a semitrailer, unladen or with load, in combination with a truck tractor may not exceed 53 feet.

(2) The distance between the kingpin and the center of the rear axle of a semitrailer longer than 48 feet, in combination with a truck tractor, may not exceed 45 feet 6 inches. The limit contained in this paragraph (2) shall not apply to trailers or semi-trailers used for the transport of livestock as defined by Section 18b-101.

(3) The length of a semitrailer or trailer, unladen or with load, operated in a truck tractor-semitrailer-trailer or truck tractor semitrailer-semitrailer combination, may not exceed 28 feet 6 inches.

(4) Maxi-cube combinations, as defined in Chapter 1, may not exceed 65 feet overall dimension.

(5) Combinations of vehicles specifically designed to transport motor vehicles or boats may not exceed 65 feet overall dimension. The length limitation is inclusive of front and rear bumpers but exclusive of the overhang of the transported vehicles, as provided in paragraph (i) of this Section.

(6) Stinger-steered semitrailer vehicles specifically designed to transport motor vehicles or boats and automobile transporters, as defined in Chapter 1, may not exceed 80 feet overall dimension. The length limitation is inclusive of front and rear bumpers but exclusive of the overhang of the transported vehicles, as provided in paragraph (i) of this Section.

(7) A truck in transit transporting 3 trucks coupled together by the triple saddlemount method may not exceed 97 feet overall dimension.

(8) A towaway trailer transporter combination may not exceed 82 feet overall dimension.

Vehicles operating during daylight hours when transporting poles, pipes, machinery, or other objects of a structural nature that cannot readily be dismantled or disassembled are exempt from length limitations, provided that no object may exceed 80 feet in length and the overall dimension of the vehicle including the load may not exceed 100 feet. This exemption does not apply to operation on a Saturday, Sunday, or legal holiday. Legal holidays referred to in this Section are the days on which the following traditional holidays are celebrated: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day.

Vehicles and loads operated by a public utility while en route to make emergency repairs to public service facilities or properties are exempt from length limitations, provided that during night operations every vehicle and its load must be equipped with a sufficient number of clearance lamps on both sides and marker lamps on the extreme ends of any projecting load to clearly mark the dimensions of the load.

A tow truck in combination with a disabled vehicle or combination of disabled vehicles, as provided in paragraph (6) of subsection (c) of this Section, is exempt from length limitations.

The length limitations described in this paragraph (d) shall be exclusive of safety and energy conservation devices, such as bumpers, refrigeration units or air compressors and other devices, that the Department may interpret as necessary for safe and efficient operation; except that no device excluded under this paragraph shall have by its design or use the capability to carry cargo.

Section 5-35 of the Illinois Administrative Procedure Act relating to procedures for rulemaking shall not apply to the designation of highways under this paragraph (d).

(e) On Class II highways there are no overall length limitations on motor vehicles operating in combinations, provided:

(1) The length of a semitrailer, unladen or with load, in combination with a truck tractor, may not exceed 53 feet overall dimension.

(2) The distance between the kingpin and the center of the rear axle of a semitrailer longer than 48 feet, in combination with a truck tractor, may not exceed 45 feet 6 inches. The limit contained in this paragraph (2) shall not apply to trailers or semi-trailers used for the transport of livestock as defined by Section 18b-101.

(3) A truck tractor-semitrailer-trailer or truck tractor semitrailer-semitrailer combination may not exceed 65 feet in dimension from front axle to rear axle.

(4) The length of a semitrailer or trailer, unladen or with load, operated in a truck tractor-semitrailer-trailer or truck tractor semitrailer-semitrailer combination, may not exceed 28 feet 6 inches.

(5) Maxi-cube combinations, as defined in Chapter 1, may not exceed 65 feet overall dimension.

(6) A combination of vehicles, specifically designed to transport motor vehicles or boats, may not exceed 65 feet overall dimension. The length limitation is inclusive of front and rear bumpers but exclusive of the overhang of the transported vehicles, as provided in paragraph (i) of this Section.

(7) Stinger-steered semitrailer vehicles specifically designed to transport motor vehicles or boats may not exceed 80 feet overall dimension. The length limitation is inclusive of front and rear bumpers but exclusive of the overhang of the transported vehicles, as provided in paragraph (i) of this Section.

(8) A truck in transit transporting 3 trucks coupled together by the triple saddle-mount method may not exceed 97 feet overall dimension.

(9) A towaway trailer transporter combination may not exceed 82 feet overall dimension.

Vehicles operating during daylight hours when transporting poles, pipes, machinery, or other objects of a structural nature that cannot readily be dismantled or disassembled are exempt from length limitations, provided that no object may exceed 80 feet in length and the overall dimension of the vehicle including the load may not exceed 100 feet. This exemption does not apply to operation on a Saturday, Sunday, or legal holiday. Legal holidays referred to in this Section are the days on which the following traditional holidays are celebrated: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day.

Vehicles and loads operated by a public utility while en route to make emergency repairs to public service facilities or properties are exempt from length limitations, provided that during night operations every vehicle and its load must be equipped with a sufficient number of clearance lamps on both sides and marker lamps on the extreme ends of any projecting load to clearly mark the dimensions of the load.

A tow truck in combination with a disabled vehicle or combination of disabled vehicles, as provided in paragraph (6) of subsection (c) of this Section, is exempt from length limitations.

Local authorities, with respect to streets and highways under their jurisdiction, may also by ordinance or resolution allow length limitations of this subsection (e).

The length limitations described in this paragraph (e) shall be exclusive of safety and energy conservation devices, such as bumpers, refrigeration units or air compressors and other devices, that the Department may interpret as necessary for safe and efficient operation; except that no device excluded under this paragraph shall have by its design or use the capability to carry cargo.

Section 5-35 of the Illinois Administrative Procedure Act relating to procedures for rulemaking shall not apply to the designation of highways under this paragraph (e).

(e-1) (Blank).

(e-2) Except as provided in subsection (e-3), combinations of vehicles over 65 feet in length, with no overall length limitation except as provided in subsections (d) and (e) of this Section, are allowed access as follows:

(1) From a Class I highway onto any street or highway for a distance of one highway mile for the purpose of loading, unloading, food, fuel, repairs, and rest, provided there is no sign prohibiting that access.

(2) From a Class I or Class II highway onto any non-designated highway for a distance of 5 highway miles for the purpose of loading, unloading, food, fuel, repairs, and rest if:

(A) there is no sign prohibiting that access; and

(B) the route is not being used as a thoroughfare between Class I or Class II highways.

(e-3) Combinations of vehicles over 65 feet in length operated by household goods carriers or towaway trailer transporter combinations, with no overall length limitations except as provided in subsections (d) and (e) of this Section, have unlimited access to points of loading, unloading, or delivery to or from a manufacturer, distributor, or dealer.

(f) On non-designated highways, the maximum length limitations for vehicles in combination are as follows:

(1) A truck tractor in combination with a semitrailer may not exceed 65 feet overall dimension. ~~An agency or instrumentality of the State or any unit of local government shall not be required to design or construct a new non-designated highway or to widen or otherwise alter a non-designated highway to accommodate truck tractor-semitrailer combinations under this paragraph (1).~~

(2) Semitrailers, unladen or with load, may not exceed 53 feet overall dimension.

(3) A truck tractor-semitrailer-trailer or truck tractor semitrailer-semitrailer may not exceed 60 feet overall dimension.

(4) The distance between the kingpin and the center axle of a semitrailer longer than 48 feet, in combination with a truck tractor, may not exceed 42 feet 6 inches. The limit contained in this paragraph (4) shall not apply to trailers or semi-trailers used for the transport of livestock as defined by Section 18b-101.

An agency or instrumentality of the State or any unit of local government shall not be required to design, construct, alter, widen, or maintain any non-designated highway to accommodate vehicles in combination under this subsection (f). For the purposes of designing or modifying the intersection of a local roadway and a State roadway that does not accommodate vehicles under this subsection (f), either the Department or local government may, in its sole discretion with respect to its respective roadway, restrict the length of vehicles turning on to or off of its respective roadway. A restriction so determined and declared by the Department or the local government becomes effective, when appropriate signs giving notice of the limit are erected. Each governmental entity shall cause signage to be installed on its respective roadway to notify vehicles of turning and length restrictions. Vehicles that exceed posted measurements shall be prohibited from turning to access the roadway.

(g) Length limitations in the preceding subsections of this Section 15-107 do not apply to the following:

(1) Vehicles operated in the daytime, except on Saturdays, Sundays, or legal holidays, when transporting poles, pipe, machinery, or other objects of a structural nature that cannot readily be dismantled or disassembled, provided the overall length of vehicle and load may not exceed 100 feet and no object exceeding 80 feet in length may be transported unless a permit has been obtained as authorized in Section 15-301. As used in this Section, "legal holiday" means any of the following

days: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day.

(2) Vehicles and loads operated by a public utility while en route to make emergency repairs to public service facilities or properties, but during night operation every vehicle and its load must be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of the load.

(3) A tow truck in combination with a disabled vehicle or combination of disabled vehicles, as provided in paragraph (6) of subsection (c) of this Section, is exempt from length limitations.

The towing vehicle, however, may tow any disabled vehicle from the initial point of wreck or disablement to a point where repairs are actually to occur. This movement shall be valid only on State routes. The tower must abide by posted bridge weight limits.

All other combinations not listed in this subsection (f) may not exceed 60 feet overall dimension.

(h) The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than 3 feet beyond the front wheels of the vehicle or the front bumper of the vehicle if it is equipped with a front bumper. The provisions of this subsection (h) shall not apply to any vehicle or combination of vehicles specifically designed for the collection and transportation of waste, garbage, or recyclable materials during the vehicle's operation in the course of collecting garbage, waste, or recyclable materials if the vehicle is traveling at a speed not in excess of 15 miles per hour during the vehicle's operation and in the course of collecting garbage, waste, or recyclable materials. However, in no instance shall the load extend more than 7 feet beyond the front wheels of the vehicle or the front bumper of the vehicle if it is equipped with a front bumper.

(i) The load upon the front vehicle of an automobile transporter or a stinger-steered vehicle specifically designed to transport motor vehicles shall not extend more than 4 feet beyond the foremost part of the transporting vehicle and the load upon the rear transporting vehicle shall not extend more than 6 feet beyond the rear of the bed or body of the vehicle. This paragraph shall only be applicable upon highways designated in paragraphs (d) and (e) of this Section.

(j) Articulated vehicles comprised of 2 sections, neither of which exceeds a length of 42 feet, designed for the carrying of more than 10 persons, may be up to 60 feet in length, not including energy absorbing bumpers, provided that the vehicles are:

1. operated by or for any public body or motor carrier authorized by law to provide public transportation services; or

2. operated in local public transportation service by any other person and the municipality in which the service is to be provided approved the operation of the vehicle.

(j-1) (Blank).

(k) Any person who is convicted of violating this Section is subject to the penalty as provided in paragraph (b) of Section 15-113.

(l) (Blank).

(Source: P.A. 102-124, eff. 7-23-21; 103-258, eff. 1-1-24.)

(625 ILCS 5/15-116)

Sec. 15-116. Highway designations.

(a) The Department of Transportation shall maintain and provide a listing of all Class I and Class II designated streets and highways as defined in Chapter 1 of this Code.

(b) The Department shall also maintain and provide a listing of all local streets or highways that have been designated Class II by local agencies.

(c) Local agencies shall be responsible for reporting to the Department all streets and highways under their jurisdiction designated Class II. Local agencies shall also provide to the Department reference contact names and telephone numbers.

(d) The Department shall also maintain and provide an official map of the Designated State Truck Route System that includes State and local streets and highways that have been designated Class I or Class II.

(e) If a unit of local government has no Class II designated truck routes, the unit of local government shall affirm to the Department that it has no such truck routes.

(f) Each unit of local government shall report to the Department, and the Department shall post on its official website, any limitations prohibiting the operation of vehicles imposed by ordinance or resolution in the unit of local government's non-designated highway system and any non-designated highway that is not

designed and constructed after January 1, ~~2023~~ 2024 to the overall length dimension of vehicles permitted under ~~paragraph (1)~~ of subsection (f) of Section 15-107. (Source: P.A. 103-258, eff. 1-1-24)."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Simmons offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 899

AMENDMENT NO. 2. Amend Senate Bill 899 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 15-107 and 15-116 as follows: (625 ILCS 5/15-107) (from Ch. 95 1/2, par. 15-107)

Sec. 15-107. Length of vehicles.

(a) The maximum length of a single vehicle on any highway of this State may not exceed 42 feet except the following:

(1) Semitrailers.

(2) Charter or regulated route buses may be up to 45 feet in length, not including energy absorbing bumpers.

(a-1) A motor home as defined in Section 1-145.01 may be up to 45 feet in length, not including energy absorbing bumpers. The length limitations described in this subsection (a-1) shall be exclusive of energy-absorbing bumpers and rear view mirrors.

(b) The Department shall have the authority to restrict vehicle length on its roadways as it deems appropriate. ~~(Blank).~~

(c) Except as provided in subsections (c-1) and (c-2), combinations of vehicles may not exceed a total of 2 vehicles except the following:

(1) A truck tractor semitrailer may draw one trailer.

(2) A truck tractor semitrailer may draw one converter dolly or one semitrailer.

(3) A truck tractor semitrailer may draw one vehicle that is defined in Chapter 1 as special mobile equipment, provided the overall dimension does not exceed 60 feet.

(4) A truck in transit may draw 3 trucks in transit coupled together by the triple saddlemount method.

(5) Recreational vehicles consisting of 3 vehicles, provided the following:

(A) The total overall dimension does not exceed 60 feet.

(B) The towing vehicle is a properly registered vehicle capable of towing another vehicle using a fifth-wheel type assembly.

(C) The second vehicle in the combination of vehicles is a recreational vehicle that is towed by a fifth-wheel assembly. This vehicle must be properly registered and must be equipped with brakes, regardless of weight.

(D) The third vehicle must be the lightest of the 3 vehicles and be a trailer or semitrailer designed or used for transporting a boat, all-terrain vehicle, personal watercraft, or motorcycle.

(E) The towed vehicles may be only for the use of the operator of the towing vehicle.

(F) All vehicles must be properly equipped with operating brakes and safety equipment required by this Code, except the additional brake requirement in subdivision (C) of this subparagraph (5).

(6) A tow truck in combination with a disabled vehicle or combination of disabled vehicles, provided the towing vehicle:

(A) Is specifically designed as a tow truck having a gross vehicle weight rating of at least 18,000 pounds and equipped with air brakes, provided that air brakes are required only if the towing vehicle is towing a vehicle, semitrailer, or tractor-trailer combination that is equipped with air brakes. For the purpose of this subsection, gross vehicle weight rating, or GVWR, means the value specified by the manufacturer as the loaded weight of the tow truck.

(B) Is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions.

(C) Is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles.

(D) Does not engage a tow exceeding 50 highway miles from the initial point of wreck or disablement to a place of repair. Any additional movement of the vehicles may occur only upon issuance of authorization for that movement under the provisions of Sections 15-301 through 15-318 of this Code.

The Department may by rule or regulation prescribe additional requirements regarding length limitations for a tow truck towing another vehicle.

For purposes of this Section, a tow-dolly that merely serves as substitute wheels for another legally licensed vehicle is considered part of the licensed vehicle and not a separate vehicle.

(7) Commercial vehicles consisting of 3 vehicles, provided the following:

(A) The total overall dimension does not exceed 65 feet.

(B) The towing vehicle is a properly registered vehicle capable of towing another vehicle using a fifth-wheel type assembly or a goose-neck hitch ball.

(C) The third vehicle must be the lightest of the 3 vehicles and be a trailer or semitrailer.

(D) All vehicles must be properly equipped with operating brakes and safety equipment required by this Code.

(E) The combination of vehicles must be operated by a person who holds a commercial driver's license (CDL).

(F) The combination of vehicles must be en route to a location where new or used trailers are sold by an Illinois or out-of-state licensed new or used trailer dealer.

(c-1) A combination of 3 vehicles is allowed access to any State designated highway if:

(1) the length of neither towed vehicle exceeds 28.5 feet;

(2) the overall wheel base of the combination of vehicles does not exceed 62 feet; and

(3) the combination of vehicles is en route to a location where new or used trailers are sold by an Illinois or out-of-state licensed new or used trailer dealer.

(c-2) A combination of 3 vehicles is allowed access from any State designated highway onto any county, township, or municipal highway for a distance of 5 highway miles for the purpose of delivery or collection of one or both of the towed vehicles if:

(1) the length of neither towed vehicle exceeds 28.5 feet;

(2) the combination of vehicles does not exceed 40,000 pounds in gross weight and 8 feet 6 inches in width;

(3) there is no sign prohibiting that access;

(4) the route is not being used as a thoroughfare between State designated highways; and

(5) the combination of vehicles is en route to a location where new or used trailers are sold by an Illinois or out-of-state licensed new or used trailer dealer.

(d) On Class I highways there are no overall length limitations on motor vehicles operating in combinations provided:

(1) The length of a semitrailer, unladen or with load, in combination with a truck tractor may not exceed 53 feet.

(2) The distance between the kingpin and the center of the rear axle of a semitrailer longer than 48 feet, in combination with a truck tractor, may not exceed 45 feet 6 inches. The limit contained in this paragraph (2) shall not apply to trailers or semi-trailers used for the transport of livestock as defined by Section 18b-101.

(3) The length of a semitrailer or trailer, unladen or with load, operated in a truck tractor-semitrailer-trailer or truck tractor semitrailer-semitrailer combination, may not exceed 28 feet 6 inches.

(4) Maxi-cube combinations, as defined in Chapter 1, may not exceed 65 feet overall dimension.

(5) Combinations of vehicles specifically designed to transport motor vehicles or boats may not exceed 65 feet overall dimension. The length limitation is inclusive of front and rear bumpers but exclusive of the overhang of the transported vehicles, as provided in paragraph (i) of this Section.

(6) Stinger-steered semitrailer vehicles specifically designed to transport motor vehicles or boats and automobile transporters, as defined in Chapter 1, may not exceed 80 feet overall dimension. The length limitation is inclusive of front and rear bumpers but exclusive of the overhang of the transported vehicles, as provided in paragraph (i) of this Section.

(7) A truck in transit transporting 3 trucks coupled together by the triple saddle-mount method may not exceed 97 feet overall dimension.

(8) A towaway trailer transporter combination may not exceed 82 feet overall dimension.

Vehicles operating during daylight hours when transporting poles, pipes, machinery, or other objects of a structural nature that cannot readily be dismantled or disassembled are exempt from length limitations, provided that no object may exceed 80 feet in length and the overall dimension of the vehicle including the load may not exceed 100 feet. This exemption does not apply to operation on a Saturday, Sunday, or legal holiday. Legal holidays referred to in this Section are the days on which the following traditional holidays are celebrated: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day.

Vehicles and loads operated by a public utility while en route to make emergency repairs to public service facilities or properties are exempt from length limitations, provided that during night operations every vehicle and its load must be equipped with a sufficient number of clearance lamps on both sides and marker lamps on the extreme ends of any projecting load to clearly mark the dimensions of the load.

A tow truck in combination with a disabled vehicle or combination of disabled vehicles, as provided in paragraph (6) of subsection (c) of this Section, is exempt from length limitations.

The length limitations described in this paragraph (d) shall be exclusive of safety and energy conservation devices, such as bumpers, refrigeration units or air compressors and other devices, that the Department may interpret as necessary for safe and efficient operation; except that no device excluded under this paragraph shall have by its design or use the capability to carry cargo.

Section 5-35 of the Illinois Administrative Procedure Act relating to procedures for rulemaking shall not apply to the designation of highways under this paragraph (d).

(e) On Class II highways there are no overall length limitations on motor vehicles operating in combinations, provided:

(1) The length of a semitrailer, unladen or with load, in combination with a truck tractor, may not exceed 53 feet overall dimension.

(2) The distance between the kingpin and the center of the rear axle of a semitrailer longer than 48 feet, in combination with a truck tractor, may not exceed 45 feet 6 inches. The limit contained in this paragraph (2) shall not apply to trailers or semi-trailers used for the transport of livestock as defined by Section 18b-101.

(3) A truck tractor-semitrailer-trailer or truck tractor semitrailer-semitrailer combination may not exceed 65 feet in dimension from front axle to rear axle.

(4) The length of a semitrailer or trailer, unladen or with load, operated in a truck tractor-semitrailer-trailer or truck tractor semitrailer-semitrailer combination, may not exceed 28 feet 6 inches.

(5) Maxi-cube combinations, as defined in Chapter 1, may not exceed 65 feet overall dimension.

(6) A combination of vehicles, specifically designed to transport motor vehicles or boats, may not exceed 65 feet overall dimension. The length limitation is inclusive of front and rear bumpers but exclusive of the overhang of the transported vehicles, as provided in paragraph (i) of this Section.

(7) Stinger-steered semitrailer vehicles specifically designed to transport motor vehicles or boats may not exceed 80 feet overall dimension. The length limitation is inclusive of front and rear bumpers but exclusive of the overhang of the transported vehicles, as provided in paragraph (i) of this Section.

(8) A truck in transit transporting 3 trucks coupled together by the triple saddle-mount method may not exceed 97 feet overall dimension.

(9) A towaway trailer transporter combination may not exceed 82 feet overall dimension.

Vehicles operating during daylight hours when transporting poles, pipes, machinery, or other objects of a structural nature that cannot readily be dismantled or disassembled are exempt from length limitations, provided that no object may exceed 80 feet in length and the overall dimension of the vehicle including the load may not exceed 100 feet. This exemption does not apply to operation on a Saturday, Sunday, or legal holiday. Legal holidays referred to in this Section are the days on which the following traditional holidays are celebrated: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day.

Vehicles and loads operated by a public utility while en route to make emergency repairs to public service facilities or properties are exempt from length limitations, provided that during night operations

every vehicle and its load must be equipped with a sufficient number of clearance lamps on both sides and marker lamps on the extreme ends of any projecting load to clearly mark the dimensions of the load.

A tow truck in combination with a disabled vehicle or combination of disabled vehicles, as provided in paragraph (6) of subsection (c) of this Section, is exempt from length limitations.

Local authorities, with respect to streets and highways under their jurisdiction, may also by ordinance or resolution allow length limitations of this subsection (e).

The length limitations described in this paragraph (e) shall be exclusive of safety and energy conservation devices, such as bumpers, refrigeration units or air compressors and other devices, that the Department may interpret as necessary for safe and efficient operation; except that no device excluded under this paragraph shall have by its design or use the capability to carry cargo.

Section 5-35 of the Illinois Administrative Procedure Act relating to procedures for rulemaking shall not apply to the designation of highways under this paragraph (e).

(e-1) (Blank).

(e-2) Except as provided in subsection (e-3), combinations of vehicles over 65 feet in length, with no overall length limitation except as provided in subsections (d) and (e) of this Section, are allowed access as follows:

(1) From a Class I highway onto any street or highway for a distance of one highway mile for the purpose of loading, unloading, food, fuel, repairs, and rest, provided there is no sign prohibiting that access.

(2) From a Class I or Class II highway onto any non-designated highway for a distance of 5 highway miles for the purpose of loading, unloading, food, fuel, repairs, and rest if:

(A) there is no sign prohibiting that access; and

(B) the route is not being used as a thoroughfare between Class I or Class II highways.

(e-3) Combinations of vehicles over 65 feet in length operated by household goods carriers or towaway trailer transporter combinations, with no overall length limitations except as provided in subsections (d) and (e) of this Section, have unlimited access to points of loading, unloading, or delivery to or from a manufacturer, distributor, or dealer.

(f) On non-designated highways, the maximum length limitations for vehicles in combination are as follows:

(1) A truck tractor in combination with a semitrailer may not exceed 65 feet overall dimension.

~~An agency or instrumentality of the State or any unit of local government shall not be required to design or construct a new non-designated highway or to widen or otherwise alter a non-designated highway to accommodate truck tractor semitrailer combinations under this paragraph (1).~~

(2) Semitrailers, unladen or with load, may not exceed 53 feet overall dimension.

(3) A truck tractor-semitrailer-trailer or truck tractor semitrailer-semitrailer may not exceed 60 feet overall dimension.

(4) The distance between the kingpin and the center axle of a semitrailer longer than 48 feet, in combination with a truck tractor, may not exceed 42 feet 6 inches. The limit contained in this paragraph (4) shall not apply to trailers or semi-trailers used for the transport of livestock as defined by Section 18b-101.

An agency or instrumentality of the State or any unit of local government shall not be required to design, construct, alter, widen, or maintain any non-designated highway to accommodate vehicles in combination under this subsection (f). For the purposes of designing or modifying the intersection of a local roadway and a State roadway that does not accommodate vehicles under this subsection (f), a local unit of government may request in writing for the Department to restrict the length of vehicles turning on to or off of any jurisdiction roadway of the intersection. The Department may, in its sole discretion, restrict the length of vehicles turning on to or off of any jurisdiction roadway of the intersection. A restriction so determined and declared by the Department becomes effective, when appropriate signs giving notice of the limit are erected. Each governmental entity shall cause signage to be installed on its respective roadway to notify vehicles of turning and length restrictions. Vehicles that exceed posted measurements shall be prohibited from turning to access the roadway.

(g) Length limitations in the preceding subsections of this Section 15-107 do not apply to the following:

(1) Vehicles operated in the daytime, except on Saturdays, Sundays, or legal holidays, when transporting poles, pipe, machinery, or other objects of a structural nature that cannot readily be dismantled or disassembled, provided the overall length of vehicle and load may not exceed 100 feet

and no object exceeding 80 feet in length may be transported unless a permit has been obtained as authorized in Section 15-301. As used in this Section, "legal holiday" means any of the following days: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day.

(2) Vehicles and loads operated by a public utility while en route to make emergency repairs to public service facilities or properties, but during night operation every vehicle and its load must be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of the load.

(3) A tow truck in combination with a disabled vehicle or combination of disabled vehicles, as provided in paragraph (6) of subsection (c) of this Section, is exempt from length limitations.

The towing vehicle, however, may tow any disabled vehicle from the initial point of wreck or disablement to a point where repairs are actually to occur. This movement shall be valid only on State routes. The tow must abide by posted bridge weight limits.

All other combinations not listed in this subsection (f) may not exceed 60 feet overall dimension.

(h) The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than 3 feet beyond the front wheels of the vehicle or the front bumper of the vehicle if it is equipped with a front bumper. The provisions of this subsection (h) shall not apply to any vehicle or combination of vehicles specifically designed for the collection and transportation of waste, garbage, or recyclable materials during the vehicle's operation in the course of collecting garbage, waste, or recyclable materials if the vehicle is traveling at a speed not in excess of 15 miles per hour during the vehicle's operation and in the course of collecting garbage, waste, or recyclable materials. However, in no instance shall the load extend more than 7 feet beyond the front wheels of the vehicle or the front bumper of the vehicle if it is equipped with a front bumper.

(i) The load upon the front vehicle of an automobile transporter or a stinger-steered vehicle specifically designed to transport motor vehicles shall not extend more than 4 feet beyond the foremost part of the transporting vehicle and the load upon the rear transporting vehicle shall not extend more than 6 feet beyond the rear of the bed or body of the vehicle. This paragraph shall only be applicable upon highways designated in paragraphs (d) and (e) of this Section.

(j) Articulated vehicles comprised of 2 sections, neither of which exceeds a length of 42 feet, designed for the carrying of more than 10 persons, may be up to 60 feet in length, not including energy absorbing bumpers, provided that the vehicles are:

1. operated by or for any public body or motor carrier authorized by law to provide public transportation services; or
2. operated in local public transportation service by any other person and the municipality in which the service is to be provided approved the operation of the vehicle.

(j-1) (Blank).

(k) Any person who is convicted of violating this Section is subject to the penalty as provided in paragraph (b) of Section 15-113.

(l) (Blank).

(Source: P.A. 102-124, eff. 7-23-21; 103-258, eff. 1-1-24.)

(625 ILCS 5/15-116)

Sec. 15-116. Highway designations.

(a) The Department of Transportation shall maintain and provide a listing of all Class I and Class II designated streets and highways as defined in Chapter 1 of this Code.

(b) The Department shall also maintain and provide a listing of all local streets or highways that have been designated Class II by local agencies.

(c) Local agencies shall be responsible for reporting to the Department all streets and highways under their jurisdiction designated Class II. Local agencies shall also provide to the Department reference contact names and telephone numbers.

(d) The Department shall also maintain and provide an official map of the Designated State Truck Route System that includes State and local streets and highways that have been designated Class I or Class II.

(e) If a unit of local government has no Class II designated truck routes, the unit of local government shall affirm to the Department that it has no such truck routes.

(f) Each unit of local government shall report to the Department, and the Department shall post on its official website, any limitations prohibiting the operation of vehicles imposed by ordinance or resolution in

the unit of local government's non-designated highway system and any non-designated highway that is not designed and constructed after January 1, 2024 ~~2023~~ to the overall length dimension of vehicles permitted under ~~paragraph (1)~~ of subsection (f) of Section 15-107. (Source: P.A. 103-258, eff. 1-1-24.)”.

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Simmons, **Senate Bill No. 899** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

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

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

HOUSE BILL RECALLED

On motion of Senator Harmon, **House Bill No. 4226** was recalled from the order of third reading to the order of second reading.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 4226

AMENDMENT NO. 1 . Amend House Bill 4226 by replacing everything after the enacting clause with the following:

"Section 5. The Circuit Courts Act is amended by changing Section 2f as follows:
 (705 ILCS 35/2f) (from Ch. 37, par. 72.2f)
 Sec. 2f. Circuit of Cook County.

(a) Until December 2, 2024, the Circuit of Cook County shall be divided into 15 units to be known as subcircuits. On and after December 2, 2024, the Circuit of Cook County is divided into 20 subcircuits as drawn by the General Assembly. The subcircuits shall be compact, contiguous, and substantially equal in population. Beginning in 2031, the General Assembly shall, in the year following each federal decennial census, redraw the boundaries of the subcircuits to reflect the results of the most recent federal decennial census.

In accordance with subsection (d), a resident judgeship assigned to a subcircuit shall continue to be assigned to that subcircuit. Any vacancy in a resident judgeship existing on or occurring after the effective date of a law redrawing the boundaries of the subcircuits shall be filled by a resident of the redrawn subcircuit.

(b) The 165 resident judges to be elected from the Circuit of Cook County shall be determined under paragraph (4) of subsection (a) of Section 2 of the Judicial Vacancies Act.

(c) For resident judgeships to be filled by election on or before the 2022 general election, the Supreme Court shall allot (i) the additional resident judgeships provided by paragraph (4) of subsection (a) of Section 2 of the Judicial Vacancies Act and (ii) all vacancies in resident judgeships existing on or occurring on or after the effective date of this amendatory Act of 1990, with respect to the other resident judgeships of the Circuit of Cook County, for election from the various subcircuits until there are 11 resident judges to be elected from each of the 15 subcircuits (for a total of 165). A resident judgeship authorized before the effective date of this amendatory Act of 1990 that became vacant and was filled by appointment by the Supreme Court before that effective date shall be filled by election at the general election in November of 1992 from the unit of the Circuit of Cook County within Chicago or the unit of that Circuit outside Chicago, as the case may be, in which the vacancy occurred.

(d) As soon as practicable after the subcircuits are created by law, the Supreme Court shall determine by lot a numerical order for the 15 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. After the first round of assignments, the second and all later rounds shall be based on the same numerical order. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes; provided that a resident judge elected from a subcircuit seeking retention shall run for retention at large in the circuit in accordance with Article VI, Section 12(d) of the Illinois Constitution. No elected judge of the Circuit of Cook County serving on January 7, 2022 shall be required to change his or her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d-5) For resident judgeships to be filled by election on or after the 2024 general election, a vacancy of a resident judgeship to be elected from a subcircuit shall be allotted by the Supreme Court to the subcircuit created under the Judicial Circuits Districting Act of 2022 that numerically corresponds to the subcircuit from which the resident judgeship was previously allotted. For any resident judgeship to be elected from a subcircuit that was not previously allotted to a subcircuit, vacancies shall be allotted in numerical order to subcircuits created under the Judicial Circuits Districting Act of 2022 which numerically correspond to subcircuits that had less than 11 resident judges on January 7, 2022 until there are 11 resident judges to be elected from each of the respective subcircuits. Vacancies in associate judgeships authorized under Section 2(a) of the Associate Judges Act occurring or after June 1, 2023 shall be converted to resident circuit judgeships and shall be allotted in numerical order to subcircuits. Any vacancies in formerly associate judgeships converted to resident circuit judgeships in the Circuit of Cook County occurring on or after June 1, 2023 shall be allotted in numerical order to Judicial Subcircuits 16, 17, 18, 19, and 20, until there are 11 resident judges to be elected from each of those subcircuits (for a total of 55). Beginning with the 2024 election cycle, the maximum number of formerly associate judgeship vacancies which shall be converted to resident circuit judgeships to which may be allotted to Judicial Subcircuits 16, 17, 18, 19, and 20 in an election cycle shall be 10 resident circuit judgeships, with each subcircuit allotted no more than 2 resident circuit judgeships per election cycle. Any additional associate judgeship vacancies in excess of the maximum number per election cycle shall not be converted to resident circuit judgeships and shall be filled according to Supreme Court Rule 39 until such time that a vacancy in the associate judgeship occurs. A vacancy occurs when an associate judge dies, resigns, retires, is removed, or is not reappointed upon the expiration of his or her term; a vacancy does not occur at the expiration of a term if the associate judge is reappointed. As used in this subsection, "election cycle" means the period that begins on the day following the last day to certify judicial vacancies for election at the next general election and ends on the

last day to certify judicial vacancies for election at the next general election, as provided in Section 25-3 of the Election Code ~~subcircuit~~.

(e) A resident judge elected from a subcircuit shall continue to reside in that subcircuit as long as he or she holds that office. A resident judge elected from a subcircuit after January 1, 2008, must retain residency as a registered voter in the subcircuit to run for retention from the circuit at large thereafter. (Source: P.A. 101-477, eff. 6-1-20; 102-668, eff. 11-15-21; 102-693, eff. 1-7-22; 102-1126, eff. 2-10-23.)

Section 10. The Associate Judges Act is amended by changing Section 2 as follows:
(705 ILCS 45/2) (from Ch. 37, par. 160.2)

Sec. 2. (a) The maximum number of associate judges authorized for each circuit is the greater of the applicable minimum number specified in this Section or one for each 35,000 or fraction thereof in population as determined by the last preceding Federal census, except for circuits with a population of more than 3,000,000 where the maximum number of associate judges is one for each 29,000 or fraction thereof in population as determined by the last preceding federal census, reduced in circuits of less than 200,000 inhabitants by the number of resident circuit judges elected in the circuit in excess of one per county, except that the maximum number of associate judges authorized for the 24th circuit shall be 3. In addition, in circuits of 1,000,000 or more inhabitants, there shall be one additional associate judge authorized for each municipal district of the circuit court. The number of associate judges to be appointed in each circuit, not to exceed the maximum authorized, shall be determined from time to time by the Circuit Court. The minimum number of associate judges authorized for any circuit consisting of a single county shall be 14, except that the minimum in the 22nd circuit shall be 8, the minimum in the 19th circuit on and after December 4, 2006 shall be 20, and the maximum number of associate judges in the 20th circuit on and after December 5, 2022 shall be 12. The minimum number of associate judges authorized for any circuit consisting of 2 counties with a combined population of at least 275,000 but less than 300,000 shall be 10. The minimum number of associate judges authorized for any circuit with a population of at least 303,000 but not more than 309,000 shall be 10. The minimum number of associate judges authorized for any circuit with a population of at least 329,000, but not more than 349,999 shall be 11. The minimum number of associate judges authorized for any circuit with a population of at least 173,000 shall be 5. The number of associate judges authorized for a circuit shall not be reduced as a result of the 2020 federal decennial census. As used in this Section, the term "resident circuit judge" has the meaning given it in the Judicial Vacancies Act.

(b) The maximum number of associate judges authorized under subsection (a) for a circuit with a population of more than 3,000,000 shall be reduced as provided in this subsection (b). For each vacancy that exists on or occurs on or after the effective date of this amendatory Act of 1990, that maximum number shall be reduced by one until the total number of associate judges authorized under subsection (a) is reduced by 60. A vacancy exists or occurs when an associate judge dies, resigns, retires, is removed, or is not reappointed upon expiration of his or her term; a vacancy does not exist or occur at the expiration of a term if the associate judge is reappointed.

(b-5) The maximum number of associate judges authorized under subsection (a) for a circuit with a population of more than 3,000,000 shall be reduced as provided in this subsection (b-5). Vacancies in associate judgeships authorized under subsection (a) occurring on or after June 1, 2023 shall be converted to resident circuit judgeships and shall be allotted in numerical order to subcircuits 16, 17, 18, 19, and 20. Each associate judgeship vacancy that occurs on or after June 1, 2023 shall be converted to a resident circuit judgeship and allotted to a subcircuit pursuant to subsection (d-5) of Section 2f of the Circuit Courts Act, with each subcircuit allotted no more than a total of 11 resident circuit judgeships. Each election cycle, beginning with the 2024 election cycle, a maximum of 10 associate judgeship vacancies shall be converted to resident circuit judgeships pursuant to subsection (d-5) of Section 2f of the Circuit Courts Act and that maximum number shall be reduced by one until the total number of associate judges authorized under subsection (a) is reduced by 55. The maximum number of formerly associate judgeships which may be converted to resident circuit judgeships and which may be allotted to subcircuits 16, 17, 18, 19, and 20 in an election cycle shall be 10 ± judgeships with each per subcircuit being allotted no more than 2 resident circuit judgeships per election cycle. Any additional associate judgeship vacancies in excess of the maximum number per election cycle shall not be converted to resident circuit judgeships and shall be filled according to Supreme Court Rule 39 until such time that a vacancy in the associate judgeship occurs. A vacancy occurs when an associate judge dies, resigns, retires, is removed, or is not reappointed upon expiration of his or her term; a vacancy does not occur at the expiration of a term if the associate judge is reappointed. As used in this subsection, "election cycle" means the period that begins on the day following the last day to

certify judicial vacancies for election at the next general election and ends on the last day to certify judicial vacancies for election at the next general election, as provided in Section 25-3 of the Election Code.

(c) The maximum number of associate judges authorized under subsection (a) for the 17th judicial circuit shall be reduced as provided in this subsection (c). Due to the vacancy that exists on or after the effective date of this amendatory Act of the 93rd General Assembly in the associate judgeship that is converted into a resident judgeship under subsection (a-10) of Section 2f-6 of the Circuit Courts Act, the maximum number of judges authorized under subsection (a) of this Section shall be reduced by one. A vacancy exists or occurs when an associate judge dies, resigns, retires, is removed, or is not reappointed upon expiration of his or her term; a vacancy does not exist or occur at the expiration of a term if the associate judge is reappointed.

(d) The maximum number of associate judges authorized under subsection (a) for the 23rd judicial circuit shall be reduced as provided in this subsection (d). Due to the vacancy that exists on or after the effective date of this amendatory Act of the 98th General Assembly in the associate judgeship that is converted into a resident judgeship under subsection (k) of Section 2f-10 of the Circuit Courts Act, the maximum number of judges authorized under subsection (a) of this Section shall be reduced by one. (Source: P.A. 102-693, eff. 1-7-22; 102-1126, eff. 2-10-23.)

Section 15. The Court Reporters Act is amended by changing Section 7 as follows:

(705 ILCS 70/7) (from Ch. 37, par. 657)

Sec. 7. Proficiency tests. Each court reporter may be required by the chief judge to ~~shall~~ take a test to verify his or her proficiency within one year of employment. The test shall be prepared and administered by the employer representative in consultation with each of the other employer representatives pursuant to standards set by rules. A proficiency test passed prior to employment may be accepted by the chief judge as proof of proficiency.

(Source: P.A. 101-581, eff. 1-1-20.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Harmon, **House Bill No. 4226** 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	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Toro
Bennett	Halpin	McConchie	Tracy
Bryant	Harris, N.	Morrison	Turner, D.
Castro	Harriss, E.	Murphy	Turner, S.
Cervantes	Hastings	Peters	Ventura
Collins	Holmes	Plummer	Villa
Cunningham	Hunter	Porfirio	Villanueva
Curran	Johnson	Preston	Villivalam
DeWitte	Jones, E.	Rezin	Walker
Edly-Allen	Joyce	Rose	Wilcox

Ellman	Koehler	Simmons	Mr. President
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

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

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

On motion of Senator Aquino, **House Bill No. 5324** 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	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	Glowiak Hilton	McClure	Toro
Bennett	Halpin	McConchie	Tracy
Bryant	Harris, N.	Morrison	Turner, D.
Castro	Harriss, E.	Murphy	Turner, S.
Cervantes	Hastings	Peters	Ventura
Collins	Holmes	Plummer	Villa
Cunningham	Hunter	Porfirio	Villanueva
Curran	Johnson	Preston	Villivalam
DeWitte	Jones, E.	Rezin	Walker
Edly-Allen	Joyce	Rose	Wilcox
Ellman	Koehler	Simmons	Mr. President
Faraci	Lewis	Sims	
Feigenholtz	Lightford	Stadelman	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Castro, **House Bill No. 5561** 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 44; NAYS 15.

The following voted in the affirmative:

Aquino	Glowiak Hilton	Loughran Cappel	Tracy
Belt	Halpin	Martwick	Turner, D.
Castro	Harris, N.	Morrison	Ventura
Cervantes	Harriss, E.	Murphy	Villa
Collins	Hastings	Peters	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
DeWitte	Hunter	Preston	Walker
Edly-Allen	Johnson	Rezin	Mr. President
Ellman	Jones, E.	Simmons	

Faraci	Joyce	Sims
Feigenholtz	Koehler	Stadelman
Fine	Lightford	Toro

The following voted in the negative:

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Villanueva, **House Bill No. 581** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 681** was taken up, read by title a second time. Committee Amendment No. 1 was referred to the Committee on Assignments earlier today. Floor Amendment Nos. 2 and 3 were referred to the Committee on Assignments earlier today. There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Chesney, **House Bill No. 1855** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1855

AMENDMENT NO. 1. Amend House Bill 1855 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Forestry Development Act is amended by changing Section 5 as follows:
(525 ILCS 15/5) (from Ch. 96 1/2, par. 9105)

Sec. 5. A forest development cost share program is created and shall be administered by the Department of Natural Resources.

A timber grower who desires to participate in the cost share program shall devise a forest management plan. To be eligible to submit a proposed forest management plan, a timber grower must own or operate at least 10 contiguous acres of land in this State on which timber is produced, except that, no acre on which a permanent building is located shall be included in calculations of acreage for the purpose of determining eligibility. Timber growers with Department approved forest management plans covering less than 10 acres in effect on or before the effective date of this amendatory Act of the 96th General Assembly shall continue to be eligible under the Illinois Forestry Development Act provisions. The proposed forest management plan shall include a description of the land to be managed under the plan, a description of the types of timber to be grown, a projected harvest schedule, a description of forest management practices to be applied to the land, an estimation of the cost of such practices, plans for afforestation, plans for regenerative harvest and reforestation, and a description of soil and water conservation goals and wildlife habitat enhancement which will be served by implementation of the forest management plan.

Upon receipt from a timber grower of a draft forest management plan, the Department shall review the plan and, if necessary, assist the timber grower to revise the plan. The Department shall officially approve acceptable plans. Forest management plans shall be revised as necessary and all revisions must be approved by the Department. A plan shall be evaluated every 2 years for reapproval.

The eligible land shall be maintained in a forest condition for a period of 10 years or until commercial harvest, whichever last occurs, as required by the plan.

The Department shall enter into agreements with timber growers with approved forest management plans under which the Department shall agree to pay a share of the total cost of acceptable forest management plans and practices implemented under the plan. The cost share amount is up to 80% of the total cost of the forest management practices for such practices approved to be funded from monies appropriated for this purpose for subsequent fiscal years. Cost share funds shall be paid from monies appropriated to the Department by the General Assembly for that purpose from the Illinois Forestry Development Fund or any other fund in the State Treasury.

Starting in 2025, the Department shall file a report in writing to the General Assembly on or before March 1 of each year with the following information from the preceding year: the total number of agreements entered into pursuant to this Section, the total amount of payments made pursuant to this Section from the Illinois Forestry Development Fund, and the total number of acres that were affected by the payments.

The Department, upon recommendations made to it by the Council, may provide for the categorization of forest management practices and determine an appropriate cost share percentage for each such category. Forest management practices submitted by timber growers on whose timber sales fees of 4% of the sale amount were paid as provided in Section 9a of the "Timber Buyers Licensing Act", approved September 1, 1969, may be accorded a priority for approval within the assigned category. Such timber growers may receive a cost share amount which is increased above the amount for which they would otherwise qualify by an amount equal to the fees paid by the timber grower on sales occurring in the 2 fiscal years immediately preceding the fiscal year in which the forest management practices are approved and funded; provided, however, that the total cost share amount shall not exceed the total cost of the approved forest management practices.

Upon transfer of his or her right and interest in the land or a change in land use, the timber grower shall forfeit all rights to future payments and other benefits resulting from an approved plan and shall refund to the Department all payments received therefrom during the previous 10 years unless the transferee of any such land agrees with the Department to assume all obligations under the plan.
(Source: P.A. 96-217, eff. 8-10-09; 96-545, eff. 8-17-09.)

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

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

On motion of Senator Hastings, **House Bill No. 4592** having been printed, was taken up, read by title a second time and ordered to a third reading.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its May 23, 2024 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Education: **Motion to Concur in House Amendment No. 1 to Senate Bill 3081, Motion to Concur in House Amendment No. 2 to Senate Bill 3473, Motion to Concur in House Amendment No. 2 to Senate Bill 3768 and Motion to Concur in House Amendment No. 1 to Senate Bill 3771.**

Energy and Public Utilities: **Motion to Concur in House Amendment No. 1 to Senate Bill 3506.**

Executive: **Committee Amendment No. 2 to Senate Bill 1732; Motion to Concur in House Amendment No. 1 to Senate Bill 317, Motion to Concur in House Amendment No. 2 to Senate Bill 860, Motion to Concur in House Amendment No. 1 to Senate Bill 2804, Motion to Concur in House Amendment No. 1 to Senate Bill 3238, Motion to Concur in House Amendment No. 1 to Senate Bill 3412 and Motion to Concur in House Amendment No. 1 to Senate Bill 3649.**

Health and Human Services: **Motion to Concur in House Amendment No. 2 to Senate Bill 3112, Motion to Concur in House Amendment No. 3 to Senate Bill 3112, Motion to Concur in House**

[May 23, 2024]

Amendment No. 1 to Senate Bill 3137 and Motion to Concur in House Amendment No. 2 to Senate Bill 3753.

Judiciary: **Motion to Concur in House Amendment No. 1 to Senate Bill 3136.**

State Government: **Motion to Concur in House Amendment No. 1 to Senate Bill 692, Motion to Concur in House Amendment No. 2 to Senate Bill 692 and Motion to Concur in House Amendment No. 1 to Senate Bill 2682.**

Transportation: **Motion to Concur in House Amendment No. 2 to Senate Bill 381, Motion to Concur in House Amendment No. 3 to Senate Bill 381, Motion to Concur in House Amendment No. 2 to Senate Bill 898 and Motion to Concur in House Amendment No. 1 to Senate Bill 2667.**

Senator Lightford, Chair of the Committee on Assignments, during its May 23, 2024 meeting, to which was referred **Senate Bill No. 698** on March 31, 2023, pursuant to Rule 3-9(a), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.
And **Senate Bill No. 698** was returned to the order of third reading.

Senator Lightford, Chair of the Committee on Assignments, during its May 23, 2024 meeting, to which was referred **House Bill No. 4623**, reported the same back with the recommendation that the bill be placed on the order of second reading without recommendation to committee.

Senator Lightford, Chair of the Committee on Assignments, during its May 23, 2024 meeting, reported that the following Legislative Measures have been approved for consideration:

- Floor Amendment No. 2 to House Bill 681**
- Floor Amendment No. 3 to House Bill 4488**
- Floor Amendment No. 4 to House Bill 4488**
- Floor Amendment No. 2 to House Bill 5371**
- Floor Amendment No. 2 to House Bill 5496**
- Floor Amendment No. 2 to House Bill 5511**
- Floor Amendment No. 3 to House Bill 5511**
- Floor Amendment No. 4 to House Bill 5511**

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

Pursuant to Senate Rule 3-8 (b-1), the following amendment will remain in the Committee on Assignments: **Floor Amendment No. 1 to House Bill 4621.**

Senator Aquino asked and obtained unanimous consent for a Democrat caucus to meet immediately upon adjournment.

MESSAGES FROM THE PRESIDENT

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

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

[May 23, 2024]

May 23, 2024

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

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the committee deadline to May 24, 2024 for the following bills: HB 581, HB 681, HB 3713, HB 4592 and HB 4781.

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 23, 2024

Mr. Tim Anderson
Secretary of the Senate
Room 058 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 698.

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 341
Amendment No. 2 to House Bill 5290
Amendment No. 1 to House Bill 5655

[May 23, 2024]

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. 3 to House Bill 3713

JOINT ACTION MOTIONS FILED

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

Motion to Concur in House Amendment No. 2 to Senate Bill 1960

Motion to Concur in House Amendment No. 3 to Senate Bill 1960

At the hour of 9:51 o'clock p.m., the Chair announced that the Senate stands adjourned until Friday, May 24, 2024, at 12:00 o'clock p.m.