



SENATE JOURNAL

STATE OF ILLINOIS

**ONE HUNDRED THIRD GENERAL
ASSEMBLY**

118TH LEGISLATIVE DAY

FRIDAY, MAY 24, 2024

12:29 O'CLOCK P.M.

SENATE
Daily Journal Index
118th Legislative Day

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The Senate met pursuant to adjournment.
Senator Mattie Hunter, Chicago, Illinois, presiding.
Prayer by Bishop Jacson Moody, Redemption Center, Springfield, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

The Journal of Thursday, March 9, 2023, was being read when on motion of Senator Glowiak Hilton, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Friday, March 10, 2023, was being read when on motion of Senator Glowiak Hilton, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Glowiak Hilton moved that reading and approval of the Journal of Thursday, May 23, 2024, be postponed, pending arrival of the printed Journal.
The motion prevailed.

MESSAGES FROM THE PRESIDENT

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

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

160 N. LASALLE ST., STE. 720
CHICAGO, ILLINOIS 60601
312-814-2075

May 24, 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 am extending the 3rd Reading deadline to May 24, 2024, for the following bills: SB0867.

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**

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SPRINGFIELD, ILLINOIS 62706
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CHICAGO, ILLINOIS 60601
312-814-2075

[May 24, 2024]

May 24, 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 am extending the 3rd Reading deadline to May 25, 2024, for the following bills:

SB 0377	SB 0772	SB 1156
SB 0383	SB 0776	SB 1161
SB 0411	SB 0777	SB 1173
SB 0455	SB 0778	SB 1175
SB 0456	SB 0779	SB 1176
SB 0459	SB 0807	SB 1217
SB 0466	SB 0808	SB 2029
SB 0467	SB 0809	SB 2568
SB 0468	SB 0811	SB 2760
SB 0511	SB 0812	SB 3331
SB 0534	SB 0813	SB 3591
SB 0537	SB 0814	SB 3680
SB 0586	SB 0838	SB 3723
SB 0594	SB 0858	SB 3732
SB 0595	SB 0861	HB 4489
SB 0596	SB 0862	HB 0220
SB 0597	SB 0867	HB 0303
SB 0598	SB 0897	HB 0341
SB 0648	SB 0941	HB 0581
SB 0697	SB 0952	HB 0681
SB 0698	SB 0961	HB 1855
SB 0709	SB 0967	HB 2911
SB 0763	SB 1055	HB 3046
SB 0771	SB 1105	HB 3144
HB 3288	HB 4621	HB 5027
HB 3521	HB 4623	HB 5078
HB 4130	HB 4629	HB 5151
HB 4144	HB 4636	HB 5184
HB 4171	HB 4645	HB 5229
HB 4179	HB 4660	HB 5269
HB 4224	HB 4715	HB 5290
HB 4237	HB 4772	HB 5411
HB 4261	HB 4867	HB 5421
HB 4293	HB 4883	HB 5496
HB 4295	HB 4907	HB 5513
HB 4317	HB 4910	HB 5550
HB 4360	HB 4928	HB 5602
HB 4439	HB 4951	HB 5606
HB 4442	HB 4959	HB 5621
HB 4582	HB 5005	
HB 4615	HB 5023	

Sincerely,
 s/Don Harmon

[May 24, 2024]

Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

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May 24, 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 am extending the 3rd Reading deadline to May 25, 2024, for the following bills:

HB2547	HB5479	SB1919
HB3141	HB5543	SB2023
HB3158	HB5627	SB2305
HB3421	SB0085	SB2321
HB3606	SB0114	SB2360
HB3713	SB0127	SB2444
HB3908	SB0146	SB2537
HB4209	SB0182	SB2604
HB4348	SB0207	SB2605
HB4441	SB0238	SB2609
HB4451	SB0280	SB2613
HB4566	SB0290	SB2632
HB4594	SB0314	SB2633
HB4737	SB1270	SB2635
HB4742	SB1349	SB2640
HB4781	SB1364	SB2646
HB4783	SB1465	SB2666
HB4809	SB1480	SB2674
HB5024	SB1481	SB2699
HB5089	SB1541	SB2714
HB5100	SB1652	SB2719
HB5294	SB1656	SB2720
HB5304	SB1723	SB2724
HB5351	SB1732	SB2725
HB5367	SB1821	SB2728
HB5428	SB1893	SB2729
SB2749	SB3106	SB3443
SB2750	SB3119	SB3445
SB2752	SB3126	SB3449
SB2756	SB3140	SB3480
SB2768	SB3142	SB3499
SB2793	SB3144	SB3508

[May 24, 2024]

SB2794	SB3148	SB3515
SB2805	SB3149	SB3527
SB2811	SB3153	SB3539
SB2815	SB3161	SB3570
SB2817	SB3171	SB3572
SB2826	SB3172	SB3587
SB2827	SB3177	SB3604
SB2840	SB3189	SB3620
SB2842	SB3190	SB3633
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SB2853	SB3194	SB3672
SB2854	SB3220	SB3673
SB2857	SB3231	SB3695
SB2864	SB3234	SB3702
SB2870	SB3236	SB3710
SB2887	SB3240	SB3712
SB2898	SB3245	SB3730
SB2908	SB3255	SB3731
SB2925	SB3263	SB3733
SB2932	SB3280	SB3736
SB2937	SB3287	SB3737
SB2951	SB3306	SB3742
SB2966	SB3312	SB3756
SB2992	SB3317	SB3772
SB2994	SB3320	SB3774
SB3076	SB3327	SB3785
SB3079	SB3358	SB3798
SB3089	SB3361	SB3800
SB3093	SB3383	SB3906
SB3096	SB3409	SB3907
SB3099	SB3425	

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. 4 to House Bill 681
Amendment No. 3 to House Bill 2911
Amendment No. 2 to House Bill 4261
Amendment No. 5 to House Bill 4488
Amendment No. 5 to House Bill 5511

PRESENTATION OF CELEBRATION OF LIFE RESOLUTIONS

SENATE RESOLUTION NO. 1039

Offered by Senator Anderson and all Senators:
Mourns the passing of Charles Laverne Griffith of Bettendorf, Iowa.

[May 24, 2024]

SENATE RESOLUTION NO. 1040

Offered by Senator Anderson and all Senators:
Mourns the passing of Timothy Lee Davis Jr. of East Moline.

SENATE RESOLUTION NO. 1041

Offered by Senator Harmon and all Senators:
Mourns the death of Patricia Daley Martino.

SENATE RESOLUTION NO. 1042

Offered by Senator Harmon and all Senators:
Mourns the death of Joe Vojacek of Oak Park.

SENATE RESOLUTION NO. 1043

Offered by Senator Harmon and all Senators:
Mourns the death of Brendan Farrell of Oak Park.

SENATE RESOLUTION NO. 1044

Offered by Senator Harmon and all Senators:
Mourns the death of Robert Allen Magnuson.

SENATE RESOLUTION NO. 1045

Offered by Senator Harmon and all Senators:
Mourns the death of Richard P. Henke.

SENATE RESOLUTION NO. 1046

Offered by Senator Harmon and all Senators:
Mourns the death of Dr. William Troyer of Oak Park.

SENATE RESOLUTION NO. 1047

Offered by Senator Harmon and all Senators:
Mourns the death of Raymond Smith of Chicago.

SENATE RESOLUTION NO. 1048

Offered by Senator Harmon and all Senators:
Mourns the death of Mary Haley.

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

PRESENTATION OF CONGRATULATORY RESOLUTION

SENATE RESOLUTION NO. 1038

Offered by Senator Fowler:
Congratulates Dr. Jonah Rice on his retirement after dedicating three decades of his life to the field of higher education and leaving an indelible mark on Southeastern Illinois College.

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

REPORTS FROM STANDING COMMITTEES

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

Senate Amendment No. 1 to House Bill 4934

[May 24, 2024]

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

Senator Stadelman, Chair of the Committee on Energy and Public Utilities, 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 3173; Motion to Concur in House Amendment No. 2 to Senate Bill 3481; Motion to Concur in House Amendment No. 1 to Senate Bill 3506; Motion to Concur in House Amendment No. 2 to Senate Bill 3686

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

Senator Ellman, Chair of the Committee on Environment and Conservation, 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 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; Motion to Concur in House Amendment No. 1 to Senate Bill 3448

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

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. 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; Motion to Concur in House Amendment No. 1 to Senate Bill 3771

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 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 3136

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

Senator Morrison, Chair of the Committee on Health and Human Services, 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 3112; Motion to Concur in House Amendment No. 3 to Senate Bill 3112; Motion to Concur in House Amendment No. 1 to Senate Bill 3137; Motion to Concur in House Amendment No. 2 to Senate Bill 3753

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

Senator Villivalam, Chair of the Committee on Transportation, 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 898; Motion to Concur in House Amendment No. 1 to Senate Bill 2667

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

INTRODUCTION OF BILLS

SENATE BILL NO. 3957. Introduced by Senator Cunningham, a bill for AN ACT concerning regulation.

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

SENATE BILL NO. 3958. Introduced by Senator S. Turner, a bill for AN ACT concerning public employee benefits.

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

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 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. 73

WHEREAS, The State Board of Education has filed its Report on Waivers of School Code Mandates, dated February 22, 2024, with the House of Representatives, the Senate, and the Secretary of State of Illinois as required by Section 2-3.25g of the School Code; and

WHEREAS, As per 105 ILCS 5/2-3.25g paragraph (d), the waivers were presented to the General Assembly panel consisting of the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, and responses of approval or denial for the waivers were returned to the State Board of Education on or before March 7, 2024; and

WHEREAS, On March 26, 2024, the State Board of Education submitted the alternative learning opportunities program waiver request from Boone-Winnebago Regional Office of Education 4 (W-100-7343) to the General Assembly for further consideration; 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 the request made by Boone-Winnebago Regional Office of Education 4 with respect to its alternative learning opportunity program, identified in the report filed by the State Board of Education as request WM100-7343, is denied, on the basis that the request is outside the scope of the waiver process.

Adopted by the House, May 22, 2024.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 73 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 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. 793

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

[May 24, 2024]

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bill No. 793** was taken up, ordered printed and placed on first reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 793, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Edly-Allen, **House Bill No. 4623** having been printed, was taken up, read by title a second time and ordered to a third reading.

At the hour of 1:01 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 1:09 o'clock p.m., the Senate resumed consideration of business.
Senator Hunter, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its May 24, 2024 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **House Joint Resolution No. 73; Floor Amendment No. 2 to House Bill 4261; Floor Amendment No. 3 to House Bill 4293.**

State Government: **Motion to Concur in House Amendment No. 2 to Senate Bill 1960 and Motion to Concur in House Amendment No. 3 to Senate Bill 1960.**

Senator Lightford, Chair of the Committee on Assignments, during its May 24, 2024 meeting, to which was referred **Senate Bill No. 867** 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. 867** was returned to the order of third reading.

Senator Lightford, Chair of the Committee on Assignments, during its May 24, 2024 meeting, reported that the following Legislative Measures have been approved for consideration:

Floor Amendment No. 1 to House Bill 341
Floor Amendment No. 4 to House Bill 861
Floor Amendment No. 3 to House Bill 2911
Floor Amendment No. 5 to House Bill 4488
Floor Amendment No. 1 to House Bill 5290
Floor Amendment No. 5 to House Bill 5511

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

[May 24, 2024]

Senator Lightford, Chair of the Committee on Assignments, during its May 24, 2024 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Resolutions Numbered 975, 991, 993, 1013, 1033, 1034, 1035 and 1037

The foregoing resolutions were placed on the Congratulatory Consent Calendar.

Senator Lightford, Chair of the Committee on Assignments, during its May 24, 2024 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Joint Resolutions Numbered 43, 48, 59, 61 and 64; House Joint Resolutions Numbered 28, 36, 37, 39, 48, 50 and 60

The foregoing resolutions were placed on the Senate Calendar.

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 5655.**

LEGISLATIVE MEASURE FILED

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

Amendment No. 1 to Senate Bill 867

HOUSE BILL RECALLED

On motion of Senator Ellman, **House Bill No. 4276** was recalled from the order of third reading to the order of second reading.

Senator Ellman offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 4276

AMENDMENT NO. 2. Amend House Bill 4276, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 4, immediately below line 5, by inserting the following:

"(f) Failure to provide the pre-sale disclosure in accordance with this Section may result in a minimum monetary penalty of \$500 at the discretion of the Department. The Department shall adopt rules to enforce this Section and provide for factors to be considered when imposing monetary penalties and for repeat violations of this Section."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Ellman, **House Bill No. 4276** 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.

[May 24, 2024]

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 in the Senate Amendments adopted thereto.

On motion of Senator Hastings, **House Bill No. 4592** 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
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	
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.

Senator Bennett asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 4592**.

On motion of Senator Villivalam, **House Bill No. 4804** 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	Feigenholtz	Loughran Cappel	Syverson
Aquino	Fine	Martwick	Toro
Belt	Fowler	McClure	Tracy
Bennett	Glowiak Hilton	McConchie	Turner, D.
Bryant	Harris, N.	Morrison	Turner, S.
Castro	Harriss, E.	Murphy	Ventura
Cervantes	Hastings	Peters	Villa
Chesney	Holmes	Plummer	Villanueva
Collins	Hunter	Porfirio	Villivalam
Cunningham	Johnson	Preston	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:

Rezin

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

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

HOUSE BILL RECALLED

On motion of Senator Morrison, **House Bill No. 4488** was recalled from the order of third reading to the order of second reading.

Senator Harmon offered the following amendment and Senator Morrison moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 4488

AMENDMENT NO. 2 . Amend House Bill 4488, AS AMENDED, by replacing everything after the enacting clause with the following:

"ARTICLE 5.

Section 5-1. Short title. This Act may be cited as the Uniform Faithful Presidential Electors Act. As used in this Article, "this Act" refers to this Article.

Section 5-5. Definitions. As used in this Act:

"Cast" means accepted by the Secretary of State in accordance with subsection (b) of Section 5-30.

"Elector" means an individual selected as a presidential elector under Article 21 of the Election Code and this Act.

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"President" means the President of the United States.

"Unaffiliated presidential candidate" means a candidate for President who qualifies for the general election ballot in this State by means other than nomination by a political party.

"Vice President" means the Vice President of the United States.

Section 5-10. Designation of State's electors. For each elector position in this State, a political party contesting the position, or an unaffiliated presidential candidate, shall submit to the Secretary of State the names of 2 qualified individuals in accordance with Article 21 of the Election Code. One of the individuals must be designated "elector nominee" and the other "alternate elector nominee". Except as otherwise provided in Sections 5-20 through 5-35, this State's electors are the winning elector nominees under the laws of this State.

Section 5-15. Pledge. Each elector nominee and alternate elector nominee of a political party shall execute the following pledge: "If selected for the position of elector, I agree to serve and to mark my ballots for President and Vice President for the nominees for those offices of the party that nominated me.". Each elector nominee and alternate elector nominee of an unaffiliated presidential candidate shall execute the following pledge: "If selected for the position of elector as a nominee of an unaffiliated presidential candidate, I agree to serve and to mark my ballots for that candidate and for that candidate's vice-presidential running mate.". The executed pledges must accompany the submission of the corresponding names to the Secretary of State.

Section 5-20. Certification of electors. In submitting this State's certificate of ascertainment as required by 3 U.S.C. 6, the Governor shall certify this State's electors and state in the certificate that:

(1) the electors will serve as electors unless a vacancy occurs in the office of elector before the end of the meeting at which elector votes are cast, in which case an alternate elector will fill the vacancy; and

(2) if an alternate elector is appointed to fill a vacancy, the Governor will submit an amended certificate of ascertainment stating the names on the final list of this State's electors.

Section 5-25. Presiding officer; elector vacancy.

(a) The Secretary of State shall preside at the meeting of electors described in Section 5-30.

(b) The position of an elector not present to vote is vacant. The Secretary of State shall appoint an individual as an alternate elector to fill a vacancy as follows:

(1) if the alternate elector is present to vote, by appointing the alternate elector for the vacant position;

(2) if the alternate elector for the vacant position is not present to vote, by appointing an elector chosen by lot from among the alternate electors present to vote who were nominated by the same political party or unaffiliated presidential candidate;

(3) if the number of alternate electors present to vote is insufficient to fill any vacant position pursuant to paragraphs (1) and (2), by appointing any immediately available individual who is qualified to serve as an elector and chosen through nomination by and plurality vote of the remaining electors, including nomination and vote by a single elector if only one remains;

(4) if there is a tie between at least 2 nominees for alternate elector in a vote conducted under paragraph (3), by appointing an elector chosen by lot from among those nominees; or

(5) if all elector positions are vacant and cannot be filled pursuant to paragraphs (1) through (4), by appointing a single presidential elector, with remaining vacant positions to be filled under paragraph (3) and, if necessary, paragraph (4).

(c) To qualify as an alternate elector under subsection (b) of this Section, an individual who has not executed the pledge required under Section 5-15 shall execute the following pledge: "I agree to serve and to mark my ballots for President and Vice President consistent with the pledge of the individual to whose elector position I have succeeded."

Section 5-30. Elector voting.

(a) At the time designated for elector voting and after all vacant positions have been filled under Section 5-25, the Secretary of State shall provide each elector with a presidential and a vice-presidential ballot. The elector shall mark the elector's presidential and vice-presidential ballots with the elector's votes

for the offices of President and Vice President, respectively, along with the elector's signature and the elector's legibly printed name.

(b) Except as otherwise provided by law of this State other than this Act, each elector shall present both completed ballots to the Secretary of State, who shall examine the ballots and accept as cast all ballots of electors whose votes are consistent with their pledges executed under Section 5-15 or subsection (c) of Section 5-25. Except as otherwise provided by law of this State other than this Act, the Secretary of State may not accept and may not count either an elector's presidential or vice-presidential ballot if the elector has not marked both ballots or has marked a ballot in violation of the elector's pledge.

(c) An elector who refuses to present a ballot, presents an unmarked ballot, or presents a ballot marked in violation of the elector's pledge executed under Section 5-15 or subsection (c) of Section 5-25 vacates the office of elector, creating a vacant position to be filled under Section 5-25.

(d) The Secretary of State shall distribute ballots to and collect ballots from an alternate elector and repeat the process under this Section of examining ballots, declaring and filling vacant positions as required, and recording appropriately completed ballots from the alternate electors, until all of this State's electoral votes have been cast and recorded.

Section 5-35. Elector replacement; associated certificates.

(a) After the vote of this State's electors is completed, if the final list of electors differs from any list that the Governor previously included on a certificate of ascertainment prepared and transmitted under 3 U.S.C. 6, the Secretary of State immediately shall prepare an amended certificate of ascertainment and transmit it to the Governor for the Governor's signature.

(b) The Governor immediately shall deliver the signed amended certificate of ascertainment to the Secretary of State and a signed duplicate original of the amended certificate of ascertainment to all individuals entitled to receive this State's certificate of ascertainment, indicating that the amended certificate of ascertainment is to be substituted for the certificate of ascertainment previously submitted.

(c) The Secretary of State shall prepare a certificate of vote. The electors on the final list shall sign the certificate of vote. The Secretary of State shall process and transmit the signed certificate of vote with the amended certificate of ascertainment under 3 U.S.C. Sections 9, 10, and 11.

Section 5-40. Uniformity of application and construction. In applying and construing this uniform Act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Section 5-90. The Election Code is amended by changing Sections 21-1, 21-2, 21-3, and 21-4 as follows:

(10 ILCS 5/21-1) (from Ch. 46, par. 21-1)

Sec. 21-1. Choosing and election of electors of President and Vice-President of the United States shall be in the following manner:

(a) In each year in which a President and Vice-President of the United States are chosen, each political party or group in this State shall choose by its State Convention or State central committee electors and alternate electors of President and Vice-President of the United States and such State Convention or State central committee of such party or group shall also choose electors at large and alternate electors at large, if any are to be appointed for this State and such State Convention or State central committee of such party or group shall by its chair and secretary certify the total list of such electors and alternate electors together with electors at large and alternate electors at large so chosen to the State Board of Elections.

The filing of such certificate with the Board, of such choosing of electors and alternate electors shall be deemed and taken to be the choosing and selection of the electors and alternate electors of this State, if such party or group is successful at the polls as herein provided in choosing their candidates for President and Vice-President of the United States.

(b) The names of the candidates of the several political parties or groups for electors and alternate electors of President and Vice-President shall not be printed on the official ballot to be voted in the election to be held on the day in this Act above named. In lieu of the names of the candidates for such electors and alternate electors of President and Vice-President, immediately under the appellation of party name of a party or group in the column of its candidates on the official ballot, to be voted at said election first above named in subsection (1) of Section 2A-1.2 and Section 2A-2, there shall be printed within a bracket the name of the candidate for President and the name of the candidate for Vice-President of such party or group

with a square to the left of such bracket. Each voter in this State from the several lists or sets of electors and alternate electors so chosen and selected by the said respective political parties or groups, may choose and elect one of such lists or sets of electors and alternate electors by placing a cross in the square to the left of the bracket aforesaid of one of such parties or groups. Placing a cross within the square before the bracket enclosing the names of President and Vice-President shall not be deemed and taken as a direct vote for such candidates for President and Vice-President, or either of them, but shall only be deemed and taken to be a vote for the entire list or set of electors and alternate electors chosen by that political party or group so certified to the State Board of Elections as herein provided. Voting by means of placing a cross in the appropriate place preceding the appellation or title of the particular political party or group, shall not be deemed or taken as a direct vote for the candidates for President and Vice-President, or either of them, but instead to the Presidential vote, as a vote for the entire list or set of electors and alternate electors chosen by that political party or group so certified to the State Board of Elections as herein provided.

(c) Such certification by the respective political parties or groups in this State of electors and alternate electors of President and Vice-President shall be made to the State Board of Elections within 2 days after such State convention or meeting of the State central committee in which the electors and alternate electors were chosen.

(d) Should more than one certificate of choice and selection of electors and alternate electors of the same political party or group be filed by contesting conventions or contesting groups, it shall be the duty of the State Board of Elections within 10 days after the adjournment of the last of such conventions to meet and determine which set of nominees for electors and alternate electors of such party or group was chosen and selected by the authorized convention of such party or group. The Board, after notice to the chair and secretaries or managers of the conventions or groups and after a hearing shall determine which set of electors and alternate electors was so chosen by the authorized convention and shall so announce and publish the fact, and such decision shall be final and the set of electors and alternate electors so determined upon by the electoral board to be so chosen shall be the list or set of electors and alternate electors to be deemed elected if that party shall be successful at the polls, as herein provided.

~~(e) Should a vacancy occur in the choice of an elector in a congressional district, such vacancy may be filled by the executive committee of the party or group for such congressional district, to be certified by such committee to the State Board of Elections. Should a vacancy occur in the office of elector at large, such vacancy shall be filled in accordance with Section 25 of the Uniform Faithful Presidential Electors Act. by the State committee of such political party or group, and certified by it to the State Board of Elections.~~
(Source: P.A. 99-522, eff. 6-30-16; 100-1027, eff. 1-1-19.)

(10 ILCS 5/21-2) (from Ch. 46, par. 21-2)

Sec. 21-2. The county clerks of the several counties shall, within 21 days next after holding the election named in subsection (1) of Section 2A-1.2 and Section 2A-2, make 2 copies of the abstract of the votes cast for electors and alternate electors by each political party or group, as indicated by the voter, as aforesaid, by a cross in the square to the left of the bracket aforesaid, or as indicated by a cross in the appropriate place preceding the appellation or title of the particular political party or group, and transmit by mail one of the copies to the office of the State Board of Elections and retain the other in his office, to be sent for by the electoral board in case the other should be mislaid. Within 31 days after the holding of such election, and sooner if all the returns are received by the State Board of Elections, the State Board of Elections shall proceed to open and canvass said election returns and to declare which set of candidates for President and Vice-President received, as aforesaid, the highest number of votes cast at such election as aforesaid; and the electors and alternate electors of that party whose candidates for President and Vice-President received the highest number of votes so cast shall be taken and deemed to be elected as electors and alternate electors of President and Vice-President, but should 2 or more sets of candidates for President and Vice-President be returned with an equal and the highest vote, the State Board of Elections shall cause a notice of the same to be published, which notice shall name some day and place, not less than 5 days from the time of such publication of such notice, upon which the State Board of Elections will decide by lot which of the sets of candidates for President and Vice-President so equal and highest shall be declared to be highest. And upon the day and at the place so appointed in the notice, the board shall so decide by lot and declare which is deemed highest of the sets of candidates for President and Vice-President so equal and highest, thereby determining only that the electors and alternate electors chosen as aforesaid by such candidates' party or group are thereby elected by general ticket to be such electors and alternate electors.
(Source: P.A. 100-863, eff. 8-14-18.)

(10 ILCS 5/21-3) (from Ch. 46, par. 21-3)

Sec. 21-3. Within five days after the votes shall have been canvassed and the results declared or the result declared by lot as provided for in Section 21-2 above, the Governor shall cause the result of said election to be published, and shall proclaim the persons electors and alternate electors of President and Vice-President so chosen composing the list so elected, by transmitting by mail to the several persons so chosen and composing the list or set elected, electors of President and Vice-President certificates in triplicate, under the Seal of State of their appointment, and shall also transmit under the Seal of State to the Secretary of State of the United States the certificate of the election of said electors and alternate electors as required by the laws of Congress.

(Source: Laws 1943, vol. 2, p. 1.)

(10 ILCS 5/21-4) (from Ch. 46, par. 21-4)

Sec. 21-4. Presidential electors; meeting; allowance. The electors and alternate electors, elected under this Article, shall meet at the office of the Secretary of State in a room to be designated by the Secretary in the Capitol at Springfield in this State, at the time appointed by the laws of the United States at the hour of ten o'clock in the forenoon of that day, and give their votes for President and for Vice-President of the United States, in the manner provided by the Uniform Faithful Presidential Electors Act ~~in this Article~~, and perform such duties as are or may be required by law. Each elector and alternate elector shall receive an allowance for food and lodging equal to the amount per day permitted to be deducted for such expenses under the Internal Revenue Code, plus a mileage allowance at the rate in effect under regulations promulgated pursuant to 5 U.S.C. 5707(b)(2) for the number of highway miles necessarily and conveniently traveled, for going to the seat of government to give his or her vote and returning to his or her residence and otherwise performing the official duties of an elector and alternate elector, to be paid on the warrant of the State Comptroller, out of any money in the treasury not otherwise appropriated, and any person appointed ~~by the electors assembled~~ to fill a vacancy shall also receive the allowances provided for electors appointed. However, an elector who refuses to present a ballot, presents an unmarked ballot, or presents a ballot marked in violation of the elector's pledge in the Uniform Faithful Presidential Electors Act may not receive an allowance for food and lodging.

(Source: P.A. 92-359, eff. 1-1-02.)

(10 ILCS 5/21-5 rep.)

Section 5-95. The Election Code is amended by repealing Section 21-5.

ARTICLE 10.

Section 10-5. The Election Code is amended by changing Sections 1-4, 1A-25, 1A-45, 7-5, 7-12, 8-9, 9-8.5, 9-11, 9-23.5, 9-35, 9-50, 10-1, 10-6, 10-6.1, 10-10.1, 13-6.1, 14-5.1, 19-12.2, 19A-21, 28-8, 29B-10, 29B-15, and 29B-20 as follows:

(10 ILCS 5/1-4) (from Ch. 46, par. 1-4)

Sec. 1-4. (a) In any case in which this Act prescribes a period of time within which petitions for nomination must be filed, the office in which petitions must be filed shall remain open for the receipt of such petitions until 5:00 P.M. on the last day of the filing period.

(b) ~~(Blank). For the 2013 consolidated election period, an election authority or local election official shall accept until 104 days before the election at which candidates are to be on the ballot any petitions for nomination or certificate of nomination required by this Code to be filed no earlier than 113 and no later than 106 days before the consolidated election. Notwithstanding any other provision of this Code, for purposes of this subsection (b) only, signatures and circulator statements on petitions for nomination filed with an election authority or local election official on the final day for filing petitions for nomination shall not be deemed invalid for the sole reason that the petitions were circulated between 90 and 92 days before the last day for filing petitions.~~

(Source: P.A. 97-1134, eff. 12-3-12.)

(10 ILCS 5/1A-25)

Sec. 1A-25. Centralized statewide voter registration list.

(a) The centralized statewide voter registration list required by Title III, Subtitle A, Section 303 of the Help America Vote Act of 2002 shall be created and maintained by the State Board of Elections as provided in this Section.

(1) The centralized statewide voter registration list shall be compiled from the voter registration data bases of each election authority in this State.

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(2) With the exception of voter registration forms submitted electronically through an online voter registration system, all new voter registration forms and applications to register to vote, including those reviewed by the Secretary of State at a driver services facility, shall be transmitted only to the appropriate election authority as required by Articles 4, 5, and 6 of this Code and not to the State Board of Elections. All voter registration forms submitted electronically to the State Board of Elections through an online voter registration system shall be transmitted to the appropriate election authority as required by Section 1A-16.5. The election authority shall process and verify each voter registration form and electronically enter verified registrations on an expedited basis onto the statewide voter registration list. All original registration cards shall remain permanently in the office of the election authority as required by this Code.

(3) The centralized statewide voter registration list shall:

(i) Be designed to allow election authorities to utilize the registration data on the statewide voter registration list pertinent to voters registered in their election jurisdiction on locally maintained software programs that are unique to each jurisdiction.

(ii) Allow each election authority to perform essential election management functions, including but not limited to production of voter lists, processing of vote by mail voters, production of individual, pre-printed applications to vote, administration of election judges, and polling place administration, but shall not prevent any election authority from using information from that election authority's own systems.

(4) The registration information maintained by each election authority shall be synchronized with that authority's information on the statewide list at least once every 24 hours.

(5) The vote by mail, early vote, and rejected ballot information maintained by each election authority shall be synchronized with the election authority's information on the statewide list at least once every 24 hours. The State Board of Elections shall maintain the information required by this paragraph in an electronic format on its website, arranged by county and accessible to State and local political committees.

(i) Within one day after receipt of a vote by mail voter's ballot, the election authority shall transmit by electronic means the voter's name, street address, email address and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections.

(ii) Within one day after receipt of an early voter's ballot, the election authority shall transmit by electronic means the voter's name, street address, email address and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections.

(iii) If a vote by mail ballot is rejected for any reason, within one day after the rejection the election authority shall transmit by electronic means the voter's name, street address, email address and precinct, ward, township, and district numbers, as the case may be, to the State Board of Elections. If a rejected vote by mail ballot is determined to be valid, the election authority shall, within one day after the determination, remove the name of the voter from the list transmitted to the State Board of Election.

(6) Beginning no later than January 1, 2024, the statewide voter registration list shall be updated on a monthly basis by no sooner than the first of every month; however, the information required in paragraph (5) shall be updated at least every 24 hours and made available upon request to permitted entities as described in this Section.

(b) To protect the privacy and confidentiality of voter registration information, the disclosure of any portion of the centralized statewide voter registration list to any person or entity other than to a State or local political committee and other than to a governmental entity for a governmental purpose is specifically prohibited except as follows: (1) subject to security measures adopted by the State Board of Elections which, at a minimum, shall include the keeping of a catalog or database, available for public view, including the name, address, and telephone number of the person viewing the list as well as the time of that viewing, any person may view the list on a computer screen at the Springfield office of the State Board of Elections, during normal business hours other than during the 27 days before an election, but the person viewing the list under this exception may not print, duplicate, transmit, or alter the list; or (2) as may be required by an agreement the State Board of Elections has entered into with a multi-state voter registration list maintenance system.

(c) Except during the 27 days immediately preceding any election, the State Board of Elections shall make available to the public the statewide voter registration list, allowing for redaction of telephone numbers, social security numbers, street numbers of home addresses, birth dates, identifiable portions of

email addresses, and other highly sensitive personal information. Information released under this subsection shall be used only for the purposes defined within the federal National Voter Registration Act, 52 U.S.C. 20507(i), ensuring the accuracy and currency of official lists of eligible voters. The State Board of Elections may charge a reasonable fee under this subsection, consisting of the cost of duplication plus a 15% fee for administration. No sooner than 14 days after a request for voter registration records is made under this subsection, the State Board of Elections shall publicly disclose the request on a publicly accessible website regardless of whether the request was approved or denied. Voter registration records or data shall not be used for any personal, private, or commercial purpose, including, but not limited to, the intimidation, threat, or deception of any person or the advertising, solicitation, sale, or marketing of products or services. The State Board of Elections shall deny a request made under this subsection to any person or entity that is the subject of a court order finding a violation of this subsection. Upon the entry of a court order finding that a person or entity has violated this subsection, the clerk of the circuit court shall forward a copy of the order to the State Board of Elections.

(Source: P.A. 103-467, eff. 8-4-23.)

(10 ILCS 5/1A-45)

Sec. 1A-45. Electronic Registration Information Center.

(a) The State Board of Elections shall enter into an agreement with the Electronic Registration Information Center effective no later than January 1, 2016, for the purpose of maintaining a statewide voter registration database. The State Board of Elections shall comply with the requirements of the Electronic Registration Information Center Membership Agreement. The State Board of Elections shall require a term in the Electronic Registration Information Center Membership Agreement that requires the State to share identification records contained in the Secretary of State's Driver Services Department and Vehicle Services Department, ~~the Department of Human Services, the Department of Healthcare and Family Services, the Department on Aging, and the Department of Employment Security databases~~ (excluding those fields unrelated to voter eligibility, such as income or health information).

(b) The Secretary of State and the State Board of Elections shall enter into an agreement to permit the Secretary of State to provide the State Board of Elections with any information required for compliance with the Electronic Registration Information Center Membership Agreement. The Secretary of State shall deliver this information as frequently as necessary for the State Board of Elections to comply with the Electronic Registration Information Center Membership Agreement.

(b-5) ~~(Blank). The State Board of Elections and the Department of Human Services, the Department of Healthcare and Family Services, the Department on Aging, and the Department of Employment Security shall enter into an agreement to require each department to provide the State Board of Elections with any information necessary to transmit member data under the Electronic Registration Information Center Membership Agreement. The director or secretary, as applicable, of each agency shall deliver this information on an annual basis to the State Board of Elections pursuant to the agreement between the entities.~~

(c) Any communication required to be delivered to a registrant or potential registrant pursuant to the Electronic Registration Information Center Membership Agreement shall include at least the following message:

"Our records show people at this address may not be registered to vote at this address, but you may be eligible to register to vote or re-register to vote at this address. If you are a U.S. Citizen, a resident of Illinois, and will be 18 years old or older before the next general election in November, you are qualified to vote.

We invite you to check your registration online at (enter URL) or register to vote online at (enter URL), by requesting a mail-in voter registration form by (enter instructions for requesting a mail-in voter registration form), or visiting the (name of election authority) office at (address of election authority)."

The words "register to vote online at (enter URL)" shall be bolded and of a distinct nature from the other words in the message required by this subsection (c).

(d) Any communication required to be delivered to a potential registrant that has been identified by the Electronic Registration Information Center as eligible to vote but who is not registered to vote in Illinois shall be prepared and disseminated at the direction of the State Board of Elections. All other communications with potential registrants or re-registrants pursuant to the Electronic Registration Information Center Membership Agreement shall be prepared and disseminated at the direction of the appropriate election authority.

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(e) The Executive Director of the State Board of Elections or his or her designee shall serve as the Member Representative to the Electronic Registration Information Center.

(f) The State Board of Elections may adopt any rules necessary to enforce this Section or comply with the Electronic Registration Information Center Membership Agreement.

(Source: P.A. 102-558, eff. 8-20-21.)

(10 ILCS 5/7-5) (from Ch. 46, par. 7-5)

Sec. 7-5. (a) Primary elections shall be held on the dates prescribed in Article 2A.

(b) Notwithstanding the provisions of any other statute, no primary shall be held for an established political party in any township, municipality, or ward thereof, where the nomination of such party for every office to be voted upon by the electors of such township, municipality, or ward thereof, is uncontested. Whenever a political party's nomination of candidates is uncontested as to one or more, but not all, of the offices to be voted upon by the electors of a township, municipality, or ward thereof, then a primary shall be held for that party in such township, municipality, or ward thereof; provided that the primary ballot shall not include those offices within such township, municipality, or ward thereof, for which the nomination is uncontested. For purposes of this Article, the nomination of an established political party of a candidate for election to an office shall be deemed to be uncontested where not more than the number of persons to be nominated have timely filed valid nomination papers seeking the nomination of such party for election to such office.

(c) Notwithstanding the provisions of any other statute, no primary election shall be held for an established political party for any special primary election called for the purpose of filling a vacancy in the office of representative in the United States Congress where the nomination of such political party for said office is uncontested. For the purposes of this Article, the nomination of an established political party of a candidate for election to said office shall be deemed to be uncontested where not more than the number of persons to be nominated have timely filed valid nomination papers seeking the nomination of such established party for election to said office. This subsection (c) shall not apply if such primary election is conducted on a regularly scheduled election day.

(d) Notwithstanding the provisions in subsection (b) and (c) of this Section, whenever a person who has not timely filed valid nomination papers and who intends to become a write-in candidate for a political party's nomination for any office for which the nomination is uncontested files a written statement or notice of that intent with ~~the State Board of Elections or the local election official where the candidate is seeking to appear on the ballot with whom nomination papers for such office are filed,~~ a primary ballot shall be prepared and a primary shall be held for that office. Such statement or notice shall be filed on or before the date established in this Article for certifying candidates for the primary ballot. Such statement or notice shall contain (i) the name and address of the person intending to become a write-in candidate, (ii) a statement that the person is a qualified primary elector of the political party from whom the nomination is sought, (iii) a statement that the person intends to become a write-in candidate for the party's nomination, and (iv) the office the person is seeking as a write-in candidate. An election authority shall have no duty to conduct a primary and prepare a primary ballot for any office for which the nomination is uncontested, unless a statement or notice meeting the requirements of this Section is filed in a timely manner.

(e) The polls shall be open from 6:00 a.m. to 7:00 p.m.

(Source: P.A. 86-873.)

(10 ILCS 5/7-12) (from Ch. 46, par. 7-12)

Sec. 7-12. All petitions for nomination shall be filed by mail or in person as follows:

(1) Except as otherwise provided in this Code, where the nomination is to be made for a State, congressional, or judicial office, or for any office a nomination for which is made for a territorial division or district which comprises more than one county or is partly in one county and partly in another county or counties (including the Fox Metro Water Reclamation District), then, except as otherwise provided in this Section, such petition for nomination shall be filed in the principal office of the State Board of Elections not more than 141 and not less than 134 days prior to the date of the primary, but, in the case of petitions for nomination to fill a vacancy by special election in the office of representative in Congress from this State, such petition for nomination shall be filed in the principal office of the State Board of Elections not more than 113 days and not less than 110 days prior to the date of the primary.

Where a vacancy occurs in the office of Supreme, Appellate or Circuit Court Judge within the 3-week period preceding the 134th day before a general primary election, petitions for nomination for

the office in which the vacancy has occurred shall be filed in the principal office of the State Board of Elections not more than 120 nor less than 113 days prior to the date of the general primary election.

Where the nomination is to be made for delegates or alternate delegates to a national nominating convention, then such petition for nomination shall be filed in the principal office of the State Board of Elections not more than 141 and not less than 134 days prior to the date of the primary; provided, however, that if the rules or policies of a national political party conflict with such requirements for filing petitions for nomination for delegates or alternate delegates to a national nominating convention, the chair of the State central committee of such national political party shall notify the Board in writing, citing by reference the rules or policies of the national political party in conflict, and in such case the Board shall direct such petitions to be filed in accordance with the delegate selection plan adopted by the state central committee of such national political party.

(2) Where the nomination is to be made for a county office or trustee of a sanitary district then such petition shall be filed in the office of the county clerk not more than 141 nor less than 134 days prior to the date of the primary.

(3) Where the nomination is to be made for a municipal or township office, such petitions for nomination shall be filed in the office of the local election official, not more than 127 nor less than 120 days prior to the date of the primary; provided, where a municipality's or township's boundaries are coextensive with or are entirely within the jurisdiction of a municipal board of election commissioners, the petitions shall be filed in the office of such board; and provided, that petitions for the office of multi-township assessor shall be filed with the election authority.

(4) The petitions of candidates for State central committee person shall be filed in the principal office of the State Board of Elections not more than 141 nor less than 134 days prior to the date of the primary.

(5) Petitions of candidates for precinct, township or ward committee persons shall be filed in the office of the county clerk not more than 141 nor less than 134 days prior to the date of the primary.

(6) The State Board of Elections and the various election authorities and local election officials with whom such petitions for nominations are filed shall specify the place where filings shall be made and upon receipt shall endorse thereon the day and hour on which each petition was filed. All petitions filed by persons waiting in line as of 8:00 a.m. on the first day for filing, or as of the normal opening hour of the office involved on such day, shall be deemed filed as of 8:00 a.m. or the normal opening hour, as the case may be. Petitions filed by mail and received after midnight of the first day for filing and in the first mail delivery or pickup of that day shall be deemed as filed as of 8:00 a.m. of that day or as of the normal opening hour of such day, as the case may be. All petitions received thereafter shall be deemed as filed in the order of actual receipt. However, 2 or more petitions filed within the last hour of the filing deadline shall be deemed filed simultaneously. Where 2 or more petitions are received simultaneously, the State Board of Elections or the various election authorities or local election officials with whom such petitions are filed shall break ties and determine the order of filing, by means of a lottery or other fair and impartial method of random selection approved by the State Board of Elections. Such lottery shall be conducted within 9 days following the last day for petition filing and shall be open to the public. Seven days written notice of the time and place of conducting such random selection shall be given by the State Board of Elections to the chair of the State central committee of each established political party, and by each election authority or local election official, to the County Chair of each established political party, and to each organization of citizens within the election jurisdiction which was entitled, under this Article, at the next preceding election, to have pollwatchers present on the day of election. The State Board of Elections, election authority or local election official shall post in a conspicuous, open and public place, at the entrance of the office, notice of the time and place of such lottery. The State Board of Elections shall adopt rules and regulations governing the procedures for the conduct of such lottery. All candidates shall be certified in the order in which their petitions have been filed. Where candidates have filed simultaneously, they shall be certified in the order determined by lot and prior to candidates who filed for the same office at a later time.

(7) The State Board of Elections or the appropriate election authority or local election official with whom such a petition for nomination is filed shall notify the person for whom a petition for nomination has been filed of the obligation to file statements of organization, reports of campaign contributions, and quarterly ~~annual~~ reports of campaign contributions and expenditures under Article

9 of this Code. Such notice shall be given in the manner prescribed by paragraph (7) of Section 9-16 of this Code.

(8) Nomination papers filed under this Section are not valid if the candidate named therein fails to file a statement of economic interests as required by the Illinois Governmental Ethics Act in relation to his candidacy with the appropriate officer by the end of the period for the filing of nomination papers unless he has filed a statement of economic interests in relation to the same governmental unit with that officer within a year preceding the date on which such nomination papers were filed. If the nomination papers of any candidate and the statement of economic interests of that candidate are not required to be filed with the same officer, the candidate must file with the officer with whom the nomination papers are filed a receipt from the officer with whom the statement of economic interests is filed showing the date on which such statement was filed. Such receipt shall be so filed not later than the last day on which nomination papers may be filed.

(9) Except as otherwise provided in this Code, any person for whom a petition for nomination, or for committeeperson or for delegate or alternate delegate to a national nominating convention has been filed may cause his name to be withdrawn by request in writing, signed by him and duly acknowledged before an officer qualified to take acknowledgments of deeds, and filed in the principal or permanent branch office of the State Board of Elections or with the appropriate election authority or local election official, not later than the date of certification of candidates for the consolidated primary or general primary ballot. No names so withdrawn shall be certified or printed on the primary ballot. If petitions for nomination have been filed for the same person with respect to more than one political party, his name shall not be certified nor printed on the primary ballot of any party. If petitions for nomination have been filed for the same person for 2 or more offices which are incompatible so that the same person could not serve in more than one of such offices if elected, that person must withdraw as a candidate for all but one of such offices within the 5 business days following the last day for petition filing. A candidate in a judicial election may file petitions for nomination for only one vacancy in a subcircuit and only one vacancy in a circuit in any one filing period, and if petitions for nomination have been filed for the same person for 2 or more vacancies in the same circuit or subcircuit in the same filing period, his or her name shall be certified only for the first vacancy for which the petitions for nomination were filed. If he fails to withdraw as a candidate for all but one of such offices within such time his name shall not be certified, nor printed on the primary ballot, for any office. For the purpose of the foregoing provisions, an office in a political party is not incompatible with any other office.

(10)(a) Notwithstanding the provisions of any other statute, no primary shall be held for an established political party in any township, municipality, or ward thereof, where the nomination of such party for every office to be voted upon by the electors of such township, municipality, or ward thereof, is uncontested. Whenever a political party's nomination of candidates is uncontested as to one or more, but not all, of the offices to be voted upon by the electors of a township, municipality, or ward thereof, then a primary shall be held for that party in such township, municipality, or ward thereof; provided that the primary ballot shall not include those offices within such township, municipality, or ward thereof, for which the nomination is uncontested. For purposes of this Article, the nomination of an established political party of a candidate for election to an office shall be deemed to be uncontested where not more than the number of persons to be nominated have timely filed valid nomination papers seeking the nomination of such party for election to such office.

(b) Notwithstanding the provisions of any other statute, no primary election shall be held for an established political party for any special primary election called for the purpose of filling a vacancy in the office of representative in the United States Congress where the nomination of such political party for said office is uncontested. For the purposes of this Article, the nomination of an established political party of a candidate for election to said office shall be deemed to be uncontested where not more than the number of persons to be nominated have timely filed valid nomination papers seeking the nomination of such established party for election to said office. This subsection (b) shall not apply if such primary election is conducted on a regularly scheduled election day.

(c) Notwithstanding the provisions in subparagraph (a) and (b) of this paragraph (10), whenever a person who has not timely filed valid nomination papers and who intends to become a write-in candidate for a political party's nomination for any office for which the nomination is uncontested files a written statement or notice of that intent with ~~the State Board of Elections or the local election official~~ where the candidate is seeking to appear on the ballot ~~with whom nomination papers for such~~

~~office are filed~~, a primary ballot shall be prepared and a primary shall be held for that office. Such statement or notice shall be filed on or before the date established in this Article for certifying candidates for the primary ballot. Such statement or notice shall contain (i) the name and address of the person intending to become a write-in candidate, (ii) a statement that the person is a qualified primary elector of the political party from whom the nomination is sought, (iii) a statement that the person intends to become a write-in candidate for the party's nomination, and (iv) the office the person is seeking as a write-in candidate. An election authority shall have no duty to conduct a primary and prepare a primary ballot for any office for which the nomination is uncontested unless a statement or notice meeting the requirements of this Section is filed in a timely manner.

(11) If multiple sets of nomination papers are filed for a candidate to the same office, the State Board of Elections, appropriate election authority or local election official where the petitions are filed shall within 2 business days notify the candidate of his or her multiple petition filings and that the candidate has 3 business days after receipt of the notice to notify the State Board of Elections, appropriate election authority or local election official that he or she may cancel prior sets of petitions. If the candidate notifies the State Board of Elections, appropriate election authority or local election official, the last set of petitions filed shall be the only petitions to be considered valid by the State Board of Elections, election authority or local election official. If the candidate fails to notify the State Board of Elections, election authority or local election official then only the first set of petitions filed shall be valid and all subsequent petitions shall be void.

(12) All nominating petitions shall be available for public inspection and shall be preserved for a period of not less than 6 months.

(Source: P.A. 102-15, eff. 6-17-21; 102-687, eff. 12-17-21; 103-586, eff. 5-3-24.)

(10 ILCS 5/8-9) (from Ch. 46, par. 8-9)

Sec. 8-9. All petitions for nomination shall be filed by mail or in person as follows:

(1) Where the nomination is made for a legislative office, such petition for nomination shall be filed in the principal office of the State Board of Elections not more than 141 ~~143~~ and not less than 134 ~~106~~ days prior to the date of the primary.

(2) The State Board of Elections shall, upon receipt of each petition, endorse thereon the day and hour on which it was filed. Petitions filed by mail and received after midnight on the first day for filing and in the first mail delivery or pickup of that day, shall be deemed as filed as of 8:00 a.m. of that day or as of the normal opening hour of such day as the case may be, and all petitions received thereafter shall be deemed as filed in the order of actual receipt. However, 2 or more petitions filed within the last hour of the filing deadline shall be deemed to have been filed simultaneously. Where 2 or more petitions are received simultaneously, the State Board of Elections shall break ties and determine the order of filing, by means of a lottery as provided in Section 7-12 of this Code.

(3) Any person for whom a petition for nomination has been filed, may cause his name to be withdrawn by a request in writing, signed by him, duly acknowledged before an officer qualified to take acknowledgments of deeds, and filed in the principal or permanent branch office of the State Board of Elections not later than the date of certification of candidates for the general primary ballot, and no names so withdrawn shall be certified by the State Board of Elections to the county clerk, or printed on the primary ballot. If petitions for nomination have been filed for the same person with respect to more than one political party, his name shall not be certified nor printed on the primary ballot of any party. If petitions for nomination have been filed for the same person for 2 or more offices which are incompatible so that the same person could not serve in more than one of such offices if elected, that person must withdraw as a candidate for all but one of such offices within the 5 business days following the last day for petition filing. If he fails to withdraw as a candidate for all but one of such offices within such time, his name shall not be certified, nor printed on the primary ballot, for any office. For the purpose of the foregoing provisions, an office in a political party is not incompatible with any other office.

(4) If multiple sets of nomination papers are filed for a candidate to the same office, the State Board of Elections shall within 2 business days notify the candidate of his or her multiple petition filings and that the candidate has 3 business days after receipt of the notice to notify the State Board of Elections that he or she may cancel prior sets of petitions. If the candidate notifies the State Board of Elections the last set of petitions filed shall be the only petitions to be considered valid by the State Board of Elections. If the candidate fails to notify the State Board then only the first set of petitions filed shall be valid and all subsequent petitions shall be void.

(Source: P.A. 98-115, eff. 7-29-13.)

(10 ILCS 5/9-8.5)

Sec. 9-8.5. Limitations on campaign contributions.

(a) It is unlawful for a political committee to accept contributions except as provided in this Section.

(b) During an election cycle, a candidate political committee may not accept contributions with an aggregate value over the following: (i) \$5,000 from any individual, (ii) \$10,000 from any corporation, labor organization, or association, or (iii) \$50,000 from a candidate political committee or political action committee. A candidate political committee may accept contributions in any amount from a political party committee ~~except during an election cycle in which the candidate seeks nomination at a primary election. During an election cycle in which the candidate seeks nomination at a primary election, a candidate political committee may not accept contributions from political party committees with an aggregate value over the following: (i) \$200,000 for a candidate political committee established to support a candidate seeking nomination to statewide office, (ii) \$125,000 for a candidate political committee established to support a candidate seeking nomination to the Senate, the Supreme Court or Appellate Court in the First Judicial District, or an office elected by all voters in a county with 1,000,000 or more residents, (iii) \$75,000 for a candidate political committee established to support a candidate seeking nomination to the House of Representatives, the Supreme Court or Appellate Court for a Judicial District other than the First Judicial District, an office elected by all voters of a county of fewer than 1,000,000 residents, and municipal and county offices in Cook County other than those elected by all voters of Cook County, and (iv) \$50,000 for a candidate political committee established to support the nomination of a candidate to any other office.~~ A candidate political committee established to elect a candidate to the General Assembly may accept contributions from only one legislative caucus committee. A candidate political committee may not accept contributions from a ballot initiative committee or from an independent expenditure committee.

(b-5) Judicial elections.

(1) In addition to any other provision of this Section, a candidate political committee established to support or oppose a candidate seeking nomination to the Supreme Court, Appellate Court, or Circuit Court may not:

(A) accept contributions from any entity that does not disclose the identity of those who make contributions to the entity, except for contributions that are not required to be itemized by this Code; or

(B) accept contributions from any out-of-state person, as defined in this Article.

(1.1) In addition to any other provision of this Section, a political committee that is self-funding, as described in subsection (h) of this Section, and is established to support or oppose a candidate seeking nomination, election, or retention to the Supreme Court, the Appellate Court, or the Circuit Court may not accept contributions from any single person, other than the judicial candidate or the candidate's immediate family, in a cumulative amount that exceeds \$500,000 in any election cycle. Any contribution in excess of the limits in this paragraph (1.1) shall escheat to the State of Illinois. Any political committee that receives such a contribution shall immediately forward the amount that exceeds \$500,000 to the State Treasurer who shall deposit the funds into the State Treasury.

(1.2) In addition to any other provision of this Section, an independent expenditure committee established to support or oppose a candidate seeking nomination, election, or retention to the Supreme Court, the Appellate Court, or the Circuit Court may not accept contributions from any single person in a cumulative amount that exceeds \$500,000 in any election cycle. Any contribution in excess of the limits in this paragraph (1.2) shall escheat to the State of Illinois. Any independent expenditure committee that receives such a contribution shall immediately forward the amount that exceeds \$500,000 to the State Treasurer who shall deposit the funds into the State Treasury.

(1.3) In addition to any other provision of this Section, if a political committee established to support or oppose a candidate seeking nomination, election, or retention to the Supreme Court, the Appellate Court, or the Circuit Court receives a contribution in excess of \$500 from: (i) any committee that is not required to disclose its contributors under this Act; (ii) any association that is not required to disclose its contributors under this Act; or (iii) any other organization or group of persons that is not required to disclose its contributors under this Act, then that contribution shall be considered an anonymous contribution that shall escheat to the State, unless the political committee reports to the State Board of Elections all persons who have contributed in excess of \$500 during the same election cycle to the committee, association, organization, or group making the contribution. Any political committee that receives such a contribution and fails to report this information shall

forward the contribution amount immediately to the State Treasurer who shall deposit the funds into the State Treasury.

(2) As used in this subsection, "contribution" has the meaning provided in Section 9-1.4 and also includes the following that are subject to the limits of this Section:

(A) expenditures made by any person in concert or cooperation with, or at the request or suggestion of, a candidate, his or her designated committee, or their agents; and

(B) the financing by any person of the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign materials prepared by the candidate, his or her campaign committee, or their designated agents.

(3) As to contributions to a candidate political committee established to support a candidate seeking nomination to the Supreme Court, Appellate Court, or Circuit Court:

(A) No person shall make a contribution in the name of another person or knowingly permit his or her name to be used to effect such a contribution.

(B) No person shall knowingly accept a contribution made by one person in the name of another person.

(C) No person shall knowingly accept reimbursement from another person for a contribution made in his or her own name.

(D) No person shall make an anonymous contribution.

(E) No person shall knowingly accept any anonymous contribution.

(F) No person shall predicate (1) any benefit, including, but not limited to, employment decisions, including hiring, promotions, bonus compensation, and transfers, or (2) any other gift, transfer, or emolument upon:

(i) the decision by the recipient of that benefit to donate or not to donate to a candidate; or

(ii) the amount of any such donation.

(4) No judicial candidate or political committee established to support a candidate seeking nomination to the Supreme Court, Appellate Court, or Circuit Court shall knowingly accept any contribution or make any expenditure in violation of the provisions of this Section. No officer or employee of a political committee established to support a candidate seeking nomination to the Supreme Court, Appellate Court, or Circuit Court shall knowingly accept a contribution made for the benefit or use of a candidate or knowingly make any expenditure in support of or opposition to a candidate or for electioneering communications in relation to a candidate in violation of any limitation designated for contributions and expenditures under this Section.

(5) Where the provisions of this subsection (b-5) conflict with any other provision of this Code, this subsection (b-5) shall control.

(c) During an election cycle, a political party committee may not accept contributions with an aggregate value over the following: (i) \$10,000 from any individual, (ii) \$20,000 from any corporation, labor organization, or association, or (iii) \$50,000 from a political action committee. A political party committee may accept contributions in any amount from another political party committee or a candidate political committee, except as provided in subsection (c-5). Nothing in this Section shall limit the amounts that may be transferred between a political party committee established under subsection (a) of Section 7-8 of this Code and an affiliated federal political committee established under the Federal Election Code by the same political party. A political party committee may not accept contributions from a ballot initiative committee or from an independent expenditure committee. A political party committee established by a legislative caucus may not accept contributions from another political party committee established by a legislative caucus.

~~(c-5) (Blank). During the period beginning on the date candidates may begin circulating petitions for a primary election and ending on the day of the primary election, a political party committee may not accept contributions with an aggregate value over \$50,000 from a candidate political committee or political party committee. A political party committee may accept contributions in any amount from a candidate political committee or political party committee if the political party committee receiving the contribution filed a statement of nonparticipation in the primary as provided in subsection (c-10). The Task Force on Campaign Finance Reform shall study and make recommendations on the provisions of this subsection to the Governor and General Assembly by September 30, 2012. This subsection becomes inoperative on July 1, 2013 and thereafter no longer applies.~~

~~(c-10) (Blank). A political party committee that does not intend to make contributions to candidates to be nominated at a general primary election or consolidated primary election may file a Statement of Nonparticipation in a Primary Election with the Board. The Statement of Nonparticipation shall include a verification signed by the chairperson and treasurer of the committee that (i) the committee will not make contributions or coordinated expenditures in support of or opposition to a candidate or candidates to be nominated at the general primary election or consolidated primary election (select one) to be held on (insert date), (ii) the political party committee may accept unlimited contributions from candidate political committees and political party committees, provided that the political party committee does not make contributions to a candidate or candidates to be nominated at the primary election, and (iii) failure to abide by these requirements shall deem the political party committee in violation of this Article and subject the committee to a fine of no more than 150% of the total contributions or coordinated expenditures made by the committee in violation of this Article. This subsection becomes inoperative on July 1, 2013 and thereafter no longer applies.~~

(d) During an election cycle, a political action committee may not accept contributions with an aggregate value over the following: (i) \$10,000 from any individual, (ii) \$20,000 from any corporation, labor organization, political party committee, or association, or (iii) \$50,000 from a political action committee or candidate political committee. A political action committee may not accept contributions from a ballot initiative committee or from an independent expenditure committee.

(e) A ballot initiative committee may accept contributions in any amount from any source, provided that the committee files the document required by Section 9-3 of this Article and files the disclosure reports required by the provisions of this Article.

(e-5) An independent expenditure committee may accept contributions in any amount from any source, provided that the committee files the document required by Section 9-3 of this Article and files the disclosure reports required by the provisions of this Article.

(c-10) A limited activity committee shall not accept contributions, except that the officer or a candidate the committee has designated to support may contribute personal funds in order to pay for maintenance expenses. A limited activity committee may only make expenditures that are: (i) necessary for maintenance of the committee; (ii) for rent or lease payments until the end of the lease in effect at the time the officer or candidate is confirmed by the Senate; (iii) contributions to 501(c)(3) charities; or (iv) returning contributions to original contributors.

(f) Nothing in this Section shall prohibit a political committee from dividing the proceeds of joint fundraising efforts; provided that no political committee may receive more than the limit from any one contributor, and provided that an independent expenditure committee may not conduct joint fundraising efforts with a candidate political committee or a political party committee.

(g) On January 1 of each odd-numbered year, the State Board of Elections shall adjust the amounts of the contribution limitations established in this Section for inflation as determined by the Consumer Price Index for All Urban Consumers as issued by the United States Department of Labor and rounded to the nearest \$100. The State Board shall publish this information on its official website.

(h) Self-funding candidates. If a public official, a candidate, or the public official's or candidate's immediate family contributes or loans to the public official's or candidate's political committee or to other political committees that transfer funds to the public official's or candidate's political committee or makes independent expenditures for the benefit of the public official's or candidate's campaign during the 12 months prior to an election in an aggregate amount of more than (i) \$250,000 for statewide office or (ii) \$100,000 for all other elective offices, then the public official or candidate shall file with the State Board of Elections, within one day, a Notification of Self-funding that shall detail each contribution or loan made by the public official, the candidate, or the public official's or candidate's immediate family. Within 2 business days after the filing of a Notification of Self-funding, the notification shall be posted on the Board's website and the Board shall give official notice of the filing to each candidate for the same office as the public official or candidate making the filing, including the public official or candidate filing the Notification of Self-funding. Notice shall be sent via first class mail to the candidate and the treasurer of the candidate's committee. Notice shall also be sent by e-mail to the candidate and the treasurer of the candidate's committee if the candidate and the treasurer, as applicable, have provided the Board with an e-mail address. Upon posting of the notice on the Board's website, all candidates for that office, including the public official or candidate who filed a Notification of Self-funding, shall be permitted to accept contributions in excess of any contribution limits imposed by subsection (b). If a public official or candidate filed a Notification of Self-funding during an election cycle that includes a general primary election or consolidated primary

election and that public official or candidate is nominated, all candidates for that office, including the nominee who filed the notification of self-funding, shall be permitted to accept contributions in excess of any contribution limit imposed by subsection (b) for the subsequent election cycle. For the purposes of this subsection, "immediate family" means the spouse, parent, or child of a public official or candidate.

(h-5) If a natural person or independent expenditure committee makes independent expenditures in support of or in opposition to the campaign of a particular public official or candidate in an aggregate amount of more than (i) \$250,000 for statewide office or (ii) \$100,000 for all other elective offices in an election cycle, as reported in a written disclosure filed under subsection (a) of Section 9-8.6 or subsection (e-5) of Section 9-10, then the State Board of Elections shall, within 2 business days after the filing of the disclosure, post the disclosure on the Board's website and give official notice of the disclosure to each candidate for the same office as the public official or candidate for whose benefit or detriment the natural person or independent expenditure committee made independent expenditures. Upon posting of the notice on the Board's website, all candidates for that office in that election, including the public official or candidate for whose benefit or detriment the natural person or independent expenditure committee made independent expenditures, shall be permitted to accept contributions in excess of any contribution limits imposed by subsection (b).

(h-10) If the State Board of Elections receives notification or determines that a natural person or persons, an independent expenditure committee or committees, or combination thereof has made independent expenditures in support of or in opposition to the campaign of a particular public official or candidate in an aggregate amount of more than (i) \$250,000 for statewide office or (ii) \$100,000 for all other elective offices in an election cycle, then the Board shall, within 2 business days after discovering the independent expenditures that, in the aggregate, exceed the threshold set forth in (i) and (ii) of this subsection, post notice of this fact on the Board's website and give official notice to each candidate for the same office as the public official or candidate for whose benefit or detriment the independent expenditures were made. Notice shall be sent via first class mail to the candidate and the treasurer of the candidate's committee. Notice shall also be sent by e-mail to the candidate and the treasurer of the candidate's committee if the candidate and the treasurer, as applicable, have provided the Board with an e-mail address. Upon posting of the notice on the Board's website, all candidates of that office in that election, including the public official or candidate for whose benefit or detriment the independent expenditures were made, may accept contributions in excess of any contribution limits imposed by subsection (b).

(i) For the purposes of this Section, a corporation, labor organization, association, or a political action committee established by a corporation, labor organization, or association may act as a conduit in facilitating the delivery to a political action committee of contributions made through dues, levies, or similar assessments and the political action committee may report the contributions in the aggregate, provided that: (i) contributions made through dues, levies, or similar assessments paid by any natural person, corporation, labor organization, or association in a calendar year may not exceed the limits set forth in this Section; (ii) the corporation, labor organization, association, or a political action committee established by a corporation, labor organization, or association facilitating the delivery of contributions maintains a list of natural persons, corporations, labor organizations, and associations that paid the dues, levies, or similar assessments from which the contributions comprising the aggregate amount derive; and (iii) contributions made through dues, levies, or similar assessments paid by any natural person, corporation, labor organization, or association that exceed \$1,000 in a quarterly reporting period shall be itemized on the committee's quarterly report and may not be reported in the aggregate. A political action committee facilitating the delivery of contributions or receiving contributions shall disclose the amount of contributions made through dues delivered or received and the name of the corporation, labor organization, association, or political action committee delivering the contributions, if applicable. On January 1 of each odd-numbered year, the State Board of Elections shall adjust the amounts of the contribution limitations established in this subsection for inflation as determined by the Consumer Price Index for All Urban Consumers as issued by the United States Department of Labor and rounded to the nearest \$100. The State Board shall publish this information on its official website.

(j) A political committee that receives a contribution or transfer in violation of this Section shall dispose of the contribution or transfer by returning the contribution or transfer, or an amount equal to the contribution or transfer, to the contributor or transferor or donating the contribution or transfer, or an amount equal to the contribution or transfer, to a charity. A contribution or transfer received in violation of this Section that is not disposed of as provided in this subsection within 30 days after the Board sends notification to the political committee of the excess contribution by certified mail shall escheat to the

General Revenue Fund and the political committee shall be deemed in violation of this Section and subject to a civil penalty not to exceed 150% of the total amount of the contribution.

(k) For the purposes of this Section, "statewide office" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, and Treasurer.

(l) This Section is repealed if and when the United States Supreme Court invalidates contribution limits on committees formed to assist candidates, political parties, corporations, associations, or labor organizations established by or pursuant to federal law.

(Source: P.A. 102-664, eff. 1-1-22; 102-668, eff. 11-15-21; 102-909, eff. 5-27-22.)

(10 ILCS 5/9-11) (from Ch. 46, par. 9-11)

Sec. 9-11. Financial reports.

(a) Each quarterly report of campaign contributions, expenditures, and independent expenditures under Section 9-10 shall disclose the following:

(1) the name and address of the political committee;

(2) the name and address of the person submitting the report on behalf of the committee, if other than the chair or treasurer;

(3) the amount of funds on hand at the beginning of the reporting period;

(4) the full name and mailing address of each person who has made one or more contributions to or for the committee within the reporting period in an aggregate amount or value in excess of \$150, together with the amounts and dates of those contributions, and, if the contributor is an individual who contributed more than \$500, the occupation and employer of the contributor or, if the occupation and employer of the contributor are unknown, a statement that the committee has made a good faith effort to ascertain this information;

(5) the total sum of individual contributions made to or for the committee during the reporting period and not reported under item (4);

(6) the name and address of each political committee from which the reporting committee received, or to which that committee made, any transfer of funds in the aggregate amount or value in excess of \$150, together with the amounts and dates of all transfers;

(7) the total sum of transfers made to or from the committee during the reporting period and not reported under item (6);

(8) each loan to or from any person, political committee, or financial institution within the reporting period by or to the committee in an aggregate amount or value in excess of \$150, together with the full names and mailing addresses of the lender and endorsers, if any; the dates and amounts of the loans; and, if a lender or endorser is an individual who loaned or endorsed a loan of more than \$500, the occupation and employer of that individual or, if the occupation and employer of the individual are unknown, a statement that the committee has made a good faith effort to ascertain this information;

(9) the total amount of proceeds received by the committee from (i) the sale of tickets for each dinner, luncheon, cocktail party, rally, and other fund-raising events; (ii) mass collections made at those events; and (iii) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(10) each contribution, rebate, refund, income from investments, or other receipt in excess of \$150 received by the committee not otherwise listed under items (4) through (9) and, if the contributor is an individual who contributed more than \$500, the occupation and employer of the contributor or, if the occupation and employer of the contributor are unknown, a statement that the committee has made a good faith effort to ascertain this information;

(11) the total sum of all receipts by or for the committee or candidate during the reporting period;

(12) the full name and mailing address of each person to whom expenditures have been made by the committee or candidate within the reporting period in an aggregate amount or value in excess of \$150; the amount, date, and purpose of each of those expenditures; and the question of public policy or the name and address of, and the office sought by, each candidate on whose behalf that expenditure was made;

(13) the full name and mailing address of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of \$150 has been made and that is not otherwise reported, including the amount, date, and purpose of the expenditure;

(14) the value of each asset held as an investment, as of the final day of the reporting period;

(15) the total sum of expenditures made by the committee during the reporting period; and

(16) the full name and mailing address of each person to whom the committee owes debts or obligations in excess of \$150 and the amount of those debts or obligations.

For purposes of reporting campaign receipts and expenses, income from investments shall be included as receipts during the reporting period they are actually received. The gross purchase price of each investment shall be reported as an expenditure at time of purchase. Net proceeds from the sale of an investment shall be reported as a receipt. During the period investments are held they shall be identified by name and quantity of security or instrument on each quarterly ~~semi-annual~~ report during the period.

(b) Each report of a campaign contribution of \$1,000 or more required under subsection (c) of Section 9-10 shall disclose the following:

(1) the name and address of the political committee;

(2) the name and address of the person submitting the report on behalf of the committee, if other than the chair or treasurer; and

(3) the full name and mailing address of each person who has made a contribution of \$1,000 or more.

(c) Each quarterly report shall include the following information regarding any independent expenditures made during the reporting period: (1) the full name and mailing address of each person to whom an expenditure in excess of \$150 has been made in connection with an independent expenditure; (2) the amount, date, and purpose of such expenditure; (3) a statement whether the independent expenditure was in support of or in opposition to a particular candidate; (4) the name of the candidate; (5) the office and, when applicable, district, sought by the candidate; and (6) a certification, under penalty of perjury, that such expenditure was not made in cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of such committee. The report shall also include (I) the total of all independent expenditures of \$150 or less made during the reporting period and (II) the total amount of all independent expenditures made during the reporting period.

(d) The Board shall by rule define a "good faith effort".

The reports of campaign contributions filed under this Article shall be cumulative during the reporting period to which they relate.

(e) Each report shall be verified, dated, and signed by either the treasurer of the political committee or the candidate on whose behalf the report is filed and shall contain the following verification:

"I declare that this report (including any accompanying schedules and statements) has been examined by me and, to the best of my knowledge and belief, is a true, correct, and complete report as required by Article 9 of the Election Code. I understand that willfully filing a false or incomplete statement is subject to a civil penalty of up to \$5,000."

(f) A political committee may amend a report filed under subsection (a) or (b). The Board may reduce or waive a fine if the amendment is due to a technical or inadvertent error and the political committee files the amended report, except that a report filed under subsection (b) must be amended within 5 business days. The State Board shall ensure that a description of the amended information is available to the public. The Board may promulgate rules to enforce this subsection.

(Source: P.A. 100-1027, eff. 1-1-19.)

(10 ILCS 5/9-23.5)

Sec. 9-23.5. Public database of founded complaints. The State Board of Elections shall establish and maintain on its official website a searchable database, freely accessible to the public, of each complaint filed with the Board under this Article with respect to which Board action was taken, including all Board actions and penalties imposed, if any. The Board must update the database within 5 business days after an action is taken or a penalty is imposed to include that complaint, action, or penalty in the database. ~~The Task Force on Campaign Finance Reform shall make recommendations on improving access to information related to founded complaints.~~

(Source: P.A. 96-832, eff. 1-1-11.)

(10 ILCS 5/9-35)

Sec. 9-35. Registration of business entities.

(a) This Section governs the procedures for the registration required under Section 20-160 of the Illinois Procurement Code.

For the purposes of this Section, the terms "officeholder", "State contract", "business entity", "State agency", "affiliated entity", and "affiliated person" have the meanings ascribed to those terms in Section 50-37 of the Illinois Procurement Code.

(b) Registration under Section 20-160 of the Illinois Procurement Code, and any changes to that registration, must be made electronically, and the State Board of Elections by rule shall provide for electronic registration; ~~except that the State Board may adopt emergency rules providing for a temporary filing system, effective through August 1, 2009, under which business entities must file the required registration forms provided by the Board via e-mail attachment in a PDF file or via another type of mail service and must receive from the State Board registration certificates via e-mail or paper registration certificates. The State Board shall retain the registrations submitted by business entities via e-mail or another type of mail service for at least 6 months following the establishment of the electronic registration system required by this subsection.~~

Each registration must contain substantially the following:

(1) The name and address of the business entity.

(2) The name and address of any affiliated entity of the business entity, including a description of the affiliation.

(3) The name and address of any affiliated person of the business entity, including a description of the affiliation.

(c) The Board shall provide a certificate of registration to the business entity. The certificate shall be electronic, ~~except as otherwise provided in this Section,~~ and accessible to the business entity through the State Board of Elections' website and protected by a password. ~~Within 60 days after establishment of the electronic system, each business entity that submitted a registration via e-mail attachment or paper copy pursuant to this Section shall re-submit its registration electronically. At the time of re-submission, the State Board of Elections shall provide an electronic certificate of registration to that business entity.~~

(d) Any business entity required to register under Section 20-160 of the Illinois Procurement Code shall provide a copy of the registration certificate, by first class mail or hand delivery within 10 days after registration, to each affiliated entity or affiliated person whose identity is required to be disclosed. Failure to provide notice to an affiliated entity or affiliated person is a business offense for which the business entity is subject to a fine not to exceed \$1,001.

(e) In addition to any penalty under Section 20-160 of the Illinois Procurement Code, intentional, willful, or material failure to disclose information required for registration is subject to a civil penalty imposed by the State Board of Elections. The State Board shall impose a civil penalty of \$1,000 per business day for failure to update a registration.

(f) Any business entity required to register under Section 20-160 of the Illinois Procurement Code shall notify any political committee to which it makes a contribution, at the time of the contribution, that the business entity is registered with the State Board of Elections under Section 20-160 of the Illinois Procurement Code. Any affiliated entity or affiliated person of a business entity required to register under Section 20-160 of the Illinois Procurement Code shall notify any political committee to which it makes a contribution that it is affiliated with a business entity registered with the State Board of Elections under Section 20-160 of the Illinois Procurement Code.

(g) The State Board of Elections on its official website shall have a searchable database containing (i) all information required to be submitted to the Board under Section 20-160 of the Illinois Procurement Code and (ii) all reports filed under this Article with the State Board of Elections by all political committees. For the purposes of databases maintained by the State Board of Elections, "searchable" means able to search by "political committee", as defined in this Article, and by "officeholder", "State agency", "business entity", "affiliated entity", and "affiliated person". The Board shall not place the name of a minor child on the website. However, the Board shall provide a link to all contributions made by anyone reporting the same residential address as any affiliated person. In addition, the State Board of Elections on its official website shall provide an electronic connection to any searchable database of State contracts maintained by the Comptroller, searchable by business entity.

(h) The State Board of Elections shall have rulemaking authority to implement this Section.

(Source: P.A. 95-971, eff. 1-1-09; 95-1038, eff. 3-11-09.)

(10 ILCS 5/9-50)

Sec. 9-50. Vendor providing automated traffic systems; contributions.

(a) No vendor that offers or provides equipment or services for automated traffic law enforcement, automated speed enforcement, or automated railroad grade crossing enforcement systems to municipalities or counties, no political action committee created by such a vendor, and no vendor-affiliated person shall make a campaign contribution to any political committee established to promote the candidacy of a candidate or public official. An officer or agent of such a vendor may not consent to any contribution or

expenditure that is prohibited by this Section. A candidate, political committee, or other person may not knowingly accept or receive any contribution prohibited by this Section. A political committee that receives a contribution in violation of this Section shall dispose of the contribution by returning the contribution or an amount equal to the contribution to the contributor or by donating the contribution or an amount equal to the contribution to a charity. A contribution received in violation of this Section that is not disposed of within 30 days after the Board sends notification to the political committee of the excess contribution by certified mail shall escheat to the General Revenue Fund, and the political committee shall be deemed in violation of this Section and shall be subject to a civil penalty not to exceed 150% of the total amount of the contribution.

(b) As used in this Section:

"Automated law enforcement system", "automated speed enforcement system", and "automated railroad grade crossing enforcement system" have the meanings given to those terms in Article II of Chapter 11 of the Illinois Vehicle Code.

"Vendor-affiliated person" means: (i) any person with an ownership interest in excess of 7.5% in a vendor that offers or provides equipment or services for automated traffic law enforcement, automated speed enforcement, or automated railroad grade crossing enforcement systems to municipalities or counties; (ii) any person with a distributive share in excess of 7.5% in a vendor that offers or provides equipment or services for automated traffic law enforcement, automated speed enforcement, or automated railroad grade crossing enforcement systems to municipalities or counties; (iii) any executive employees of a vendor that offers or provides equipment or services for automated traffic law enforcement, automated speed enforcement, or automated railroad grade crossing enforcement systems to municipalities or counties; and (iv) the spouse, minor child, or other immediate family member living in the residence of any of the persons identified in items (i) through (iii).

(Source: P.A. 103-364, eff. 7-28-23.)

(10 ILCS 5/10-1) (from Ch. 46, par. 10-1)

Sec. 10-1. Application of Article to minor political parties.

(a) Political parties as defined in this Article and individual voters to the number and in the manner specified in this Article may nominate candidates for public offices whose names shall be placed on the ballot to be furnished, as provided in this Article. No nominations may be made under this Article 10, however, by any established political party which, at the general election next preceding, polled more than 5% of the entire vote cast in the State, district, or unit of local government for which the nomination is made. Those nominations provided for in Section 45-5 of the Township Code shall be made as prescribed in Sections 45-10 through 45-45 of that Code for nominations by established political parties, but minor political parties and individual voters are governed by this Article. Any convention, caucus, or meeting of qualified voters of any established political party as defined in this Article may, however, make one nomination for each office therein to be filled at any election for officers of a municipality with a population of less than 5,000 by causing a certificate of nomination to be filed with the municipal clerk no earlier than 141 ~~143~~ and no later than 134 ~~106~~ days before the election at which the nominated candidates are to be on the ballot. The municipal caucuses shall be conducted on the first Monday in December of even-numbered years, except that, when that Monday is a holiday or the eve of a holiday, the caucuses shall be held on the next business day following the holiday. Every certificate of nomination shall state the facts required in Section 10-5 of this Article and shall be signed by the presiding officer and by the secretary of the convention, caucus, or meeting, who shall add to their signatures their places of residence. The certificates shall be sworn to by them to be true to the best of their knowledge and belief, and a certificate of the oath shall be annexed to the certificate of nomination.

(b) Publication of the time and place of holding the caucus shall be given by the municipal clerk. For municipalities of over 500 population, notice of the caucus shall be published in a newspaper published in the municipality. If there is no such newspaper, then the notice shall be published in a newspaper published in the county and having general circulation in the municipality. For municipalities of 500 population or less, notice of the caucus shall be given by the municipal clerk by posting the notice in 3 of the most public places in the municipality. The publication or posting shall be given at least 10 days before the caucus.

(c) As provided in Sections 3.1-25-20 through 3.1-25-60 of the Illinois Municipal Code, a village may adopt a system of nonpartisan primary and general elections for the election of village officers.

(d) Any city, village, or incorporated town with a population of 5,000 or less may, by ordinance, determine that established political parties shall nominate candidates for municipal office in the city, village, or incorporated town by primary in accordance with Article 7.

(e) Only those voters who reside within the territory for which the nomination is made shall be permitted to vote or take part in the proceedings of any convention, caucus, or meeting of individual voters or of any political party held under this Section. No voter shall vote or take part in the proceedings of more than one convention, caucus, or meeting to make a nomination for the same office.

(Source: P.A. 97-81, eff. 7-5-11.)

(10 ILCS 5/10-6) (from Ch. 46, par. 10-6)

Sec. 10-6. Time and manner of filing. Except as otherwise provided in this Code, certificates of nomination and nomination papers for the nomination of candidates for offices to be filled by electors of the entire State, or any district not entirely within a county, or for congressional, state legislative or judicial offices, shall be presented to the principal office of the State Board of Elections not more than 169 ~~141~~ nor less than 162 ~~134~~ days previous to the day of election for which the candidates are nominated. The State Board of Elections shall endorse the certificates of nomination or nomination papers, as the case may be, and the date and hour of presentation to it. Except as otherwise provided in this Code, all other certificates for the nomination of candidates shall be filed with the county clerk of the respective counties not more than 169 ~~141~~ but at least 162 ~~134~~ days previous to the day of such election. Certificates of nomination and nomination papers for the nomination of candidates for school district offices to be filled at consolidated elections shall be filed with the county clerk or county board of election commissioners of the county in which the principal office of the school district is located not more than 141 ~~113~~ nor less than 134 ~~106~~ days before the consolidated election. Except as otherwise provided in this Code, certificates of nomination and nomination papers for the nomination of candidates for the other offices of political subdivisions to be filled at regular elections other than the general election shall be filed with the local election official of such subdivision:

(1) (Blank);

(2) not more than 141 ~~113~~ nor less than 134 ~~106~~ days prior to the consolidated election; or

(3) not more than 141 ~~113~~ nor less than 134 ~~106~~ days prior to the general primary in the case of municipal offices to be filled at the general primary election; or

(4) not more than 127 ~~99~~ nor less than 120 ~~92~~ days before the consolidated primary in the case of municipal offices to be elected on a nonpartisan basis pursuant to law (including, without limitation, those municipal offices subject to Articles 4 and 5 of the Municipal Code); or

(5) not more than 141 ~~113~~ nor less than 134 ~~106~~ days before the municipal primary in even numbered years for such nonpartisan municipal offices where annual elections are provided; or

(6) in the case of petitions for the office of multi-township assessor, such petitions shall be filed with the election authority not more than 113 nor less than 134 ~~106~~ days before the consolidated election.

However, where a political subdivision's boundaries are co-extensive with or are entirely within the jurisdiction of a municipal board of election commissioners, the certificates of nomination and nomination papers for candidates for such political subdivision offices shall be filed in the office of such Board.

(Source: P.A. 102-15, eff. 6-17-21.)

(10 ILCS 5/10-6.1) (from Ch. 46, par. 10-6.1)

Sec. 10-6.1. The board or clerk with whom a certificate of nomination or nomination papers are filed shall notify the person for whom such papers are filed of the obligation to file statements of organization, reports of campaign contributions, and ~~quarterly~~ annual reports of campaign contributions and expenditures under Article 9 of this Act. Such notice shall be given in the manner prescribed by paragraph (7) of Section 9-16 of this Code.

(Source: P.A. 81-1189.)

(10 ILCS 5/10-10.1) (from Ch. 46, par. 10-10.1)

Sec. 10-10.1. (a) Except as otherwise provided in this Section, a candidate or objector aggrieved by the decision of an electoral board may secure judicial review of such decision in the circuit court of the county in which the hearing of the electoral board was held. The party seeking judicial review must file, within 5 days after service of the decision of the electoral board as provided in Section 10-10, a petition with the clerk of the court that names as respondents the electoral board, its members, and the prevailing candidates or objectors in the initial proceeding before the board. The party seeking judicial review ~~and~~ must serve a copy of the petition upon each of the respondents named in the petition for judicial review ~~the electoral board and other parties to the proceeding~~ by registered or certified mail within 5 days after service of the decision of the electoral board as provided in Section 10-10. The petition shall contain a brief statement of the reasons why the decision of the board should be reversed. The petitioner shall file proof of

service with the clerk of the court within 5 days after service of the decision of the electoral board as provided in Section 10-10. No answer to the petition need be filed, but the electoral board shall cause the record of proceedings before the electoral board to be filed with the clerk of the court on or before the date of the hearing on the petition or as ordered by the court.

The court shall set the matter for hearing to be held within 30 days after the filing of the petition and shall make its decision promptly after such hearing.

(b) An objector or proponent aggrieved by the decision of an electoral board regarding a petition filed pursuant to Section 18-120 of the Property Tax Code may secure a review of such decision by the State Board of Elections. The party seeking such review must file a petition therefor with the State Board of Elections within 10 days after the decision of the electoral board. Any such objector or proponent may apply for and obtain judicial review of a decision of the State Board of Elections entered under this amendatory Act of 1985, in accordance with the provisions of the Administrative Review Law, as amended.

(Source: P.A. 96-1008, eff. 7-6-10.)

(10 ILCS 5/13-6.1) (from Ch. 46, par. 13-6.1)

Sec. 13-6.1. Each judge of election shall be identified as such by a suitable badge or label authorized and issued by the county clerk that: (1) clearly states it is authorized by the county clerk; (2) identifies the individual as an election judge; and (3) contains a unique identifier that consists of the precinct number and assigns the judge of election a single letter. In accordance with this Section, the badge shall follow the form of "Precinct number, Judge letter" ~~and bearing the date of the election for which issued. On such badge, the judge shall print his or her name and the ward, township or road district and precinct number in which he or she is serving.~~

(Source: P.A. 84-971.)

(10 ILCS 5/14-5.1) (from Ch. 46, par. 14-5.1)

Sec. 14-5.1. Each judge of election shall be identified as such by a suitable badge or label authorized and issued by the board of election commissioners that: (1) clearly states it is authorized by the board of election commissioners; (2) identifies the individual as an election judge; and (3) contains a unique identifier that consists of the precinct number and assigns the judge of election a single letter. In accordance with this Section, the badge shall follow the form of "Precinct number, Judge letter" ~~and bearing the date of the election for which issued. On such badge, the judge shall print his or her name and the ward or township and precinct number in which he or she is serving.~~

(Source: P.A. 84-971.)

(10 ILCS 5/19-12.2) (from Ch. 46, par. 19-12.2)

Sec. 19-12.2. Voting by physically incapacitated electors who have made proper application to the election authority not later than 5 days before the regular primary and general election of 1980 and before each election thereafter shall be conducted either through the vote by mail procedures as detailed in this Article or on the premises of (i) federally operated veterans' homes, hospitals, and facilities located in Illinois or (ii) facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, or the MC/DD Act for the sole benefit of residents of such homes, hospitals, and facilities. For the purposes of this Section, "federally operated veterans' home, hospital, or facility" means the long-term care facilities at the Jesse Brown VA Medical Center, Illiana Health Care System, Edward Hines, Jr. VA Hospital, Marion VA Medical Center, and Captain James A. Lovell Federal Health Care Center. Such voting shall be conducted during any continuous period sufficient to allow all applicants to cast their ballots between the hours of 9 a.m. and 7 p.m. either on the Friday, Saturday, Sunday or Monday immediately preceding the regular election. This vote by mail voting on one of said days designated by the election authority shall be supervised by two election judges who must be selected by the election authority in the following order of priority: (1) from the panel of judges appointed for the precinct in which such home, hospital, or facility is located, or from a panel of judges appointed for any other precinct within the jurisdiction of the election authority in the same ward or township, as the case may be, in which the home, hospital, or facility is located or, only in the case where a judge or judges from the precinct, township or ward are unavailable to serve, (3) from a panel of judges appointed for any other precinct within the jurisdiction of the election authority. The two judges shall be from different political parties. Not less than 30 days before each regular election, the election authority shall have arranged with the chief administrative officer of each home, hospital, or facility in his or its election jurisdiction a mutually convenient time period on the Friday, Saturday, Sunday or Monday immediately preceding the election for such voting on the premises of the home, hospital, or facility and shall post in a prominent place in his or its office a notice of the agreed day and time period for conducting

such voting at each home, hospital, or facility; provided that the election authority shall not later than noon on the Thursday before the election also post the names and addresses of those homes, hospitals, and facilities from which no applications were received and in which no supervised vote by mail voting will be conducted. All provisions of this Code applicable to pollwatchers shall be applicable herein. To the maximum extent feasible, voting booths or screens shall be provided to insure the privacy of the voter. Voting procedures shall be as described in Article 17 of this Code, except that ballots shall be treated as vote by mail ballots and shall not be counted until the close of the polls on the following day. After the last voter has concluded voting, the judges shall seal the ballots in an envelope and affix their signatures across the flap of the envelope. Immediately thereafter, the judges shall bring the sealed envelope to the office of the election authority who shall deliver such ballots to the election authority's central ballot counting location prior to the closing of the polls on the day of election. The judges of election shall also report to the election authority the name of any applicant in the home, hospital, or facility who, due to unforeseen circumstance or condition or because of a religious holiday, was unable to vote. In this event, the election authority may appoint a qualified person from his or its staff to deliver the ballot to such applicant on the day of election. This staff person shall follow the same procedures prescribed for judges conducting vote by mail voting in such homes, hospitals, or facilities and shall return the ballot to the central ballot counting location before the polls close. However, if the home, hospital, or facility from which the application was made is also used as a regular precinct polling place for that voter, voting procedures heretofore prescribed may be implemented by 2 of the election judges of opposite party affiliation assigned to that polling place during the hours of voting on the day of the election. Judges of election shall be compensated not less than \$25.00 for conducting vote by mail voting in such homes, hospitals, or facilities.

Not less than 120 days before each regular election, the Department of Public Health shall certify to the State Board of Elections a list of the facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, or the MC/DD Act. The lists shall indicate the approved bed capacity and the name of the chief administrative officer of each such home, hospital, or facility, and the State Board of Elections shall certify the same to the appropriate election authority within 20 days thereafter.

(Source: P.A. 98-104, eff. 7-22-13; 98-1171, eff. 6-1-15; 99-180, eff. 7-29-15.)

(10 ILCS 5/19A-21)

Sec. 19A-21. Use of local public buildings for early voting polling places. Upon request by an election authority, a unit of local government (as defined in Section 1 of Article VII of the Illinois Constitution, which does not include school districts) shall make the unit's public buildings within the election authority's jurisdiction available as permanent or temporary early voting polling places without charge. Availability of a building shall include reasonably necessary time before and after the period early voting is conducted at that building. However, if upon receiving the election authority's request, a park district organized under the Park District Code demonstrates to the election authority that the use of a specific room as an early voting polling place would interfere with scheduled programming, the election authority and the park district shall work cooperatively to find an alternative room at the same location to serve as an early voting polling place. If the park district and the election authority are unable to identify a mutually agreeable alternative location at the park district, the park district and election authority shall prepare documentation explaining the difficulties for their respective entities to the Board of County Commissioners who shall determine which room shall be used as an early voting polling place as soon as practicable to avoid delays in determining an early voting polling place.

A unit of local government making its public building available as a permanent or temporary early voting polling place shall ensure that any portion of the building made available is accessible to voters with disabilities and elderly voters.

(Source: P.A. 99-143, eff. 7-27-15.)

(10 ILCS 5/28-8) (from Ch. 46, par. 28-8)

Sec. 28-8. If a referendum held in accordance with Section 28-7 of this Act involved the question of whether a unit of local government shall become a home rule unit or shall continue ~~cease~~ to be a home rule unit and if that referendum passed, then the clerk of that unit of local government shall, within 45 days after the referendum, file with the Secretary of State a certified statement showing the results of the referendum and the resulting status of the unit of local government as a home rule unit or a non-home rule unit. The Secretary of State shall maintain such certified statements in his office as a public record.

The question of whether a unit of local government shall become a home rule unit shall be submitted in substantially the following form:

Shall (name of the unit of local government) become a home rule unit?

Votes must be recorded as "yes" or "no".

The question of whether a unit of local government shall continue ~~cease~~ to be a home rule unit shall be submitted in substantially the following form:

Shall (name of the unit of local government) continue ~~cease~~ to be a home rule unit?

Votes must be recorded as "yes" or "no".

(Source: P.A. 98-115, eff. 7-29-13.)

(10 ILCS 5/29B-10) (from Ch. 46, par. 29B-10; formerly Ch. 46, par. 1103)

Sec. 29B-10. Code of Fair Campaign Practices. At the time a political committee, as defined in Article 9, files its statements of organization, the State Board of Elections, ~~in the case of a state political committee or a political committee acting as both a state political committee and a local political committee, or the county clerk, in the case of a local political committee,~~ shall give the political committee a blank form of the Code of Fair Campaign Practices and a copy of the provisions of this Article. The State Board of Elections ~~or county clerk~~ shall inform each political committee that subscription to the Code is voluntary. The text of the Code shall read as follows:

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play that every candidate for public office in the State of Illinois has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

(1) I will conduct my campaign openly and publicly, and limit attacks on my opponent to legitimate challenges to his record.

(2) I will not use or permit the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his personal or family life.

(3) I will not use or permit any appeal to negative prejudice based on race, sex, sexual orientation, religion or national origin.

(4) I will not use campaign material of any sort that misrepresents, distorts, or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that aim at creating or exploiting doubts, without justification, as to the personal integrity or patriotism of my opposition.

(5) I will not undertake or condone any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections or that hampers or prevents the full and free expression of the will of the voters.

(6) I will defend and uphold the right of every qualified American voter to full and equal participation in the electoral process.

(7) I will immediately and publicly repudiate methods and tactics that may come from others that I have pledged not to use or condone. I shall take firm action against any subordinate who violates any provision of this Code or the laws governing elections.

I, the undersigned, candidate for election to public office in the State of Illinois or chair of a political committee in support of or opposition to a question of public policy, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

.....

Date

.....

Signature

(Source: P.A. 100-1027, eff. 1-1-19.)

(10 ILCS 5/29B-15) (from Ch. 46, par. 29B-15; formerly Ch. 46, par. 1104)

Sec. 29B-15. Responsibility of State Board of Elections for printing and supplying of forms. The State Board of Elections shall print, or cause to be printed, copies of the Code of Fair Campaign Practices. ~~The State Board of Elections shall supply the forms to the county clerks in quantities and at times requested by the clerks.~~

(Source: P.A. 86-873; 87-1052.)

(10 ILCS 5/29B-20) (from Ch. 46, par. 29B-20; formerly Ch. 46, par. 1105)

Sec. 29B-20. Acceptance of completed forms; retentions for public inspection. The State Board of Elections ~~and the county clerks~~ shall accept, at all times prior to an election, all completed copies of the Code of Fair Campaign Practices that are properly subscribed to by a candidate or the chair of a political

committee in support of or opposition to a question of public policy, and shall retain them for public inspection until 30 days after the election.
(Source: P.A. 100-1027, eff. 1-1-19.)

(10 ILCS 5/9-45 rep.)

Section 10-10. The Election Code is amended by repealing Section 9-45.

Section 10-15. The Illinois Procurement Code is amended by changing Section 50-37 as follows:
(30 ILCS 500/50-37)

Sec. 50-37. Prohibition of political contributions.

(a) As used in this Section:

The terms "contract", "State contract", and "contract with a State agency" each mean any contract, as defined in this Code, between a business entity and a State agency let or awarded pursuant to this Code. The terms "contract", "State contract", and "contract with a State agency" do not include cost reimbursement contracts; purchase of care agreements as defined in Section 1-15.68 of this Code; contracts for projects eligible for full or partial federal-aid funding reimbursements authorized by the Federal Highway Administration; grants, including but are not limited to grants for job training or transportation; and grants, loans, or tax credit agreements for economic development purposes.

"Contribution" means a contribution as defined in Section 9-1.4 of the Election Code.

"Declared candidate" means a person who has filed a statement of candidacy and petition for nomination or election in the principal office of the State Board of Elections.

"State agency" means and includes all boards, commissions, agencies, institutions, authorities, and bodies politic and corporate of the State, created by or in accordance with the Illinois Constitution or State statute, of the executive branch of State government and does include colleges, universities, public employee retirement systems, and institutions under the jurisdiction of the governing boards of the University of Illinois, Southern Illinois University, Illinois State University, Eastern Illinois University, Northern Illinois University, Western Illinois University, Chicago State University, Governors State University, Northeastern Illinois University, and the Illinois Board of Higher Education.

"Officeholder" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, or Treasurer. The Governor shall be considered the officeholder responsible for awarding all contracts by all officers and employees of, and potential contractors and others doing business with, executive branch State agencies under the jurisdiction of the Executive Ethics Commission and not within the jurisdiction of the Attorney General, the Secretary of State, the Comptroller, or the Treasurer.

~~"Sponsoring entity" means a sponsoring entity as defined in Section 9-3 of the Election Code.~~

"Affiliated person" means (i) any person with any ownership interest or distributive share of the bidding or contracting business entity in excess of 7.5%, (ii) executive employees of the bidding or contracting business entity, and (iii) the spouse of any such persons. "Affiliated person" does not include a person prohibited by federal law from making contributions or expenditures in connection with a federal, state, or local election.

"Affiliated entity" means (i) any corporate parent and each operating subsidiary of the bidding or contracting business entity, (ii) each operating subsidiary of the corporate parent of the bidding or contracting business entity, (iii) any organization recognized by the United States Internal Revenue Service as a tax-exempt organization described in Section 501(c) of the Internal Revenue Code of 1986 (or any successor provision of federal tax law) established by the bidding or contracting business entity, any affiliated entity of that business entity, or any affiliated person of that business entity, ~~or~~ (iv) ~~any political committee for which the bidding or contracting business entity, or any 501(c) organization described in item (iii) related to that business entity, is the sponsoring entity.~~ "Affiliated entity" does not include an entity prohibited by federal law from making contributions or expenditures in connection with a federal, state, or local election.

"Business entity" means any entity doing business for profit, whether organized as a corporation, partnership, sole proprietorship, limited liability company or partnership, or otherwise.

"Executive employee" means (i) the President, Chairman, or Chief Executive Officer of a business entity and any other individual that fulfills equivalent duties as the President, Chairman of the Board, or Chief Executive Officer of a business entity; and (ii) any employee of a business entity

whose compensation is determined directly, in whole or in part, by the award or payment of contracts by a State agency to the entity employing the employee. A regular salary that is paid irrespective of the award or payment of a contract with a State agency shall not constitute "compensation" under item (ii) of this definition. "Executive employee" does not include any person prohibited by federal law from making contributions or expenditures in connection with a federal, state, or local election.

(b) Any business entity whose contracts with State agencies, in the aggregate, total more than \$50,000, and any affiliated entities or affiliated persons of such business entity, are prohibited from making any contributions to any political committees established to promote the candidacy of (i) the officeholder responsible for awarding the contracts or (ii) any other declared candidate for that office. This prohibition shall be effective for the duration of the term of office of the incumbent officeholder awarding the contracts or for a period of 2 years following the expiration or termination of the contracts, whichever is longer.

(c) Any business entity whose aggregate pending bids and offers on State contracts total more than \$50,000, or whose aggregate pending bids and offers on State contracts combined with the business entity's aggregate total value of State contracts exceed \$50,000, and any affiliated entities or affiliated persons of such business entity, are prohibited from making any contributions to any political committee established to promote the candidacy of the officeholder responsible for awarding the contract on which the business entity has submitted a bid or offer during the period beginning on the date the invitation for bids, request for proposals, or any other procurement opportunity is issued and ending on the day after the date the contract is awarded.

(c-5) For the purposes of the prohibitions under subsections (b) and (c) of this Section, (i) any contribution made to a political committee established to promote the candidacy of the Governor or a declared candidate for the office of Governor shall also be considered as having been made to a political committee established to promote the candidacy of the Lieutenant Governor, in the case of the Governor, or the declared candidate for Lieutenant Governor having filed a joint petition, or write-in declaration of intent, with the declared candidate for Governor, as applicable, and (ii) any contribution made to a political committee established to promote the candidacy of the Lieutenant Governor or a declared candidate for the office of Lieutenant Governor shall also be considered as having been made to a political committee established to promote the candidacy of the Governor, in the case of the Lieutenant Governor, or the declared candidate for Governor having filed a joint petition, or write-in declaration of intent, with the declared candidate for Lieutenant Governor, as applicable.

(d) All contracts between State agencies and a business entity that violate subsection (b) or (c) shall be voidable under Section 50-60. If a business entity violates subsection (b) 3 or more times within a 36-month period, then all contracts between State agencies and that business entity shall be void, and that business entity shall not bid or respond to any invitation to bid or request for proposals from any State agency or otherwise enter into any contract with any State agency for 3 years from the date of the last violation. A notice of each violation and the penalty imposed shall be published in both the Procurement Bulletin and the Illinois Register.

(e) Any political committee that has received a contribution in violation of subsection (b) or (c) shall pay an amount equal to the value of the contribution to the State no more than 30 calendar days after notice of the violation concerning the contribution appears in the Illinois Register. Payments received by the State pursuant to this subsection shall be deposited into the general revenue fund.

(Source: P.A. 103-570, eff. 1-1-24.)

Section 10-20. The Township Code is amended by changing Sections 45-10, 45-20, 45-25, 45-55, and 70-45 as follows:

(60 ILCS 1/45-10)

Sec. 45-10. Political party caucus in township; notice.

(a) On the third Tuesday following the first Monday of November ~~first Tuesday in December~~ preceding the date of the regular township election, a caucus shall be held by the voters of each established political party in a township to nominate its candidates for the various offices to be filled at the election. Notice of the caucus shall be given at least 38 ~~40~~ days before it is held by publication in some newspaper having a general circulation in the township. Not less than 58 ~~30~~ days before the caucus, the township clerk shall notify the chairman or membership of each township central committee by first-class mail of the chairman's or membership's obligation to report the time and location of the political party's caucus. Not less than 48 ~~20~~ days before the caucus, each chairman of the township central committee shall notify the township clerk by first-class mail of the time and location of the political party's caucus. If the time and

location of 2 or more political party caucuses conflict, the township clerk shall establish, by a fair and impartial public lottery, the time and location for each caucus.

If the chairperson of the township central committee fails to meet within the township or to meet any of the other requirements of this Section, the chairperson's political party shall not be permitted to nominate a candidate, either by caucus as provided for in this Section or as otherwise authorized by the Election Code, in the next upcoming consolidated election for any office for which a nomination could have been made at the caucus should the chairperson of the township central committee have met the requirements of this Section.

(b) Except as provided in this Section, the township board shall cause notices of the caucuses to be published. The notice shall state the time and place where the caucus for each political party will be held. The board shall fix a place within the township for holding the caucus for each established political party. When a new township has been established under Section 10-25, the county board shall cause notice of the caucuses to be published as required by this Section and shall fix the place within the new township for holding the caucuses.

(Source: P.A. 102-15, eff. 6-17-21.)

(60 ILCS 1/45-20)

Sec. 45-20. Caucus result; filing nomination papers; certifying candidates.

(a) The township central committee shall canvass and declare the result of the caucus.

(b) The chairman of the township central committee shall, not more than 141 ~~143~~ nor less than 134 ~~106~~ days before the township election, file nomination papers as provided in this Section. The nomination papers shall consist of (i) a certification by the chairman of the names of all candidates for office in the township nominated at the caucus and (ii) a statement of candidacy by each candidate in the form prescribed in the general election law. The nomination papers shall be filed in the office of the township clerk, except that if the township is entirely within the corporate limits of a city, village, or incorporated town under the jurisdiction of a board of election commissioners, the nomination papers shall be filed in the office of the board of election commissioners instead of the township clerk.

(c) The township clerk shall certify the candidates so nominated to the proper election authorities not less than 96 ~~68~~ days before the township election. The election shall be conducted in accordance with the general election law.

(Source: P.A. 99-522, eff. 6-30-16.)

(60 ILCS 1/45-25)

Sec. 45-25. Caucus in multi-township district.

(a) On the third Tuesday following the first Monday of November ~~first Wednesday in December~~ preceding the date of any election at which township officers are to be elected, a caucus shall be held by the voters of each established political party in a multi-township district to nominate its candidates for township assessor.

(b) For purposes of this Code, the multi-township central committee of each established political party shall consist of the elected or appointed precinct committeemen of each established political party within the multi-township district and shall promulgate rules of procedure under Section 45-50.

(c) The multi-township central committee of each established political party shall cause notices of the caucuses to be published. The notices shall state the time and place where the caucus for each established political party will be held within the multi-township district and shall be published in a newspaper of general circulation in the district 38 ~~40~~ days before the caucuses are held. Not less than 58 ~~30~~ days before the caucus, the multi-township clerk shall notify the chairman or membership of each multi-township central committee by first-class mail of the chairman's or membership's obligation to report the time and location of the political party's caucus. Not less than 48 ~~20~~ days before the caucus, each chairman of the multi-township central committee shall notify the multi-township clerk by first-class mail of the time and location of the political party's caucus. If the time and location of 2 or more political party caucuses conflict, the multi-township clerk shall establish, by a fair and impartial public lottery, the time and location for each caucus.

(d) The result of the election shall be canvassed in the manner provided by the general election law.

(e) The chairman of the multi-township central committee shall, not more than 141 ~~143~~ nor less than 134 ~~106~~ days before the multi-township election, file nomination papers as provided in this Section. The nomination papers shall consist of (i) a certification by the chairman of the names of all candidates for office in the township nominated at the caucus and (ii) a statement of candidacy by each candidate in the form

prescribed in the general election law. The nomination papers shall be filed in the office of the election authority. The election shall be conducted in accordance with the general election law. (Source: P.A. 97-81, eff. 7-5-11.)

(60 ILCS 1/45-55)

Sec. 45-55. Nomination by primary election. In (i) counties having a population of more than 3,000,000, the township central committee of a political party composed of the elected township committeeman and his or her appointed precinct committeemen and (ii) townships with a population of more than 15,000 in counties with a population of 3,000,000 or less, the township central committee of a political party composed of the precinct committeemen may, with respect to any regular township election, determine that its candidates for township offices shall be nominated by primary in accordance with the general election law, rather than in the manner provided in Sections 45-5 through 45-45. If the township central committee makes that determination, it must file a statement of the determination with the county clerk no later than August 15 ~~November 15~~ preceding the township election. If the township or any part of the township is within the jurisdiction of a board of election commissioners, the township central committee shall promptly notify the board of election commissioners of the determination. Upon the filing of the determination by the township central committee of a political party, the provisions of the general election law shall govern the nomination of candidates of that political party for township offices for the election with respect to which the determination was made.

(Source: P.A. 82-783; 88-62.)

(60 ILCS 1/70-45)

Sec. 70-45. Supervisors in Cook County. The supervisors of townships in Cook County shall perform the same duties as supervisors of townships in other counties under township organization, except that they shall not be members of the county board or exercise any of the powers of county board members. They shall have the same compensation for their services prescribed by law for similar services rendered by other township supervisors.

Township supervisors may serve as members of the Cook County Townships Public Aid Committee. The supervisors shall not receive additional compensation for duties associated with the Cook County Townships Public Aid Committee but shall be reimbursed for actual and necessary expenses related to service on the Committee.

The compensation for a supervisor of a township in Cook County may not be increased during the term of office for which the supervisor is elected or appointed. An ordinance establishing compensation, including an increase or decrease in a supervisor's compensation, shall apply uniformly to the supervisors whose terms start after enactment of the compensation ordinance. A township is prohibited from decreasing the salary for a person elected as supervisor of a township while maintaining the salary of an incumbent. An ordinance that violates this paragraph is null and void.

(Source: P.A. 90-210, eff. 7-25-97.)

Section 10-25. The Downstate Forest Preserve District Act is amended by changing Sections 3c and 3c-1 and by adding Section 3c-2 as follows:

(70 ILCS 805/3c)

Sec. 3c. Elected board of commissioners in certain counties. If the boundaries of a district are co-extensive with the boundaries of a county having a population of more than 800,000 but less than 3,000,000, all commissioners of the forest preserve district shall be elected from the number of districts as determined by the forest preserve district board of commissioners. Such a forest preserve district is a separate and distinct legal entity, and its board members are elected separate and apart from the elected county commissioners. Upon its formation, or as a result of decennial reapportionment, such a forest preserve district shall adopt a district map determining the boundary lines of each district. That map shall be adjusted and reapportioned subject to the same decennial reapportionment process stated in Section 3c-1. No more than one commissioner shall be elected from each district. At their first meeting after election in 2022 and at their first meeting after election next following each subsequent decennial reapportionment of the county under Section 3c-1, the elected commissioners shall publicly, by lot, divide themselves into 2 groups, as equal in size as possible. Commissioners from the first group shall serve for terms of 2, 4, and 4 years, and commissioners from the second group shall serve terms of 4, 4, and 2 years. The president of the board of commissioners of the forest preserve district shall be elected by the voters of the county, rather than by the commissioners. The president shall be a resident of the county and shall be elected throughout the county for a 4-year term without having been first elected as commissioner of the forest preserve district.

Each commissioner shall be a resident of the forest preserve board district from which he or she was elected not later than the date of the commencement of the term of office. The term of office for the president and commissioners elected under this Section shall commence on the first Monday of the month following the month of election. Neither a commissioner nor the president of the board of commissioners of that forest preserve district shall serve simultaneously as member or chairman of the county board. No person shall seek election to both the forest preserve commission and the county board at the same election, nor shall they be eligible to hold both offices at the same time. The president, with the advice and consent of the board of commissioners shall appoint a secretary, treasurer, and such other officers as deemed necessary by the board of commissioners, which officers need not be members of the board of commissioners. The president shall have the powers and duties as specified in Section 12 of this Act.

Candidates for president and commissioner shall be candidates of established political parties.

If a vacancy in the office of president or commissioner occurs, other than by expiration of the president's or commissioner's term, the forest preserve district board of commissioners shall declare that a vacancy exists and notification of the vacancy shall be given to the county central committee of each established political party within 3 business days after the occurrence of the vacancy. If the vacancy occurs in the office of forest preserve district commissioner, the president of the board of commissioners shall, within 60 days after the date of the vacancy, with the advice and consent of other commissioners then serving, appoint a person to serve for the remainder of the unexpired term. The appointee shall be affiliated with the same political party as the commissioner in whose office the vacancy occurred and be a resident of such district. If a vacancy in the office of president occurs, other than by expiration of the president's term, the remaining members of the board of commissioners shall, within 60 days after the vacancy, appoint one of the commissioners to serve as president for the remainder of the unexpired term. In that case, the office of the commissioner who is appointed to serve as president shall be deemed vacant and shall be filled within 60 days by appointment of the president with the advice and consent of the other forest preserve district commissioners. The commissioner who is appointed to fill a vacancy in the office of president shall be affiliated with the same political party as the person who occupied the office of president prior to the vacancy. A person appointed to fill a vacancy in the office of president or commissioner shall establish his or her party affiliation by his or her record of voting in primary elections or by holding or having held an office in an established political party organization before the appointment. If the appointee has not voted in a party primary election or is not holding or has not held an office in an established political party organization before the appointment, the appointee shall establish his or her political party affiliation by his or her record of participating in an established political party's nomination or election caucus. If, however, more than 28 months remain in the unexpired term of a commissioner or the president, the appointment shall be until the next general election, at which time the vacated office of commissioner or president shall be filled by election for the remainder of the term. Notwithstanding any law to the contrary, if a vacancy occurs after the last day provided in Section 7-12 of the Election Code for filing nomination papers for the office of president of a forest preserve district where that office is elected as provided for in this Section, or as set forth in Section 7-61 of the Election Code, a vacancy in nomination shall be filled by the passage of a resolution by the nominating committee of the affected political party within the time periods specified in the Election Code. The nominating committee shall consist of the chairman of the county central committee and the township chairmen of the affected political party. All other vacancies in nomination shall be filled in accordance with the provisions of the Election Code.

The president and commissioners elected under this Section may be reimbursed for their reasonable expenses actually incurred in performing their official duties under this Act in accordance with the provisions of Section 3a. The reimbursement paid under this Section shall be paid by the forest preserve district.

Compensation for the president and the forest preserve commissioners elected under this Section shall be established by the board of commissioners of the forest preserve district.

This Section does not apply to a forest preserve district created under Section 18.5 of the Conservation District Act.

(Source: P.A. 102-668, eff. 11-15-21.)

(70 ILCS 805/3c-1)

Sec. 3c-1. Reapportionment plan for forest preserve districts under Section 3c.

(a) Beginning in 2021, the ~~The~~ Downstate Forest Preserve District board of commissioners shall develop an apportionment plan and specify the number of districts. Each district shall have one commissioner. Each such district:

- (1) shall be substantially equal in population to each other district; and
- (2) shall be comprised of contiguous territory, as nearly compact as practicable; and
- (3) shall be created in such a manner so that no precinct shall be divided between 2 or more districts, insofar as is practicable.

(b) The president of the board of commissioners of a Downstate Forest Preserve District may develop a reappointment plan and that plan, as presented or as amended, shall be presented to the board by the third Wednesday in May in the year after a federal decennial census year for approval in accordance with the provisions of subsection (a) of this Section. If the president presents a plan to the board by the third Wednesday in May, the board shall conduct at least one public hearing to receive comments and to discuss the apportionment plan. That hearing shall be held at least 6 days but not more than 21 days before the board may consider adopting the plan, and the public shall be given notice by publication in a newspaper of general circulation in the district of the hearing at least 6 days in advance of the hearing. The president of the board of commissioners shall have access to the federal decennial census available to the board.

(c) For the reapportionment in calendar year 2021, the president of the board of commissioners may develop and present (or redevelop and represent) to the board by the third Wednesday in November of 2021 an apportionment plan. If a plan is presented, the board shall conduct at least one hearing on the proposed plan before it may be adopted. That hearing shall be held at least 6 days but not more than 21 days before the board may consider adopting the plan, and the public shall be given notice by publication in a newspaper of general circulation in the district of the hearing at least 6 days in advance of the hearing.

(d) After each decennial census, the Downstate Forest Preserve District board is not obligated to reapportion the districts if existing districts are within a 10% population deviation from each other based on the results of the decennial census.

(e) As used in this Section, "Downstate Forest Preserve District" means a district described in Section 3c.

(Source: P.A. 102-668, eff. 11-15-21.)

(70 ILCS 805/3c-2 new)

Sec. 3c-2. Continuous effect of provisions; validation. The General Assembly declares that the changes made to Sections 3c and 3c-1 by this amendatory Act of the 103rd General Assembly shall be deemed to have been in continuous effect since November 15, 2021 (the effective date of Public Act 102-688) and shall continue to be in effect until they are lawfully repealed. All actions that were taken on or after 2021 and before the effective date of this amendatory Act of the 103rd General Assembly by a downstate forest preserve district or any other person and that are consistent with or in reliance on the changes made to Sections 3c and 3c-1 by this amendatory Act of the 103rd General Assembly are hereby validated.

Section 10-30. The Unified Code of Corrections is amended by changing Sections 3-6-3, 3-14-1, and 5-5-5 and by adding Sections 5-5-11 and 5-5-12 as follows:

(730 ILCS 5/3-6-3)

Sec. 3-6-3. Rules and regulations for sentence credit.

(a)(1) The Department of Corrections shall prescribe rules and regulations for awarding and revoking sentence credit for persons committed to the Department of Corrections and the Department of Juvenile Justice shall prescribe rules and regulations for awarding and revoking sentence credit for persons committed to the Department of Juvenile Justice under Section 5-8-6 of the Unified Code of Corrections, which shall be subject to review by the Prisoner Review Board.

(1.5) As otherwise provided by law, sentence credit may be awarded for the following:

(A) successful completion of programming while in custody of the Department of Corrections or the Department of Juvenile Justice or while in custody prior to sentencing;

(B) compliance with the rules and regulations of the Department; or

(C) service to the institution, service to a community, or service to the State.

(2) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations on sentence credit shall provide, with respect to offenses listed in clause (i), (ii), or (iii) of this paragraph (2) committed on or after June 19, 1998 or with respect to the offense listed in clause (iv) of this paragraph (2) committed on or after June 23, 2005 (the effective date of Public Act 94-71) or with respect to offense listed in clause (vi) committed on or after June 1, 2008 (the effective date of Public Act 95-625) or with respect to the offense of being an armed habitual criminal committed on or after August 2, 2005 (the effective date of Public Act 94-398) or with respect to the offenses listed in clause (v) of this paragraph (2) committed on or

after August 13, 2007 (the effective date of Public Act 95-134) or with respect to the offense of aggravated domestic battery committed on or after July 23, 2010 (the effective date of Public Act 96-1224) or with respect to the offense of attempt to commit terrorism committed on or after January 1, 2013 (the effective date of Public Act 97-990), the following:

(i) that a prisoner who is serving a term of imprisonment for first degree murder or for the offense of terrorism shall receive no sentence credit and shall serve the entire sentence imposed by the court;

(ii) that a prisoner serving a sentence for attempt to commit terrorism, attempt to commit first degree murder, solicitation of murder, solicitation of murder for hire, intentional homicide of an unborn child, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, aggravated kidnapping, aggravated battery with a firearm as described in Section 12-4.2 or subdivision (e)(1), (e)(2), (e)(3), or (e)(4) of Section 12-3.05, heinous battery as described in Section 12-4.1 or subdivision (a)(2) of Section 12-3.05, being an armed habitual criminal, aggravated battery of a senior citizen as described in Section 12-4.6 or subdivision (a)(4) of Section 12-3.05, or aggravated battery of a child as described in Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment;

(iii) that a prisoner serving a sentence for home invasion, armed robbery, aggravated vehicular hijacking, aggravated discharge of a firearm, or armed violence with a category I weapon or category II weapon, when the court has made and entered a finding, pursuant to subsection (c-1) of Section 5-4-1 of this Code, that the conduct leading to conviction for the enumerated offense resulted in great bodily harm to a victim, shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment;

(iv) that a prisoner serving a sentence for aggravated discharge of a firearm, whether or not the conduct leading to conviction for the offense resulted in great bodily harm to the victim, shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment;

(v) that a person serving a sentence for gunrunning, narcotics racketeering, controlled substance trafficking, methamphetamine trafficking, drug-induced homicide, aggravated methamphetamine-related child endangerment, money laundering pursuant to clause (c) (4) or (5) of Section 29B-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or a Class X felony conviction for delivery of a controlled substance, possession of a controlled substance with intent to manufacture or deliver, calculated criminal drug conspiracy, criminal drug conspiracy, street gang criminal drug conspiracy, participation in methamphetamine manufacturing, aggravated participation in methamphetamine manufacturing, delivery of methamphetamine, possession with intent to deliver methamphetamine, aggravated delivery of methamphetamine, aggravated possession with intent to deliver methamphetamine, methamphetamine conspiracy when the substance containing the controlled substance or methamphetamine is 100 grams or more shall receive no more than 7.5 days sentence credit for each month of his or her sentence of imprisonment;

(vi) that a prisoner serving a sentence for a second or subsequent offense of luring a minor shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment; and

(vii) that a prisoner serving a sentence for aggravated domestic battery shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(2.1) For all offenses, other than those enumerated in subdivision (a)(2)(i), (ii), or (iii) committed on or after June 19, 1998 or subdivision (a)(2)(iv) committed on or after June 23, 2005 (the effective date of Public Act 94-71) or subdivision (a)(2)(v) committed on or after August 13, 2007 (the effective date of Public Act 95-134) or subdivision (a)(2)(vi) committed on or after June 1, 2008 (the effective date of Public Act 95-625) or subdivision (a)(2)(vii) committed on or after July 23, 2010 (the effective date of Public Act 96-1224), and other than the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code, and other than the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (C) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code committed on or after January 1, 2011 (the effective date of Public Act 96-1230), the rules and regulations shall provide that a prisoner who is serving a term of imprisonment shall receive one day of sentence credit for each day of his or her sentence of imprisonment or

recommitment under Section 3-3-9. Each day of sentence credit shall reduce by one day the prisoner's period of imprisonment or recommitment under Section 3-3-9.

(2.2) A prisoner serving a term of natural life imprisonment shall receive no sentence credit.

(2.3) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations on sentence credit shall provide that a prisoner who is serving a sentence for aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code, shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(2.4) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations on sentence credit shall provide with respect to the offenses of aggravated battery with a machine gun or a firearm equipped with any device or attachment designed or used for silencing the report of a firearm or aggravated discharge of a machine gun or a firearm equipped with any device or attachment designed or used for silencing the report of a firearm, committed on or after July 15, 1999 (the effective date of Public Act 91-121), that a prisoner serving a sentence for any of these offenses shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(2.5) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations on sentence credit shall provide that a prisoner who is serving a sentence for aggravated arson committed on or after July 27, 2001 (the effective date of Public Act 92-176) shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(2.6) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations on sentence credit shall provide that a prisoner who is serving a sentence for aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds or any combination thereof as defined in subparagraph (C) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code committed on or after January 1, 2011 (the effective date of Public Act 96-1230) shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(3) In addition to the sentence credits earned under paragraphs (2.1), (4), (4.1), (4.2), and (4.7) of this subsection (a), the rules and regulations shall also provide that the Director of Corrections or the Director of Juvenile Justice may award up to 180 days of earned sentence credit for prisoners serving a sentence of incarceration of less than 5 years, and up to 365 days of earned sentence credit for prisoners serving a sentence of 5 years or longer. The Director may grant this credit for good conduct in specific instances as either Director deems proper for eligible persons in the custody of each Director's respective Department. The good conduct may include, but is not limited to, compliance with the rules and regulations of the Department, service to the Department, service to a community, or service to the State.

Eligible inmates for an award of earned sentence credit under this paragraph (3) may be selected to receive the credit at either Director's or his or her designee's sole discretion. Eligibility for the additional earned sentence credit under this paragraph (3) may be based on, but is not limited to, participation in programming offered by the Department as appropriate for the prisoner based on the results of any available risk/needs assessment or other relevant assessments or evaluations administered by the Department using a validated instrument, the circumstances of the crime, demonstrated commitment to rehabilitation by a prisoner with a history of conviction for a forcible felony enumerated in Section 2-8 of the Criminal Code of 2012, the inmate's behavior and improvements in disciplinary history while incarcerated, and the inmate's commitment to rehabilitation, including participation in programming offered by the Department.

The Director of Corrections or the Director of Juvenile Justice shall not award sentence credit under this paragraph (3) to an inmate unless the inmate has served a minimum of 60 days of the sentence, including time served in a county jail; except nothing in this paragraph shall be construed to permit either Director to extend an inmate's sentence beyond that which was imposed by the court. Prior to awarding credit under this paragraph (3), each Director shall make a written determination that the inmate:

(A) is eligible for the earned sentence credit;

(B) has served a minimum of 60 days, or as close to 60 days as the sentence will allow;

(B-1) has received a risk/needs assessment or other relevant evaluation or assessment administered by the Department using a validated instrument; and

(C) has met the eligibility criteria established by rule for earned sentence credit.

The Director of Corrections or the Director of Juvenile Justice shall determine the form and content of the written determination required in this subsection.

(3.5) The Department shall provide annual written reports to the Governor and the General Assembly on the award of earned sentence credit no later than February 1 of each year. The Department must publish both reports on its website within 48 hours of transmitting the reports to the Governor and the General Assembly. The reports must include:

- (A) the number of inmates awarded earned sentence credit;
- (B) the average amount of earned sentence credit awarded;
- (C) the holding offenses of inmates awarded earned sentence credit; and
- (D) the number of earned sentence credit revocations.

(4)(A) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations shall also provide that any prisoner who is engaged full-time in any full-time substance abuse programs, correctional industry assignments, educational programs (including, without limitation, peer-led programs for both the peer-educators and program participants), work-release programs or activities in accordance with Article 13 of Chapter III of this Code, behavior modification programs, life skills courses, or re-entry planning provided by the Department under this paragraph (4) and satisfactorily completes the assigned program as determined by the standards of the Department, shall receive one day of sentence credit for each day in which that prisoner is engaged in the activities described in this paragraph. The rules and regulations shall also provide that sentence credit may be provided to an inmate who was held in pre-trial detention prior to his or her current commitment to the Department of Corrections and successfully completed a full-time, 60-day or longer substance abuse program, educational program, behavior modification program, life skills course, or re-entry planning provided by the county department of corrections or county jail. Calculation of this county program credit shall be done at sentencing as provided in Section 5-4.5-100 of this Code and shall be included in the sentencing order. The rules and regulations shall also provide that sentence credit may be provided to an inmate who is in compliance with programming requirements in an adult transition center.

(B) The Department shall award sentence credit under this paragraph (4) accumulated prior to January 1, 2020 (the effective date of Public Act 101-440) in an amount specified in subparagraph (C) of this paragraph (4) to an inmate serving a sentence for an offense committed prior to June 19, 1998, if the Department determines that the inmate is entitled to this sentence credit, based upon:

- (i) documentation provided by the Department that the inmate engaged in any full-time substance abuse programs, correctional industry assignments, educational programs (including, without limitation, peer-led programs for both the peer-educators and program participants), behavior modification programs, life skills courses, or re-entry planning provided by the Department under this paragraph (4) and satisfactorily completed the assigned program as determined by the standards of the Department during the inmate's current term of incarceration; or
- (ii) the inmate's own testimony in the form of an affidavit or documentation, or a third party's documentation or testimony in the form of an affidavit that the inmate likely engaged in any full-time substance abuse programs, correctional industry assignments, educational programs (including, without limitation, peer-led programs for both the peer-educators and program participants), behavior modification programs, life skills courses, or re-entry planning provided by the Department under paragraph (4) and satisfactorily completed the assigned program as determined by the standards of the Department during the inmate's current term of incarceration.

(C) If the inmate can provide documentation that he or she is entitled to sentence credit under subparagraph (B) in excess of 45 days of participation in those programs, the inmate shall receive 90 days of sentence credit. If the inmate cannot provide documentation of more than 45 days of participation in those programs, the inmate shall receive 45 days of sentence credit. In the event of a disagreement between the Department and the inmate as to the amount of credit accumulated under subparagraph (B), if the Department provides documented proof of a lesser amount of days of participation in those programs, that proof shall control. If the Department provides no documentary proof, the inmate's proof as set forth in clause (ii) of subparagraph (B) shall control as to the amount of sentence credit provided.

(D) If the inmate has been convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act, sentencing credits under subparagraph (B) of this paragraph (4) shall be awarded by the Department only if the conditions set forth in paragraph (4.6) of subsection (a) are satisfied. No inmate serving a term of natural life imprisonment shall receive sentence credit under subparagraph (B) of this paragraph (4).

(E) The rules and regulations shall provide for the recalculation of program credits awarded pursuant to this paragraph (4) prior to July 1, 2021 (the effective date of Public Act 101-652) at the rate set for such credits on and after July 1, 2021.

Educational, vocational, substance abuse, behavior modification programs, life skills courses, re-entry planning, and correctional industry programs under which sentence credit may be earned under this paragraph (4) and paragraph (4.1) of this subsection (a) shall be evaluated by the Department on the basis of documented standards. The Department shall report the results of these evaluations to the Governor and the General Assembly by September 30th of each year. The reports shall include data relating to the recidivism rate among program participants (including peer educators).

Availability of these programs shall be subject to the limits of fiscal resources appropriated by the General Assembly for these purposes. Eligible inmates who are denied immediate admission shall be placed on a waiting list under criteria established by the Department. The rules and regulations shall provide that a prisoner who has been placed on a waiting list but is transferred for non-disciplinary reasons before beginning a program shall receive priority placement on the waitlist for appropriate programs at the new facility. The inability of any inmate to become engaged in any such programs by reason of insufficient program resources or for any other reason established under the rules and regulations of the Department shall not be deemed a cause of action under which the Department or any employee or agent of the Department shall be liable for damages to the inmate. The rules and regulations shall provide that a prisoner who begins an educational, vocational, substance abuse, work-release programs or activities in accordance with Article 13 of Chapter III of this Code, behavior modification program, life skills course, re-entry planning, or correctional industry programs but is unable to complete the program due to illness, disability, transfer, lockdown, or another reason outside of the prisoner's control shall receive prorated sentence credits for the days in which the prisoner did participate.

(4.1) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations shall also provide that an additional 90 days of sentence credit shall be awarded to any prisoner who passes high school equivalency testing while the prisoner is committed to the Department of Corrections. The sentence credit awarded under this paragraph (4.1) shall be in addition to, and shall not affect, the award of sentence credit under any other paragraph of this Section, but shall also be pursuant to the guidelines and restrictions set forth in paragraph (4) of subsection (a) of this Section. The sentence credit provided for in this paragraph shall be available only to those prisoners who have not previously earned a high school diploma or a State of Illinois High School Diploma. If, after an award of the high school equivalency testing sentence credit has been made, the Department determines that the prisoner was not eligible, then the award shall be revoked. The Department may also award 90 days of sentence credit to any committed person who passed high school equivalency testing while he or she was held in pre-trial detention prior to the current commitment to the Department of Corrections. Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations shall provide that an additional 120 days of sentence credit shall be awarded to any prisoner who obtains an associate degree while the prisoner is committed to the Department of Corrections, regardless of the date that the associate degree was obtained, including if prior to July 1, 2021 (the effective date of Public Act 101-652). The sentence credit awarded under this paragraph (4.1) shall be in addition to, and shall not affect, the award of sentence credit under any other paragraph of this Section, but shall also be under the guidelines and restrictions set forth in paragraph (4) of subsection (a) of this Section. The sentence credit provided for in this paragraph (4.1) shall be available only to those prisoners who have not previously earned an associate degree prior to the current commitment to the Department of Corrections. If, after an award of the associate degree sentence credit has been made and the Department determines that the prisoner was not eligible, then the award shall be revoked. The Department may also award 120 days of sentence credit to any committed person who earned an associate degree while he or she was held in pre-trial detention prior to the current commitment to the Department of Corrections.

Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations shall provide that an additional 180 days of sentence credit shall be awarded to any prisoner who obtains a bachelor's degree while the prisoner is committed to the Department of Corrections. The sentence credit awarded under this paragraph (4.1) shall be in addition to, and shall not affect, the award of sentence credit under any other paragraph of this Section, but shall also be under the guidelines and restrictions set forth in paragraph (4) of this subsection (a). The sentence credit provided for in this paragraph shall be available only to those prisoners who have not earned a bachelor's degree prior to the current commitment to the Department of Corrections. If, after an award of the bachelor's degree sentence credit has been made, the Department determines that the prisoner was not eligible, then the award shall be revoked. The Department may also

award 180 days of sentence credit to any committed person who earned a bachelor's degree while he or she was held in pre-trial detention prior to the current commitment to the Department of Corrections.

Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations shall provide that an additional 180 days of sentence credit shall be awarded to any prisoner who obtains a master's or professional degree while the prisoner is committed to the Department of Corrections. The sentence credit awarded under this paragraph (4.1) shall be in addition to, and shall not affect, the award of sentence credit under any other paragraph of this Section, but shall also be under the guidelines and restrictions set forth in paragraph (4) of this subsection (a). The sentence credit provided for in this paragraph shall be available only to those prisoners who have not previously earned a master's or professional degree prior to the current commitment to the Department of Corrections. If, after an award of the master's or professional degree sentence credit has been made, the Department determines that the prisoner was not eligible, then the award shall be revoked. The Department may also award 180 days of sentence credit to any committed person who earned a master's or professional degree while he or she was held in pre-trial detention prior to the current commitment to the Department of Corrections.

(4.2)(A) The rules and regulations shall also provide that any prisoner engaged in self-improvement programs, volunteer work, or work assignments that are not otherwise eligible activities under paragraph (4), shall receive up to 0.5 days of sentence credit for each day in which the prisoner is engaged in activities described in this paragraph.

(B) The rules and regulations shall provide for the award of sentence credit under this paragraph (4.2) for qualifying days of engagement in eligible activities occurring prior to July 1, 2021 (the effective date of Public Act 101-652).

(4.5) The rules and regulations on sentence credit shall also provide that when the court's sentencing order recommends a prisoner for substance abuse treatment and the crime was committed on or after September 1, 2003 (the effective date of Public Act 93-354), the prisoner shall receive no sentence credit awarded under clause (3) of this subsection (a) unless he or she participates in and completes a substance abuse treatment program. The Director of Corrections may waive the requirement to participate in or complete a substance abuse treatment program in specific instances if the prisoner is not a good candidate for a substance abuse treatment program for medical, programming, or operational reasons. Availability of substance abuse treatment shall be subject to the limits of fiscal resources appropriated by the General Assembly for these purposes. If treatment is not available and the requirement to participate and complete the treatment has not been waived by the Director, the prisoner shall be placed on a waiting list under criteria established by the Department. The Director may allow a prisoner placed on a waiting list to participate in and complete a substance abuse education class or attend substance abuse self-help meetings in lieu of a substance abuse treatment program. A prisoner on a waiting list who is not placed in a substance abuse program prior to release may be eligible for a waiver and receive sentence credit under clause (3) of this subsection (a) at the discretion of the Director.

(4.6) The rules and regulations on sentence credit shall also provide that a prisoner who has been convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act shall receive no sentence credit unless he or she either has successfully completed or is participating in sex offender treatment as defined by the Sex Offender Management Board. However, prisoners who are waiting to receive treatment, but who are unable to do so due solely to the lack of resources on the part of the Department, may, at either Director's sole discretion, be awarded sentence credit at a rate as the Director shall determine.

(4.7) On or after January 1, 2018 (the effective date of Public Act 100-3), sentence credit under paragraph (3), (4), or (4.1) of this subsection (a) may be awarded to a prisoner who is serving a sentence for an offense described in paragraph (2), (2.3), (2.4), (2.5), or (2.6) for credit earned on or after January 1, 2018 (the effective date of Public Act 100-3); provided, the award of the credits under this paragraph (4.7) shall not reduce the sentence of the prisoner to less than the following amounts:

- (i) 85% of his or her sentence if the prisoner is required to serve 85% of his or her sentence; or
- (ii) 60% of his or her sentence if the prisoner is required to serve 75% of his or her sentence, except if the prisoner is serving a sentence for gunrunning his or her sentence shall not be reduced to less than 75%.
- (iii) 100% of his or her sentence if the prisoner is required to serve 100% of his or her sentence.

(5) Whenever the Department is to release any inmate earlier than it otherwise would because of a grant of earned sentence credit under paragraph (3) of subsection (a) of this Section given at any time during the term, the Department shall give reasonable notice of the impending release not less than 14 days prior to

the date of the release to the State's Attorney of the county where the prosecution of the inmate took place, and if applicable, the State's Attorney of the county into which the inmate will be released. The Department must also make identification information and a recent photo of the inmate being released accessible on the Internet by means of a hyperlink labeled "Community Notification of Inmate Early Release" on the Department's World Wide Web homepage. The identification information shall include the inmate's: name, any known alias, date of birth, physical characteristics, commitment offense, and county where conviction was imposed. The identification information shall be placed on the website within 3 days of the inmate's release and the information may not be removed until either: completion of the first year of mandatory supervised release or return of the inmate to custody of the Department.

(b) Whenever a person is or has been committed under several convictions, with separate sentences, the sentences shall be construed under Section 5-8-4 in granting and forfeiting of sentence credit.

(c) (1) The Department shall prescribe rules and regulations for revoking sentence credit, including revoking sentence credit awarded under paragraph (3) of subsection (a) of this Section. The Department shall prescribe rules and regulations establishing and requiring the use of a sanctions matrix for revoking sentence credit. The Department shall prescribe rules and regulations for suspending or reducing the rate of accumulation of sentence credit for specific rule violations, during imprisonment. These rules and regulations shall provide that no inmate may be penalized more than one year of sentence credit for any one infraction.

(2) When the Department seeks to revoke, suspend, or reduce the rate of accumulation of any sentence credits for an alleged infraction of its rules, it shall bring charges therefor against the prisoner sought to be so deprived of sentence credits before the Prisoner Review Board as provided in subparagraph (a)(4) of Section 3-3-2 of this Code, if the amount of credit at issue exceeds 30 days, whether from one infraction or cumulatively from multiple infractions arising out of a single event, or when, during any 12-month period, the cumulative amount of credit revoked exceeds 30 days except where the infraction is committed or discovered within 60 days of scheduled release. In those cases, the Department of Corrections may revoke up to 30 days of sentence credit. The Board may subsequently approve the revocation of additional sentence credit, if the Department seeks to revoke sentence credit in excess of 30 days. However, the Board shall not be empowered to review the Department's decision with respect to the loss of 30 days of sentence credit within any calendar year for any prisoner or to increase any penalty beyond the length requested by the Department.

(3) The Director of Corrections or the Director of Juvenile Justice, in appropriate cases, may restore sentence credits which have been revoked, suspended, or reduced. The Department shall prescribe rules and regulations governing the restoration of sentence credits. These rules and regulations shall provide for the automatic restoration of sentence credits following a period in which the prisoner maintains a record without a disciplinary violation.

Nothing contained in this Section shall prohibit the Prisoner Review Board from ordering, pursuant to Section 3-3-9(a)(3)(i)(B), that a prisoner serve up to one year of the sentence imposed by the court that was not served due to the accumulation of sentence credit.

(d) If a lawsuit is filed by a prisoner in an Illinois or federal court against the State, the Department of Corrections, or the Prisoner Review Board, or against any of their officers or employees, and the court makes a specific finding that a pleading, motion, or other paper filed by the prisoner is frivolous, the Department of Corrections shall conduct a hearing to revoke up to 180 days of sentence credit by bringing charges against the prisoner sought to be deprived of the sentence credits before the Prisoner Review Board as provided in subparagraph (a)(8) of Section 3-3-2 of this Code. If the prisoner has not accumulated 180 days of sentence credit at the time of the finding, then the Prisoner Review Board may revoke all sentence credit accumulated by the prisoner.

For purposes of this subsection (d):

(1) "Frivolous" means that a pleading, motion, or other filing which purports to be a legal document filed by a prisoner in his or her lawsuit meets any or all of the following criteria:

- (A) it lacks an arguable basis either in law or in fact;
- (B) it is being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;
- (C) the claims, defenses, and other legal contentions therein are not warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;

(D) the allegations and other factual contentions do not have evidentiary support or, if specifically so identified, are not likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; or

(E) the denials of factual contentions are not warranted on the evidence, or if specifically so identified, are not reasonably based on a lack of information or belief.

(2) "Lawsuit" means a motion pursuant to Section 116-3 of the Code of Criminal Procedure of 1963, a habeas corpus action under Article X of the Code of Civil Procedure or under federal law (28 U.S.C. 2254), a petition for claim under the Court of Claims Act, an action under the federal Civil Rights Act (42 U.S.C. 1983), or a second or subsequent petition for post-conviction relief under Article 122 of the Code of Criminal Procedure of 1963 whether filed with or without leave of court or a second or subsequent petition for relief from judgment under Section 2-1401 of the Code of Civil Procedure.

(e) Nothing in Public Act 90-592 or 90-593 affects the validity of Public Act 89-404.

(f) Whenever the Department is to release any inmate who has been convicted of a violation of an order of protection under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012, earlier than it otherwise would because of a grant of sentence credit, the Department, as a condition of release, shall require that the person, upon release, be placed under electronic surveillance as provided in Section 5-8A-7 of this Code.

(Source: P.A. 102-28, eff. 6-25-21; 102-558, eff. 8-20-21; 102-784, eff. 5-13-22; 102-1100, eff. 1-1-23; 103-51, eff. 1-1-24; 103-154, eff. 6-30-23; 103-330, eff. 1-1-24; revised 12-15-23.)

Section 10-35. The Re-Entering Citizens Civics Education Act is amended by changing Sections 1, 5, 10, 15, 20, 25, 40, and by adding Section 45 as follows:

(730 ILCS 200/1)

Sec. 1. Short title. This Act may be cited as the Reintegration and Civic Empowerment ~~Re-Entering Citizens Civics Education~~ Act.

(Source: P.A. 101-441, eff. 1-1-20.)

(730 ILCS 200/5)

Sec. 5. Definitions. In this Act:

"Co-facilitators" means a committed person at the Department of Juvenile Justice who is specifically trained in voting rights education, who shall assist in conducting voting and civics education workshops for committed persons at the Department of Juvenile Justice; or a member of an established nonpartisan civic organization who has been trained to conduct voting and civics education workshops ~~who are scheduled for discharge within 12 months.~~

"Committed person" means a person committed and confined to and in the physical custody of the Department of Corrections or the Department of Juvenile Justice.

"Commitment" means a judicially determined placement in the physical custody of the Department of Corrections or the Department of Juvenile Justice on the basis of conviction or delinquency.

"Correctional institution or facility" means a Department of Corrections or Department of Juvenile Justice building or part of a Department of Corrections or Department of Juvenile Justice building where committed persons are detained in a secure manner.

~~"Detainee" means a committed person in the physical custody of the Department of Corrections or the Department of Juvenile Justice.~~

"Director" includes the Directors of the Department of Corrections and the Department of Juvenile Justice unless the text solely specifies a particular Director.

"Discharge" means the end of a sentence or the final termination of a committed person's physical commitment to and confinement in the Department of Corrections. Discharge means the end of a sentence or the final termination of a committed person's physical commitment to and confinement in the Department of Juvenile Justice.

"Peer educator" means a committed person ~~an incarcerated citizen~~ at the Department of Corrections who is specifically trained in voting rights education, who shall conduct voting and civics education workshops for committed persons at the Department of Corrections ~~who are scheduled for discharge within 12 months.~~

"Program" means the nonpartisan peer education and information instruction established by this Act.

"Program participant" means a committed person enrolled in the program or otherwise participating in a program workshop.

"Re-entering citizen" means any United States citizen who is: 17 years of age or older; in the physical custody of the Department of Corrections or Department of Juvenile Justice; and scheduled to be re-entering society within 12 months.

(Source: P.A. 101-441, eff. 1-1-20; 102-374, eff. 1-1-22; 102-558, eff. 8-20-21.)

(730 ILCS 200/10)

Sec. 10. Purpose; program. The purpose of this Act is to advance collective liberation, foster community healing, and establish individuals as active members of the community. The Department of Corrections and the Department of Juvenile Justice shall implement provide a nonpartisan peer-led civics program throughout the correctional institutions of this State to teach civics to soon-to-be-released citizens who will be re-entering society. The goal of the program is to promote the successful integration of re-entering citizens, promote democracy, and reduce rates of recidivism within this State. This program, emphasizing that reintegration must be a collective effort, is designed to impart civics education to committed persons, including those on the verge of re-entering society. The overarching goals of the program are to facilitate the successful reintegration of committed persons into society, champion the principles of democracy, contribute to the reduction of recidivism rates within the state, and improve community cohesion, recognizing its significance as a social determinant of health. For young people in particular, the study of civics helps people acquire and learn to use the skills, knowledge, and attitudes that will prepare them to be engaged citizens throughout their lives. This program shall coincide with and enhance existing laws to ensure that committed persons and voters re-entering citizens understand their civic responsibility and know how to secure or, if applicable, regain their right to vote as part of the exit process.

(Source: P.A. 101-441, eff. 1-1-20; 102-374, eff. 1-1-22.)

(730 ILCS 200/15)

Sec. 15. Curriculum and eligibility.

(a) The civics peer education program shall consist of a rigorous curriculum, and participants shall be instructed on subjects including, but not limited to, voting rights, governmental institutions, current affairs, and simulations of voter registration, election, and democratic processes. Each workshop held at the Department of Corrections shall consist of 3 sessions that are 90 minutes each and that do not need to be taken consecutively. The workshops held at the Department of Juvenile Justice shall consist of 270 minutes of instruction. The Department of Corrections shall conduct each of the 3 sessions not less than twice a month at each correctional institution totaling not less than 6 sessions per month at each correctional institution.

(b) The Department of Corrections and the Department of Juvenile Justice must offer committed persons the first re-entering citizens scheduled to be discharged within 12 months with the civics peer education workshop session within 90 days of commitment and must offer and make available the entirety of the civics peer education program to committed persons within 12 months of commitment program, and each re-entering citizen must enroll in the program one to 12 months prior to his or her expected date of release. This workshop must be included in the standard exit process.

The Department of Corrections and the Department of Juvenile Justice should aim to include this workshop in conjunction with other commitment pre-release procedures and movements. Delays in a workshop being provided shall not cause delays in discharge. Committed persons may not be prevented from attending workshops due to staffing shortages, lockdowns, or to conflicts with family or legal visits, court dates, medical appointments, commissary visits, recreational sessions, dining, work, class, or bathing schedules. In case of conflict or staffing shortages, committed persons re-entering citizens must be given full opportunity to attend a workshop at a later time.

(c) The civics peer education program and workshops must be made available to all committed persons regardless of the date they were first committed or the length of their sentence. Committed persons shall be allowed to enroll in the program multiple times or participate in workshop sessions multiple times. If necessary due to limitations on the number of persons that can attend an individual workshop, the Department of Corrections and the Department of Juvenile Justice may prioritize attendance for participants who have not completed the civics peer education program but shall not otherwise restrict access to the program or workshops on the basis of a person's commitment date or length of sentence, except as necessary to allow a committed person near the end of their term of commitment to complete the program before their release from commitment.

(Source: P.A. 101-441, eff. 1-1-20; 102-374, eff. 1-1-22.)

(730 ILCS 200/20)

Sec. 20. Peer educator training. The civics peer education program shall be taught by peer educators who are ~~persons~~ ~~citizens~~ incarcerated in Department of Corrections facilities and specially trained by experienced peer educators and established nonpartisan civic organizations. Established nonpartisan civic organizations may be assisted by area political science or civics educators at colleges, universities, and high schools and by nonpartisan organizations providing re-entry services. The nonpartisan civic organizations shall provide adequate training to peer educators on matters including, but not limited to, voting rights, governmental institutions, current affairs, and simulations of voter registration, election, and democratic processes, and shall provide periodic updates to program content and to peer educators.
(Source: P.A. 101-441, eff. 1-1-20; 102-374, eff. 1-1-22.)

(730 ILCS 200/25)

Sec. 25. Voter and civic education program; content.

(a) Program content shall provide the following:

- (1) nonpartisan information on voting history and voting procedures;
- (2) nonpartisan definitions of local, State, and federal governmental institutions and offices; and
- (3) examples and simulations of registration and voting processes, and access to voter registration and voting processes for those individuals who are eligible to vote.

(b) Established nonpartisan civic organizations shall provide periodic updates to program content and, if applicable, peer educators and co-facilitators. Updates shall reflect major relevant changes to election laws and processes in Illinois.

(c) Program content shall be delivered in the following manners:

- (1) verbally via peer educators and co-facilitators;
- (2) broadcasts via Department of Corrections and Department of Juvenile Justice internal television channels; or
- (3) printed information packets.

(d) Peer educators and co-facilitators shall disseminate printed information for voting in the program participant's release's county, including, but not limited to, election authorities' addresses, all applicable Internet websites, and public contact information for all election authorities. This information shall be compiled into a civics handbook. The handbook shall also include key information condensed into a pocket information card.

(e) ~~The This~~ information in subsections (d) shall also be compiled electronically and posted on Department of Corrections' and Department of Juvenile Justice's website along with the Department of Corrections' Community Support Advisory Councils websites.

(f) Department Directors shall ensure that the wardens or superintendents of all correctional institutions and facilities visibly post this information on all common areas of their respective institutions, and shall broadcast the same via in-house institutional information television channels. Directors shall ensure that updated information is distributed in a timely, visible, and accessible manner.

(g) The Director of Corrections shall order, in a clearly visible area of each parole office within this State, the posting of a notice stipulating voter eligibility and that contains the current Internet website address and voter registration information provided by State Board of Elections regarding voting rights for citizens released from the physical custody of the Department of Corrections and the Department of Juvenile Justice.

(h) All program content and materials shall be distributed annually to the Community Support Advisory Councils of the Department of Corrections for use in re-entry programs across this State.

(Source: P.A. 101-441, eff. 1-1-20; 102-374, eff. 1-1-22.)

(730 ILCS 200/40)

Sec. 40. Voter and civic education program monitoring and enforcement.

(a) The Director of Corrections and the Director of Juvenile Justice shall ensure that wardens or superintendents, program, educational, and security and movement staff permit these workshops to take place, and that program participants ~~re-entering citizens~~ are escorted to workshops in a consistent and timely manner.

(b) Compliance with this Act shall be monitored by a report published annually by the Department of Corrections and the Department of Juvenile Justice and containing data, which shall include the following: ~~including~~

- (1) numbers of committed persons ~~re-entering citizens~~ who enrolled in the program; ;
- (2) numbers of committed persons ~~re-entering citizens~~ who completed the program; ;
- (3) numbers of total committed persons;

(4) numbers of peer educators;

(5) ~~and total~~ numbers of committed persons who exited (including the number of those who were and the number of those under supervision) ~~individuals discharged~~.

Data shall be disaggregated by institution, discharge, or residence address of citizen, and other factors. (Source: P.A. 101-441, eff. 1-1-20.)

(730 ILCS 200/45 new)

Sec. 45. Peer educator pay and stipends. The Department of Corrections shall create and implement paid structures in line with other states' rates for incarcerated teachers, including, but not limited to, professors.

ARTICLE 99

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Morrison offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 4488

AMENDMENT NO. 3. Amend House Bill 4488, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, by deleting line 20 on page 102 through line 4 on page 137.

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Morrison offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO HOUSE BILL 4488

AMENDMENT NO. 4. Amend House Bill 4488, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 14, line 21, after "1A-45," by inserting "2A-9,"; and

on page 14, line 23, after "19A-21," by inserting "25-3,"; and

on page 24, immediately below line 1, by inserting the following:

"(10 ILCS 5/2A-9) (from Ch. 46, par. 2A-9)

(Text of Section WITHOUT the changes made by P.A. 89-719, which has been held unconstitutional)

Sec. 2A-9. Supreme, Appellate and Circuit Judges.

(a) If one of the following events occurs 134 ~~92~~ or more days before a general primary election at which judges are to be nominated, the term of an incumbent judge will expire on the first Monday in December of the next even-numbered year:

(1) the judge dies;

(2) the Chief Justice receives a written resignation or notice of retirement, signed and submitted by the judge, which specifies a date of resignation or retirement on or before the first Monday in December of the next even-numbered year;

(3) a statute mandates the judge's retirement for reason of age on or before the first Monday in December of the next even-numbered year;

(4) the judge was eligible to seek retention in the next general election but failed to timely file a declaration of candidacy to succeed himself or, having timely filed such declaration, withdrew it;

(5) the judge is convicted of a felony or other infamous crime;

(6) the judge is removed from office.

If one of the preceding events occurs less than 134 ~~92~~ days before a primary election at which judges are to be nominated, the term of an incumbent judge will expire on the first Monday in December following the second general election thereafter.

(b) Judges of the Appellate and Circuit Courts shall be elected in their respective districts or circuits at the general election of each even-numbered year immediately preceding the expiration of the term of each incumbent judge, not retained, and shall enter upon the duties of their offices on the first Monday of December after their election.

(c) Whenever an additional appellate or Circuit Judge is authorized by law, the office shall be filled in the manner provided for filling a vacancy in that office.
(Source: P.A. 86-1348.); and

on page 27, by replacing line 3 with the following:

"of Elections not more than 85 ~~113~~ days and not less than 82 ~~110~~"; and

on page 78, immediately below line 11, by inserting the following:

"(10 ILCS 5/25-3) (from Ch. 46, par. 25-3)

Sec. 25-3. (a) Whenever it is alleged that a vacancy in any office exists, the officer, body, or county board who has authority to fill the vacancy by appointment, or to order an election to fill such vacancy, shall have power to determine whether or not the facts occasioning such vacancy exist.

(b) On or before the 141st ~~100th~~ day previous to the day of election for which judicial candidates are to be nominated:

(1) The Chief Justice of the Supreme Court shall certify to the State Board of Elections the names of all judges who have died, resigned, retired or forfeited their office since the last general election and whose vacancies will be filled at the next general election.

(2) The secretary of the Illinois Courts Commission shall certify to the State Board of Elections the names of judges who have been removed from office and whose vacancies will be filled at the next general election.

(3) The Secretary of State shall certify to the State Board of Elections the names of judges who were eligible to stand for retention at the next general election, but failed to file a declaration of candidacy to succeed themselves in office or, having timely filed such a declaration, withdrew it.

(4) The State Board of Elections shall determine whether the General Assembly has created new judgeships which are to be filled at the next general election.

If one of the events described in subsection (a) of Section 2A-9 of this Code occurs between the 141st ~~100th~~ day and the 134th ~~92nd~~ day previous to the day of election for which judicial candidates are to be nominated, the appropriate aforementioned officer shall promptly certify the vacancy to the State Board of Elections.

(c) Except with regard to new judgeships which have been created by the General Assembly, the State Board of Elections may rely upon the certifications from the Supreme Court, the Illinois Courts Commission and the Secretary of State to determine (1) when vacancies in judicial office exist and (2) the judicial positions for which elections are to be held.

(Source: P.A. 86-1348.); and

on page 89, by replacing line 1 with the following:

"Sections 45-55 and 70-45 as follows:"; and

by deleting everything from line 2 on page 89 through line 12 on page 93."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Morrison offered the following amendment and moved its adoption:

AMENDMENT NO. 5 TO HOUSE BILL 4488

AMENDMENT NO. 5. Amend House Bill 4488, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 14, line 22, by deleting "10-1,;" and

by deleting line 19 on page 65 through line 6 on page 68; and

on page 70, line 4, by replacing "113" with "141 ~~113~~"; and

on page 102, immediately below line 19, by inserting the following:

"Section 10-27. The Fox Waterway Agency Act is amended by changing Section 5 as follows:
(615 ILCS 90/5) (from Ch. 19, par. 1205)

Sec. 5. The Agency shall be governed by a Board of Directors, which shall consist of 6 directors and one chairman elected pursuant to this Section.

Three directors shall be elected from within the territory of each member county. Any resident of a member county and the territory of the Agency, at least 18 years of age, may become a candidate for election as a director by filing a nominating petition with the State Board of Elections containing the verified signatures of at least 200 of the registered voters of such county who reside within the territory of the Agency. Such petition shall be filed not more than 141 ~~113~~ nor less than 134 ~~106~~ days prior to the date of election.

The chairman shall be elected at large from the territory of the Agency. Any person eligible to become a candidate for election as director may become a candidate for election as chairman by filing a nominating petition with the State Board of Elections containing the verified signatures of at least 200 of the registered voters of each member county who reside within the territory of the Agency. Such petition shall be filed not more than 141 ~~113~~ nor less than 134 ~~106~~ days prior to the date of the election.

Within 7 days after each consolidated election at which the chairman is elected, the county clerk of each member county shall transmit the returns for the election to the office of chairman to the State Board of Elections. The State Board of Elections shall immediately canvass the returns and proclaim the results thereof and shall issue a certificate of election to the person so elected.

Beginning in 1985, the directors and chairman shall be elected at the consolidated election and shall serve from the third Monday in May following their respective elections until their respective successors are elected and qualified. The term of office of a director shall be for 4 years, except that of the directors elected at the consolidated election of 1985, 3 shall serve until the first Monday in May 1987 and 3 shall serve until the first Monday in May 1989. The term of office of a chairman shall be 4 years.

At least 90 days before the consolidated election of 1985 the State Board of Elections shall meet to determine by lot which 3 director positions shall be elected for terms to expire on the first Monday in May 1987 and which 3 director positions shall be elected for terms to expire on the first Monday in May 1989. At least one director position from each member county shall be elected for a term to expire on the first Monday in May 1987.

The county clerks of the member counties shall provide notice of each election for chairman and director in the manner prescribed in Article 12 of The Election Code, with the notice of the elections to be held at the consolidated election of 1985 to include a statement as to whether the director is to be elected for a term of 2 years or for a term of 4 years.

A chairman shall be elected at the consolidated election of 1985 and at each consolidated election every 4 years thereafter. Six directors shall be elected at the consolidated election of 1985. At the consolidated election of 1987, and at each consolidated election every 4 years thereafter, directors shall be elected from the constituencies of the directors who were elected at the consolidated election of 1985 and whose terms expired on the first Monday in May 1987. At the consolidated election of 1989, and at each consolidated election every 4 years thereafter, directors shall be elected from the constituencies of the directors who were elected at the consolidated election of 1985 and whose terms expired on the first Monday in May 1989.

Vacancies in the office of director or chairman shall be filled by the remaining members of the Board, who shall appoint to fill the vacated office for the remainder of the term of such office an individual who would be eligible for election to such office. If, however, a vacancy occurs in the office of chairman or director with at least 28 months remaining in the term of such office, the office shall be filled for the remainder of the term at the next consolidated election. Until the office is filled by election, the remaining members of the Board shall appoint a qualified person to the office in the manner provided in this Section. (Source: P.A. 98-115, eff. 7-29-13)."

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 24, 2024]

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Morrison, **House Bill No. 4488** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 51; NAYS 3; Present 3.

The following voted in the affirmative:

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

The following voted in the negative:

Plummer
Rose
Wilcox

The following voted present:

Curran
Preston
Ventura

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

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

HOUSE BILL RECALLED

On motion of Senator Porfirio, **House Bill No. 4934** was recalled from the order of third reading to the order of second reading.

Senator Porfirio offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 4934

AMENDMENT NO. 1. Amend House Bill 4934 as follows:

on page 1, immediately below line 13, by inserting the following:

""Not-for-profit corporation" means a corporation as defined in the General Not For Profit Corporation Act of 1986."; and

on page 6, line 13, after "organization", by inserting "or not-for-profit corporation".

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 Porfirio, **House Bill No. 4934** 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 and ask their concurrence in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Fine, **House Bill No. 5371** 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 5371

AMENDMENT NO. 2 . Amend House Bill 5371 on page 35, line 18 by inserting after "transaction." the following:

"Such criteria or methods are unlawful under this subsection if they are not necessary to achieve a substantial, legitimate, non-discriminatory interest; or if the substantial, legitimate, non-discriminatory interest could be served by another practice that has a less discriminatory effect."

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 24, 2024]

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Fine, **House Bill No. 5371** 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 20.

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	Porfrio	Walker
Edly-Allen	Johnson	Preston	Mr. President
Ellman	Jones, E.	Simmons	
Feigenholtz	Koehler	Sims	
Fine	Lightford	Toro	

The following voted in the negative:

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

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

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

HOUSE BILL RECALLED

On motion of Senator Castro, **House Bill No. 5511** was recalled from the order of third reading to the order of second reading.

Senator Castro offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 5511

AMENDMENT NO. 1. Amend House Bill 5511 by replacing everything after the enacting clause with the following:

"ARTICLE 1.

Section 1-1. Short title. This Article may be cited as the Progressive Design-Build Pilot Program Act. References in this Article to "this Act" mean this Article.

Section 1-5. Legislative policy. It is the intent of the General Assembly that the State construction agency shall establish a Progressive Design-Build Pilot Program to use the progressive design-build delivery method for up to 3 public projects commencing prior to January 1, 2027 if it is shown to be in the State's

[May 24, 2024]

best interest for that particular project. It shall be the policy of the State construction agency in the procurement of progressive design-build services to publicly announce all requirements for progressive design-build services and to procure these services on the basis of demonstrated competence and qualifications and with due regard for the principles of competitive selection.

The State construction agency shall, prior to issuing requests for qualifications, publish procedures for the solicitation and award of contracts pursuant to this Act.

The State construction agency shall, for each public project or projects permitted under this Act, make a written determination, including a description as to the particular advantages of the progressive design-build procurement method, that it is in the best interests of this State to enter into a progressive design-build contract for the project or projects. In making that determination, the following factors shall be considered:

(1) The probability that the progressive design-build procurement method will be in the best interests of the State by providing a material savings of time or cost over the design-bid-build or other delivery system.

(2) The type and size of the project and its suitability to the progressive design-build procurement method.

(3) The ability of the State construction agency to define and provide comprehensive scope and performance criteria for the project.

No State construction agency may use the progressive design-build procurement method unless the agency determines in writing that the project will comply with the disadvantaged business and equal employment practices of the State as established in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and Section 2-105 of the Illinois Human Rights Act.

The State construction agency shall within 15 days after the initial determination provide an advisory copy to the Procurement Policy Board and maintain the full record of determination for 5 years.

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

"Chief procurement office" means the offices to which the chief procurement officers are appointed pursuant to Section 10-20 of the Illinois Procurement Code.

"Delivery system" means the design and construction approach used to develop and construct a project.

"Design-bid-build" means the traditional delivery system used on public projects in this State that incorporates the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act and the principles of competitive selection in the Illinois Procurement Code.

"Design professional" means any individual, sole proprietorship, firm, partnership, joint venture, corporation, professional corporation, or other entity that offers services under the Illinois Architecture Practice Act of 1989, the Professional Engineering Practice Act of 1989, the Structural Engineering Practice Act of 1989, or the Illinois Professional Land Surveyor Act of 1989.

"Evaluation criteria" means the requirements for the selection process as defined in this Act and may include the specialized experience, technical qualifications and competence, capacity to perform, past performance, experience with similar projects, assignment of personnel to the project, and other appropriate factors. Price may not be used as a factor in the evaluation of progressive design-build.

"Progressive design-build" means a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project.

"Progressive design-build contract" means a contract for a public project under this Act between the State construction agency and a progressive design-build entity to furnish architecture, engineering, land surveying, and related services as required, and to furnish the labor, materials, equipment, and other construction services for the project. A progressive design-build contract may be conditioned upon subsequent refinements in scope and price and may allow the State construction agency to make modifications in the project scope without invalidating the progressive design-build contract.

"Progressive design-build entity" means any individual, sole proprietorship, firm, partnership, joint venture, corporation, professional corporation, or other entity that proposes to design and construct any public project under this Act. A progressive design-build entity and associated progressive design-build professionals shall conduct themselves in accordance with the laws of this State and the related provisions of the Illinois Administrative Code, as referenced by the licensed design professionals Acts of this State.

"Qualification" means a statement of qualifications submitted by a proposer in response to a request for qualifications.

"Request for qualifications" means a document issued by the State construction agency to solicit qualifications from proposers in accordance with the progressive design-build project delivery method.

"Scope and performance criteria" means the requirements for the public project, including, but not limited to, the intended usage, capacity, size, scope, quality and performance standards, and other programmatic criteria that are expressed in performance-oriented requirements that can be reasonably inferred and are suited to allow a progressive design-build entity to develop a proposal.

"State construction agency" means the Capital Development Board.

Section 1-15. Requests for qualifications.

(a) When the State construction agency elects to use the progressive design-build delivery method, it must issue a notice of intent to receive requests for qualifications for the project at least 14 days before issuing the request for qualifications. The State construction agency must publish the advance notice in the official procurement bulletin of the State or the professional services bulletin of the State construction agency, if any. The agency is encouraged to use publication of the notice in related construction industry service publications. A brief description of the proposed procurement must be included in the notice. The State construction agency must provide a copy of the request for qualifications to any party requesting a copy.

(b) The request for qualifications shall be prepared for each project and must contain, without limitation, the following information:

(1) The name of the State construction agency.

(2) A preliminary schedule for the completion of the contract.

(3) The proposed budget for the project, the source of funds, and the currently available funds at the time the request for qualifications is submitted.

(4) Prequalification criteria for progressive design-build entities wishing to submit proposals. The State construction agency shall include, at a minimum, its normal prequalification, licensing, registration, and other requirements, but nothing contained herein precludes the use of additional prequalification criteria by the State construction agency.

(5) Material requirements of the contract, including, but not limited to, the proposed terms and conditions, required performance and payment bonds, insurance, and the entity's plan to comply with the utilization goals for business enterprises established in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, and with Section 2-105 of the Illinois Human Rights Act.

(6) The performance criteria.

(7) The evaluation criteria for the solicitation.

(c) The State construction agency may include any other relevant information that it chooses to supply. The progressive design-build entity shall be entitled to rely upon the accuracy of this documentation in the development of its qualifications.

(d) The date that qualifications are due must be at least 21 calendar days after the date of the issuance of the request for qualifications. In the event the cost of the project is estimated to exceed \$10,000,000, then the qualifications due date must be at least 28 calendar days after the date of the issuance of the request for qualifications.

Section 1-20. Development of scope and performance criteria. The State construction agency shall develop a request for qualifications, which shall include preliminary scopes, descriptions of the areas of technical expertise needed, and requirements for experience. The request must be in sufficient detail and contain adequate information to reasonably apprise the qualified progressive design-build entities of the State construction agency's overall programmatic needs and goals, including criteria, general budget parameters, schedule, and delivery requirements.

Section 1-25. Selection committee.

(a) When the State construction agency elects to use the progressive design-build delivery method, it shall establish a committee to evaluate and select the progressive design-build entity. The committee, under the discretion of the State construction agency, shall consist of at least 5 but no more than 7 members and shall include at least one licensed design professional and 2 members of the public. Public members may not be employed or associated with any firm holding a contract with the State construction agency. Within 30

days of receiving notice, one public member shall be nominated by associations representing the general design or construction industry and one member shall be nominated by associations that represent minority or woman-owned design or construction industry businesses. If either group fails to nominate a suitable candidate within the 30-day period, the State construction agency shall nominate an appropriate public member.

(b) The members of the selection committee must certify for each request for qualifications that no conflict of interest exists between the members and the progressive design-build entities submitting qualifications.

If a conflict is discovered before qualifications are reviewed, the member must be replaced before any review of qualifications. If a conflict is discovered after qualifications are reviewed, the member with the conflict shall be removed and the committee may continue with only one public member.

If at least 5 members remain, the remaining committee members may complete the selection process.

Section 1-30. Procedures for selection.

(a) The State construction agency must use a 2-phase procedure for the selection of the successful progressive design-build entity. Phase I of the procedure will evaluate and shortlist for interviews the progressive design-build entities based on qualifications, and Phase II will evaluate shortlisted teams based on scoring of specific criteria addressed in their presentations and interviews.

(b) The State construction agency shall include in the request for qualifications the evaluating factors to be used in Phase I. These factors are in addition to any prequalification requirements of progressive design-build entities that the agency has set forth. Each request for qualifications shall establish the relative importance assigned to each evaluation factor and subfactor, including any weighting of criteria to be employed by the State construction agency. The State construction agency must maintain a record of the evaluation scoring to be disclosed in event of a protest regarding the solicitation.

The State construction agency shall include the following criteria in every Phase I evaluation of progressive design-build entities: (1) experience of personnel; (2) successful experience with similar project types; (3) financial capability; (4) timeliness of past performance; (5) experience with similarly sized projects; (6) successful reference checks of the firm; (7) commitment to assign personnel for the duration of the project and qualifications of the entity's consultants; and (8) ability or past performance in meeting or exhausting good faith efforts to meet the utilization goals for business enterprises established in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and with Section 2-105 of the Illinois Human Rights Act. The State construction agency may include any additional relevant criteria in Phase I that it deems necessary for a proper qualification review.

The State construction agency may not consider any progressive design-build entity for evaluation or award if the entity has any pecuniary interest in the project or has other relationships or circumstances, including, but not limited to, long-term leasehold, mutual performance, or development contracts with the State construction agency, that may give the progressive design-build entity a financial or tangible advantage over other progressive design-build entities in the preparation, evaluation, or performance of the progressive design-build contract or that create the appearance of impropriety. No proposal shall be considered that does not include an entity's plan to comply with the requirements established in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, for both the design and construction areas of performance, and with Section 2-105 of the Illinois Human Rights Act.

Upon completion of the qualifications evaluation, the State construction agency shall create a shortlist of the most highly qualified progressive design-build entities. The State construction agency, in its discretion, is not required to shortlist the maximum number of entities as identified for Phase II evaluation, provided however, no less than 2 progressive design-build entities nor more than 6 are selected to present to the selection committee in an interview.

The State construction agency shall notify the entities selected for the shortlist in writing. This notification shall commence the period for the preparation for presentations and interviews. The State construction agency must allow sufficient time, no less than 28 calendar days, for the shortlist entities to prepare their presentations.

(c) The State construction agency shall include in the project advertisement the evaluating factors to be used in the presentations and interviews. Each request for qualifications shall establish the relative importance assigned to each evaluation factor and subfactor, including any weighting of criteria to be employed by the State construction agency. The State construction agency must maintain a record of the evaluation scoring to be disclosed in event of a protest regarding the solicitation.

The State construction agency shall include the following criteria in every Phase II evaluation of progressive design-build entities: (1) experience with successful completion of similar projects; (2) the design team's approach to program analysis and schematic design; (3) record of budget adherence on recently completed projects; (4) demonstration of past innovation in meeting the scope and performance criteria on past design-build projects; (5) completeness of the overall project team; (6) collaborative experience of the team members; and (7) their plan for achieving project goals for participation. The State construction agency may include any additional relevant technical evaluation factors it deems necessary for proper selection.

Upon completion of the evaluation, the State construction agency may award the progressive design-build contract to the highest overall ranked entity. After qualifications have been submitted, a progressive design-build entity shall not replace, remove, or otherwise modify any firm identified as a member of the proposer team unless authorized to do so by the State construction agency.

Section 1-40. Submission of qualifications. Qualifications must be properly identified and sealed. Qualifications may not be reviewed until after the deadline for submission has passed as set forth in the request for qualifications. All progressive design-build entities submitting qualifications shall be disclosed after the deadline for submission, and all progressive design-build entities who are shortlisted for interviews shall also be disclosed at the time of that determination.

Qualifications shall include representative projects to demonstrate past experience of the team members on similar progressive design-build projects. Qualifications shall include a list of all design professionals and other entities as defined in Section 30-30 of the Illinois Procurement Code to which any work may be subcontracted during the performance of the contract. Any entity that will perform any of the 5 subdivisions of work defined in Section 30-30 of the Illinois Procurement Code must meet prequalification standards of the State construction agency.

Qualifications must meet all material requirements of the request for qualifications, or they may be rejected as nonresponsive. The State construction agency shall have the right to reject any and all qualifications.

The State construction agency shall review the qualifications for compliance with the performance criteria and evaluation factors.

Qualifications may be withdrawn prior to evaluation for any cause. After evaluation begins by the State construction agency, clear and convincing evidence of error is required for withdrawal.

Section 1-45. Award. The State construction agency may award the contract to the highest overall ranked entity. Notice of award shall be made in writing. Unsuccessful entities shall also be notified in writing. The State construction agency may not request a best and final offer after the receipt of qualifications. The State construction agency may negotiate with the selected progressive design-build entity after award but prior to contract execution for the purpose of securing better terms than originally proposed, provided that the salient features of the request for qualifications are not diminished.

Section 1-50. Labor.

(a) A contract or agreement under this Act shall require the progressive design-build entity, or the construction manager or general contractor of the progressive design-build entity, and all subcontractors of the progressive design-build entity to comply with Section 30-22 of the Illinois Procurement Code as it applies to responsible bidders and to present satisfactory evidence of that compliance to the State construction agency.

(b) A contract or agreement under this Act shall require the progressive design-build entity or the construction manager or general contractor of the progressive design-build entity to enter into a project labor agreement used by the State construction agency.

(c) This Section does not apply to construction-related professional services. As used in this Section, "professional services" means those services within the scope of the practice of architecture, professional engineering, structural engineering, or registered land surveying, as defined by the laws of this State.

Section 1-55. Transition to design-bid-build. At the completion of design development, the progressive design-build entity must provide a firm fixed price. The State construction agency reserves the right to transition the project to the design-bid-build method if the fixed price exceeds the project budget, the progressive design-build entity's proposed schedule is unreasonable, or if transitioning to the

design-bid-build method is in the best interests of the State. The State construction agency will retain ownership of any design documents completed by the progressive design-build entity.

Section 1-60. Reports and evaluation. At the end of every 6-month period following the contract award, and again prior to final contract payout and closure, a selected progressive design-build entity shall detail, in a written report submitted to the State agency, its efforts and success in implementing the entity's plan to comply with the utilization goals for business enterprises established in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and the provisions of Section 2-105 of the Illinois Human Rights Act. If the entity's performance in implementing the plan falls short of the performance measures and outcomes set forth in the plans submitted by the entity during the qualifications process, the entity shall, in a detailed written report, inform the General Assembly and the Governor whether and to what degree each progressive design-build contract authorized under this Act promoted the utilization goals for business enterprises established in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and the provisions of Section 2-105 of the Illinois Human Rights Act.

Section 1-65. Federal requirements. In the procurement of progressive design-build contracts, the State construction agency shall comply with federal law and regulations and take all necessary steps to adapt their rules, policies, and procedures to remain eligible for federal aid.

Section 1-70. Capital Development Board consultation. The Capital Development Board shall consult with the applicable chief procurement office to determine which procedures to adopt and apply to the progressive design-build project delivery method in order to ensure an open, transparent, and efficient process that accomplishes the purposes of this Act.

Section 1-75. Repeal. This Act is repealed on January 1, 2027.

ARTICLE 2.

Section 2-5. The Illinois Procurement Code is amended by changing Sections 1-13, 10-20, 20-20, and 20-60 and by adding Sections 20-180, 30-17, and 50-57 as follows:
(30 ILCS 500/1-13)

Sec. 1-13. Applicability to public institutions of higher education.

(a) This Code shall apply to public institutions of higher education, regardless of the source of the funds with which contracts are paid, except as provided in this Section.

(b) Except as provided in this Section, this Code shall not apply to procurements made by or on behalf of public institutions of higher education for any of the following:

(1) Memberships in professional, academic, research, or athletic organizations on behalf of a public institution of higher education, an employee of a public institution of higher education, or a student at a public institution of higher education.

(2) Procurement expenditures for events or activities paid for exclusively by revenues generated by the event or activity, gifts or donations for the event or activity, private grants, or any combination thereof.

(3) Procurement expenditures for events or activities for which the use of specific potential contractors is mandated or identified by the sponsor of the event or activity, provided that the sponsor is providing a majority of the funding for the event or activity.

(4) Procurement expenditures necessary to provide athletic, artistic or musical services, performances, events, or productions by or for a public institution of higher education.

(5) Procurement expenditures for periodicals, books, subscriptions, database licenses, and other publications procured for use by a university library or academic department, except for expenditures related to procuring textbooks for student use or materials for resale or rental.

(6) Procurement expenditures for placement of students in externships, practicums, field experiences, and for medical residencies and rotations.

(7) Contracts for programming and broadcast license rights for university-operated radio and television stations.

(8) Procurement expenditures necessary to perform sponsored research and other sponsored activities under grants and contracts funded by the sponsor or by sources other than State appropriations.

(9) Contracts with a foreign entity for research or educational activities, provided that the foreign entity either does not maintain an office in the United States or is the sole source of the service or product.

(10) Procurement expenditures for any ongoing software license or maintenance agreement or competitively solicited software purchase, when the software, license, or maintenance agreement is available through only the software creator or its manufacturer and not a reseller.

(11) Procurement expenditures incurred outside of the United States for the recruitment of international students.

(12) Procurement expenditures for contracts entered into under the Public University Energy Conservation Act.

(13) Procurement expenditures for advertising purchased directly from a media station or the owner of the station for distribution of advertising.

Notice of each contract with an annual value of more than \$100,000 entered into by a public institution of higher education that is related to the procurement of goods and services identified in items (1) through (13) of this subsection shall be published in the Procurement Bulletin within 14 calendar days after contract execution. The Chief Procurement Officer shall prescribe the form and content of the notice. Each public institution of higher education shall provide the Chief Procurement Officer, on a monthly basis, in the form and content prescribed by the Chief Procurement Officer, a report of contracts that are related to the procurement of goods and services identified in this subsection. At a minimum, this report shall include the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and the exception to the Code utilized. A copy of any or all of these contracts shall be made available to the Chief Procurement Officer immediately upon request. The Chief Procurement Officer shall submit a report to the Governor and General Assembly no later than November 1 of each year that shall include, at a minimum, an annual summary of the monthly information reported to the Chief Procurement Officer.

(b-5) Except as provided in this subsection, the provisions of this Code shall not apply to contracts for medical supplies or to contracts for medical services necessary for the delivery of care and treatment at medical, dental, pharmaceutical, or veterinary teaching facilities used by Southern Illinois University or the University of Illinois or at any university-operated health care center or dispensary that provides care, treatment, and medications for students, faculty, and staff. Furthermore, the provisions of this Code do not apply to the procurement by such a facility of any additional supplies or services that the operator of the facility deems necessary for the effective use and functioning of the medical supplies or services that are otherwise exempt from this Code under this subsection (b-5), including, but not limited to, procurements necessary for compliance and management of federal programs. However, other supplies and services needed for these teaching facilities shall be subject to the jurisdiction of the Chief Procurement Officer for Public Institutions of Higher Education who may establish expedited procurement procedures and may waive or modify certification, contract, hearing, process and registration requirements required by ~~this~~ the Code. All procurements made under this subsection shall be documented and may require publication in the Illinois Procurement Bulletin.

(b-10) Procurements made by or on behalf of the University of Illinois for investment services may be entered into or renewed without being subject to the requirements of this Code. Notice of intent to renew a contract shall be published in the Illinois Public Higher Education Procurement Bulletin at least 14 days prior to the execution of a renewal, and the University of Illinois shall hold a public hearing for interested parties to provide public comment. Any contract extended, renewed, or entered pursuant to this exception shall be published in the Illinois Public Higher Education Procurement Bulletin within 5 days of contract execution.

(c) Procurements made by or on behalf of public institutions of higher education for the fulfillment of a grant shall be made in accordance with the requirements of this Code to the extent practical.

Upon the written request of a public institution of higher education, the Chief Procurement Officer may waive contract, registration, certification, and hearing requirements of this Code if, based on the item to be procured or the terms of a grant, compliance is impractical. The public institution of higher education shall provide the Chief Procurement Officer with specific reasons for the waiver, including the necessity of contracting with a particular potential contractor, and shall certify that an effort was made in good faith to

comply with the provisions of this Code. The Chief Procurement Officer shall provide written justification for any waivers. By November 1 of each year, the Chief Procurement Officer shall file a report with the General Assembly identifying each contract approved with waivers and providing the justification given for any waivers for each of those contracts. Notice of each waiver made under this subsection shall be published in the Procurement Bulletin within 14 calendar days after contract execution. The Chief Procurement Officer shall prescribe the form and content of the notice.

(d) Notwithstanding this Section, a waiver of the registration requirements of Section 20-160 does not permit a business entity and any affiliated entities or affiliated persons to make campaign contributions if otherwise prohibited by Section 50-37. The total amount of contracts awarded in accordance with this Section shall be included in determining the aggregate amount of contracts or pending bids of a business entity and any affiliated entities or affiliated persons.

(e) Notwithstanding subsection (e) of Section 50-10.5 of this Code, the Chief Procurement Officer, with the approval of the Executive Ethics Commission, may permit a public institution of higher education to accept a bid or enter into a contract with a business that assisted the public institution of higher education in determining whether there is a need for a contract or assisted in reviewing, drafting, or preparing documents related to a bid or contract, provided that the bid or contract is essential to research administered by the public institution of higher education and it is in the best interest of the public institution of higher education to accept the bid or contract. For purposes of this subsection, "business" includes all individuals with whom a business is affiliated, including, but not limited to, any officer, agent, employee, consultant, independent contractor, director, partner, manager, or shareholder of a business. The Executive Ethics Commission may promulgate rules and regulations for the implementation and administration of the provisions of this subsection (e).

(f) As used in this Section:

"Grant" means non-appropriated funding provided by a federal or private entity to support a project or program administered by a public institution of higher education and any non-appropriated funding provided to a sub-recipient of the grant.

"Public institution of higher education" means Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Southern Illinois University, University of Illinois, Western Illinois University, and, for purposes of this Code only, the Illinois Mathematics and Science Academy.

(g) (Blank).

(h) The General Assembly finds and declares that:

(1) Public Act 98-1076, which took effect on January 1, 2015, changed the repeal date set for this Section from December 31, 2014 to December 31, 2016.

(2) The Statute on Statutes sets forth general rules on the repeal of statutes and the construction of multiple amendments, but Section 1 of that Act also states that these rules will not be observed when the result would be "inconsistent with the manifest intent of the General Assembly or repugnant to the context of the statute".

(3) This amendatory Act of the 100th General Assembly manifests the intention of the General Assembly to remove the repeal of this Section.

(4) This Section was originally enacted to protect, promote, and preserve the general welfare. Any construction of this Section that results in the repeal of this Section on December 31, 2014 would be inconsistent with the manifest intent of the General Assembly and repugnant to the context of this Code.

It is hereby declared to have been the intent of the General Assembly that this Section not be subject to repeal on December 31, 2014.

This Section shall be deemed to have been in continuous effect since December 20, 2011 (the effective date of Public Act 97-643), and it shall continue to be in effect henceforward until it is otherwise lawfully repealed. All previously enacted amendments to this Section taking effect on or after December 31, 2014, are hereby validated.

All actions taken in reliance on or pursuant to this Section by any public institution of higher education, person, or entity are hereby validated.

In order to ensure the continuing effectiveness of this Section, it is set forth in full and re-enacted by this amendatory Act of the 100th General Assembly. This re-enactment is intended as a continuation of this Section. It is not intended to supersede any amendment to this Section that is enacted by the 100th General Assembly.

In this amendatory Act of the 100th General Assembly, the base text of the reenacted Section is set forth as amended by Public Act 98-1076. Striking and underscoring is used only to show changes being made to the base text.

This Section applies to all procurements made on or before the effective date of this amendatory Act of the 100th General Assembly.

(Source: P.A. 102-16, eff. 6-17-21; 102-721, eff. 5-6-22; 102-1119, eff. 1-23-23; 103-570, eff. 1-1-24.)

(30 ILCS 500/10-20)

Sec. 10-20. Independent chief procurement officers.

(a) Appointment. Within 60 calendar days after July 1, 2010 (the effective date of Public Act 96-795 ~~this amendatory Act of the 96th General Assembly~~), the Executive Ethics Commission, with the advice and consent of the Senate shall appoint or approve 4 chief procurement officers, one for each of the following categories:

(1) for procurements for construction and construction-related services committed by law to the jurisdiction or responsibility of the Capital Development Board;

(2) for procurements for all construction, construction-related services, operation of any facility, and the provision of any service or activity committed by law to the jurisdiction or responsibility of the Illinois Department of Transportation, including the direct or reimbursable expenditure of all federal funds for which the Department of Transportation is responsible or accountable for the use thereof in accordance with federal law, regulation, or procedure, the chief procurement officer recommended for approval under this item appointed by the Secretary of Transportation after consent by the Executive Ethics Commission;

(3) for all procurements made by a public institution of higher education; and

(4) for all other procurement needs of State agencies.

The ~~For fiscal year 2024, the~~ Executive Ethics Commission shall set aside from its appropriation those amounts necessary for the use of the 4 chief procurement officers for the ordinary and contingent expenses of their respective procurement offices. From the amounts set aside by the Commission, each chief procurement officer shall control the internal operations of his or her procurement office and shall procure the necessary equipment, materials, and services to perform the duties of that office, including hiring necessary procurement personnel, legal advisors, and other employees, and may establish, in the exercise of the chief procurement officer's discretion, the compensation of the office's employees, which includes the State purchasing officers and any legal advisors. The Executive Ethics Commission shall have no control over the employees of the chief procurement officers. The Executive Ethics Commission shall provide administrative support services, including payroll, for each procurement office.

(b) Terms and independence. Each chief procurement officer appointed under this Section shall serve for a term of 5 years beginning on the date of the officer's appointment. The chief procurement officer may be removed for cause after a hearing by the Executive Ethics Commission. The Governor or the director of a State agency directly responsible to the Governor may institute a complaint against the officer by filing such complaint with the Commission. The Commission shall have a hearing based on the complaint. The officer and the complainant shall receive reasonable notice of the hearing and shall be permitted to present their respective arguments on the complaint. After the hearing, the Commission shall make a finding on the complaint and may take disciplinary action, including but not limited to removal of the officer.

The salary of a chief procurement officer shall be established by the Executive Ethics Commission and may not be diminished during the officer's term. The salary may not exceed the salary of the director of a State agency for which the officer serves as chief procurement officer.

(c) Qualifications. In addition to any other requirement or qualification required by State law, each chief procurement officer must within 12 months of employment be a Certified Professional Public Buyer or a Certified Public Purchasing Officer, pursuant to certification by the Universal Public Purchasing Certification Council, and must reside in Illinois.

(d) Fiduciary duty. Each chief procurement officer owes a fiduciary duty to the State.

(e) Vacancy. In case of a vacancy in one or more of the offices of a chief procurement officer under this Section during the recess of the Senate, the Executive Ethics Commission shall make a temporary appointment until the next meeting of the Senate, when the Executive Ethics Commission shall nominate some person to fill the office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term and until his or her successor is appointed and qualified. If the Senate is not in session at the time Public Act 96-920 ~~this amendatory Act of the 96th General Assembly~~ takes effect, the Executive Ethics Commission shall make a temporary appointment as in the case of a vacancy.

(f) (Blank).

(g) (Blank).

(Source: P.A. 103-8, eff. 6-7-23; revised 9-26-23.)

(30 ILCS 500/20-20)

Sec. 20-20. Small purchases.

(a) Amount. Any individual procurement of supplies or services not exceeding \$100,000 and any procurement of construction not exceeding \$100,000, or any individual procurement of professional or artistic services not exceeding \$100,000 may be made without competitive source selection. Procurements shall not be artificially divided so as to constitute a small purchase under this Section. Any procurement of construction not exceeding \$100,000 may be made by an alternative competitive source selection. The construction agency shall establish rules for an alternative competitive source selection process. This Section does not apply to construction-related professional services contracts awarded in accordance with the provisions of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(b) Adjustment. Each July 1, the small purchase maximum established in subsection (a) shall be adjusted for inflation as determined by the Consumer Price Index for All Urban Consumers as determined by the United States Department of Labor and rounded to the nearest \$100.

(c) Based upon rules proposed by the Board and rules promulgated by the chief procurement officers, the small purchase maximum established in subsection (a) may be modified.

(d) Certification. All small purchases with an annual value that exceeds \$50,000 shall be accompanied by Standard Illinois Certifications in a form prescribed by each Chief Procurement Officer.

(e) Cumulative small purchases. Cumulative small purchases under \$1,000 made in a previously non-contemplated manner by the same or separate individuals or departments within an agency or university that exceed the small purchase threshold do not constitute stringing and are allowable under this Code.

(Source: P.A. 102-721, eff. 1-1-23; 102-1115, eff. 1-23-23 (See Section 99-999 of P.A. 102-1115 for effective date of P.A. 102-1115); 102-1119, eff. 1-23-23.)

(30 ILCS 500/20-60)

Sec. 20-60. Duration of contracts.

(a) Maximum duration. A contract may be entered into for any period of time deemed to be in the best interests of the State but not exceeding 10 years inclusive, beginning January 1, 2010, of proposed contract renewals; provided, however, in connection with the issuance of certificates of participation or bonds, the governing board of a public institution of higher education may enter into contracts in excess of 10 years but not to exceed 30 years for the purpose of financing or refinancing real or personal property. Third parties may lease State-owned dark fiber networks for any period of time deemed to be in the best interest of the State, but not exceeding 20 years. The length of a lease for real property or capital improvements shall be in accordance with the provisions of Section 40-25. The length of energy conservation program contracts or energy savings contracts or leases shall be in accordance with the provisions of Section 25-45. A contract for bond or mortgage insurance awarded by the Illinois Housing Development Authority, however, may be entered into for any period of time less than or equal to the maximum period of time that the subject bond or mortgage may remain outstanding. Contracts may be entered into that extend beyond the active term of the award, so long as the contract was entered into prior to the award expiration date and does not exceed 10 years.

(b) Subject to appropriation. All contracts made or entered into shall recite that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to make payments under the terms of the contract.

(c) The chief procurement officer shall file a proposed extension or renewal of a contract with the Procurement Policy Board and the Commission on Equity and Inclusion prior to entering into any extension or renewal if the cost associated with the extension or renewal exceeds \$249,999. The Procurement Policy Board or the Commission on Equity and Inclusion may object to the proposed extension or renewal within 14 calendar days and require a hearing before the Board or the Commission on Equity and Inclusion prior to entering into the extension or renewal. If the Procurement Policy Board or the Commission on Equity and Inclusion does not object within 14 calendar days or takes affirmative action to recommend the extension or renewal, the chief procurement officer may enter into the extension or renewal of a contract. This subsection does not apply to any emergency procurement, any procurement under Article 40, or any procurement exempted by Section 1-10(b) of this Code. If any State agency contract is paid for in whole or in part with federal-aid funds, grants, or loans and the provisions of this subsection would result in the loss of those federal-aid funds, grants, or loans, then the contract is exempt from the provisions of this subsection in order

to remain eligible for those federal-aid funds, grants, or loans, and the State agency shall file notice of this exemption with the Procurement Policy Board or the Commission on Equity and Inclusion prior to entering into the proposed extension or renewal. Nothing in this subsection permits a chief procurement officer to enter into an extension or renewal in violation of subsection (a). By August 1 each year, the Procurement Policy Board and the Commission on Equity and Inclusion shall each file a report with the General Assembly identifying for the previous fiscal year (i) the proposed extensions or renewals that were filed and whether such extensions and renewals were objected to and (ii) the contracts exempt from this subsection.

(d) Notwithstanding the provisions of subsection (a) of this Section, the Department of Innovation and Technology may enter into leases for dark fiber networks for any period of time deemed to be in the best interests of the State but not exceeding 20 years inclusive. The Department of Innovation and Technology may lease dark fiber networks from third parties only for the primary purpose of providing services (i) to the offices of Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, or Treasurer and State agencies, as defined under Section 5-15 of the Civil Administrative Code of Illinois or (ii) for anchor institutions, as defined in Section 7 of the Illinois Century Network Act. Dark fiber network lease contracts shall be subject to all other provisions of this Code and any applicable rules or requirements, including, but not limited to, publication of lease solicitations, use of standard State contracting terms and conditions, and approval of vendor certifications and financial disclosures.

(e) As used in this Section, "dark fiber network" means a network of fiber optic cables laid but currently unused by a third party that the third party is leasing for use as network infrastructure.

(f) No vendor shall be eligible for renewal of a contract when that vendor has failed to meet the goals agreed to in the vendor's utilization plan, as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, unless the State agency or public institution of higher education has determined that the vendor made good faith efforts toward meeting the contract goals. If the State agency or public institution of higher education determines that the vendor made good faith efforts, the agency or public institution of higher education may issue a waiver after concurrence by the chief procurement officer, which shall not be unreasonably withheld or impair a State agency determination to execute the renewal. The form and content of the waiver shall be prescribed by each chief procurement officer, but shall not impair a State agency or public institution of higher education determination to execute the renewal. The chief procurement officer shall post the completed form on his or her official website within 5 business days after receipt from the State agency or public institution of higher education. The chief procurement officer shall maintain on his or her official website a database of waivers granted under this Section with respect to contracts under his or her jurisdiction. The database shall be updated periodically and shall be searchable by contractor name and by contracting State agency or public institution of higher education.

(Source: P.A. 102-29, eff. 6-25-21; 102-721, eff. 1-1-23; 103-570, eff. 1-1-24.)

(30 ILCS 500/20-180 new)

Sec. 20-180. Electronic procurement systems. Nothing in this Code prohibits State agencies from accepting bids or proposals for competitive solicitations submitted solely via an electronic procurement system as long as the electronic system integrates with that portfolio's procurement bulletin and all other provisions of this Code are met. A State agency may not adopt a rule that prohibits a State agency from accepting bids or proposals for competitive solicitations submitted solely via an electronic procurement system as long as the electronic procurement system integrates with that portfolio's procurement bulletin and all other provisions of this Code are met.

(30 ILCS 500/30-17 new)

Sec. 30-17. Job order contracting.

(a) In this Section:

"Indefinite quantity contract" means a contract for an indefinite quantity of services for a fixed time or for a job order contract.

"Job order contracting" means an indefinite quantity contract pursuant to which a contractor may perform an ongoing series of individual tasks at different facilities, locations, and sites under the jurisdiction of a State construction agency.

(b) Construction agencies may procure construction contracts via job order contracting through the use of competitive sealed bidding in accordance with Section 30-15.

(30 ILCS 500/50-57 new)

Sec. 50-57. Curability.

(a) If, during an active procurement, a violation or deficiency of this Code, or of the procurement rules, regulations, policies, or practices promulgated by a chief procurement officer under this Code occurs, then, at the request of the State purchasing officer and agency head, the chief procurement officer may determine that curing the violation or deficiency is in the best interest of the State. The request to cure shall be in writing and include a clear description of the violation or deficiency. The State purchasing officer and agency head shall request a cure only when the integrity, transparency, and efficiency of the procurement can be maintained. In making a determination, the chief procurement officer shall consider the harm to stakeholders and the value to the State in permitting the cure and the seriousness of the violation or deficiency. The determination shall be in writing and include the basis for permitting or denying the request. If a cure is permitted, the determination shall include a clear description of the action necessary to cure the violation or deficiency.

(b) The chief procurement officer shall post all determinations on his or her official website within 14 days after completion of the procurement. The chief procurement officer shall report to the Governor and General Assembly, by no later than November 1 of each year, a summary of determinations for the previous fiscal year. Permitting a cure does not absolve any person, as defined in Section 1-15.55, from any penalties in law. Each chief procurement officer may adopt rules to implement and administer this Section.

Section 2-10. The State Property Control Act is amended by changing Section 7a as follows:

(30 ILCS 605/7a)

Sec. 7a. Surplus furniture. It is declared to be the public policy of this State, and the General Assembly determines, that it is in the best interest of the people of this State to expend the least amount of funds possible on the purchase of furniture.

Agencies that desire to purchase new furniture shall first check with the administrator if any of the surplus furniture under the administrator's control can be used in place of new furniture. If an agency finds that it is unable to use the surplus property, the agency may proceed with the new furniture purchase. The agency shall file annually, not later than January 31 of the next year, a report on an affidavit with the administrator prior to any purchase, specifying the types of new furniture purchased to be bought, the quantities of each type of new furniture, the cost per type, and the total cost per category. The report affidavit shall also clearly state why the furniture was must be purchased new as opposed to obtained from the administrator's surplus. The reports affidavits shall be made available by the administrator for public inspection and copying.

This Section applies only to the purchase of an item of furniture with a purchase price of \$1,500 ~~\$500~~ or more.

(Source: P.A. 88-515; 88-656, eff. 9-16-94.)

Section 2-15. The Counties Code is amended by changing Sections 5-1022 and 6-1003 as follows:

(55 ILCS 5/5-1022)

Sec. 5-1022. Competitive bids.

(a) Any purchase by a county with fewer than 2,000,000 inhabitants, or an elected official in a county with fewer than 2,000,000 inhabitants, including an elected official with control of the internal operations of the office, of services, materials, equipment, or supplies in excess of \$30,000, other than professional services, shall be contracted for in one of the following ways:

(1) by a contract let to the lowest responsible bidder after advertising for bids in a newspaper published within the county or, if no newspaper is published within the county, then a newspaper having general circulation within the county; ~~or~~

(2) by a contract let without advertising for bids in the case of an emergency if authorized by the county board; or-

(3) by a contract let without advertising for bids in the case of the expedited replacement of a disabled, inoperable, or damaged patrol vehicle of the sheriff's department if authorized by the county board.

(b) In determining the lowest responsible bidder, the county board shall take into consideration the qualities of the articles supplied; their conformity with the specifications; their suitability to the requirements of the county; the availability of support services; the uniqueness of the service, materials, equipment, or supplies as it applies to networked, integrated computer systems; the compatibility to existing equipment; and the delivery terms. In addition, the county board may take into consideration the bidder's active participation in an applicable apprenticeship program registered with the United States Department of

Labor. The county board also may take into consideration whether a bidder is a private enterprise or a State-controlled enterprise and, notwithstanding any other provision of this Section or a lower bid by a State-controlled enterprise, may let a contract to the lowest responsible bidder that is a private enterprise.

(c) This Section does not apply to contracts by a county with the federal government or to purchases of used equipment, purchases at auction or similar transactions which by their very nature are not suitable to competitive bids, pursuant to an ordinance adopted by the county board.

(d) Notwithstanding the provisions of this Section, a county may let without advertising for bids in the case of purchases and contracts, when individual orders do not exceed \$35,000, for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and inter-connect equipment, software, and services.

(e) A county may require, as a condition of any contract for goods and services, that persons awarded a contract with the county and all affiliates of the person collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provisions of the Illinois Use Tax Act regardless of whether the person or affiliate is a "retailer maintaining a place of business within this State" as defined in Section 2 of the Use Tax Act. For purposes of this subsection (e), the term "affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. For purposes of this subsection (e), an entity controls another entity if it owns, directly or individually, more than 10% of the voting securities of that entity. As used in this subsection (e), the term "voting security" means a security that (1) confers upon the holder the right to vote for the election of members of the board of directors or similar governing body of the business or (2) is convertible into, or entitles the holder to receive upon its exercise, a security that confers such a right to vote. A general partnership interest is a voting security.

(f) Bids submitted to, and contracts executed by, the county may require a certification by the bidder or contractor that the bidder or contractor is not barred from bidding for or entering into a contract under this Section and that the bidder or contractor acknowledges that the county may declare the contract void if the certification completed pursuant to this subsection (f) is false.

(Source: P.A. 103-14, eff. 1-1-24; 103-286, eff. 7-28-23; revised 12-12-23.)

(55 ILCS 5/6-1003) (from Ch. 34, par. 6-1003)

Sec. 6-1003. Further appropriations barred; transfers. After the adoption of the county budget, no further appropriations shall be made at any other time during such fiscal year, except as provided in this Division. Appropriations in excess of those authorized by the budget in order to meet an immediate emergency may be made at any meeting of the board by a two-thirds vote of all the members constituting such board, the vote to be taken by ayes and nays and entered on the record of the meeting. After the adoption of the county budget, transfers of appropriations may be made without a vote of the board; however, transfers of appropriations affecting personnel and capital may be made at any meeting of the board by a two-thirds vote of all the members constituting such board, the vote to be taken by ayes and nays and entered on the record of the meeting, provided for any type of transfer that the total amount appropriated for the fund is not affected.

This Section applies to all elected officials, including elected officials with control of the internal operations of their office.

(Source: P.A. 99-356, eff. 8-13-15; 99-642, eff. 7-28-16.)

ARTICLE 3.

Section 3-5. The Department of Natural Resources Act is amended by changing Section 1-20 and by adding Section 1-50 as follows:

(20 ILCS 801/1-20)

Sec. 1-20. Real property. The Department has the power:

(a) To transfer jurisdiction of any realty under the control of the Department to any other Department of the State Government, or to any authority, commission or other agency of the State, and to acquire or accept federal lands, when such transfer, acquisition or acceptance is advantageous to the State and is approved in writing by the Governor.

(b) To lease, from time to time, any land or property, with or without appurtenances, of which the Department has jurisdiction, and which are not immediately to be used or developed by the State; provided that no such lease be for a longer period of time than that in which it can reasonably be expected the State

will not have use for such property, and further provided that no such lease be for a longer period of time than 10 ~~5~~ years.

(c) To lease any land or property over which the Department has jurisdiction for the purpose of creating, operating, or maintaining a commercial solar energy system, as defined in Section 10-720 of the Property Tax Code, or a clean energy project, as defined in the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois. A lease under this subsection (c) shall not be for a period longer than 40 years. The Department shall competitively bid any project authorized pursuant to this subsection (c) pursuant to the requirements of Section 20-15 and subsections (c) and (f) of Section 20-10 of the Illinois Procurement Code. No person or business shall submit specifications to the Department pursuant to this subsection (c) unless requested to do so by an employee of the State. No person or business who contracts with a State agency to write specifications for any project pursuant to this subsection (c) shall submit a bid or proposal, review or evaluate any prospective proposals from the competitive bidding process, or receive a contract for any project issued pursuant to this subsection (c). If practical, the Department shall require that any land or property over which the Department has jurisdiction and that is used for the purpose of creating, operating, or maintaining a commercial solar energy system shall have implemented on it and maintained management practices that would qualify the land or property as a beneficial habitat under the Pollinator-Friendly Solar Site Act. The Department shall prioritize commercial solar energy system sites based on their suitability and economic feasibility for solar use. The Department shall then prioritize commercial solar energy system sites with a significant history of disturbance, such as former strip mines or previously developed sites. The Department may consider any land use that is lost from the installation of a commercial solar energy system in making a determination regarding the suitability of a site. At least 60 days before entering into a lease for a commercial solar energy system under this subsection (c), the Department shall post in the Illinois Register and on the Department's website notice of the Department's intent to enter into the lease and shall provide a copy of the notice to a municipality if the leased area is located within the borders of the municipality. The notice shall include the specific location and size of the proposed commercial solar energy system. The Department shall consider and respond to all public comments regarding the posting that are received by the Department within 30 days of the posting.

(Source: P.A. 89-445, eff. 2-7-96.)

(20 ILCS 801/1-50 new)

Sec. 1-50. Administrative rules. The Department of Natural Resources may adopt rules necessary to carry out its duties under this Act.

Section 3-10. The Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois is amended by changing Sections 805-5, 805-230, and 805-235 and by adding Sections 805-280 and 805-580 as follows:

(20 ILCS 805/805-5)

Sec. 805-5. Definitions. In this Law:

"Clean energy" means energy that is generated, by design or operation, in a manner that is substantially free of carbon dioxide emissions or in a manner that otherwise contributes to the reduction in emissions of environmentally hazardous materials or reduces the volume of environmentally dangerous materials.

"Clean energy project" means a project that is undertaken to acquire, construct, refurbish, create, develop, or redevelop any facility, equipment, machinery, or real or personal property and that will aid, assist, or encourage the development or implementation of clean energy in the State.

"Department" means the Department of Natural Resources.

"Director" means the Director of Natural Resources.

(Source: P.A. 91-239, eff. 1-1-00.)

(20 ILCS 805/805-230) (was 20 ILCS 805/63a18)

Sec. 805-230. Developing recreational areas. The Department has the power to lease from individuals, corporations, or any other form of private ownership, from any municipality, public corporation, or political subdivision of this State, or from the United States any lands or waters for the purpose of developing outdoor recreational areas for public use and to acquire all necessary property or rights-of-way for the purposes of ingress or egress to those lands and waters and to construct buildings and other recreational facilities, including roadways, bridges, ~~and~~ parking areas, commercial solar energy systems, and clean

energy projects that the Department deems necessary or desirable for maximum utilization of recreational facilities for public use of the areas.

(Source: P.A. 91-239, eff. 1-1-00.)

(20 ILCS 805/805-235) (was 20 ILCS 805/63a6)

Sec. 805-235. Lease of lands acquired by the Department; disposition of obsolete buildings. The Department has the power to do and perform each and every act or thing considered by the Director to be necessary or desirable to fulfill and carry out the intent and purpose of all laws pertaining to the Department, including the right to rehabilitate or sell at public auction buildings or structures affixed to lands over which the Department has acquired jurisdiction when in the judgment of the Director those buildings or structures are obsolete, inadequate, or unusable for the purposes of the Department and to lease those lands with or without appurtenances for a consideration in money or in kind for a period of time not in excess of 10 ~~5~~ years for the purposes and upon the terms and conditions that the Director considers to be in the best interests of the State when those lands are not immediately to be used or developed by the State. All those sales shall be made subject to the written approval of the Governor. The funds derived from those sales and from those leases shall be deposited in the State Parks Fund, except that funds derived from those sales and from those leases on lands managed and operated principally as wildlife or fisheries areas by the Department shall be deposited in the Wildlife and Fish Fund.

(Source: P.A. 91-239, eff. 1-1-00.)

(20 ILCS 805/805-280 new)

Sec. 805-280. Leases for the purpose of creating, operating, or maintaining a commercial solar energy system or clean energy project. The Department may lease any land or property over which the Department has jurisdiction for the purpose of creating, operating, or maintaining a commercial solar energy system, as defined in Section 10-720 of the Property Tax Code, or a clean energy project. The lease shall not be for a period longer than 40 years. The Department shall competitively bid any project authorized pursuant to this Section pursuant to the requirements of Section 20-15, and subsections (c) and (f) of Section 20-10 of the Illinois Procurement Code. No person or business shall submit specifications to the Department pursuant to this Section unless requested to do so by an employee of the State. No person or business who contracts with a State agency to write specifications for any project pursuant to this Section shall submit a bid or proposal, review or evaluate any prospective proposals from the competitive bidding process, or receive a contract for any project issued pursuant to this Section. The Department shall require that any lease must provide for a signed project labor agreement for the length of the lease term. A project labor agreement entered into under this Section shall be entered into with the local building and construction trades council having geographic jurisdiction over the project. If practical, the Department shall require that any land or property over which the Department has jurisdiction that is used for the purpose of creating, operating, or maintaining a commercial solar energy system shall have implemented on it and maintained management practices that would qualify the land or property as a beneficial habitat under the Pollinator-Friendly Solar Site Act. The Department shall require that any lease must include a signed project labor agreement for the length of the lease term. The Department shall prioritize commercial solar energy system sites based on their suitability and economic feasibility for solar use. The Department shall then prioritize commercial solar energy system sites with a significant history of disturbance, such as former strip mines or previously developed sites. The Department may consider any land use that is lost from the installation of a commercial solar energy system in making a determination for the suitability of a site.

(20 ILCS 805/805-580 new)

Sec. 805-580. Electric vehicle charging stations.

(a) The Department may provide for at least one electric vehicle charging station, as defined in the Electric Vehicle Act, at any State park or other real property that is owned by the Department where electrical service will reasonably permit. The Department is authorized to charge user fees for the use of such electric vehicle charging stations.

(b) The Department may adopt and publish specifications detailing the kind and type of electric vehicle charging stations to be provided and may adopt rules governing the fees for use of electric vehicle charging stations at State parks or other real property that is owned by the Department.

Section 3-15. The State Parks Act is amended by changing Sections 2, 3, 3a, and 4 as follows:

(20 ILCS 835/2) (from Ch. 105, par. 466)

Sec. 2. It shall be the policy of the State of Illinois to acquire a system of State parks which shall embody the following purposes and objectives:

(1) To preserve the most important historic sites and events that which are connected with the peoples who are geographically and culturally affiliated to the land now known as the State of Illinois ~~early pioneer or Indian history, so that their such history of the Indians, explorers, missionaries and settlers~~ may be preserved, not only as a tribute to those peoples that came before us ~~who made possible the building of the State of Illinois and of the Union,~~ but also as a part of the education of present and future Illinois citizens.

(2) To set aside as public reservations those locations which have unusual scenic attractions caused by geologic or topographic formations, such as canyons, gorges, caves, dunes, beaches, moraines, palisades, examples of Illinois prairie, and points of scientific interest to botanists and naturalists. These areas should be large in size and whenever practicable shall be not less than 1,000 acres in extent. However, smaller areas may be acquired wherever conditions do not warrant the acquisition of the larger acreage.

(3) To preserve large forested areas and marginal lands along the rivers, small water courses, and lakes for a recreation use different from that given by the typical city park, and so that these tracts may remain unchanged by civilization, so far as possible, and be kept for future generations. Such areas also, should be acquired in units of 1,000 acres or more and may be available as fish and game preserves. However, smaller areas may be acquired wherever conditions do not warrant the acquisition of the larger acreage.

(4) To connect these parks with each other by a system of scenic parkways with widths varying from 100 to 1,000 feet, as a supplement to and completion of the State highway system. Where the present State highway routes may serve this purpose, their location, alignment and design should be studied with this plan in view. At suitable locations along these highways, pure water supplies and shelters and comfort facilities of attractive design may be installed for the convenience of the public.

The Department of Natural Resources is authorized on ~~in~~ behalf of the State of Illinois to accept by donation or bequest, to purchase or acquire by condemnation proceedings in the manner provided for the exercise of the power of eminent domain under the Eminent Domain Act, or by contract for deed payable over a period of time not to exceed 10 years, or in any other legal manner, the title to all such lands, waters or regions, and the easements appurtenant or contributory thereto, which shall be in accord with such policy in respect to a system of State parks, for the purpose of which the General Assembly may make an appropriation. Purchases by contract for deed under this Section shall not exceed \$20,000,000 in total purchase price for land under contract at any one given time.

(Source: P.A. 94-1055, eff. 1-1-07.)

(20 ILCS 835/3) (from Ch. 105, par. 467)

Sec. 3. (a) As used in this Section, "artificial landscaping" does not include any landscaping or other site modification or use resulting from any lease entered into by the Department of Natural Resources for the creation, operation, or maintenance of a commercial solar energy system, as defined in Section 10-720 of the Property Tax Code, or a clean energy project, as defined in the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois. Instead, these site modifications and uses are hereby deemed to support conservation of the original character of the parks.

(b) In maintaining the State parks, the Department of Natural Resources shall conserve the original character as distinguished from the artificial landscaping of such parks.

(Source: P.A. 89-445, eff. 2-7-96.)

(20 ILCS 835/3a) (from Ch. 105, par. 467a)

Sec. 3a. The Department of Natural Resources shall not dispose of any portion of a State park except as specifically authorized by law. This prohibition shall not restrict the Department from conveyance of easements, leases, and other lesser interests in land.

(Source: P.A. 89-445, eff. 2-7-96.)

(20 ILCS 835/4) (from Ch. 105, par. 468)

Sec. 4. The Department of Natural Resources has the power:

(1) To make rules and regulations necessary to carry out its duties under this Act, including rules and regulations for the use, care, improvement, control and administration of lands under its jurisdiction, and to enforce the same.

(2) To employ such custodians, keepers, clerks, assistants, laborers and subordinates as may be necessary to carry out the provisions of this Act.

(3) To lay out, construct and maintain all needful roads, parking areas, paths or trails, bridges, and docks, camp or lodge sites, picnic areas, beach houses, lodges and cabins and any other structures and

improvements necessary and appropriate in any state park or easement thereto; and to provide water supplies, heat and light, and sanitary facilities for the public and living quarters for the custodians and keepers of state parks.

(4) To replant any devastated native plant areas of any State park or increase or supplement the same when necessary with plant material indigenous to such park.

(5) To cooperate with the United States government and with other states in matters relating to the care, improvement, control and administration of national or interstate parks.

(6) To cooperate and contract with any agency, organization or individual in a manner consistent with the purposes of this Act and the powers granted the Department herein.

(7) To accept and administer gifts, grants and legacies of money, securities or property to be used by the Department of Natural Resources for the purposes of this Act and according to the tenor of such gift, grant or legacy.

(8) To enter into leases that allow for the creation, operation, or maintenance of a commercial solar energy system, as defined in Section 10-720 of the Property Tax Code, or a clean energy project, as defined in the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois. If practical, the Department shall require that any land or property over which the Department has jurisdiction that is used for the purpose of creating, operating, or maintaining a commercial solar energy system shall have implemented on it and maintained management practices that would qualify the land or property as a beneficial habitat under the Pollinator-Friendly Solar Site Act. The Department shall require that any lease must include a signed project labor agreement for the length of the lease term. A project labor agreement entered into under this Section shall be entered into with the local building and construction trades council having geographic jurisdiction over the project. The Department shall prioritize commercial solar energy system sites based on their suitability and economic feasibility for solar use. The Department shall then prioritize commercial solar energy system sites with a significant history of disturbance, such as former strip mines or previously developed sites. In making a determination for the suitability of a site, the Department may consider any land use that is lost from the installation of a commercial solar energy system.
(Source: P.A. 89-445, eff. 2-7-96.)

ARTICLE 5.

Section 5-5. The Illinois Procurement Code is amended by changing Section 20-60 as follows:
(30 ILCS 500/20-60)

Sec. 20-60. Duration of contracts.

(a) Maximum duration. A contract may be entered into for any period of time deemed to be in the best interests of the State but not exceeding 10 years inclusive, beginning January 1, 2010, of proposed contract renewals; provided, however, in connection with the issuance of certificates of participation or bonds, the governing board of a public institution of higher education may enter into contracts in excess of 10 years but not to exceed 30 years for the purpose of financing or refinancing real or personal property. Third parties may lease State-owned communications infrastructure, including dark fiber networks, conduit, and excess communication tower capacity, for any period of time deemed to be in the best interest of the State, but not exceeding 20 years. The length of a lease for real property or capital improvements shall be in accordance with the provisions of Section 40-25. The length of energy conservation program contracts or energy savings contracts or leases shall be in accordance with the provisions of Section 25-45. A contract for bond or mortgage insurance awarded by the Illinois Housing Development Authority, however, may be entered into for any period of time less than or equal to the maximum period of time that the subject bond or mortgage may remain outstanding.

(b) Subject to appropriation. All contracts made or entered into shall recite that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to make payments under the terms of the contract.

(c) The chief procurement officer shall file a proposed extension or renewal of a contract with the Procurement Policy Board and the Commission on Equity and Inclusion prior to entering into any extension or renewal if the cost associated with the extension or renewal exceeds \$249,999. The Procurement Policy Board or the Commission on Equity and Inclusion may object to the proposed extension or renewal within 14 calendar days and require a hearing before the Board or the Commission on Equity and Inclusion prior to entering into the extension or renewal. If the Procurement Policy Board or the Commission on Equity and Inclusion does not object within 14 calendar days or takes affirmative action to recommend the extension or

renewal, the chief procurement officer may enter into the extension or renewal of a contract. This subsection does not apply to any emergency procurement, any procurement under Article 40, or any procurement exempted by Section 1-10(b) of this Code. If any State agency contract is paid for in whole or in part with federal-aid funds, grants, or loans and the provisions of this subsection would result in the loss of those federal-aid funds, grants, or loans, then the contract is exempt from the provisions of this subsection in order to remain eligible for those federal-aid funds, grants, or loans, and the State agency shall file notice of this exemption with the Procurement Policy Board or the Commission on Equity and Inclusion prior to entering into the proposed extension or renewal. Nothing in this subsection permits a chief procurement officer to enter into an extension or renewal in violation of subsection (a). By August 1 each year, the Procurement Policy Board and the Commission on Equity and Inclusion shall each file a report with the General Assembly identifying for the previous fiscal year (i) the proposed extensions or renewals that were filed and whether such extensions and renewals were objected to and (ii) the contracts exempt from this subsection.

(d) Notwithstanding the provisions of subsection (a) of this Section, the Department of Innovation and Technology may enter into leases for dark fiber networks for any period of time deemed to be in the best interests of the State but not exceeding 20 years inclusive. The Department of Innovation and Technology may lease dark fiber networks from third parties only for the primary purpose of providing services (i) to the offices of Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, or Treasurer and State agencies, as defined under Section 5-15 of the Civil Administrative Code of Illinois or (ii) for anchor institutions, as defined in Section 7 of the Illinois Century Network Act. Dark fiber network lease contracts shall be subject to all other provisions of this Code and any applicable rules or requirements, including, but not limited to, publication of lease solicitations, use of standard State contracting terms and conditions, and approval of vendor certifications and financial disclosures.

(e) As used in this Section, "dark fiber network" means a network of fiber optic cables laid but currently unused by a third party that the third party is leasing for use as network infrastructure.

(f) No vendor shall be eligible for renewal of a contract when that vendor has failed to meet the goals agreed to in the vendor's utilization plan, as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, unless the State agency or public institution of higher education has determined that the vendor made good faith efforts toward meeting the contract goals. If the State agency or public institution of higher education determines that the vendor made good faith efforts, the agency or public institution of higher education may issue a waiver after concurrence by the chief procurement officer, which shall not be unreasonably withheld or impair a State agency determination to execute the renewal. The form and content of the waiver shall be prescribed by each chief procurement officer, but shall not impair a State agency or public institution of higher education determination to execute the renewal. The chief procurement officer shall post the completed form on his or her official website within 5 business days after receipt from the State agency or public institution of higher education. The chief procurement officer shall maintain on his or her official website a database of waivers granted under this Section with respect to contracts under his or her jurisdiction. The database shall be updated periodically and shall be searchable by contractor name and by contracting State agency or public institution of higher education.

(Source: P.A. 102-29, eff. 6-25-21; 102-721, eff. 1-1-23; 103-570, eff. 1-1-24.)

ARTICLE 7.

Section 7-5. The Illinois Procurement Code is amended by changing Section 45-45 and by adding Section 45-46 as follows:

(30 ILCS 500/45-45)

Sec. 45-45. Small businesses.

(a) Set-asides. Each chief procurement officer has authority to designate as small business set-asides a fair proportion of construction, supply, and service contracts for award to small businesses in Illinois. Advertisements for bids or offers for those contracts shall specify designation as small business set-asides. In awarding the contracts, only bids or offers from qualified small businesses shall be considered.

(b) Small business. "Small business" means a business that is independently owned and operated and that is not dominant in its field of operation. The chief procurement officer shall establish a detailed definition by rule, using in addition to the foregoing criteria other criteria, including the number of employees and the dollar volume of business. When computing the size status of a potential contractor, annual sales and receipts of the potential contractor and all of its affiliates shall be included. The maximum

number of employees and the maximum dollar volume that a small business may have under the rules promulgated by the chief procurement officer may vary from industry to industry to the extent necessary to reflect differing characteristics of those industries, subject to the following limitations:

(1) No wholesale business is a small business if its annual sales for its most recently completed fiscal year exceed \$13,000,000.

(2) No retail business or business selling services is a small business if its annual sales and receipts exceed \$8,000,000.

(3) No manufacturing business is a small business if it employs more than 250 persons.

(4) No construction business is a small business if its annual sales and receipts exceed ~~\$14,000,000~~ \$45,000,000.

(c) Fair proportion. For the purpose of subsection (a), for State agencies of the executive branch, a fair proportion of construction contracts shall be no less than 25% nor more than 40% of the annual total contracts for construction.

(d) Withdrawal of designation. A small business set-aside designation may be withdrawn by the purchasing agency when deemed in the best interests of the State. Upon withdrawal, all bids or offers shall be rejected, and the bidders or offerors shall be notified of the reason for rejection. The contract shall then be awarded in accordance with this Code without the designation of small business set-aside. Each chief procurement officer shall make the annual report available on his or her official website. Each chief procurement officer shall also issue a press release in conjunction with the small business annual report that includes an executive summary of the annual report and a link to the annual report on the chief procurement officer's website.

(e) Small business specialist. Each chief procurement officer shall designate one or more individuals to serve as its small business specialist. The small business specialists shall collectively work together to accomplish the following duties:

(1) Compiling and maintaining a comprehensive list of potential small contractors. In this duty, he or she shall cooperate with the Federal Small Business Administration in locating potential sources for various products and services.

(2) Assisting small businesses in complying with the procedures for bidding on State contracts.

(3) Examining requests from State agencies for the purchase of property or services to help determine which invitations to bid are to be designated small business set-asides.

(4) Making recommendations to the chief procurement officer for the simplification of specifications and terms in order to increase the opportunities for small business participation.

(5) Assisting in investigations by purchasing agencies to determine the responsibility of bidders or offerors on small business set-asides.

(f) Small business annual report. Each small business specialist designated under subsection (e) shall annually before November 1 report in writing to the General Assembly concerning the awarding of contracts to small businesses. The report shall include the total value of awards made in the preceding fiscal year under the designation of small business set-aside. The report shall also include the total value of awards made to businesses owned by minorities, women, and persons with disabilities, as defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, in the preceding fiscal year under the designation of small business set-aside.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report as required by Section 3.1 of the General Assembly Organization Act.

(Source: P.A. 103-570, eff. 1-1-24.)

(30 ILCS 500/45-46 new)

Sec. 45-46. Mid-size businesses.

(a) As used in the Section, "mid-size business" means a business that is independently owned and operated and that is not dominant in its field of operation. "Mid-size business" includes a construction business with annual sales and receipts in excess of \$45,000,000 but not over \$67,500,000.

(a-5) This Section applies only to procurements by the Illinois State Toll Highway Authority for construction contracts, construction-related contracts, and construction support contracts.

(b) The chief procurement officer shall adopt rules to establish additional criteria to designate mid-size businesses for the purposes of the mid-size business set-asides described in subsection (c), including the number of employees and dollar volume of the business. When computing the size status of a potential contractor, annual sales and receipts of the potential contractor and all of its affiliates shall be included. The maximum number of employees and the maximum annual sales and receipts that a mid-size

business may have under the rules adopted by the chief procurement officer may vary from industry to industry, to the extent necessary to reflect differing characteristics of those industries, subject to the limitation that no business shall qualify as a mid-size business if its annual sales and receipts exceed \$67,500,000.

(c) The applicable chief procurement officer shall designate a fair proportion, as determined by the applicable chief procurement officer in consultation with the Illinois State Toll Highway Authority, of construction, construction-related, and construction support contracts as mid-size business set-asides for award to mid-size businesses in Illinois. Advertisements for bids or offers for these contracts shall specify designation as mid-size business set-asides. In awarding the contracts, only bids or offers from qualified mid-size businesses shall be considered. The Illinois State Toll Highway Authority shall prepare an annual report setting forth the use of this Section during the preceding fiscal year and shall provide that report to the applicable chief procurement officer no later than March 1 of each calendar year. This Section is repealed on January 1, 2029.

ARTICLE 10.

Section 10-5. The Freedom of Information Act is amended by changing Section 7 as follows:
(5 ILCS 140/7)

Sec. 7. Exemptions.

(1) When a request is made to inspect or copy a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the information that is exempt. The public body shall make the remaining information available for inspection and copying. Subject to this requirement, the following shall be exempt from inspection and copying:

(a) Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.

(b) Private information, unless disclosure is required by another provision of this Act, a State or federal law, or a court order.

(b-5) Files, documents, and other data or databases maintained by one or more law enforcement agencies and specifically designed to provide information to one or more law enforcement agencies regarding the physical or mental status of one or more individual subjects.

(c) Personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.

(d) Records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would:

(i) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request;

(ii) interfere with active administrative enforcement proceedings conducted by the public body that is the recipient of the request;

(iii) create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing;

(iv) unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the identities of witnesses to traffic crashes, traffic crash reports, and rescue reports shall be provided by agencies of local government, except when disclosure would interfere with an active criminal investigation conducted by the agency that is the recipient of the request;

(v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection,

observation, or investigation of incidents of crime or misconduct, and disclosure would result in demonstrable harm to the agency or public body that is the recipient of the request;

(vi) endanger the life or physical safety of law enforcement personnel or any other person; or

(vii) obstruct an ongoing criminal investigation by the agency that is the recipient of the request.

(d-5) A law enforcement record created for law enforcement purposes and contained in a shared electronic record management system if the law enforcement agency that is the recipient of the request did not create the record, did not participate in or have a role in any of the events which are the subject of the record, and only has access to the record through the shared electronic record management system.

(d-6) Records contained in the Officer Professional Conduct Database under Section 9.2 of the Illinois Police Training Act, except to the extent authorized under that Section. This includes the documents supplied to the Illinois Law Enforcement Training Standards Board from the Illinois State Police and Illinois State Police Merit Board.

(d-7) Information gathered or records created from the use of automatic license plate readers in connection with Section 2-130 of the Illinois Vehicle Code.

(e) Records that relate to or affect the security of correctional institutions and detention facilities.

(e-5) Records requested by persons committed to the Department of Corrections, Department of Human Services Division of Mental Health, or a county jail if those materials are available in the library of the correctional institution or facility or jail where the inmate is confined.

(e-6) Records requested by persons committed to the Department of Corrections, Department of Human Services Division of Mental Health, or a county jail if those materials include records from staff members' personnel files, staff rosters, or other staffing assignment information.

(e-7) Records requested by persons committed to the Department of Corrections or Department of Human Services Division of Mental Health if those materials are available through an administrative request to the Department of Corrections or Department of Human Services Division of Mental Health.

(e-8) Records requested by a person committed to the Department of Corrections, Department of Human Services Division of Mental Health, or a county jail, the disclosure of which would result in the risk of harm to any person or the risk of an escape from a jail or correctional institution or facility.

(e-9) Records requested by a person in a county jail or committed to the Department of Corrections or Department of Human Services Division of Mental Health, containing personal information pertaining to the person's victim or the victim's family, including, but not limited to, a victim's home address, home telephone number, work or school address, work telephone number, social security number, or any other identifying information, except as may be relevant to a requester's current or potential case or claim.

(e-10) Law enforcement records of other persons requested by a person committed to the Department of Corrections, Department of Human Services Division of Mental Health, or a county jail, including, but not limited to, arrest and booking records, mug shots, and crime scene photographs, except as these records may be relevant to the requester's current or potential case or claim.

(f) Preliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.

(g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged, or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested.

The information included under this exemption includes all trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a

result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this item does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this item does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm.

Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.

(h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.

(i) Valuable formulae, computer geographic systems, designs, drawings, and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.

(j) The following information pertaining to educational matters:

(i) test questions, scoring keys, and other examination data used to administer an academic examination;

(ii) information received by a primary or secondary school, college, or university under its procedures for the evaluation of faculty members by their academic peers;

(iii) information concerning a school or university's adjudication of student disciplinary cases, but only to the extent that disclosure would unavoidably reveal the identity of the student; and

(iv) course materials or research materials used by faculty members.

(k) Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, including, but not limited to, power generating and distribution stations and other transmission and distribution facilities, water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings, but only to the extent that disclosure would compromise security.

(l) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.

(m) Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil, or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.

(n) Records relating to a public body's adjudication of employee grievances or disciplinary cases; however, this exemption shall not extend to the final outcome of cases in which discipline is imposed.

(o) Administrative or technical information associated with automated data processing operations, including, but not limited to, software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.

(p) Records relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying.

(q) Test questions, scoring keys, and other examination data used to determine the qualifications of an applicant for a license or employment.

(r) The records, documents, and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under the Eminent Domain Act, records, documents, and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents, and information relating to a real estate sale shall be exempt until a sale is consummated.

(s) Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool. Insurance or self-insurance (including any intergovernmental risk management association or self-insurance pool) claims, loss or risk management information, records, data, advice, or communications.

(t) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions, insurance companies, or pharmacy benefit managers, unless disclosure is otherwise required by State law.

(u) Information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic signatures under the Uniform Electronic Transactions Act.

(v) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, but only to the extent that disclosure could reasonably be expected to expose the vulnerability or jeopardize the effectiveness of the measures, policies, or plans, or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, to cybersecurity vulnerabilities, or to tactical operations.

(w) (Blank).

(x) Maps and other records regarding the location or security of generation, transmission, distribution, storage, gathering, treatment, or switching facilities owned by a utility, by a power generator, or by the Illinois Power Agency.

(y) Information contained in or related to proposals, bids, or negotiations related to electric power procurement under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act that is determined to be confidential and proprietary by the Illinois Power Agency or by the Illinois Commerce Commission.

(z) Information about students exempted from disclosure under Section 10-20.38 or 34-18.29 of the School Code, and information about undergraduate students enrolled at an institution of higher education exempted from disclosure under Section 25 of the Illinois Credit Card Marketing Act of 2009.

(aa) Information the disclosure of which is exempted under the Viatical Settlements Act of 2009.

(bb) Records and information provided to a mortality review team and records maintained by a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.

(cc) Information regarding interments, entombments, or inurnments of human remains that are submitted to the Cemetery Oversight Database under the Cemetery Care Act or the Cemetery Oversight Act, whichever is applicable.

(dd) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Illinois Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Illinois Public Aid Code.

(ee) The names, addresses, or other personal information of persons who are minors and are also participants and registrants in programs of park districts, forest preserve districts, conservation districts, recreation agencies, and special recreation associations.

(ff) The names, addresses, or other personal information of participants and registrants in programs of park districts, forest preserve districts, conservation districts, recreation agencies, and special recreation associations where such programs are targeted primarily to minors.

(gg) Confidential information described in Section 1-100 of the Illinois Independent Tax Tribunal Act of 2012.

(hh) The report submitted to the State Board of Education by the School Security and Standards Task Force under item (8) of subsection (d) of Section 2-3.160 of the School Code and any information contained in that report.

(ii) Records requested by persons committed to or detained by the Department of Human Services under the Sexually Violent Persons Commitment Act or committed to the Department of Corrections under the Sexually Dangerous Persons Act if those materials: (i) are available in the library of the facility where the individual is confined; (ii) include records from staff members' personnel files, staff rosters, or other staffing assignment information; or (iii) are available through an administrative request to the Department of Human Services or the Department of Corrections.

(jj) Confidential information described in Section 5-535 of the Civil Administrative Code of Illinois.

(kk) The public body's credit card numbers, debit card numbers, bank account numbers, Federal Employer Identification Number, security code numbers, passwords, and similar account information, the disclosure of which could result in identity theft or impression or defrauding of a governmental entity or a person.

(ll) Records concerning the work of the threat assessment team of a school district, including, but not limited to, any threat assessment procedure under the School Safety Drill Act and any information contained in the procedure.

(mm) Information prohibited from being disclosed under subsections (a) and (b) of Section 15 of the Student Confidential Reporting Act.

(nn) Proprietary information submitted to the Environmental Protection Agency under the Drug Take-Back Act.

(oo) Records described in subsection (f) of Section 3-5-1 of the Unified Code of Corrections.

(pp) Any and all information regarding burials, interments, or entombments of human remains as required to be reported to the Department of Natural Resources pursuant either to the Archaeological and Paleontological Resources Protection Act or the Human Remains Protection Act.

(qq) ~~(pp)~~ Reports described in subsection (e) of Section 16-15 of the Abortion Care Clinical Training Program Act.

(rr) ~~(pp)~~ Information obtained by a certified local health department under the Access to Public Health Data Act.

(ss) ~~(pp)~~ For a request directed to a public body that is also a HIPAA-covered entity, all information that is protected health information, including demographic information, that may be contained within or extracted from any record held by the public body in compliance with State and federal medical privacy laws and regulations, including, but not limited to, the Health Insurance Portability and Accountability Act and its regulations, 45 CFR Parts 160 and 164. As used in this paragraph, "HIPAA-covered entity" has the meaning given to the term "covered entity" in 45 CFR 160.103 and "protected health information" has the meaning given to that term in 45 CFR 160.103.

(tt) Proposals or bids submitted by engineering consultants in response to requests for proposal or other competitive bidding requests by the Department of Transportation or the Illinois Toll Highway Authority.

(1.5) Any information exempt from disclosure under the Judicial Privacy Act shall be redacted from public records prior to disclosure under this Act.

(2) A public record that is not in the possession of a public body but is in the possession of a party with whom the agency has contracted to perform a governmental function on behalf of the public body, and that directly relates to the governmental function and is not otherwise exempt under this Act, shall be considered a public record of the public body, for purposes of this Act.

(3) This Section does not authorize withholding of information or limit the availability of records to the public, except as stated in this Section or otherwise provided in this Act.

(Source: P.A. 102-38, eff. 6-25-21; 102-558, eff. 8-20-21; 102-694, eff. 1-7-22; 102-752, eff. 5-6-22; 102-753, eff. 1-1-23; 102-776, eff. 1-1-23; 102-791, eff. 5-13-22; 102-982, eff. 7-1-23; 102-1055, eff. 6-10-22; 103-154, eff. 6-30-23; 103-423, eff. 1-1-24; 103-446, eff. 8-4-23; 103-462, eff. 8-4-23; 103-540, eff. 1-1-24; 103-554, eff. 1-1-24; revised 9-7-23.)

Section 10-10. The Illinois Procurement Code is amended by changing Section 50-39 as follows:

[May 24, 2024]

(30 ILCS 500/50-39)

Sec. 50-39. Procurement communications reporting requirement.

(a) Any written or oral communication received by a State employee who, by the nature of his or her duties, has the authority to participate personally and substantially in the decision to award a State contract and that imparts or requests material information or makes a material argument regarding potential action concerning an active procurement matter, including, but not limited to, an application, a contract, or a project, shall be reported to the Procurement Policy Board, and, with respect to the Illinois Power Agency, by the initiator of the communication, and may be reported also by the recipient.

Any person communicating orally, in writing, electronically, or otherwise with the Director or any person employed by, or associated with, the Illinois Power Agency to impart, solicit, or transfer any information related to the content of any power procurement plan, the manner of conducting any power procurement process, the procurement of any power supply, or the method or structure of contracting with power suppliers must disclose to the Procurement Policy Board the full nature, content, and extent of any such communication in writing by submitting a report with the following information:

- (1) The names of any party to the communication.
- (2) The date on which the communication occurred.
- (3) The time at which the communication occurred.
- (4) The duration of the communication.
- (5) The method (written, oral, etc.) of the communication.
- (6) A summary of the substantive content of the communication.

These communications do not include the following: (i) statements by a person publicly made in a public forum; (ii) statements regarding matters of procedure and practice, such as format, the number of copies required, the manner of filing, and the status of a matter; (iii) statements made by a State employee of the agency to the agency head or other employees of that agency, to the employees of the Executive Ethics Commission, or to an employee of another State agency who, through the communication, is either (a) exercising his or her experience or expertise in the subject matter of the particular procurement in the normal course of business, for official purposes, and at the initiation of the purchasing agency or the appropriate State purchasing officer, or (b) exercising oversight, supervisory, or management authority over the procurement in the normal course of business and as part of official responsibilities; (iv) ~~unsolicited~~ communications providing general information about a firm's products or services, or industry best practices provided before those products or services are not directly related to an open procurement matter become involved in a procurement matter; (v) communications received in response to procurement solicitations, including, but not limited to, vendor responses to a request for information, request for proposal, request for qualifications, invitation for bid, or a small purchase, sole source, or emergency solicitation, or questions and answers posted to the Illinois Procurement Bulletin to supplement the procurement action, provided that the communications are made in accordance with the instructions contained in the procurement solicitation, procedures, or guidelines; (vi) communications that are privileged, protected, or confidential under law; ~~and~~ (vii) communications that are part of a formal procurement process as set out by statute, rule, or the solicitation, guidelines, or procedures, including, but not limited to, the posting of procurement opportunities, the process for approving a procurement business case or its equivalent, fiscal approval, submission of bids, the finalizing of contract terms and conditions with an awardee or apparent awardee, and similar formal procurement processes; and (viii) communications about proposal deficiencies as provided under Section 35 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act. The provisions of this Section shall not apply to communications regarding the administration and implementation of an existing contract, except communications regarding change orders or the renewal or extension of a contract.

The reporting requirement does not apply to any communication asking for clarification regarding a contract solicitation so long as there is no competitive advantage to the person or business and the question and answer, if material, are posted to the Illinois Procurement Bulletin as an addendum to the contract solicitation.

(b) The report required by subsection (a) shall be submitted monthly and include at least the following: (i) the date and time of each communication; (ii) the identity of each person from whom the written or oral communication was received, the individual or entity represented by that person, and any action the person requested or recommended; (iii) the identity and job title of the person to whom each communication was made; (iv) if a response is made, the identity and job title of the person making each response; (v) a detailed summary of the points made by each person involved in the communication; (vi) the

duration of the communication; (vii) the location or locations of all persons involved in the communication and, if the communication occurred by telephone, the telephone numbers for the callers and recipients of the communication; and (viii) any other pertinent information. No trade secrets or other proprietary or confidential information shall be included in any communication reported to the Procurement Policy Board.

(c) Additionally, when an oral communication made by a person required to register under the Lobbyist Registration Act is received by a State employee that is covered under this Section, all individuals who initiate or participate in the oral communication shall submit a written report to that State employee that memorializes the communication and includes, but is not limited to, the items listed in subsection (b).

(d) The Procurement Policy Board shall make each report submitted pursuant to this Section available on its website within 7 calendar days after its receipt of the report. The Procurement Policy Board may promulgate rules to ensure compliance with this Section.

(e) The reporting requirements shall also be conveyed through ethics training under the State Officials and Employees Ethics Act. An employee who knowingly and intentionally violates this Section shall be subject to suspension or discharge. The Executive Ethics Commission shall promulgate rules, including emergency rules, to implement this Section.

(f) This Section becomes operative on January 1, 2011.

(g) For purposes of this Section:

"Active procurement matter" means a procurement process beginning with requisition or determination of need by an agency and continuing through the publication of an award notice or other completion of a final procurement action, the resolution of any protests, and the expiration of any protest or Procurement Policy Board review period, if applicable. "Active procurement matter" also includes communications relating to change orders, renewals, or extensions.

"Material information" means information that a reasonable person would deem important in determining his or her course of action and pertains to significant issues, including, but not limited to, price, quantity, and terms of payment or performance.

"Material argument" means a communication that a reasonable person would believe was made for the purpose of influencing a decision relating to a procurement matter. "Material argument" does not include general information about products, services, or industry best practices or a response to a communication initiated by an employee of the State for the purposes of providing information to evaluate new products, trends, services, or technologies.

(Source: P.A. 100-43, eff. 8-9-17.)

Section 10-15. The Architectural, Engineering, and Land Surveying Qualifications Based Selection Act is amended by changing Section 35 as follows:

(30 ILCS 535/35) (from Ch. 127, par. 4151-35)

Sec. 35. Selection procedure. On the basis of evaluations, discussions, and any presentations, the State agency shall select no less than 3 firms it determines to be qualified to provide services for the project and rank them in order of qualifications to provide services regarding the specific project. The State agency shall then contact the firm ranked most preferred to negotiate a contract at a fair and reasonable compensation. If fewer than 3 firms submit letters of interest and the State agency determines that one or both of those firms are so qualified, the State agency may proceed to negotiate a contract under Section 40. The decision of the State agency shall be final and binding.

As part of the State agency's commitment to fostering greater diversity in contracting, the State agency may communicate with firms who were not selected in order to provide further information about the firm's proposal deficiencies.

(Source: P.A. 87-673.)

ARTICLE 15.

Section 15-5. The Governmental Joint Purchasing Act is amended by changing Section 2 as follows:

(30 ILCS 525/2) (from Ch. 85, par. 1602)

Sec. 2. Joint purchasing authority.

(a) Any governmental unit, except a governmental unit subject to the jurisdiction of a chief procurement officer established in Section 10-20 of the Illinois Procurement Code, may purchase personal property, supplies and services jointly with one or more other governmental units. All such joint purchases shall be by competitive solicitation as provided in Section 4, except as otherwise provided in this Act. The

provisions of any other acts under which a governmental unit operates which refer to purchases and procedures in connection therewith shall be superseded by the provisions of this Act when the governmental units are exercising the joint powers created by this Act.

(a-5) For purchases made by a governmental unit subject to the jurisdiction of a chief procurement officer established in Section 10-20 of the Illinois Procurement Code, the applicable chief procurement officer established in Section 10-20 of the Illinois Procurement Code may authorize the purchase of supplies and services jointly with a governmental unit of this State, governmental entity of another state, or with a consortium of governmental entities of one or more other states, except as otherwise provided in this Act. Subject to provisions of the joint purchasing solicitation, the appropriate chief procurement officer may designate the resulting contract as available to governmental units in Illinois.

(a-10) Each chief procurement officer appointed pursuant to Section 10-20 of the Illinois Procurement Code, with joint agreement of the respective agency or institution, may authorize the purchase or lease of supplies and services which have been procured through a competitive process by a federal agency; a consortium of governmental, educational, medical, research, or similar entities; or a group purchasing organization of which the chief procurement officer or State agency is a member or affiliate, including, without limitation, any purchasing entity operating under the federal General Services Administration, the Higher Education Cooperation Act, and the Midwestern Higher Education Compact Act. Each applicable chief procurement officer may authorize purchases and contracts which have been procured through other methods of procurement if each chief procurement officer determines it is in the best interests of the State, considering a recommendation by their respective agencies or institutions. The chief procurement officer may establish detailed rules, policies, and procedures for use of these cooperative contracts. Notice of award shall be published by the chief procurement officer in the Illinois Procurement Bulletin at least prior to use of the contract. Each chief procurement officer shall submit to the General Assembly by November 1 of each year a report of procurements made under this subsection (a-10).

(a-15) Each chief procurement officer appointed pursuant to Section 10-20 of the Illinois Procurement Code may authorize any governmental unit of this State to purchase or lease supplies under a contract which has been procured under the jurisdiction of the Illinois Procurement Code by a governmental unit subject to the jurisdiction of the chief procurement officer. Prior to making the contract available to the governmental unit of this State, the chief procurement officer shall consult with the governmental unit that is party to the contract and is subject to the jurisdiction of the chief procurement officer. A governmental unit of this State that uses a contract pursuant to this subsection shall report each year to the authorizing chief procurement officer the contractor used, supplies purchased, and total value of purchases for each contract. The authorizing chief procurement officer shall submit to the General Assembly by November 1 of each year a report of procurements made under this subsection (a-15).

(b) Any not-for-profit agency that qualifies under Section 45-35 of the Illinois Procurement Code and that either (1) acts pursuant to a board established by or controlled by a unit of local government or (2) receives grant funds from the State or from a unit of local government, shall be eligible to participate in contracts established by the State.

(c) For governmental units subject to the jurisdiction of a chief procurement officer established in Section 10-20 of the Illinois Procurement Code, if any contract or amendment to a contract is entered into or purchase or expenditure of funds is made at any time in violation of this Act or any other law, the contract or amendment may be declared void by the chief procurement officer or may be ratified and affirmed, if the chief procurement officer determines that ratification is in the best interests of the governmental unit. If the contract or amendment is ratified and affirmed, it shall be without prejudice to the governmental unit's rights to any appropriate damages.

(d) This Section does not apply to construction-related professional services contracts awarded in accordance with the provisions of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(Source: P.A. 100-43, eff. 8-9-17.)

ARTICLE 20.

Section 20-5. The Illinois Procurement Code is amended by changing Section 40-15 as follows:
(30 ILCS 500/40-15)

Sec. 40-15. Method of source selection.

(a) Request for information. Except as provided in subsections (b) and (c), all State contracts for leases of real property or capital improvements shall be awarded by a request for information process in accordance with Section 40-20.

(b) Other methods. A request for information process need not be used in procuring any of the following leases:

(1) Property of less than 10,000 square feet with base rent of less than \$200,000 ~~\$100,000~~ per year.

(2) (Blank).

(3) Duration of less than one year that cannot be renewed.

(4) Specialized space available at only one location.

(5) Renewal or extension of a lease; provided that: (i) the chief procurement officer determines in writing that the renewal or extension is in the best interest of the State; (ii) the chief procurement officer submits his or her written determination and the renewal or extension to the Board; (iii) the Board does not object in writing to the renewal or extension within 30 calendar days after its submission; and (iv) the chief procurement officer publishes the renewal or extension in the appropriate volume of the Procurement Bulletin.

(c) Leases with governmental units. Leases with other governmental units may be negotiated without using the request for information process when deemed by the chief procurement officer to be in the best interest of the State.

(Source: P.A. 98-1076, eff. 1-1-15.)

ARTICLE 25.

Section 25-10. The Illinois Procurement Code is amended by changing Section 1-10 as follows:

(30 ILCS 500/1-10)

Sec. 1-10. Application.

(a) This Code applies only to procurements for which bidders, offerors, potential contractors, or contractors were first solicited on or after July 1, 1998. This Code shall not be construed to affect or impair any contract, or any provision of a contract, entered into based on a solicitation prior to the implementation date of this Code as described in Article 99, including, but not limited to, any covenant entered into with respect to any revenue bonds or similar instruments. All procurements for which contracts are solicited between the effective date of Articles 50 and 99 and July 1, 1998 shall be substantially in accordance with this Code and its intent.

(b) This Code shall apply regardless of the source of the funds with which the contracts are paid, including federal assistance moneys. This Code shall not apply to:

(1) Contracts between the State and its political subdivisions or other governments, or between State governmental bodies, except as specifically provided in this Code.

(2) Grants, except for the filing requirements of Section 20-80.

(3) Purchase of care, except as provided in Section 5-30.6 of the Illinois Public Aid Code and this Section.

(4) Hiring of an individual as an employee and not as an independent contractor, whether pursuant to an employment code or policy or by contract directly with that individual.

(5) Collective bargaining contracts.

(6) Purchase of real estate, except that notice of this type of contract with a value of more than \$25,000 must be published in the Procurement Bulletin within 10 calendar days after the deed is recorded in the county of jurisdiction. The notice shall identify the real estate purchased, the names of all parties to the contract, the value of the contract, and the effective date of the contract.

(7) Contracts necessary to prepare for anticipated litigation, enforcement actions, or investigations, provided that the chief legal counsel to the Governor shall give his or her prior approval when the procuring agency is one subject to the jurisdiction of the Governor, and provided that the chief legal counsel of any other procuring entity subject to this Code shall give his or her prior approval when the procuring entity is not one subject to the jurisdiction of the Governor.

(8) (Blank).

(9) Procurement expenditures by the Illinois Conservation Foundation when only private funds are used.

(10) (Blank).

(11) Public-private agreements entered into according to the procurement requirements of Section 20 of the Public-Private Partnerships for Transportation Act and design-build agreements entered into according to the procurement requirements of Section 25 of the Public-Private Partnerships for Transportation Act.

(12) (A) Contracts for legal, financial, and other professional and artistic services entered into by the Illinois Finance Authority in which the State of Illinois is not obligated. Such contracts shall be awarded through a competitive process authorized by the members of the Illinois Finance Authority and are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code, as well as the final approval by the members of the Illinois Finance Authority of the terms of the contract.

(B) Contracts for legal and financial services entered into by the Illinois Housing Development Authority in connection with the issuance of bonds in which the State of Illinois is not obligated. Such contracts shall be awarded through a competitive process authorized by the members of the Illinois Housing Development Authority and are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code, as well as the final approval by the members of the Illinois Housing Development Authority of the terms of the contract.

(13) Contracts for services, commodities, and equipment to support the delivery of timely forensic science services in consultation with and subject to the approval of the Chief Procurement Officer as provided in subsection (d) of Section 5-4-3a of the Unified Code of Corrections, except for the requirements of Sections 20-60, 20-65, 20-70, and 20-160 and Article 50 of this Code; however, the Chief Procurement Officer may, in writing with justification, waive any certification required under Article 50 of this Code. For any contracts for services which are currently provided by members of a collective bargaining agreement, the applicable terms of the collective bargaining agreement concerning subcontracting shall be followed.

On and after January 1, 2019, this paragraph (13), except for this sentence, is inoperative.

(14) Contracts for participation expenditures required by a domestic or international trade show or exhibition of an exhibitor, member, or sponsor.

(15) Contracts with a railroad or utility that requires the State to reimburse the railroad or utilities for the relocation of utilities for construction or other public purpose. Contracts included within this paragraph (15) shall include, but not be limited to, those associated with: relocations, crossings, installations, and maintenance. For the purposes of this paragraph (15), "railroad" means any form of non-highway ground transportation that runs on rails or electromagnetic guideways and "utility" means: (1) public utilities as defined in Section 3-105 of the Public Utilities Act, (2) telecommunications carriers as defined in Section 13-202 of the Public Utilities Act, (3) electric cooperatives as defined in Section 3.4 of the Electric Supplier Act, (4) telephone or telecommunications cooperatives as defined in Section 13-212 of the Public Utilities Act, (5) rural water or waste water systems with 10,000 connections or less, (6) a holder as defined in Section 21-201 of the Public Utilities Act, and (7) municipalities owning or operating utility systems consisting of public utilities as that term is defined in Section 11-117-2 of the Illinois Municipal Code.

(16) Procurement expenditures necessary for the Department of Public Health to provide the delivery of timely newborn screening services in accordance with the Newborn Metabolic Screening Act.

(17) Procurement expenditures necessary for the Department of Agriculture, the Department of Financial and Professional Regulation, the Department of Human Services, and the Department of Public Health to implement the Compassionate Use of Medical Cannabis Program and Opioid Alternative Pilot Program requirements and ensure access to medical cannabis for patients with debilitating medical conditions in accordance with the Compassionate Use of Medical Cannabis Program Act.

(18) This Code does not apply to any procurements necessary for the Department of Agriculture, the Department of Financial and Professional Regulation, the Department of Human Services, the Department of Commerce and Economic Opportunity, and the Department of Public Health to implement the Cannabis Regulation and Tax Act if the applicable agency has made a good faith determination that it is necessary and appropriate for the expenditure to fall within this exemption and if the process is conducted in a manner substantially in accordance with the requirements of Sections 20-160, 25-60, 30-22, 50-5, 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35, 50-36, 50-37, 50-38, and 50-50 of this Code; however, for Section 50-35, compliance applies only to contracts or subcontracts over \$100,000. Notice of each contract entered into under

this paragraph (18) that is related to the procurement of goods and services identified in paragraph (1) through (9) of this subsection shall be published in the Procurement Bulletin within 14 calendar days after contract execution. The Chief Procurement Officer shall prescribe the form and content of the notice. Each agency shall provide the Chief Procurement Officer, on a monthly basis, in the form and content prescribed by the Chief Procurement Officer, a report of contracts that are related to the procurement of goods and services identified in this subsection. At a minimum, this report shall include the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and the exception to this Code utilized. A copy of any or all of these contracts shall be made available to the Chief Procurement Officer immediately upon request. The Chief Procurement Officer shall submit a report to the Governor and General Assembly no later than November 1 of each year that includes, at a minimum, an annual summary of the monthly information reported to the Chief Procurement Officer. This exemption becomes inoperative 5 years after June 25, 2019 (the effective date of Public Act 101-27).

(19) Acquisition of modifications or adjustments, limited to assistive technology devices and assistive technology services, adaptive equipment, repairs, and replacement parts to provide reasonable accommodations (i) that enable a qualified applicant with a disability to complete the job application process and be considered for the position such qualified applicant desires, (ii) that modify or adjust the work environment to enable a qualified current employee with a disability to perform the essential functions of the position held by that employee, (iii) to enable a qualified current employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated employees without disabilities, and (iv) that allow a customer, client, claimant, or member of the public seeking State services full use and enjoyment of and access to its programs, services, or benefits.

For purposes of this paragraph (19):

"Assistive technology devices" means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

"Assistive technology services" means any service that directly assists an individual with a disability in selection, acquisition, or use of an assistive technology device.

"Qualified" has the same meaning and use as provided under the federal Americans with Disabilities Act when describing an individual with a disability.

(20) Procurement expenditures necessary for the Illinois Commerce Commission to hire third-party facilitators pursuant to Sections 16-105.17 and 16-108.18 of the Public Utilities Act or an ombudsman pursuant to Section 16-107.5 of the Public Utilities Act, a facilitator pursuant to Section 16-105.17 of the Public Utilities Act, or a grid auditor pursuant to Section 16-105.10 of the Public Utilities Act.

(21) Procurement expenditures for the purchase, renewal, and expansion of software, software licenses, or software maintenance agreements that support the efforts of the Illinois State Police to enforce, regulate, and administer the Firearm Owners Identification Card Act, the Firearm Concealed Carry Act, the Firearms Restraining Order Act, the Firearm Dealer License Certification Act, the Law Enforcement Agencies Data System (LEADS), the Uniform Crime Reporting Act, the Criminal Identification Act, the Illinois Uniform Conviction Information Act, and the Gun Trafficking Information Act, or establish or maintain record management systems necessary to conduct human trafficking investigations or gun trafficking or other stolen firearm investigations. This paragraph (21) applies to contracts entered into on or after January 10, 2023 (the effective date of Public Act 102-1116) and the renewal of contracts that are in effect on January 10, 2023 (the effective date of Public Act 102-1116).

(22) Contracts for project management services and system integration services required for the completion of the State's enterprise resource planning project. This exemption becomes inoperative 5 years after June 7, 2023 (the effective date of the changes made to this Section by Public Act 103-8). This paragraph (22) applies to contracts entered into on or after June 7, 2023 (the effective date of the changes made to this Section by Public Act 103-8) and the renewal of contracts that are in effect on June 7, 2023 (the effective date of the changes made to this Section by Public Act 103-8).

(23) Procurements necessary for the Department of Insurance to implement the Illinois Health Benefits Exchange Law if the Department of Insurance has made a good faith determination that it is necessary and appropriate for the expenditure to fall within this exemption. The procurement process

shall be conducted in a manner substantially in accordance with the requirements of Sections 20-160 and 25-60 and Article 50 of this Code. A copy of these contracts shall be made available to the Chief Procurement Officer immediately upon request. This paragraph is inoperative 5 years after June 27, 2023 (the effective date of Public Act 103-103).

(24) ~~(22)~~ Contracts for public education programming, noncommercial sustaining announcements, public service announcements, and public awareness and education messaging with the nonprofit trade associations of the providers of those services that inform the public on immediate and ongoing health and safety risks and hazards.

(25) Procurements that are necessary for increasing the recruitment and retention of State employees, particularly minority candidates for employment, including:

(A) procurements related to registration fees for job fairs and other outreach and recruitment events;

(B) production of recruitment materials; and

(C) other services related to recruitment and retention of State employees.

The exemption under this paragraph (25) applies only if the State agency has made a good faith determination that it is necessary and appropriate for the expenditure to fall within this paragraph (25). The procurement process under this paragraph (25) shall be conducted in a manner substantially in accordance with the requirements of Sections 20-160 and 25-60 and Article 50 of this Code. A copy of these contracts shall be made available to the Chief Procurement Officer immediately upon request. Nothing in this paragraph (25) authorizes the replacement or diminishment of State responsibilities in hiring or the positions that effectuate that hiring. This paragraph (25) is inoperative on and after June 30, 2029.

Notwithstanding any other provision of law, for contracts with an annual value of more than \$100,000 entered into on or after October 1, 2017 under an exemption provided in any paragraph of this subsection (b), except paragraph (1), (2), or (5), each State agency shall post to the appropriate procurement bulletin the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and the exception to the Code utilized. The chief procurement officer shall submit a report to the Governor and General Assembly no later than November 1 of each year that shall include, at a minimum, an annual summary of the monthly information reported to the chief procurement officer.

(e) This Code does not apply to the electric power procurement process provided for under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act. This Code does not apply to the procurement of technical and policy experts pursuant to Section 1-129 of the Illinois Power Agency Act.

(d) Except for Section 20-160 and Article 50 of this Code, and as expressly required by Section 9.1 of the Illinois Lottery Law, the provisions of this Code do not apply to the procurement process provided for under Section 9.1 of the Illinois Lottery Law.

(e) This Code does not apply to the process used by the Capital Development Board to retain a person or entity to assist the Capital Development Board with its duties related to the determination of costs of a clean coal SNG brownfield facility, as defined by Section 1-10 of the Illinois Power Agency Act, as required in subsection (h-3) of Section 9-220 of the Public Utilities Act, including calculating the range of capital costs, the range of operating and maintenance costs, or the sequestration costs or monitoring the construction of clean coal SNG brownfield facility for the full duration of construction.

(f) (Blank).

(g) (Blank).

(h) This Code does not apply to the process to procure or contracts entered into in accordance with Sections 11-5.2 and 11-5.3 of the Illinois Public Aid Code.

(i) Each chief procurement officer may access records necessary to review whether a contract, purchase, or other expenditure is or is not subject to the provisions of this Code, unless such records would be subject to attorney-client privilege.

(j) This Code does not apply to the process used by the Capital Development Board to retain an artist or work or works of art as required in Section 14 of the Capital Development Board Act.

(k) This Code does not apply to the process to procure contracts, or contracts entered into, by the State Board of Elections or the State Electoral Board for hearing officers appointed pursuant to the Election Code.

(l) This Code does not apply to the processes used by the Illinois Student Assistance Commission to procure supplies and services paid for from the private funds of the Illinois Prepaid Tuition Fund. As used in

this subsection (l), "private funds" means funds derived from deposits paid into the Illinois Prepaid Tuition Trust Fund and the earnings thereon.

(m) This Code shall apply regardless of the source of funds with which contracts are paid, including federal assistance moneys. Except as specifically provided in this Code, this Code shall not apply to procurement expenditures necessary for the Department of Public Health to conduct the Healthy Illinois Survey in accordance with Section 2310-431 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois.

(Source: P.A. 102-175, eff. 7-29-21; 102-483, eff. 1-1-22; 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662, eff. 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22; 102-1116, eff. 1-10-23; 103-8, eff. 6-7-23; 103-103, eff. 6-27-23; 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; revised 1-2-24.)

ARTICLE 30.

Section 30-5. The Reimagining Hotel Florence Act is amended by changing Sections 45-5, 45-10, 45-15, 45-20, 45-25, and 45-30 as follows:

(20 ILCS 3407/45-5)

Sec. 45-5. Legislative intent. Originally built in 1881, the Hotel Florence is located within the Pullman Historic District and was placed on the National Register of Historic Places in 1969 and was designated a National Historic Landmark on December 30, 1970. To save it from demolition the Historic Pullman Foundation purchased the hotel in 1975 and maintained ownership until 1991 when the State of Illinois took title of the building. The Hotel Florence is continually closed for renovations and is a semi-closed public space.

The hotel sits ~~within next to~~ the Pullman National Historic Landmark District, which was designated as a National Monument in 2015 and recently redesignated as Illinois' Illinois's first National Park on December 29, 2022 and is operated by the U.S. National Park Service. This redesignation allows for the National Park Service to enter into cooperative agreements with outside parties for interpretive and educational programs at nonfederal historic properties within the boundaries of the park and to provide assistance for the preservation of nonfederal land within the boundaries of the historical park and at sites in close proximity to it, which ~~includes may include~~ the Pullman State Historic Site (Hotel Florence, Hotel Florence Annex, Factory Grounds, Rear Erecting Shops, Front Erecting Shop North Factory Wing, Front Erecting Shop South Factory Wing Ruin, and the Historic 1911 "Advance" Railroad Passenger Car).

The General Assembly has allocated \$21,000,000 in capital infrastructure funds to aid in the restoration and capital improvements at the Pullman State Historic Site, including, but not limited to, renovation redevelopment of the Hotel Florence.

The General Assembly finds that allowing for the Department of Natural Resources to enter into a public-private partnership that will allow the Hotel Florence to become a fully reactivated space in a timely manner that is in the public benefit of the State and the local Pullman community.

(Source: P.A. 103-570, eff. 1-1-24.)

(20 ILCS 3407/45-10)

Sec. 45-10. Definitions. In this Act:

"Agreement" means a public-private agreement.

"Contractor" means a person that has been selected to enter or has entered into a public-private agreement with the Department on behalf of the State for the development, financing, construction, management, or operation of the Hotel Florence pursuant to this Act.

"Department" means the Department of Natural Resources.

"Hotel Florence" means real property in the City of Chicago located within the Pullman State Historic Site ~~District~~ that is owned by the Illinois Department of Natural Resources and was acquired in 1991, at the address of 11111 S. Forrestville Avenue, Chicago, Illinois, as well as the adjacent Hotel Florence Annex building located at 537 East 111th Street, Chicago, Illinois 60628 and any associated grounds connected to the Hotel Florence or Hotel Florence Annex ~~either property~~.

"Maintain" or "maintenance" includes ordinary maintenance, repair, rehabilitation, capital maintenance, maintenance replacement, and any other categories of maintenance that may be designated by the Department.

"Offeror" means a person that responds to a request for ~~solicitations proposals~~ under this Act.

"Operate" or "operation" means to do one or more of the following: maintain, improve, equip, modify, or otherwise operate.

[May 24, 2024]

"Person" means any individual, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, or any other legal entity, group, or combination thereof.

"Public-private agreement" means an agreement or contract between the Department on behalf of the State and all schedules, exhibits, and attachments thereto, entered into pursuant to a competitive request for solicitations proposals process governed by this Act, for the development, financing, construction, management, or operation of the Hotel Florence under this Act.

"Pullman Factory" means real property in the City of Chicago located within the Pullman State Historic Site that is owned by the Department of Natural Resources and was acquired in 1991, at the addresses 620 and 630 East 111th Street, Chicago, Illinois 60628. The Factory Grounds include the Front Erecting Shop North Factory Wing, Front Erecting Shop South Factory Wing (Ruin), Rear Erecting Shops, Proposed Train Car Display Building, Historic 1911 "Advance" Railroad Passenger Car, Rail Spur Connection, and associated grounds.

"Revenues" means all revenues, including, but not limited to, income, user fees, earnings, interest, lease payments, allocations, moneys from the federal government, the State, and units of local government, including, but not limited to, federal, State, and local appropriations, grants, loans, lines of credit, and credit guarantees; bond proceeds; equity investments; service payments; or other receipts arising out of or in connection with the financing, development, construction, management, or operation of the Hotel Florence.

"State" means the State of Illinois.

(Source: P.A. 103-570, eff. 1-1-24.)

(20 ILCS 3407/45-15)

Sec. 45-15. Authority to enter public-private agreement.

(a) Notwithstanding any provision of law to the contrary, the Department on behalf of the State may, pursuant to a competitive solicitation request for proposals process governed by ~~the Illinois Procurement Code, rules adopted under that Code, and~~ this Act, enter into a public-private agreement to develop, finance, construct, lease, manage, divest ownership in, and ~~or~~ operate the Hotel Florence and the Pullman Factory on behalf of the State, pursuant to which the contractors may receive certain revenues, including management or user fees in consideration of the payment of moneys to the State for that right. At the discretion of the Department, the Factory Grounds may be included in the public-private agreement.

(b) The term of a public-private agreement shall be no less than 25 years and no more than 75 years.

(c) The term of a public-private agreement may be extended, but only if the extension is specifically authorized by the General Assembly by law.

(Source: P.A. 103-570, eff. 1-1-24.)

(20 ILCS 3407/45-20)

Sec. 45-20. ~~Prequalification Procurement; prequalification.~~ The Department may establish a process for prequalification of offerors. The Department may enter into agreements with governmental entities and other outside entities to assist in drafting the solicitation and evaluation process as well as develop evaluation criteria for the prequalification of offerors. If the Department does create such a process, it shall:

(1) provide a public notice of the prequalification at least 30 days prior to the date on which applications are due;

(2) set forth requirements and evaluation criteria in order to become prequalified;

(3) determine which offerors that have submitted prequalification applications, if any, meet the requirements and evaluation criteria; and

(4) allow only those offerors that have been prequalified to respond to the request for solicitations proposals.

(Source: P.A. 103-570, eff. 1-1-24.)

(20 ILCS 3407/45-25)

Sec. 45-25. Request for solicitation proposals process to enter into public-private agreement.

(a) Notwithstanding any provision of law to the contrary, the Department on behalf of the State shall select a contractor through a competitive solicitation request for proposals process governed by ~~the Illinois Procurement Code and rules adopted under that Code and~~ this Act. The Department may enter into agreements with governmental entities and other outside entities to assist the Department in drafting, reviewing, and scoring the proposals.

(b) The competitive solicitation request for proposals process shall, at a minimum, solicit statements of qualification and proposals from offerors.

(c) The competitive request for solicitation proposals process shall, at a minimum, take into account the following criteria:

(1) the offeror's plans for the Hotel Florence project, including, but not limited to, building use, experience, environmental concerns, and a proposed preservation and rehabilitation plan compliant with the Illinois State Agency Historic Preservation Act;

(2) the offeror's current and past business practices;

(3) the offeror's poor or inadequate past performance in developing, financing, constructing, managing, or operating historic landmark properties or other public assets;

(4) the offeror's ability to meet and past performance in meeting or exhausting good faith efforts to meet the utilization goals for business enterprises established in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act;

(5) the offeror's ability to comply with and past performance in complying with Section 2-105 of the Illinois Human Rights Act; ~~and~~

(6) the offeror's plans to comply with the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and Section 2-105 of the Illinois Human Rights Act; and-

(7) the offeror's plans for the Pullman Factory.

(d) The Department shall not include terms in the request for solicitations ~~proposals~~ that provide an advantage, whether directly or indirectly, to any contractor presently providing goods, services, or equipment to the Department.

(e) The Department shall select one or more offerors as finalists.

(f) After the procedures required in this Section have been completed, the Department shall make a determination as to whether the offeror should be designated as the contractor for the Hotel Florence project and shall submit the decision to the Governor and to the Governor's Office of Management and Budget. After review of the Department's determination, the Governor may accept or reject the determination. If the Governor accepts the determination of the Department, the Governor shall designate the offeror for the Hotel Florence project.

(Source: P.A. 103-570, eff. 1-1-24.)

(20 ILCS 3407/45-30)

Sec. 45-30. Provisions of the public-private agreement. ~~(a)~~ The public-private agreement shall include all of the following:

(1) the term of the public-private agreement that is consistent with Section 45-40 of this Act;

(2) the powers, duties, responsibilities, obligations, and functions of the Department and the contractor;

(3) compensation or payments to the Department, if applicable;

(4) compensation or payments to the contractor, if applicable;

(5) a provision specifying that the Department:

(A) has ready access to information regarding the contractor's powers, duties, responsibilities, obligations, and functions under the public-private agreement;

(B) has the right to demand and receive information from the contractor concerning any aspect of the contractor's powers, duties, responsibilities, obligations, and functions under the public-private agreement; and

(C) has the authority to direct or countermand decisions by the contractor at any time;

(6) a provision imposing an affirmative duty on the contractor to provide the Department with any information the contractor reasonably believes the Department would want to know or would need to know to enable the Department to exercise its powers, carry out its duties, responsibilities, and obligations, and perform its functions under this Act or the public-private agreement or as otherwise required by law;

(6.5) a provision that this project will require using guidelines with The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings; the period of the original construction (Hotel Florence and grounds from 1880 through 1897; and Hotel Annex from 1914 through 1930) should be used to guide the project design and construction;

(7) the authority of the Department to enter into contracts with third parties pursuant to Section 45-40;

(8) the authority of the Department to request that the contractor reimburse the Department for third party consultants related to the monitoring the project;

(9) a provision governing the contractor's authority to negotiate and execute subcontracts with third parties;

- (10) the authority of the contractor to impose user fees and the amounts of those fees;
- (11) a provision governing the deposit and allocation of revenues including user fees;
- (12) a provision governing rights to real and personal property of the State, the Department, the contractor, and other third parties;
- (13) grounds for termination of the agreement by the Department or the contractor and a restatement of the Department's rights under this Act;
- (14) a requirement that the contractor enter into a project labor agreement;
- (15) a provision stating that construction contractors shall comply with the requirements of Section 30-22 of the Illinois Procurement Code;
- (16) rights and remedies of the Department if the contractor defaults or otherwise fails to comply with the terms of the agreement;
- (17) procedures for amendment to the agreement; ~~and~~
- (18) all other terms, conditions, and provisions acceptable to the Department that the Department deems necessary and proper and in the public interest; and -
- (19) a requirement that the contract complies with the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and Section 2-105 of the Illinois Human Rights Act.

(Source: P.A. 103-570, eff. 1-1-24.)

(20 ILCS 3407/45-35 rep.)

Section 30-10. The Reimagining Hotel Florence Act is amended by repealing Section 45-35.

ARTICLE 35.

Section 35-5. The Illinois Procurement Code is amended by changing Section 45-105 as follows:

(30 ILCS 500/45-105)

Sec. 45-105. Bid preference for Illinois businesses.

(a) (Blank).

(b) It is hereby declared to be the public policy of the State of Illinois to promote the economy of Illinois through the use of Illinois businesses for all State construction contracts.

(c) Construction agencies procuring construction and construction-related professional services shall make reasonable efforts to contract with Illinois businesses.

(d) Beginning in 2022, each construction agency shall submit a report to the Governor and the General Assembly by September 1 of each year that identifies the Illinois businesses procured by the construction agency, the primary location of the construction project, the percentage of the construction agency's utilization of Illinois businesses on the project as a whole, and the actions that the construction agency has undertaken to increase the use of Illinois businesses.

(e) In procuring construction and construction-related professional services for projects with a total value that exceeds the small purchase maximum established by Section 20-20 of this Code, construction agencies shall provide a bid preference to a responsive and responsible bidder that is an Illinois business as defined in this Section. The construction agency shall allocate to the lowest bid by an Illinois business that is responsible and responsive a bid preference of 4% of the contract base bid. This subsection applies only to projects where a business that is not an Illinois business submits a bid.

(e-5) The chief procurement officer shall require at the time of submission of a bid, and may require at the chief procurement officer's option at any time during the term of the contract, that the bidder or contractor submit an affidavit and other supporting documents demonstrating that the bidder or contractor is an Illinois business and, if applicable, submit an affidavit and other supporting documents demonstrating that the bidder or contractor is eligible for a 4% bid preference under this Section.

(e-10) If a contractor who is awarded a contract through the use of a preference for Illinois businesses provided false information in order to obtain that preference, then the contractor is subject to disciplinary procedures as identified in Section 50-65 of this Act.

(f) This Section does not apply to any contract for any project for which federal funds are available for expenditure when its provisions may be in conflict with federal law or federal regulation.

(g) As used in this Section, "Illinois business" means a contractor that is, for at least one year prior, operating and headquartered in Illinois, subject to applicable State taxes, and providing, at the time that an invitation for a bid or notice of contract opportunity is first advertised, construction or construction-related professional services. "Illinois business" includes a foreign corporation duly authorized to transact business

in this State that has a bona fide establishment for transacting business within this State where it is operating, headquartered, and performing construction or construction-related professional services at least one year before an invitation for a bid or notice of contract opportunity is first advertised, and is operating as:

- ~~(1) a sole proprietor whose primary residence is in Illinois;~~
- ~~(2) a business incorporated or organized as a domestic corporation under the Business Corporation Act of 1983;~~
- ~~(3) a business organized as a domestic partnership under the Uniform Partnership Act of 1997;~~
- ~~(4) a business organized as a domestic limited partnership under the Uniform Limited Partnership Act of 2001;~~
- ~~(5) a business organized under the Limited Liability Company Act; or~~
- ~~(6) a business organized under the Professional Limited Liability Company Act.~~

"Illinois business" does not include any subcontractors or businesses headquartered outside of the State that have an affiliated entity operating in the State.

(Source: P.A. 102-721, eff. 1-1-23; 103-570, eff. 1-1-24.)

ARTICLE 45.

Section 45-5. The Illinois Procurement Code is amended by changing Section 50-10.5 as follows:
(30 ILCS 500/50-10.5)

Sec. 50-10.5. Prohibited bidders, offerors, potential contractors, and contractors.

(a) Unless otherwise provided, no business shall bid, offer, enter into a contract or subcontract under this Code, or make a submission to a vendor portal if the business or any officer, director, partner, or other managerial agent of the business has been convicted of a felony under the Sarbanes-Oxley Act of 2002 or a Class 3 or Class 2 felony under the Illinois Securities Law of 1953 for a period of 5 years from the date of conviction.

(b) Every bid and offer submitted to the State, every contract executed by the State, every vendor's submission to a vendor portal, and every subcontract subject to Section 20-120 of this Code shall contain a certification by the bidder, offeror, potential contractor, contractor, or subcontractor, respectively, that the bidder, offeror, potential contractor, contractor, or subcontractor is not barred from being awarded a contract or subcontract under this Section and acknowledges that the chief procurement officer shall declare the related contract void if any of the certifications completed pursuant to this subsection (b) are false. If the false certification is made by a subcontractor, then the contractor's submitted bid or offer and the executed contract may not be declared void, unless the contractor refuses to terminate the subcontract upon the State's request after a finding that the subcontract's certification was false.

(c) If a business is not a natural person, the prohibition in subsection (a) applies only if:

(1) the business itself is convicted of a felony referenced in subsection (a); or

(2) the business is ordered to pay punitive damages based on the conduct of any officer, director, partner, or other managerial agent who has been convicted of a felony referenced in subsection (a).

(d) A natural person who is convicted of a felony referenced in subsection (a) remains subject to Section 50-10.

(e) No person or business shall bid, offer, make a submission to a vendor portal, or enter into a contract under this Code if the person or business assisted an employee of the State of Illinois, who, by the nature of his or her duties, has the authority to participate personally and substantially in the decision to award a State contract, by reviewing, drafting, directing, or preparing any invitation for bids, a request for proposal, or request for information or provided similar assistance except as part of a publicly issued opportunity to review drafts of all or part of these documents.

This subsection does not prohibit a person or business from submitting a bid or offer or entering into a contract if the person or business: (i) initiates a communication with an employee to provide general information about products, services, or industry best practices, (ii) responds to a communication initiated by an employee of the State for the purposes of providing information to evaluate new products, trends, services, or technologies, or (iii) asks for clarification regarding a solicitation, so long as there is no competitive advantage to the person or business and the question and answer, if material, are posted to the Illinois Procurement Bulletin as an addendum to the solicitation.

Nothing in this Section prohibits a vendor developing technology, goods, or services from bidding or offering to supply that technology or those goods or services if the subject demonstrated to the State represents industry trends and innovation and is not specifically designed to meet the State's needs.

Nothing in this Section prohibits a person performing construction-related services from initiating contact with a business that performs construction for the purpose of obtaining market costs or production time to determine the estimated costs to complete the construction project.

For purposes of this subsection (e), "business" includes all individuals with whom a business is affiliated, including, but not limited to, any officer, agent, employee, consultant, independent contractor, director, partner, or manager of a business.

No person or business shall submit specifications to a State agency unless requested to do so by an employee of the State. No person or business who contracts with a State agency to write specifications for a particular procurement need shall submit a bid or proposal or receive a contract for that procurement need.

Nothing in this subsection (e) shall prohibit a person or business from submitting an unsolicited proposal under Section 19 of the Public-Private Partnerships for Transportation Act.
(Source: P.A. 100-43, eff. 8-9-17.)

ARTICLE 50.

Section 50-5. The Business Enterprise for Minorities, Women, and Persons with Disabilities Act is amended by changing Sections 2, 5, and 8 and by adding Section 3.5 as follows:

(30 ILCS 575/2)

(Section scheduled to be repealed on June 30, 2029)

Sec. 2. Definitions.

(A) For the purpose of this Act, the following terms shall have the following definitions:

(1) "Minority person" shall mean a person who is a citizen or lawful permanent resident of the United States and who is any of the following:

(a) American Indian or Alaska Native (a person having origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment).

(b) Asian (a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam).

(c) Black or African American (a person having origins in any of the black racial groups of Africa).

(d) Hispanic or Latino (a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race).

(e) Native Hawaiian or Other Pacific Islander (a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands).

(2) "Woman" shall mean a person who is a citizen or lawful permanent resident of the United States and who is of the female gender.

(2.05) "Person with a disability" means a person who is a citizen or lawful resident of the United States and is a person qualifying as a person with a disability under subdivision (2.1) of this subsection (A).

(2.1) "Person with a disability" means a person with a severe physical or mental disability that:

- (a) results from:
 - amputation,
 - arthritis,
 - autism,
 - blindness,
 - burn injury,
 - cancer,
 - cerebral palsy,
 - Crohn's disease,
 - cystic fibrosis,
 - deafness,
 - head injury,

heart disease,
hemiplegia,
hemophilia,
respiratory or pulmonary dysfunction,
an intellectual disability,
mental illness,
multiple sclerosis,
muscular dystrophy,
musculoskeletal disorders,
neurological disorders, including stroke and epilepsy,
paraplegia,
quadriplegia and other spinal cord conditions,
sickle cell anemia,
ulcerative colitis,
specific learning disabilities, or
end stage renal failure disease; and
(b) substantially limits one or more of the person's major life activities.

Another disability or combination of disabilities may also be considered as a severe disability for the purposes of item (a) of this subdivision (2.1) if it is determined by an evaluation of rehabilitation potential to cause a comparable degree of substantial functional limitation similar to the specific list of disabilities listed in item (a) of this subdivision (2.1).

(3) "Minority-owned business" means a business which is at least 51% owned by one or more minority persons, or in the case of a corporation, at least 51% of the stock in which is owned by one or more minority persons; and the management and daily business operations of which are controlled by one or more of the minority individuals who own it.

(4) "Women-owned business" means a business which is at least 51% owned by one or more women, or, in the case of a corporation, at least 51% of the stock in which is owned by one or more women; and the management and daily business operations of which are controlled by one or more of the women who own it.

(4.1) "Business owned by a person with a disability" means a business that is at least 51% owned by one or more persons with a disability and the management and daily business operations of which are controlled by one or more of the persons with disabilities who own it. A not-for-profit agency for persons with disabilities that is exempt from taxation under Section 501 of the Internal Revenue Code of 1986 is also considered a "business owned by a person with a disability".

(4.2) "Council" means the Business Enterprise Council for Minorities, Women, and Persons with Disabilities created under Section 5 of this Act.

(4.3) "Commission" means, unless the context clearly indicates otherwise, the Commission on Equity and Inclusion created under the Commission on Equity and Inclusion Act.

(4.4) "Certified vendor" means a minority-owned business, women-owned business, or business owned by a person with a disability that is certified by the Business Enterprise Program.

(4.5) "Subcontractor" means a person or entity that enters into a contractual agreement with a prime vendor to provide, on behalf of the prime vendor, goods, services, real property, or remuneration or other monetary consideration that is the subject of the primary State contract. "Subcontractor" includes a sublessee under a State contract.

(4.6) "Prime vendor" means any person or entity having a contract that is subject to this Act with a State agency or public institution of higher education.

(5) "State contracts" means all contracts entered into by the State, any agency or department thereof, or any public institution of higher education, including community college districts, regardless of the source of the funds with which the contracts are paid, which are not subject to federal reimbursement. "State contracts" does not include contracts awarded by a retirement system, pension fund, or investment board subject to Section 1-109.1 of the Illinois Pension Code. This definition shall control over any existing definition under this Act or applicable administrative rule.

"State construction contracts" means all State contracts entered into by a State agency or public institution of higher education for the repair, remodeling, renovation or construction of a building or structure, or for the construction or maintenance of a highway defined in Article 2 of the Illinois Highway Code.

(6) "State agencies" shall mean all departments, officers, boards, commissions, institutions and bodies politic and corporate of the State, but does not include the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, municipalities or other local governmental units, or other State constitutional officers.

(7) "Public institutions of higher education" means the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the public community colleges of the State, and any other public universities, colleges, and community colleges now or hereafter established or authorized by the General Assembly.

(8) "Certification" means a determination made by the Council or by one delegated authority from the Council to make certifications, or by a State agency with statutory authority to make such a certification, that a business entity is a business owned by a minority, woman, or person with a disability for whatever purpose. A business owned and controlled by women shall be certified as a "woman-owned business". A business owned and controlled by women who are also minorities shall be certified as both a "women-owned business" and a "minority-owned business".

(9) "Control" means the exclusive or ultimate and sole control of the business including, but not limited to, capital investment and all other financial matters, property, acquisitions, contract negotiations, legal matters, officer-director-employee selection and comprehensive hiring, operating responsibilities, cost-control matters, income and dividend matters, financial transactions and rights of other shareholders or joint partners. Control shall be real, substantial and continuing, not pro forma. Control shall include the power to direct or cause the direction of the management and policies of the business and to make the day-to-day as well as major decisions in matters of policy, management and operations. Control shall be exemplified by possessing the requisite knowledge and expertise to run the particular business and control shall not include simple majority or absentee ownership.

(10) "Business" means a business that has annual gross sales of less than \$150,000,000 as evidenced by the federal income tax return of the business. A certified vendor with gross sales in excess of this cap may apply to the Council for certification for a particular contract if the vendor can demonstrate that the contract would have significant impact on businesses owned by minorities, women, or persons with disabilities as suppliers or subcontractors or in employment of minorities, women, or persons with disabilities. Firms with gross sales in excess of this cap that are granted certification by the Council shall be granted certification for the life of the contract, including available renewals.

(11) "Utilization plan" means an attachment that is made to all bids or proposals and that demonstrates the bidder's or offeror's efforts to meet the contract-specific Business Enterprise Program goal. The utilization plan shall indicate whether the prime vendor intends to meet the Business Enterprise Program goal through its own performance, if it is a certified vendor, or through the use of subcontractors that are certified vendors. The utilization plan shall demonstrate that the Vendor has either: (1) met the entire contract goal or (2) requested a full or partial waiver of the contract goal. If the prime vendor intends to use a subcontractor that is a certified vendor to fulfill the contract goal, a participation agreement executed between the prime vendor and the certified subcontractor must be included with the utilization plan.

(12) "Business Enterprise Program" means the Business Enterprise Program of the Commission on Equity and Inclusion.

(13) "Good faith effort" means actions undertaken by a vendor to achieve a contract specific Business Enterprise Program goal that, by scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program's requirements.

(14) "Goal" means the participation levels of certified vendors on State contracts.

(B) When a business is owned at least 51% by any combination of minority persons, women, or persons with disabilities, even though none of the 3 classes alone holds at least a 51% interest, the ownership requirement for purposes of this Act is considered to be met. The certification category for the business is that of the class holding the largest ownership interest in the business. If 2 or more classes have equal ownership interests, the certification category shall be determined by the business.

(Source: P.A. 102-29, eff. 6-25-21; 102-1119, eff. 1-23-23; 103-570, eff. 1-1-24.)

(30 ILCS 575/3.5 new)

Sec. 3.5. Uniform standard of contract goals.

(a) The Business Enterprise Program may establish uniform standards for calculating contract specific Business Enterprise Program goals for all State contracts and State construction contracts subject to this Act. In establishing those standards, the Business Enterprise Program may consider normal industry practice, the scope of the work to be performed under a contract, the availability of vendors that are able to perform the scope of the work to be performed under a contract, the availability of certified vendors that are able to perform the work to be performed under a contract, and the State's progress to date toward meeting the aspirational goals set forth in this Act.

(b) Each State agency that is subject to this Act and each public institution of higher education that is subject to this Act may, in accordance with the provisions of this Act, set goals concerning participation in State contracts, including State construction contracts, to which the State agency or public institution of higher education is party. Goals involving State contracts above the small purchase threshold, as defined in Section 20-20 of the Illinois Procurement Code, may be submitted to the Business Enterprise Program for approval, denial, or modification.

(c) As used in this Section, the terms "State contract" and "State construction contract" do not include grants from State agencies to grantees for capital improvements or operational expenses.

(30 ILCS 575/5) (from Ch. 127, par. 132.605)

(Section scheduled to be repealed on June 30, 2029)

Sec. 5. Business Enterprise Council.

(1) To help implement, monitor, and enforce the goals of this Act, there is created the Business Enterprise Council for Minorities, Women, and Persons with Disabilities, hereinafter referred to as the Council, composed of the Chairperson of the Commission on Equity and Inclusion, the Secretary of Human Services and the Directors of the Department of Human Rights, the Department of Commerce and Economic Opportunity, the Department of Central Management Services, the Department of Transportation and the Capital Development Board, or their duly appointed representatives, with the Comptroller, or his or her designee, serving as an advisory member of the Council. Ten individuals representing businesses that are minority-owned, women-owned, or owned by persons with disabilities, 2 individuals representing the business community, and a representative of public institutions of higher education shall be appointed by the Governor. These members shall serve 2-year terms and shall be eligible for reappointment. Any vacancy occurring on the Council shall also be filled by the Governor. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term. Members of the Council shall serve without compensation but shall be reimbursed for any ordinary and necessary expenses incurred in the performance of their duties.

The Chairperson of the Commission shall serve as the Council chairperson and shall select, subject to approval of the Council, a Secretary responsible for the operation of the program who shall serve as the Division Manager of the Business Enterprise for Minorities, Women, and Persons with Disabilities Division of the Commission on Equity and Inclusion.

The Director of each State agency and the chief executive officer of each public institution of higher education shall appoint a liaison to the Council. The liaison shall be responsible for submitting to the Council any reports and documents necessary under this Act.

(2) The Council's authority and responsibility shall be to:

(a) Devise a certification procedure to assure that businesses taking advantage of this Act are legitimately classified as businesses owned by minorities, women, or persons with disabilities and a registration procedure to recognize, without additional evidence of Business Enterprise Program eligibility, the certification of businesses owned by minorities, women, or persons with disabilities certified by the City of Chicago, Cook County, or other jurisdictional programs with requirements and procedures equaling or exceeding those in this Act.

(b) Maintain a list of all businesses legitimately classified as businesses owned by minorities, women, or persons with disabilities to provide to State agencies and public institutions of higher education.

(c) Review rules and regulations for the implementation of the program for businesses owned by minorities, women, and persons with disabilities.

(d) Review compliance plans submitted by each State agency and public institution of higher education pursuant to this Act.

(e) Make annual reports as provided in Section 8f to the Governor and the General Assembly on the status of the program.

(f) Serve as a central clearinghouse for information on State contracts, including the maintenance of a list of all pending State contracts upon which businesses owned by minorities, women, and persons with disabilities may bid. At the Council's discretion, maintenance of the list may include 24-hour electronic access to the list along with the bid and application information.

(g) Establish a toll-free telephone number to facilitate information requests concerning the certification process and pending contracts.

(h) Adopt a procedure to grant automatic certification to businesses holding a certification from at least one of the following entities: (i) the Illinois Unified Certification Program; (ii) the Women's Business Development Center in Chicago; (iii) the Chicago Minority Supplier Development Council; or (iv) any other similar entity offering such certification to businesses.

(i) Develop and maintain a repository for non-certified vendors that: (i) have applied for certification and have been denied; (ii) have started, but not completed, the certification process; (iii) have achieved certification, but did not seek renewal; or (iv) are known businesses owned by minorities, women, or persons with disabilities.

(3) No premium bond rate of a surety company for a bond required of a business owned by a minority, woman, or person with a disability bidding for a State contract shall be higher than the lowest rate charged by that surety company for a similar bond in the same classification of work that would be written for a business not owned by a minority, woman, or person with a disability.

(4) Any Council member who has direct financial or personal interest in any measure pending before the Council shall disclose this fact to the Council and refrain from participating in the determination upon such measure.

(5) The Secretary shall have the following duties and responsibilities:

(a) To be responsible for the day-to-day operation of the Council.

(b) To serve as a coordinator for all of the State's programs for businesses owned by minorities, women, and persons with disabilities and as the information and referral center for all State initiatives for businesses owned by minorities, women, and persons with disabilities.

(c) To establish an enforcement procedure whereby the Council may recommend to the appropriate State legal officer that the State exercise its legal remedies which shall include (1) termination of the contract involved, (2) prohibition of participation by the respondent in ~~State public~~ contracts for a period not to exceed 3 years, (3) imposition of a penalty not to exceed any profit acquired as a result of violation, or (4) any combination thereof. Such procedures shall require prior approval by Council. All funds collected as penalties under this subsection shall be used exclusively for maintenance and further development of the Business Enterprise Program and encouragement of participation in State procurement by minorities, women, and persons with disabilities.

(d) To devise appropriate policies, regulations, and procedures for including participation by businesses owned by minorities, women, and persons with disabilities as prime contractors, including, but not limited to: (i) encouraging the inclusions of qualified businesses owned by minorities, women, and persons with disabilities on solicitation lists, (ii) investigating the potential of blanket bonding programs for small construction jobs, and (iii) investigating and making recommendations concerning the use of the sheltered market process.

(e) To devise procedures for the waiver of the participation goals in appropriate circumstances.

(f) To accept donations and, with the approval of the Council or the Chairperson of the Commission on Equity and Inclusion, grants related to the purposes of this Act; to conduct seminars related to the purpose of this Act and to charge reasonable registration fees; and to sell directories, vendor lists, and other such information to interested parties, except that forms necessary to become eligible for the program shall be provided free of charge to a business or individual applying for the Business Enterprise Program.

(Source: P.A. 101-601, eff. 1-1-20; 101-657, eff. 1-1-22; 102-29, eff. 6-25-21; 102-558, eff. 8-20-21; 102-721, eff. 1-1-23.)

(30 ILCS 575/8) (from Ch. 127, par. 132.608)

(Section scheduled to be repealed on June 30, 2029)

Sec. 8. Enforcement.

(1) The Commission on Equity and Inclusion shall make such findings, recommendations and proposals to the Governor as are necessary and appropriate to enforce this Act. If, as a result of its

monitoring activities, the Commission determines that its goals and policies are not being met by any State agency or public institution of higher education, the Commission may recommend any or all of the following actions:

(a) Establish enforcement procedures whereby the Commission may recommend to the appropriate State agency, public institutions of higher education, or law enforcement officer that legal or administrative remedies be initiated for violations of contract provisions or rules issued hereunder or by a contracting State agency or public institutions of higher education. State agencies and public institutions of higher education shall be authorized to adopt remedies for such violations which shall include (1) termination of the contract involved, (2) prohibition of participation of the respondents in public contracts for a period not to exceed one year, (3) imposition of a penalty not to exceed any profit acquired as a result of violation, or (4) any combination thereof.

(b) If the Commission concludes that a compliance plan submitted under Section 6 is unlikely to produce the participation goals for businesses owned by minorities, women, and persons with disabilities within the then current fiscal year, the Commission may recommend that the State agency or public institution of higher education revise its plan to provide additional opportunities for participation by businesses owned by minorities, women, and persons with disabilities. Such recommended revisions may include, but shall not be limited to, the following:

(i) assurances of stronger and better focused solicitation efforts to obtain more businesses owned by minorities, women, and persons with disabilities as potential sources of supply;

(ii) division of the scope of work ~~job or project requirements~~, when economically feasible, into tasks or quantities to permit participation of businesses owned by minorities, women, and persons with disabilities;

(iii) elimination of extended experience or capitalization requirements, when programmatically feasible, to permit participation of businesses owned by minorities, women, and persons with disabilities;

(iv) identification of specific proposed contracts as particularly attractive or appropriate for participation by businesses owned by minorities, women, and persons with disabilities, such identification to result from and be coupled with the efforts of subparagraphs (i) through (iii);

(v) implementation of those regulations established for the use of the sheltered market process.

(2) State agencies and public institutions of higher education shall monitor a vendor's compliance with its utilization plan and the terms of its contract. Without limitation, a vendor's failure to comply with its contractual commitments as contained in the utilization plan; failure to cooperate in providing information regarding its compliance with its utilization plan; or the provision of false or misleading information or statements concerning compliance, certification status, or eligibility of the Business Enterprise Program-certified vendor, good faith efforts, or any other material fact or representation shall constitute a material breach of the contract and entitle the State agency or public institution of higher education to declare a default, terminate the contract, or exercise those remedies provided for in the contract, at law, or in equity.

(3) Prior to the expiration or termination of a contract, State agencies and public institutions of higher education shall evaluate the contractor's fulfillment of the contract goals for participation by certified businesses owned by minorities, women, and persons with disabilities. The agency or public institution of higher education shall prepare a report of the vendor's compliance with the contract goals and file it with the Secretary. If the Secretary determines that the vendor did not fulfill the contract goals, the vendor shall be in breach of the contract and may be subject to remedies or sanctions, unless the vendor can show that it made good faith efforts to meet the contract goals. Such remedies or sanctions for failing to make good faith efforts may include (i) disqualification of the contractor from doing business with the State for a period of no more than one year or (ii) cancellation, without any penalty to the State, of any contract entered into by the vendor. The Business Enterprise Program shall develop procedures for determining whether a vendor has made good faith efforts to meet the contract goals upon the expiration or termination of a contract. (Source: P.A. 101-657, eff. 1-1-22; 102-29, eff. 6-25-21.)

ARTICLE 55.

Section 55-5. The Public Contract Fraud Act is amended by changing Section 2 as follows:
(30 ILCS 545/2) (from Ch. 127, par. 132.52)

[May 24, 2024]

Sec. 2. Spending money without obtaining title to land; approval of title by Attorney General.

(a) Except as otherwise provided in Section 2 of the Superconducting Super Collider Act or for projects constructed under the Bikeway Act, any person or persons, commissioner or commissioners, or other officer or officers, entrusted with the construction or repair of any public work or improvement, as set forth in Section 1, who shall expend or cause to be expended upon such public work or improvement, the whole or any part of the moneys appropriated therefor, or who shall commence work, or in any way authorize work to be commenced, thereon, without first having obtained a title, by purchase, donation, condemnation or otherwise, to all lands needed for such public work or improvement, running to the People of the State of Illinois; such title to be approved by the Attorney General, and his approval certified by the Secretary of State and placed on record in his office, shall be deemed guilty of a Class A misdemeanor.

(b) Approval of title by the Attorney General for all lands needed for a public work or improvement shall not be required as established under subsection (a) of this Section and the State Comptroller may draw warrant in payment of consideration for all such lands without requiring approval of title by the Attorney General if consideration to be paid does not exceed \$25,000 ~~\$10,000~~ and the title acquired for such lands is for:

- (1) a fee simple title or easement acquired by the State for highway right-of-way; or
- (2) an acquisition of rights or easements of access, crossing, light, air or view to, from or over a freeway vested in abutting property; or
- (3) a fee simple title or easement used to place utility lines and connect a permanent public work or improvement owned by the State to main utility lines; or
- (4) for the purpose of flood relief or other water resource projects.

(c) This Section does not apply to any otherwise lawful expenditures for the construction, completion, remodeling, maintenance and equipment of buildings and other facilities made in connection with and upon premises owned by the Illinois Building Authority, nor shall this Section apply to improvements to real estate leased by any State agency as defined in the Illinois State Auditing Act, provided the leasehold improvements were contracted for by an agency with leasing authority and in compliance with the rules and regulations promulgated by such agency for that purpose.

(Source: P.A. 88-676, eff. 12-14-94; 89-78, eff. 6-30-95.)

ARTICLE 60.

Section 60-5. The Metropolitan Water Reclamation District Act is amended by changing Sections 11.3 and 11.5 as follows:

(70 ILCS 2605/11.3) (from Ch. 42, par. 331.3)

Sec. 11.3. Except as provided in Sections 11.4 and 11.5, all purchase orders or contracts involving amounts in excess of the mandatory competitive bid threshold and made by or on behalf of the sanitary district for labor, services or work, the purchase, lease or sale of personal property, materials, equipment or supplies, or the granting of any concession, shall be let by free and open competitive bidding after advertisement, to the lowest responsible bidder or to the highest responsible bidder, as the case may be, depending upon whether the sanitary district is to expend or receive money.

All such purchase orders or contracts which shall involve amounts that will not exceed the mandatory competitive bid threshold, shall also be let in the manner prescribed above whenever practicable, except that after solicitation of bids, such purchase orders or contracts may be let in the open market, in a manner calculated to insure the best interests of the public. The provisions of this section are subject to any contrary provisions contained in "An Act concerning the use of Illinois mined coal in certain plants and institutions", filed July 13, 1937, as heretofore and hereafter amended. For purposes of this Section, the "mandatory competitive bid threshold" is a dollar amount equal to 0.1% of the total general fixed assets of the district as reported in the most recent required audit report. In no event, however, shall the mandatory competitive bid threshold dollar amount be less than \$60,000 ~~\$10,000 or more than \$40,000~~.

If a unit of local government performs non-emergency construction, alteration, repair, improvement, or maintenance work on the public way, the sanitary district may enter into an intergovernmental agreement with the unit of local government allowing similar construction work to be performed by the sanitary district on the same project, in an amount no greater than \$100,000, to save taxpayer funds and eliminate duplication of government effort. The sanitary district and the other unit of local government shall, before work is performed by either unit of local government on a project, adopt a resolution by a majority vote of both governing bodies certifying work will occur at a specific location, the reasons why both units of local

government require work to be performed in the same location, and the projected cost savings if work is performed by both units of local government on the same project. Officials or employees of the sanitary district may, if authorized by resolution, purchase in the open market any supplies, materials, equipment, or services for use within the project in an amount no greater than \$100,000 without advertisement or without filing a requisition or estimate. A full written account of each project performed by the sanitary district and a requisition for the materials, supplies, equipment, and services used by the sanitary district required to complete the project must be submitted by the officials or employees authorized to make purchases to the board of trustees of the sanitary district no later than 30 days after purchase. The full written account must be available for public inspection for at least one year after expenditures are made.

Notwithstanding the provisions of this Section, the sanitary district is expressly authorized to establish such procedures as it deems appropriate to comply with state or federal regulations as to affirmative action and the utilization of small and minority businesses in construction and procurement contracts. (Source: P.A. 100-882, eff. 8-14-18.)

(70 ILCS 2605/11.5) (from Ch. 42, par. 331.5)

Sec. 11.5. In the event of an emergency affecting the public health or safety, so declared by action of the board of trustees, which declaration shall describe the nature of the injurious effect upon the public health or safety, contracts may be let to the extent necessary to resolve such emergency without public advertisement. The declaration shall fix the date upon which such emergency shall terminate. The date may be extended or abridged by the board of trustees as in its judgment the circumstances require.

The executive director appointed in accordance with Section 4 of this Act shall authorize in writing and certify to the director of procurement and materials management those officials or employees of the several departments of the sanitary district who may purchase in the open market without filing a requisition or estimate therefor, and without advertisement, any supplies, materials, equipment or services, for immediate delivery to meet bona fide operating emergencies where the amount thereof is not in excess of \$100,000 ~~\$50,000~~; provided, that the director of procurement and materials management shall be notified of such emergency. A full written account of any such emergency together with a requisition for the materials, supplies, equipment or services required therefor shall be submitted immediately by the requisitioning agent to the executive director and such report and requisition shall be submitted to the director of procurement and materials management and shall be open to public inspection for a period of at least one year subsequent to the date of such emergency purchase. The exercise of authority in respect to purchases for such bona fide operating emergencies shall not be dependent upon a declaration of emergency by the board of trustees under the first paragraph of this Section.

(Source: P.A. 95-923, eff. 1-1-09; 96-165, eff. 8-10-09.)

ARTICLE 65.

Section 65-5. The Illinois Procurement Code is amended by changing Section 45-105 as follows:
(30 ILCS 500/45-105)

Sec. 45-105. Bid preference for Illinois businesses.

(a) (Blank).

(b) It is hereby declared to be the public policy of the State of Illinois to promote the economy of Illinois through the use of Illinois businesses for all State construction contracts.

(c) A construction agency, as defined in Section 1-15.25, Construction agencies ~~Construction agencies~~ procuring construction ~~and construction-related professional~~ services shall make reasonable efforts to contract with Illinois businesses.

(d) Each Beginning in 2022, each ~~Beginning in 2022, each~~ construction agency shall submit a report to the Governor and the General Assembly by December ~~September~~ 1 of each year that identifies the Illinois businesses procured by the construction agency, the primary location of the construction project, the percentage of the construction agency's utilization of Illinois businesses on the project as a whole, and the actions that the construction agency has undertaken to increase the use of Illinois businesses.

(e) In procuring construction ~~and construction-related professional~~ services for projects with a total value that exceeds the small purchase maximum established by Section 20-20 of this Code, construction agencies shall provide a bid preference to a responsive and responsible bidder that is an Illinois business as defined in this Section. The construction agency shall allocate to the lowest bid by an Illinois business that is responsible and responsive a bid preference of 4% of the contract base bid. This subsection applies only to projects where a business that is not an Illinois business submits a bid.

(f) This Section does not apply to any contract for any project for which federal funds are available for expenditure when its provisions may be in conflict with federal law or federal regulation.

(g) As used in this Section, "Illinois business" means a contractor that is operating and headquartered in Illinois and providing, at the time that an invitation for a bid or notice of contract opportunity is first advertised, construction or ~~construction-related professional~~ services, and is operating as:

- (1) a sole proprietor whose primary residence is in Illinois;
- (2) a business incorporated or organized as a domestic corporation under the Business Corporation Act of 1983;
- (3) a business organized as a domestic partnership under the Uniform Partnership Act of 1997;
- (4) a business organized as a domestic limited partnership under the Uniform Limited Partnership Act of 2001;
- (5) a business organized under the Limited Liability Company Act; or
- (6) a business organized under the Professional Limited Liability Company Act.

"Illinois business" does not include any subcontractors.

(Source: P.A. 102-721, eff. 1-1-23; 103-570, eff. 1-1-24.)

ARTICLE 70.

Section 70-5. The Governmental Joint Purchasing Act is amended by changing Section 4 as follows:
(30 ILCS 525/4) (from Ch. 85, par. 1604)

Sec. 4. Bids, offers, and small purchases. The purchases of all personal property, supplies and services under this Act, except for small purchases, shall be based on competitive solicitations unless, for purchases made pursuant to subsection (a) of Section 2 of this Act, it is the determination of the applicable chief procurement officer that it is impractical to obtain competition. Purchases pursuant to this Section shall follow the same procedures used for competitive solicitations made pursuant to the Illinois Procurement Code when the State is a party to the joint purchase. For purchases made pursuant to subsection (a) of Section 2 of this Act where the applicable chief procurement officer makes the determination that it is impractical to obtain competition, purchases shall either follow the same procedure used for sole source procurements in Section 20-25 of the Illinois Procurement Code or the same procedure used for emergency purchases in Section 20-30 of the Illinois Procurement Code. For purchases pursuant to subsection (a) of Section 2, bids and offers shall be solicited by public notice inserted at least once in a newspaper of general circulation in one of the counties where the materials are to be used and at least 5 calendar days before the final date of submitting bids or offers, except as otherwise provided in this Section. Where the State of Illinois is a party to the joint purchase agreement, public notice soliciting the bids or offers shall be published in the appropriate volume of the Illinois Procurement Bulletin. Such notice shall include a general description of the supplies or services to be purchased and shall state where specifications may be obtained and the time and place for the opening of bids and offers. The governmental unit conducting the competitive procurement process may also solicit sealed bids or offers by sending requests by mail to potential contractors and by posting notices on a public bulletin board in its office. Small purchases pursuant to this Section shall follow the same procedure used for small purchases in Section 20-20 of the Illinois Procurement Code.

All purchases, orders or contracts shall be awarded to the lowest responsible bidder or highest-ranked offeror, as ranked by the cooperative purchasing program, or, if not ranked by the cooperative purchasing program then by the purchasing governmental unit, when the purchasing governmental unit determines that the selected contract best meets the governmental unit's needs, taking into consideration the qualities of the articles or services supplied, their conformity with the specifications, their suitability to the requirements of the participating governmental units and the delivery terms. A governmental unit may purchase a supply or service that is available on contracts from multiple contractors if the governmental unit determines that the selected contract best meets the governmental unit's needs.

Where the State of Illinois is not a party, all bids or offers may be rejected and new bids or offers solicited if one or more of the participating governmental units believes the public interest may be served thereby. Each bid or offer, with the name of the bidder or offeror, shall be entered on a record, which record with the successful bid or offer, indicated thereon shall, after the award of the purchase or order or contract, be open to public inspection. A copy of all contracts shall be filed with the purchasing office or clerk or secretary of each participating governmental unit.

(Source: P.A. 100-43, eff. 8-9-17.)

ARTICLE 75.

Section 75-5. The Commission on Equity and Inclusion Act is amended by changing Section 40-10 as follows:

(30 ILCS 574/40-10)

Sec. 40-10. Powers and duties. In addition to the other powers and duties which may be prescribed in this Act or elsewhere, the Commission shall have the following powers and duties:

(1) The Commission shall have a role in all State and university procurement by facilitating and streamlining communications between the Business Enterprise Council for Minorities, Women, and Persons with Disabilities, the purchasing entities, the Chief Procurement Officers, and others.

(2) The Commission may create a scoring evaluation for State agency directors, public university presidents and chancellors, and public community college presidents. The scoring shall be based on the following 3 principles: (i) increasing capacity; (ii) growing revenue; and (iii) enhancing credentials. These principles should be the foundation of the agency compliance plan required under Section 6 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act.

(3) The Commission shall exercise the authority and duties provided to it under Section 5-7 of the Illinois Procurement Code.

(4) The Commission, working with State agencies, shall provide support for diversity in State hiring.

(5) The Commission shall ~~supervise~~ oversee the implementation and effectiveness of supplier diversity training of the State procurement workforce.

(6) Each January, and as otherwise frequently as may be deemed necessary and appropriate by the Commission, the Commission shall propose and submit to the Governor and the General Assembly legislative changes to increase inclusion and diversity in State government.

(7) The Commission shall have oversight over the following entities:

(A) the Illinois African-American Family Commission;

(B) the Illinois Latino Family Commission;

(C) the Asian American Family Commission;

(D) the Illinois Muslim American Advisory Council;

(E) the Illinois African-American Fair Contracting Commission created under Executive Order 2018-07; and

(F) the Business Enterprise Council for Minorities, Women, and Persons with Disabilities.

(8) The Commission shall adopt any rules necessary for the implementation and administration of the requirements of this Act.

(9) The Commission shall exercise the authority and duties provided to it under Section 45-57 of the Illinois Procurement Code.

(Source: P.A. 101-657, eff. 1-1-22; 102-29, eff. 6-25-21; 102-671, eff. 11-30-21.)

ARTICLE 80.

Section 80-5. The Metropolitan Pier and Exposition Authority Act is amended by changing Sections 24 and 25.4 as follows:

(70 ILCS 210/24) (from Ch. 85, par. 1244)

Sec. 24. All contracts for the sale of property of the value of more than \$10,000 or for any concession in or lease of property of the Authority for a term of more than one year shall be awarded to the highest responsible bidder, after advertising for bids, except as may be otherwise authorized by this Act. All construction contracts, ~~when the cost will exceed \$30,000~~, and contracts for supplies, materials, equipment and services, when the cost thereof will exceed ~~\$100,000~~ \$10,000, shall be let to the lowest responsible bidder, after advertising for bids, excepting (1) when repair parts, accessories, equipment or services are required for equipment or services previously furnished or contracted for, (2) professional services contracted for in accordance with Section 25.1 of this Act, (3) when services such as water, light, heat, power, telephone (other than long-distance service) or telegraph are required, (4) when contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications equipment, software, and services are required, and (5) when the immediate delivery of

supplies, materials, equipment, or services is required and (i) the chief executive officer determines that an emergency situation exists; (ii) the contract accepted is based on the lowest responsible bid after the Authority has made a diligent effort to solicit multiple bids by telephone, facsimile, or other efficient means; and (iii) the chief executive officer submits a report at the next regular Board meeting, to be ratified by the Board and entered into the official record, stating the chief executive officer's reason for declaring an emergency situation, the names of the other parties solicited and their bids, and a copy of the contract awarded.

All ~~construction contracts involving less than \$30,000 and all other~~ contracts involving less than ~~\$100,000~~ ~~\$10,000~~ shall be let by competitive bidding whenever possible, and in any event in a manner calculated to insure the best interests of the public.

Each bidder shall disclose in his bid the name of each individual having a beneficial interest, directly or indirectly, of more than 7 1/2% in such bidding entity and, if such bidding entity is a corporation, the names of each of its officers and directors. The bidder shall notify the Board of any changes in its ownership or its officers or directors at the time such changes occur if the change occurs during the pendency of a proposal or a contract.

In determining the responsibility of any bidder, the Board may take into account past record of dealings with the bidder, experience, adequacy of equipment, ability to complete performance within the time set, and other factors besides financial responsibility, but in no case shall any such contracts be awarded to any other than the highest bidder (in case of sale or concession or lease) or the lowest bidder (in case of purchase or expenditure) unless authorized or approved by a vote of at least three-fourths of the members of the Board, and unless such action is accompanied by a statement in writing setting forth the reasons for not awarding the contract to the highest or lowest bidder, as the case may be, which statement shall be kept on file in the principal office of the Authority and open to public inspection.

From the group of responsible bidders the lowest bidder shall be selected in the following manner: to all bids for sales the gross receipts of which are not taxable under the "Retailers' Occupation Tax Act", approved June 28, 1933, as amended, there shall be added an amount equal to the tax which would be payable under said Act, if applicable, and the lowest in amount of said adjusted bids and bids for sales the gross receipts of which are taxable under said Act shall be considered the lowest bid; provided, that, if said lowest bid relates to a sale not taxable under said Act, any contract entered into thereon shall be in the amount of the original bid not adjusted as aforesaid.

Contracts shall not be split into parts involving expenditures of less than ~~\$100,000~~ ~~\$10,000~~ ~~(or \$30,000 in the case of construction contracts)~~ for the purposes of avoiding the provisions of this Section, and all such split contracts shall be void. If any collusion occurs among bidders or prospective bidders in restraint of freedom of competition, by agreement to bid a fixed amount or to refrain from bidding, or otherwise, the bids of such bidders shall be void. Each bidder shall accompany his bid with a sworn statement that he has not been a party to any such agreement.

The Board shall have the right to reject all bids and to readvertise for bids. If after any such readvertisement no responsible and satisfactory bid, within the terms of the advertisement, shall be received, the Board may award such contract without competitive bidding, provided that it shall not be less advantageous to the Authority than any valid bid received pursuant to advertisement.

The Board shall adopt rules and regulations of general application within 90 days of the effective date of this amendatory Act of 1985 to carry into effect the provisions of this Section.

(Source: P.A. 91-422, eff. 1-1-00.)

(70 ILCS 210/25.4)

Sec. 25.4. Contracts for professional services.

(a) When the Authority proposes to enter into a contract or agreement for professional services, other than the marketing agreement required in Section 5.6, the Authority shall use a request for proposal process in accordance with the Illinois Procurement Code.

(b) Any person that submits a response to a request for proposals under this Section shall disclose in the response the name of each individual having a beneficial interest directly or indirectly of more than 7 1/2% in such person and, if such person is a corporation, the names of each of its officers and directors. The person shall notify the Board of any changes in its ownership or its officers or directors at the time such changes occur if the change occurs during the pendency of a proposal or a contract.

(c) All contracts and agreements under this Section shall be authorized and approved by the Board and shall be set forth in a writing executed by the contractor and the Authority. No payment shall be made under this Section until a written contract or agreement shall be so authorized, approved, and executed. A

copy of each contract or agreement (whether or not exempted under this Section) and the response, if any, to the request for proposals upon which the contract was awarded must be filed with the Secretary of the Authority and is required to be open for public inspection.

(d) This Section applies to (i) contracts in excess of ~~\$100,000~~ ~~\$25,000~~ for professional services provided to the Authority, including the services of accountants, architects, attorneys, engineers, physicians, superintendents of construction, financial advisors, bond trustees, and other similar professionals possessing a high degree of skill and (ii) contracts or bond purchase agreements in excess of \$10,000 with underwriters or investment bankers with respect to sale of the Authority's bonds under this Act. This Section shall not apply to contracts for professional services to be provided by, or the agreement is with, a State agency, federal agency, or unit of local government.

(Source: P.A. 96-898, eff. 5-27-10; 96-899, eff. 5-28-10.)

ARTICLE 85.

Section 85-5. The Public-Private Partnerships for Transportation Act is amended by changing Sections 10, 15, 19, and 35 as follows:

(630 ILCS 5/10)

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

"Approved proposal" means the proposal that is approved by the responsible public entity pursuant to subsection (j) of Section 20 of this Act.

"Approved proposer" means the private entity whose proposal is the approved proposal.

"Authority" means the Illinois State Toll Highway Authority.

"Contractor" means a private entity that has entered into a public-private agreement with the responsible public entity to provide services to or on behalf of the responsible public entity.

"Department" means the Illinois Department of Transportation.

"Design-build agreement" means the agreement between the selected private entity and the responsible public entity under which the selected private entity agrees to furnish design, construction, and related services for a transportation facility under this Act.

"Develop" or "development" means to do one or more of the following: plan, design, develop, lease, acquire, install, construct, reconstruct, rehabilitate, extend, or expand.

"Maintain" or "maintenance" includes ordinary maintenance, repair, rehabilitation, capital maintenance, maintenance replacement, and any other categories of maintenance that may be designated by the responsible public entity.

"Operate" or "operation" means to do one or more of the following: maintain, improve, equip, modify, or otherwise operate.

"Private entity" means any combination of one or more individuals, corporations, general partnerships, limited liability companies, limited partnerships, joint ventures, business trusts, nonprofit entities, or other business entities that are parties to a proposal for a transportation project or an agreement related to a transportation project. A public agency may provide services to a contractor as a subcontractor or subconsultant without affecting the private status of the private entity and the ability to enter into a public-private agreement. A transportation agency is not a private entity.

"Proposal" means all materials and documents prepared by or on behalf of a private entity relating to the proposed development, financing, or operation of a transportation facility as a transportation project.

"Proposer" means a private entity that has submitted an unsolicited proposal for a public-private agreement to a responsible public entity under this Act or a proposal or statement of qualifications for a public-private agreement in response to a request for proposals or a request for qualifications issued by a responsible public entity under this Act.

"Public-private agreement" means the public-private agreement between the contractor and the responsible public entity relating to one or more of the development, financing, or operation of a transportation project that is entered into under this Act.

"Request for information" means all materials and documents prepared by or on behalf of the responsible public entity to solicit information from private entities with respect to transportation projects.

"Request for proposals" means all materials and documents prepared by or on behalf of the responsible public entity to solicit proposals from private entities to enter into a public-private agreement.

"Request for qualifications" means all materials and documents prepared by or on behalf of the responsible public entity to solicit statements of qualification from private entities to enter into a public-private agreement.

"Responsible public entity" means the Department of Transportation, the Illinois State Toll Highway Authority, and the 5 most populous counties of Illinois, as of the most recent publicly available decennial census.

"Revenues" means all revenues, including any combination of: income; earnings and interest; user fees; lease payments; allocations; federal, State, and local appropriations, grants, loans, lines of credit, and credit guarantees; bond proceeds; equity investments; service payments; or other receipts; arising out of or in connection with a transportation project, including the development, financing, and operation of a transportation project. The term includes money received as grants, loans, lines of credit, credit guarantees, or otherwise in aid of a transportation project from the federal government, the State, a unit of local government, or any agency or instrumentality of the federal government, the State, or a unit of local government.

"Shortlist" means the process by which a responsible public entity will review, evaluate, and rank statements of qualifications submitted in response to a request for qualifications and then identify the proposers who are eligible to submit a detailed proposal in response to a request for proposals. The identified proposers constitute the shortlist for the transportation project to which the request for proposals relates.

"Transportation agency" means (i) the Department or (ii) the Authority.

"Transportation facility" means any new or existing road, highway, toll highway, bridge, tunnel, intermodal facility, intercity or high-speed passenger rail, or other transportation facility or infrastructure, excluding airports, under the jurisdiction of a responsible public entity, except those facilities for the Illiana Expressway. The term "transportation facility" may refer to one or more transportation facilities that are proposed to be developed or operated as part of a single transportation project.

"Transportation project" or "project" means any or the combination of the design, development, construction, financing, or operation with respect to all or a portion of any transportation facility under the jurisdiction of the responsible public entity, except those facilities for the Illiana Expressway, undertaken pursuant to this Act.

"Unit of local government" has the meaning ascribed to that term in Article VII, Section 1 of the Constitution of the State of Illinois and also means any unit designated as a municipal corporation.

"Unsolicited proposal" means a written proposal that is submitted to a transportation agency ~~responsible public entity~~ on the initiative of the private sector entity or entities for the purpose of developing a partnership, and that is not in response to a formal or informal request issued by a transportation agency ~~responsible public entity~~.

"User fees" or "tolls" means the rates, tolls, fees, or other charges imposed by the contractor for use of all or a portion of a transportation project under a public-private agreement.
(Source: P.A. 103-570, eff. 1-1-24.)

(630 ILCS 5/15)

Sec. 15. Formation of public-private agreements; project planning.

(a) Each responsible public entity may exercise the powers granted by this Act to do some or all to design, develop, construct, finance, and operate any part of one or more transportation projects through public-private agreements with one or more private entities, except for transportation projects for the Illiana Expressway as defined in the Public Private Agreements for the Illiana Expressway Act. The net proceeds, if any, arising out of a transportation project or public-private agreement undertaken by the Department pursuant to this Act shall be deposited into the Public-Private Partnerships for Transportation Fund. The net proceeds arising out of a transportation project or public-private agreement undertaken by the Authority pursuant to this Act shall be deposited into the Illinois State Toll Highway Authority Fund and shall be used only as authorized by Section 23 of the Toll Highway Act.

(b) The Authority may enter into a public-private partnership to design, develop, construct, finance, and operate new toll highways authorized by the Governor and the General Assembly pursuant to Section 14.1 of the Toll Highway Act, non-highway transportation projects on the toll highway system such as commuter rail or high-speed rail lines, and intelligent transportation infrastructure that will enhance the safety, efficiency, and environmental quality of the toll highway system. The Authority may operate or provide operational services such as toll collection on highways which are developed or financed, or both,

through a public-private agreement entered into by another public entity, under an agreement with the public entity or contractor responsible for the transportation project.

(c) A contractor has:

(1) all powers allowed by law generally to a private entity having the same form of organization as the contractor; and

(2) the power to develop, finance, and operate the transportation facility and to impose user fees in connection with the use of the transportation facility, subject to the terms of the public-private agreement.

No tolls or user fees may be imposed by the contractor except as set forth in a public-private agreement.

(d) Prior to commencing the procurement process under an unsolicited proposal or the issuance of any request for qualifications or request for proposals with respect to any potential project undertaken by a responsible public entity pursuant to Section 19 or 20 of this Act, the commencement of a procurement process for that particular potential project shall be authorized by joint resolution of the General Assembly.

(e) (Blank).

(f) Any project undertaken under this Act shall be subject to all applicable planning requirements otherwise required by law, including land use planning, regional planning, transportation planning, and environmental compliance requirements.

(g) (Blank).

(h) The responsible public entity shall hold one or more public hearings before entering into negotiations with a proposer following its submittals to the General Assembly under subsection (d) of this Section. These public hearings shall address any potential project that the responsible public entity submitted to the General Assembly for review under subsection (d). The responsible public entity shall publish a notice of the hearing or hearings at least 7 days before a hearing takes place, and shall include the following in the notice: (i) the date, time, and place of the hearing and the address of the responsible public entity; (ii) a brief description of the potential projects that the responsible public entity is considering undertaking; and (iii) a statement that the public may comment on the potential projects.

(i) Each year, at least 30 days prior to the beginning of the transportation agency's fiscal year, the transportation agency shall submit a description of potential projects that the transportation agency is considering undertaking under this Act to each county, municipality, and metropolitan planning organization, with respect to each project located within its boundaries.

(j) A new transportation facility developed as a project under this Act must be consistent with the regional plan then in existence of a metropolitan planning organization in whose boundaries the project is located.

(Source: P.A. 103-570, eff. 1-1-24.)

(630 ILCS 5/19)

Sec. 19. Unsolicited proposals.

(a) A transportation agency ~~responsible public entity~~ may receive unsolicited proposals for a project and may thereafter enter into a public-private agreement with a private entity, or a consortium of private entities, for the design, construction, upgrading, operating, ownership, or financing of facilities.

(b) A transportation agency ~~responsible public entity~~ may consider, evaluate, and accept an unsolicited proposal for a public-private partnership project from a private entity if the proposal:

(1) is independently developed and drafted by the proposer without transportation agency ~~responsible public entity~~ supervision;

(2) shows that the proposed project could benefit the transportation system;

(3) includes a financing plan to allow the project to move forward pursuant to the applicable transportation agency's ~~responsible public entity's~~ budget and finance requirements; and

(4) includes sufficient detail and information for the transportation agency ~~responsible public entity~~ to evaluate the proposal in an objective and timely manner and permit a determination that the project would be worthwhile.

(c) The unsolicited proposal shall include the following:

(1) an executive summary covering the major elements of the proposal;

(2) qualifications concerning the experience, expertise, technical competence, and qualifications of the private entity and of each member of its management team and of other key employees, consultants, and subcontractors, including the name, address, and professional designation;

(3) a project description, including, when applicable:

- (A) the limits, scope, and location of the proposed project;
 - (B) right-of-way requirements;
 - (C) connections with other facilities and improvements to those facilities necessary if the project is developed;
 - (D) a conceptual project design; and
 - (E) a statement of the project's relationship to and impact upon relevant existing plans of the transportation agency responsible public entity;
- (4) a facilities project schedule, including when applicable, estimates of:
- (A) dates of contract award;
 - (B) start of construction;
 - (C) completion of construction;
 - (D) start of operations; and
 - (E) major maintenance or reconstruction activities during the life of the proposed project agreement;
- (5) an operating plan describing the operation of the completed facility if operation of a facility is part of the proposal, describing the management structure and approach, the proposed period of operations, enforcement, emergency response, and other relevant information;
- (6) a finance plan describing the proposed financing of the project, identifying the source of funds to, where applicable, design, construct, maintain, and manage the project during the term of the proposed contract; and
- (7) the legal basis for the project and licenses and certifications; the private entity must demonstrate that it has all licenses and certificates necessary to complete the project.

(c-5) A transportation agency shall develop rules for receiving, reviewing, and implementing unsolicited proposals as outlined in this Section. A transportation agency shall submit these rules for the First Notice period within one year after the effective date of this amendatory Act of the 103rd General Assembly. A transportation agency shall not receive unsolicited proposals until rules are adopted.

(c-10) A transportation agency shall receive unsolicited proposals no more than every 2 years for a time frame of no more than 90 days.

(c-15) A nonnegotiable proposal review fee of \$25,000 shall be required for an unsolicited proposal submitted under this Act. A proposal review fee that is submitted with a proposal for a project that is not an eligible project, or that the Department is not otherwise legally authorized to accept, shall be returned to the proposer. All other proposal review fees are nonrefundable.

(d) Within 120 days after receiving an unsolicited proposal, the transportation agency responsible public entity shall complete a preliminary evaluation of the unsolicited proposal and shall either:

- (1) if the preliminary evaluation is unfavorable, return the proposal without further action;
- (2) if the preliminary evaluation is favorable, notify the proposer that the transportation agency responsible public entity will further evaluate the proposal; or
- (3) request amendments, clarification, or modification of the unsolicited proposal.

(e) The procurement process for unsolicited proposals shall be as follows:

(1) If the transportation agency responsible public entity chooses to further evaluate an unsolicited proposal with the intent to enter into a public-private agreement for the proposed project, then the transportation agency responsible public entity shall publish notice in its regular online publication for relevant procurements the Illinois Procurement Bulletin or in a newspaper of general circulation covering the location of the project at least once a week for 2 weeks stating that the transportation agency responsible public entity has received a proposal and will accept other proposals for the same project. The time frame within which the transportation agency responsible public entity may accept other proposals shall be determined by the transportation agency responsible public entity on a project-by-project basis based upon the complexity of the transportation project and the public benefit to be gained by allowing a longer or shorter period of time within which other proposals may be received; however, the time frame for allowing other proposals must be at least 21 days, but no more than 120 days, after the initial date of publication.

(2) A copy of the notice must be mailed to each local government directly affected by the transportation project.

(3) The transportation agency responsible public entity shall provide reasonably sufficient information, including the identity of its contact person, to enable other private entities to make proposals.

(4) If, after no less than 120 days, no counterproposal is received, or if the counterproposals are evaluated and found to be equal to or inferior to the original unsolicited proposal, the transportation agency responsible public entity may proceed to negotiate a contract with the original proposer.

(5) If, after no less than 120 days, one or more counterproposals meeting unsolicited proposal standards are received, and if, in the opinion of the transportation agency responsible public entity, the counterproposals are evaluated and found to be superior to the original unsolicited proposal, the transportation agency responsible public entity shall proceed to determine the successful participant through a final procurement phase known as "Best and Final Offer" (BAFO). The BAFO is a process whereby a transportation agency responsible public entity shall invite the original private sector party and the proponent submitting the superior counterproposal to engage in a BAFO phase. The invitation to participate in the BAFO phase will provide to each participating proposer:

(A) the general concepts that were considered superior to the original proposal, while keeping proprietary information contained in the proposals confidential to the extent possible; and

(B) the preestablished evaluation criteria or the "basis of award" to be used to determine the successful proponent.

(6) Offers received in response to the BAFO invitation will be reviewed by the transportation agency responsible public entity and scored in accordance with a preestablished criteria, or alternatively, in accordance with the basis of award provision identified through the BAFO process. The successful proponent will be the proponent offering "best value" to the transportation agency responsible public entity.

(7) In all cases, the basis of award will be the best value to the transportation agency responsible public entity, as determined by the transportation agency responsible public entity.

(f) After a comprehensive evaluation and acceptance of an unsolicited proposal and any alternatives, the transportation agency must provide public notice of the proposal to members of impacted communities meeting the following criteria: responsible public entity

(1) Public notice shall be meaningful, timely, and effective public notice of a proposal to members of impacted communities, accounting for linguistic needs and other relevant characteristics, and provide meaningful opportunity for public comment on a proposal.

(2) The public notice and project application shall be translated into non-English languages in impacted communities where a language other than English is widely spoken.

(3) The notice must, at a minimum, include all of the following:

(A) the name of the applicant;

(B) the location of the use;

(C) a brief description of the use and its impacts; and

(D) a link to a website where the application and more detailed information on the use and its impacts can be found.

(4) The notice shall be written at a third or fourth grade reading level to ensure ease of understanding for all members of the public.

(f-5) The transportation agency shall provide an opportunity for public comment, which must, at a minimum, include one public meeting within an impacted community. The notice of a public meeting required under this subsection must include:

(1) the date, time, and location of the public meeting required under this Section;

(2) the date and time of all public meetings regarding the project;

(3) where to access the project description required under paragraph (3) of subsection (c), if applicable;

(4) the expected location of the project associated construction duration; and

(5) a non-English version of the notice if 10% or more of the local population speaks a primary language other than English, which shall reflect the prevalent languages of the non-English speaking residents in that area.

The public meeting is subject to the following rules:

(1) The public meeting must begin after 5:00 p.m. and be located at a venue that is in a location within an impacted equity investment community and easily accessible to residents of other impacted equity investment eligible communities.

(2) The public meeting must be at a venue that is accessible to persons with disabilities and the owner or operator of the venue must provide reasonable accommodations, as defined in the Americans with Disabilities Act, upon request.

(3) The transportation agency must provide translation services during a public meeting if a proposed project is located in an area in which 10% or more of the local population speaks a primary language other than English, if requested by a non-English speaking member of the public. During a public meeting, a proposer must:

(1) present the schedule and process for the project;

(2) include a question-and-answer portion of the meeting to allow the public to ask questions;

and

(3) ensure that representatives that speak on behalf of the contractor are qualified and knowledgeable on the subject matter to answer questions posed by the public.

The transportation agency shall have a representative present at the public meeting who is familiar with the proposed project. The transportation agency must create a meeting summary, including issues raised by the public, and respond to all questions in writing no later than 14 days after the meeting. The transportation agency shall post the summary and responses to the transportation agency's publicly accessible website and advise the telephone, email, and text lists along with the meeting summary document. The transportation agency shall ensure that the public meeting is made available to watch and participate in a meaningful way online and recorded. The recording shall be made available on a publicly accessible website.

After the public notice requirements are completed, the transportation agency may commence negotiations with a proposer, considering:

(1) the proposal has received a favorable comprehensive evaluation;

(2) the proposal is not duplicative of existing infrastructure project;

(3) the alternative proposal does not closely resemble a pending competitive proposal for a public-private partnership or other procurement;

(4) the proposal demonstrates a unique method, approach, or concept;

(5) facts and circumstances that preclude or warrant additional competition;

(6) the availability of any funds, debts, or assets that the State will contribute to the project;

(7) facts and circumstances demonstrating that the project will likely have a significant adverse impact on State bond ratings; and

(8) indemnifications included in the proposal.

(Source: P.A. 103-570, eff. 1-1-24; revised 1-3-24.)

(630 ILCS 5/35)

Sec. 35. Public-private agreements.

(a) A responsible public entity may enter into public-private agreements as outlined in this Section.

The transportation agency may receive unsolicited proposals to enter into public-private agreements as outlined in Section 19.

(a-5) ~~(a)~~ Unless undertaking actions otherwise permitted in an interim agreement entered into under Section 30 of this Act, before developing, financing, or operating the transportation project, the approved proposer shall enter into a public-private agreement with the responsible public entity ~~transportation agency~~. Subject to the requirements of this Act, a public-private agreement may provide that the approved proposer, acting on behalf of the responsible public entity, is partially or entirely responsible for any combination of developing, financing, or operating the transportation project under terms set forth in the public-private agreement.

(b) The public-private agreement may, as determined appropriate by the responsible public entity for the particular transportation project, provide for some or all of the following:

(1) Development, financing, and operation of the transportation project under terms set forth in the public-private agreement, in any form as deemed appropriate by the responsible public entity, including, but not limited to, a long-term concession and lease, a design-bid-build agreement, a design-build agreement, a design-build-maintain agreement, a design-build-finance agreement, a design-build-operate-maintain agreement and a design-build-finance-operate-maintain agreement.

(2) Delivery of performance and payment bonds or other performance security determined suitable by the responsible public entity, including letters of credit, United States bonds and notes, parent guaranties, and cash collateral, in connection with the development, financing, or operation of the transportation project, in the forms and amounts set forth in the public-private agreement or

otherwise determined as satisfactory by the responsible public entity to protect the responsible public entity and payment bond beneficiaries who have a direct contractual relationship with the contractor or a subcontractor of the contractor to supply labor or material. The payment or performance bond or alternative form of performance security is not required for the portion of a public-private agreement that includes only design, planning, or financing services, the performance of preliminary studies, or the acquisition of real property.

(3) Review of plans for any development or operation, or both, of the transportation project by the responsible public entity.

(4) Inspection of any construction of or improvements to the transportation project by the responsible public entity or another entity designated by the responsible public entity or under the public-private agreement to ensure that the construction or improvements conform to the standards set forth in the public-private agreement or are otherwise acceptable to the responsible public entity.

(5) Maintenance of:

(A) one or more policies of public liability insurance (copies of which shall be filed with the responsible public entity accompanied by proofs of coverage); or

(B) self-insurance;

each in form and amount as set forth in the public-private agreement or otherwise satisfactory to the responsible public entity as reasonably sufficient to insure coverage of tort liability to the public and employees and to enable the continued operation of the transportation project.

(6) Where operations are included within the contractor's obligations under the public-private agreement, monitoring of the maintenance practices of the contractor by the responsible public entity or another entity designated by the responsible public entity or under the public-private agreement and the taking of the actions the responsible public entity finds appropriate to ensure that the transportation project is properly maintained.

(7) Reimbursement to be paid to the responsible public entity as set forth in the public-private agreement for services provided by the responsible public entity.

(8) Filing of appropriate financial statements and reports as set forth in the public-private agreement or as otherwise in a form acceptable to the responsible public entity on a periodic basis.

(9) Compensation or payments to the contractor. Compensation or payments may include any or a combination of the following:

(A) a base fee and additional fee for project savings as the design-builder of a construction project;

(B) a development fee, payable on a ~~lump sum~~ ~~lump sum~~ basis, progress payment basis, time and materials basis, or another basis deemed appropriate by the responsible public entity;

(C) an operations fee, payable on a ~~lump sum~~ ~~lump sum~~ basis, time and material basis, periodic basis, or another basis deemed appropriate by the responsible public entity;

(D) some or all of the revenues, if any, arising out of operation of the transportation project;

(E) a maximum rate of return on investment or return on equity or a combination of the two;

(F) in-kind services, materials, property, equipment, or other items;

(G) compensation in the event of any termination;

(H) availability payments or similar arrangements whereby payments are made to the contractor pursuant to the terms set forth in the public-private agreement or related agreements; or

(I) other compensation set forth in the public-private agreement or otherwise deemed appropriate by the responsible public entity.

(10) Compensation or payments to the responsible public entity, if any. Compensation or payments may include any or a combination of the following:

(A) a concession or lease payment or other fee, which may be payable upfront or on a periodic basis or on another basis deemed appropriate by the responsible public entity;

(B) sharing of revenues, if any, from the operation of the transportation project;

(C) sharing of project savings from the construction of the transportation project;

(D) payment for any services, materials, equipment, personnel, or other items provided by the responsible public entity to the contractor under the public-private agreement or in connection with the transportation project; or

(E) other compensation set forth in the public-private agreement or otherwise deemed appropriate by the responsible public entity.

(11) The date and terms of termination of the contractor's authority and duties under the public-private agreement and the circumstances under which the contractor's authority and duties may be terminated prior to that date.

(12) Reversion of the transportation project to the responsible public entity at the termination or expiration of the public-private agreement.

(13) Rights and remedies of the responsible public entity in the event that the contractor defaults or otherwise fails to comply with the terms of the public-private agreement.

(14) Procedures for the selection of professional design firms and subcontractors for use by the responsible public entity or eligible county as an owner's representation services, which shall be include procedures consistent with the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act for the selection of professional design firms and may include, in the discretion of the responsible public entity, procedures consistent with the low bid procurement procedures outlined in the Illinois Procurement Code for the selection of construction companies.

(15) Other terms, conditions, and provisions that the responsible public entity believes are in the public interest.

(c) The responsible public entity may fix and revise the amounts of user fees that a contractor may charge and collect for the use of any part of a transportation project in accordance with the public-private agreement. In fixing the amounts, the responsible public entity may establish maximum amounts for the user fees and may provide that the maximums and any increases or decreases of those maximums shall be based upon the indices, methodologies, or other factors the responsible public entity considers appropriate.

(c-5) The Department may accept proposals subject to environmental review and the documentation of the environmental review. The environmental review and documentation of the environmental review shall at all times be conducted as directed by the Department, shall be subject to the oversight of the Department, and shall comply with all requirements of State and federal law, applicable federal regulations, and the National Environmental Policy Act (42 U.S.C. 4321 et seq.), if applicable, including, but not limited to, the study of alternatives to the proposed project and any proposed alignments, procedural requirements, and the completion of any and all environmental documents required to be completed by the Department and any federal agency acting as a lead agency. All environmental mitigation commitments agreed to during the environmental review phase are required to be implemented during project implementation, or, as required, to ensure compliance is maintained with all applicable environmental laws and regulations.

(d) A public-private agreement may:

(1) authorize the imposition of tolls in any manner determined appropriate by the responsible public entity for the transportation project;

(2) authorize the contractor to adjust the user fees for the use of the transportation project, so long as the amounts charged and collected by the contractor do not exceed the maximum amounts established by the responsible public entity under the public-private agreement;

(3) provide that any adjustment by the contractor permitted under paragraph (2) of this subsection (d) may be based on the indices, methodologies, or other factors described in the public-private agreement or approved by the responsible public entity;

(4) authorize the contractor to charge and collect user fees through methods, including, but not limited to, automatic vehicle identification systems, electronic toll collection systems, and, to the extent permitted by law, global positioning system-based, photo-based, or video-based toll collection enforcement, provided that to the maximum extent feasible the contractor will (i) utilize open road tolling methods that allow payment of tolls at highway speeds and (ii) comply with United States Department of Transportation requirements and best practices with respect to tolling methods; and

(5) authorize the collection of user fees by a third party.

(e) In the public-private agreement, the responsible public entity may agree to make grants or loans for the development or operation, or both, of the transportation project from time to time from amounts received from the federal government or any agency or instrumentality of the federal government or from any State or local agency.

(f) Upon the termination or expiration of the public-private agreement, including a termination for default, the responsible public entity shall have the right to take over the transportation project and to succeed to all of the right, title, and interest in the transportation project. Upon termination or expiration of the public-private agreement relating to a transportation project undertaken by the Department, all real

property acquired as a part of the transportation project shall be held in the name of the State of Illinois. Upon termination or expiration of the public-private agreement relating to a transportation project undertaken by the Authority, all real property acquired as a part of the transportation project shall be held in the name of the Authority.

(g) If a responsible public entity elects to take over a transportation project as provided in subsection (f) of this Section, the responsible public entity may do the following:

(1) develop, finance, or operate the project, including through a public-private agreement entered into in accordance with this Act; or

(2) impose, collect, retain, and use user fees, if any, for the project.

(h) If a responsible public entity elects to take over a transportation project as provided in subsection (f) of this Section, the responsible public entity may use the revenues, if any, for any lawful purpose, including to:

(1) make payments to individuals or entities in connection with any financing of the transportation project, including through a public-private agreement entered into in accordance with this Act;

(2) permit a contractor to receive some or all of the revenues under a public-private agreement entered into under this Act;

(3) pay development costs of the project;

(4) pay current operation costs of the project or facilities;

(5) pay the contractor for any compensation or payment owing upon termination; and

(6) pay for the development, financing, or operation of any other project or projects the responsible public entity deems appropriate.

(i) The full faith and credit of the State or any political subdivision of the State or the responsible public entity is not pledged to secure any financing of the contractor by the election to take over the transportation project. Assumption of development or operation, or both, of the transportation project does not obligate the State or any political subdivision of the State or the responsible public entity to pay any obligation of the contractor.

(j) The responsible public entity may enter into a public-private agreement with multiple approved proposers if the responsible public entity determines in writing that it is in the public interest to do so.

(k) A public-private agreement shall not include any provision under which the responsible public entity agrees to restrict or to provide compensation to the private entity for the construction or operation of a competing transportation facility during the term of the public-private agreement.

(l) With respect to a public-private agreement entered into by the Department, the Department shall certify in its State budget request to the Governor each year the amount required by the Department during the next State fiscal year to enable the Department to make any payment obligated to be made by the Department pursuant to that public-private agreement, and the Governor shall include that amount in the State budget submitted to the General Assembly.

(Source: P.A. 103-570, eff. 1-1-24.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Castro offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 5511

AMENDMENT NO. 2 . Amend House Bill 5511, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, by replacing line 11 on page 61 through line 19 on page 66 with the following:

"Section 7-5. The Illinois Procurement Code is amended by adding Section 45-46 as follows:

(30 ILCS 500/45-46 new)

Sec. 45-46. Mid-size businesses.

(a) As used in the Section, "mid-size business" means a business that is independently owned and operated and that is not dominant in its field of operation. "Mid-size business" includes a construction business with annual sales and receipts in excess of \$14,000,000 but not over \$45,000,000.

(a-5) This Section applies only to construction-related procurements for the Illinois State Toll Highway Authority.

(b) The chief procurement officer shall adopt rules to establish additional criteria to designate mid-size businesses for the purposes of the mid-size business set-asides described in subsection (c), including the number of employees and annual sales and receipts of the business. When computing the size status of a potential contractor, annual sales and receipts of the potential contractor and all of its affiliates shall be included. The maximum number of employees and the maximum annual sales and receipts that a mid-size business may have under the rules adopted by the chief procurement officer may vary from industry to industry, to the extent necessary to reflect differing characteristics of those industries, subject to the limitation that no business shall qualify as a mid-size business if its annual sales and receipts exceed \$45,000,000.

(c) The applicable chief procurement officer shall designate a fair proportion, as determined by the applicable chief procurement officer in consultation with the Illinois State Toll Highway Authority, of construction, construction-related, and construction support contracts as mid-size business set-asides for award to mid-size businesses in Illinois. Advertisements for bids or offers for these contracts shall specify designation as mid-size business set-asides. In awarding the contracts, only bids or offers from qualified mid-size businesses shall be considered. The Illinois State Toll Highway Authority shall prepare an annual report setting forth the use of this Section during the preceding fiscal year and shall provide that report to the applicable chief procurement officer no later than March 1 of each calendar year. This Section is repealed 5 years after the effective date of this Section."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Castro offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 5511

AMENDMENT NO. 3. Amend House Bill 5511, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 16, by deleting lines 3 through 5; and

on page 164, by replacing lines 16 through 22 with the following:

"(d) This Section applies to (i) contracts in excess of \$25,000 for architectural, engineering, or land surveying services provided to the Authority; (ii) ~~(i)~~ contracts in excess of \$100,000 ~~\$25,000~~ for other professional services provided to the Authority, including the services of accountants, architects, attorneys, engineers, physicians, superintendents of construction, financial advisors, bond trustees, and other similar professionals possessing a high degree of skill; and (iii) ~~(ii)~~ contracts or bond purchase agreements in excess of".

The motion prevailed.

And the amendment was adopted and ordered printed.

Floor Amendment No. 4 was withdrawn by the sponsor.

Senator Castro offered the following amendment and moved its adoption:

AMENDMENT NO. 5 TO HOUSE BILL 5511

AMENDMENT NO. 5. Amend House Bill 5511, AS AMENDED, by inserting at the end of the bill the following:

"ARTICLE 99.

Section 99-99. Effective date. This Article and Article 1 take 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 Castro, **House Bill No. 5511** 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 48; NAYS 7; Present 1.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Plummer	Stoller	Wilcox
Chesney	Rose	Turner, S.	

The following voted present:

McConchie

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

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

On motion of Senator Porfirio, **House Bill No. 5655** 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

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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.

On motion of Senator Cunningham, **House Bill No. 5135** 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	Fowler	Martwick	Syverson
Aquino	Glowiak Hilton	McClure	Toro
Belt	Halpin	McConchie	Tracy
Bennett	Harris, N.	Morrison	Turner, D.
Bryant	Harriss, E.	Murphy	Turner, S.
Castro	Hastings	Peters	Ventura
Cervantes	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	

The following voted in the negative:

Chesney

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

Ordered that the Secretary inform the House of Representatives thereof.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Preston moved that **House Joint Resolution No. 48**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Preston moved that House Joint Resolution No. 48 be adopted.

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

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	

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

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

On motion of Senator Ventura, **Senate Bill No. 381**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 381**.

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Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Loughran Cappel, **Senate Bill No. 463**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	Porfrio	Villanueva
Curran	Johnson	Preston	Villivalam
DeWitte	Jones, E.	Rezin	Walker
Edly-Allen	Joyce	Rose	Wilcox
Ellman	Koehler	Simmons	Mr. President
Faraci	Lewis	Sims	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 463**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Johnson, **Senate Bill No. 647**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 58; 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	Porfrio	Villanueva
Curran	Johnson	Preston	Villivalam
DeWitte	Jones, E.	Rezin	Wilcox
Edly-Allen	Joyce	Rose	Mr. President

Ellman	Koehler	Simmons
Faraci	Lewis	Sims

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 647**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Feigenholtz, **Senate Bill No. 774**, with House Amendment No. 5 on the Secretary's Desk, was taken up for immediate consideration.

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

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

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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 5 to **Senate Bill No. 774**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator D. Turner, **Senate Bill No. 856**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 856**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cunningham, **Senate Bill No. 1996**, with House Amendments numbered 2 and 6 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 44; NAYS 14.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Harriss, E.	Rose	Turner, S.
Bryant	McClure	Stoller	Wilcox
Chesney	Plummer	Syverson	
Fowler	Rezin	Tracy	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 2 and 6 to **Senate Bill No. 1996**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Joyce asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 1996**.

On motion of Senator Cunningham, **Senate Bill No. 2586**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	Porfrio	Villanueva
Curran	Johnson	Preston	Villivalam
DeWitte	Jones, E.	Rezin	Walker
Edly-Allen	Joyce	Rose	Wilcox
Ellman	Koehler	Simmons	Mr. President
Faraci	Lewis	Sims	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2586**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **Senate Bill No. 2628**, with House Amendment No. 3 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	Porfrio	Villanueva
Curran	Johnson	Preston	Villivalam
DeWitte	Jones, E.	Rezin	Walker
Edly-Allen	Joyce	Rose	Wilcox
Ellman	Koehler	Simmons	Mr. President
Faraci	Lewis	Sims	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 3 to **Senate Bill No. 2628**.

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Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Holmes, **Senate Bill No. 2641**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	Porfrio	Villanueva
Curran	Johnson	Preston	Villivalam
DeWitte	Jones, E.	Rezin	Walker
Edly-Allen	Joyce	Rose	Wilcox
Ellman	Koehler	Simmons	Mr. President
Faraci	Lewis	Sims	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2641**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator D. Turner, **Senate Bill No. 2643**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	Porfrio	Villanueva
Curran	Johnson	Preston	Villivalam
DeWitte	Jones, E.	Rezin	Walker
Edly-Allen	Joyce	Rose	Wilcox

Ellman	Koehler	Simmons	Mr. President
Faraci	Lewis	Sims	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2643**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Morrison, **Senate Bill No. 2644**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 2644**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Morrison, **Senate Bill No. 2658**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2658**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Morrison, **Senate Bill No. 2662**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2662**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Faraci, **Senate Bill No. 2737**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 59; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Lightford	Stadelman
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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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2737**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator McConchie, **Senate Bill No. 2740**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 2740**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bennett, **Senate Bill No. 2959**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

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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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2959**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Martwick, **Senate Bill No. 2919**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 2919**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Syverson, **Senate Bill No. 2907**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Belt	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	
Feigenholtz	Lightford	Stadelman	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2907**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Halpin, **Senate Bill No. 3132**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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

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Ellman	Koehler	Simmons	Mr. President
Faraci	Lewis	Sims	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3132**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villa, **Senate Bill No. 3208**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 39; NAYS 18.

The following voted in the affirmative:

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

The following voted in the negative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3208**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cunningham, **Senate Bill No. 3314**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 41; NAYS 18.

The following voted in the affirmative:

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

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

The following voted in the negative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 3314**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Martwick, **Senate Bill No. 3348**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 58; 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	Harris, E.	Murphy	Ventura
Chesney	Hastings	Peters	Villa
Collins	Holmes	Plummer	Villanueva
Cunningham	Hunter	Porfirio	Villivalam
Curran	Johnson	Preston	Walker
DeWitte	Jones, E.	Rezin	Wilcox
Edly-Allen	Joyce	Rose	Mr. President
Ellman	Koehler	Simmons	
Faraci	Lewis	Sims	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3348**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Ellman, **Senate Bill No. 3349**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 46; NAYS 12.

The following voted in the affirmative:

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

The following voted in the negative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3349**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Rose, **Senate Bill No. 3402**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 3402**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Peters, **Senate Bill No. 3463**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 47; NAYS 10.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Chesney	Stoller	Wilcox
Bennett	Plummer	Syverson	
Bryant	Rezin	Turner, S.	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3463**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villivalam, **Senate Bill No. 3467**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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

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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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3467**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Hastings, **Senate Bill No. 3538**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 3538**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Stadelman, **Senate Bill No. 3592**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 43; NAYS 16.

The following voted in the affirmative:

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

The following voted in the negative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3592**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Ventura, **Senate Bill No. 3597**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 42; NAYS 16.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	DeWitte	Rose	Wilcox
Bennett	Fowler	Stoller	
Bryant	McClure	Syverson	
Chesney	Plummer	Tracy	

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Curran Rezin Turner, S.

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3597**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Peters, **Senate Bill No. 3646**, with House Amendment No. 2 on the Secretary’s Desk, was taken up for immediate consideration.

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

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

YEAS 55; NAYS 3.

The following voted in the affirmative:

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

The following voted in the negative:

- Anderson
- Bryant
- Chesney

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 3646**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Peters, **Senate Bill No. 3650**, with House Amendment No. 1 on the Secretary’s Desk, was taken up for immediate consideration.

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

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

YEAS 43; NAYS 16.

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.	Morrison	Ventura
Collins	Hastings	Murphy	Villa
Cunningham	Holmes	Peters	Villanueva
Curran	Hunter	Porfirio	Villivalam
Edly-Allen	Johnson	Preston	Walker
Ellman	Jones, E.	Rezin	Mr. President
Faraci	Joyce	Simmons	

The following voted in the negative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3650**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Feigenholtz, **Senate Bill No. 3282**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 58; 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	
Faraci	Lewis	Sims	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 3282**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villivalam, **Senate Bill No. 898**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 898**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator S. Turner, **Senate Bill No. 2667**, with House Amendment No. 1 on the Secretary’s Desk, was taken up for immediate consideration.

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

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

YEAS 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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2667**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villa, **Senate Bill No. 2876**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 44; NAYS 15.

The following voted in the affirmative:

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

The following voted in the negative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2876**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Fine, **Senate Bill No. 2960**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 42; NAYS 17.

The following voted in the affirmative:

Aquino	Fine	Lewis	Stadelman
Belt	Glowiak Hilton	Lightford	Toro
Castro	Halpin	Loughran Cappel	Turner, D.
Cervantes	Harris, N.	Martwick	Ventura
Collins	Hastings	Morrison	Villa
Cunningham	Holmes	Murphy	Villanueva
Curran	Hunter	Peters	Villivalam

Edly-Allen	Johnson	Porfirio	Walker
Ellman	Jones, E.	Preston	Mr. President
Faraci	Joyce	Simmons	
Feigenholtz	Koehler	Sims	

The following voted in the negative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2960**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villanueva, **Senate Bill No. 3081**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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.	Murphy	Ventura
Chesney	Hastings	Peters	Villa
Collins	Holmes	Plummer	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 motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3081**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cunningham, **Senate Bill No. 3112**, with House Amendments numbered 2 and 3 on the Secretary's Desk, was taken up for immediate consideration.

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

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

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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 2 and 3 to **Senate Bill No. 3112**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Castro, **Senate Bill No. 3136**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 43; NAYS 16.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Fowler	McConchie	Wilcox
Bennett	Harriss, E.	Plummer	
Bryant	Joyce	Stoller	
Chesney	Lewis	Syverson	
Curran	McClure	Tracy	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3136**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Rose asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **Senate Bill No. 3136**.

On motion of Senator Fine, **Senate Bill No. 3137**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3137**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator DeWitte, **Senate Bill No. 3173**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	Porfrio	Villanueva
Curran	Johnson	Preston	Villivalam
DeWitte	Jones, E.	Rezin	Walker
Edly-Allen	Joyce	Rose	Wilcox
Ellman	Koehler	Simmons	Mr. President
Faraci	Lewis	Sims	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3173**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator McClure, **Senate Bill No. 3342**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 54; NAYS 4.

The following voted in the affirmative:

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

The following voted in the negative:

Harriss, E.	Turner, S.
Rose	Wilcox

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3342**.

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 **Senate Bill No. 3342**.

Senator S. Turner asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 3342**.

On motion of Senator Holmes, **Senate Bill No. 3448**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3448**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Feigenholtz, **Senate Bill No. 3481**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 44; NAYS 15.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Fowler	Plummer	Tracy
Bennett	Harriss, E.	Rose	Turner, S.

Bryant	McClure	Stoller	Wilcox
Chesney	McConchie	Syverson	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 3481**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Bennett asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 3481**.

On motion of Senator Ellman, **Senate Bill No. 3506**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3506**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **Senate Bill No. 3686**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 45; NAYS 14.

The following voted in the affirmative:

Aquino	Fine	Lightford	Stadelman
Belt	Glowiak Hilton	Loughran Cappel	Toro
Bennett	Halpin	Martwick	Turner, D.
Castro	Harris, N.	McConchie	Ventura
Cervantes	Hastings	Morrison	Villa

Collins	Holmes	Murphy	Villanueva
Cunningham	Hunter	Peters	Villivalam
Curran	Johnson	Porfirio	Walker
Edly-Allen	Jones, E.	Preston	Mr. President
Ellman	Joyce	Rezin	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	

The following voted in the negative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 3686**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Fine, **Senate Bill No. 3753**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 3753**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Glowiak Hilton, **Senate Bill No. 3768**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 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	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 3768**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villivalam, **Senate Bill No. 3771**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 45; NAYS 11.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Chesney	Plummer	Syverson
Bennett	DeWitte	Rose	Wilcox
Bryant	Harriss, E.	Stoller	

The motion prevailed.

[May 24, 2024]

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3771**.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 4:15 o'clock p.m., Senator Koehler, presiding.

PRESENTATION OF CONGRATULATORY RESOLUTION

SENATE RESOLUTION NO. 1049

Offered by Senator Castro:

Congratulates David Sam, Ph.D. on his retirement as president of Elgin Community College (ECC). Commends his exemplary service and dedication to the students, faculty, staff, and community of ECC.

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

PRESENTATION OF CELEBRATION OF LIFE RESOLUTION

SENATE RESOLUTION NO. 1050

Offered by Senator Fowler and all Senators:

Mourns the death of Julie Lynn (Whitler) Anderson of Harrisburg.

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

INTRODUCTION OF BILL

SENATE BILL NO. 3959. Introduced by Senator Cunningham, a bill for AN ACT concerning regulation.

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

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. 4828

A bill for AN ACT concerning criminal law.

Passed the House, May 24, 2024.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bill No. 4828** 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. 125

A bill for AN ACT concerning transportation.

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

House Amendment No. 2 to SENATE BILL NO. 125

[May 24, 2024]

Passed the House, as amended, May 24, 2024.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 125

AMENDMENT NO. 2 . Amend Senate Bill 125 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 27-24.2 and 27-24.2a as follows:
(105 ILCS 5/27-24.2) (from Ch. 122, par. 27-24.2)

Sec. 27-24.2. Safety education; driver education course. Instruction shall be given in safety education in each of grades one through 8, equivalent to one class period each week, and any school district which maintains grades 9 through 12 shall offer a driver education course in any such school which it operates. Its curriculum shall include content dealing with Chapters 11, 12, 13, 15, and 16 of the Illinois Vehicle Code, the rules adopted pursuant to those Chapters insofar as they pertain to the operation of motor vehicles, and the portions of the Litter Control Act relating to the operation of motor vehicles. The course of instruction given in grades 10 through 12 shall include an emphasis on the development of knowledge, attitudes, habits, and skills necessary for the safe operation of motor vehicles, including motorcycles insofar as they can be taught in the classroom, and instruction on distracted driving as a major traffic safety issue. In addition, the course shall include instruction on special hazards existing at and required safety and driving precautions that must be observed at emergency situations, highway construction and maintenance zones, and railroad crossings and the approaches thereto. Beginning with the 2017-2018 school year, the course shall also include instruction concerning law enforcement procedures for traffic stops, including a demonstration of the proper actions to be taken during a traffic stop and appropriate interactions with law enforcement. Beginning with the 2024-2025 school year, the course shall also include information pertaining to the best practices for safely sharing the roadway with bicyclists and pedestrians. The course of instruction required of each eligible student at the high school level shall consist of a minimum of 30 clock hours of classroom instruction and a minimum of 6 clock hours of individual behind-the-wheel instruction in a dual control car on public roadways taught by a driver education instructor endorsed by the State Board of Education. A school district's decision to allow a student to take a portion of the driver education course through a distance learning program must be determined on a case-by-case basis and must be approved by the school's administration, including the student's driver education teacher, and the student's parent or guardian. Under no circumstances may the student take the entire driver education course through a distance learning program. Both the classroom instruction part and the practice driving part of a driver education course shall be open to a resident or non-resident student attending a non-public school in the district wherein the course is offered. Each student attending any public or non-public high school in the district must receive a passing grade in at least 8 courses during the previous 2 semesters prior to enrolling in a driver education course, or the student shall not be permitted to enroll in the course; provided that the local superintendent of schools (with respect to a student attending a public high school in the district) or chief school administrator (with respect to a student attending a non-public high school in the district) may waive the requirement if the superintendent or chief school administrator, as the case may be, deems it to be in the best interest of the student. A student may be allowed to commence the classroom instruction part of such driver education course prior to reaching age 15 if such student then will be eligible to complete the entire course within 12 months after being allowed to commence such classroom instruction.

A school district may offer a driver education course in a school by contracting with a commercial driver training school to provide both the classroom instruction part and the practice driving part or either one without having to request a modification or waiver of administrative rules of the State Board of Education if the school district approves the action during a public hearing on whether to enter into a contract with a commercial driver training school. The public hearing shall be held at a regular or special school board meeting prior to entering into such a contract. If a school district chooses to approve a contract with a commercial driver training school, then the district must provide evidence to the State Board of Education that the commercial driver training school with which it will contract holds a license issued by the Secretary of State under Article IV of Chapter 6 of the Illinois Vehicle Code and that each instructor employed by the commercial driver training school to provide instruction to students served by the school district holds a valid teaching license issued under the requirements of this Code and rules of the State Board of Education. Such evidence must include, but need not be limited to, a list of each instructor assigned to teach students served by the school district, which list shall include the instructor's name, personal identification number as required by the State Board of Education, birth date, and driver's license

[May 24, 2024]

number. Once the contract is entered into, the school district shall notify the State Board of Education of any changes in the personnel providing instruction either (i) within 15 calendar days after an instructor leaves the program or (ii) before a new instructor is hired. Such notification shall include the instructor's name, personal identification number as required by the State Board of Education, birth date, and driver's license number. If the school district maintains an Internet website, then the district shall post a copy of the final contract between the district and the commercial driver training school on the district's Internet website. If no Internet website exists, then the school district shall make available the contract upon request. A record of all materials in relation to the contract must be maintained by the school district and made available to parents and guardians upon request. The instructor's date of birth and driver's license number and any other personally identifying information as deemed by the federal Driver's Privacy Protection Act of 1994 must be redacted from any public materials.

Such a course may be commenced immediately after the completion of a prior course. Teachers of such courses shall meet the licensure requirements of this Code and regulations of the State Board as to qualifications. Except for a contract with a Certified Driver Rehabilitation Specialist, a school district that contracts with a third party to teach a driver education course under this Section must ensure the teacher meets the educator licensure and endorsement requirements under Article 21B and must follow the same evaluation and observation requirements that apply to non-tenured teachers under Article 24A. The teacher evaluation must be conducted by a school administrator employed by the school district and must be submitted annually to the district superintendent and all school board members for oversight purposes.

Subject to rules of the State Board of Education, the school district may charge a reasonable fee, not to exceed \$50, to students who participate in the course, unless a student is unable to pay for such a course, in which event the fee for such a student must be waived. However, the district may increase this fee to an amount not to exceed \$250 by school board resolution following a public hearing on the increase, which increased fee must be waived for students who participate in the course and are unable to pay for the course. The total amount from driver education fees and reimbursement from the State for driver education must not exceed the total cost of the driver education program in any year and must be deposited into the school district's driver education fund as a separate line item budget entry. All moneys deposited into the school district's driver education fund must be used solely for the funding of a high school driver education program approved by the State Board of Education that uses driver education instructors endorsed by the State Board of Education.

(Source: P.A. 101-183, eff. 8-2-19; 101-450, eff. 8-23-19; 102-558, eff. 8-20-21.)

(105 ILCS 5/27-24.2a)

Sec. 27-24.2a. Non-public school driver education course. Beginning with the 2017-2018 school year, any non-public school's driver education course shall include instruction concerning law enforcement procedures for traffic stops, including a demonstration of the proper actions to be taken during a traffic stop and appropriate interactions with law enforcement. Beginning with the 2024-2025 school year, the course shall also include information pertaining to the best practices for safely sharing the roadway with bicyclists and pedestrians.

(Source: P.A. 99-720, eff. 1-1-17.)

Section 10. The Illinois Vehicle Code is amended by changing Sections 2-112, 6-107.5, 6-109, 6-117, 6-205, 6-206, 6-208, 6-301, 6-521, 7-211, 7-503, 11-306, 11-307, 11-501.01, 11-501.1, 11-703, and 11-1425 and by adding Section 11-712 as follows:

(625 ILCS 5/2-112) (from Ch. 95 1/2, par. 2-112)

Sec. 2-112. Distribution of synopsis laws.

(a) The Secretary of State may publish a synopsis or summary of the laws of this State regulating the operation of vehicles and may deliver a copy thereof without charge with each original vehicle registration and with each original driver's license.

(b) The Secretary of State shall make any necessary revisions in its publications, including, but not limited to, the Illinois Rules of the Road, to accurately conform its publications to the provisions of the Pedestrians with Disabilities Safety Act.

(c) The Secretary of State shall include, in the Illinois Rules of the Road publication, information advising drivers of the laws and best practices for safely sharing the roadway with bicyclists and pedestrians, including, but not limited to, information advising drivers to use the Dutch Reach method when opening a vehicle door after parallel parking on a street (checking the rear-view mirror, checking the

side-view mirror, then opening the door with the right hand, thereby reducing the risk of injuring a bicyclist or opening the door in the path a vehicle approaching from behind).

(d) The Secretary of State shall include, in the Illinois Rules of the Road publication, information advising drivers to use the zipper merge method when merging into a reduced number of lanes (drivers in merging lanes are expected to use both lanes to advance to the lane reduction point and merge at that location, alternating turns).

(e) The Secretary of State, in consultation with the Illinois State Police, shall include in the Illinois Rules of the Road publication a description of law enforcement procedures during traffic stops and the actions that a motorist should take during a traffic stop, including appropriate interactions with law enforcement officers.

(f) The Secretary of State shall include, in the Illinois Rules of Road publication, information advising drivers on best practices related to stranded motorists. This may include, but is not limited to, how to safely pull the vehicle out of traffic, activating hazard lights, when to remain in a vehicle, how to safely exit a stranded vehicle, where to find a safe place outside the stranded vehicle, and emergency numbers to call for assistance.

(Source: P.A. 102-455, eff. 1-1-22; 103-249, eff. 1-1-24.)

(625 ILCS 5/6-107.5)

Sec. 6-107.5. Adult Driver Education Course.

(a) The Secretary shall establish by rule the curriculum and designate the materials to be used in an adult driver education course. The course shall be at least 6 hours in length and shall include instruction on traffic laws; highway signs, signals, and markings that regulate, warn, or direct traffic; issues commonly associated with motor vehicle crashes, including poor decision-making, risk taking, impaired driving, distraction, speed, failure to use a safety belt, driving at night, failure to yield the right-of-way, texting while driving, using wireless communication devices, and alcohol and drug awareness; ~~and~~ instruction on law enforcement procedures during traffic stops, including actions that a motorist should take during a traffic stop and appropriate interactions with law enforcement officers; and information advising drivers of the laws and best practices for safely sharing the roadway with bicyclists and pedestrians. The curriculum shall not require the operation of a motor vehicle.

(b) The Secretary shall certify course providers. The requirements to be a certified course provider, the process for applying for certification, and the procedure for decertifying a course provider shall be established by rule.

(b-5) In order to qualify for certification as an adult driver education course provider, each applicant must authorize an investigation that includes a fingerprint-based background check to determine if the applicant has ever been convicted of a criminal offense and, if so, the disposition of any conviction. This authorization shall indicate the scope of the inquiry and the agencies that may be contacted. Upon receiving this authorization, the Secretary of State may request and receive information and assistance from any federal, State, or local governmental agency as part of the authorized investigation. Each applicant shall submit his or her fingerprints to the Illinois State Police in the form and manner prescribed by the Illinois State Police. These fingerprints shall be checked against fingerprint records now and hereafter filed in the Illinois State Police and Federal Bureau of Investigation criminal history record databases. The Illinois State Police shall charge applicants a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the State and national criminal history record check. The Illinois State Police shall furnish, pursuant to positive identification, records of Illinois criminal convictions to the Secretary and shall forward the national criminal history record information to the Secretary. Applicants shall pay any other fingerprint-related fees. Unless otherwise prohibited by law, the information derived from the investigation, including the source of the information and any conclusions or recommendations derived from the information by the Secretary of State, shall be provided to the applicant upon request to the Secretary of State prior to any final action by the Secretary of State on the application. Any criminal conviction information obtained by the Secretary of State shall be confidential and may not be transmitted outside the Office of the Secretary of State, except as required by this subsection (b-5), and may not be transmitted to anyone within the Office of the Secretary of State except as needed for the purpose of evaluating the applicant. At any administrative hearing held under Section 2-118 of this Code relating to the denial, cancellation, suspension, or revocation of certification of an adult driver education course provider, the Secretary of State may utilize at that hearing any criminal history, criminal conviction, and disposition information obtained under this subsection (b-5). The information obtained from the investigation may be maintained by the Secretary of State or any agency to

which the information was transmitted. Only information and standards which bear a reasonable and rational relation to the performance of providing adult driver education shall be used by the Secretary of State. Any employee of the Secretary of State who gives or causes to be given away any confidential information concerning any criminal convictions or disposition of criminal convictions of an applicant shall be guilty of a Class A misdemeanor unless release of the information is authorized by this Section.

(c) The Secretary may permit a course provider to offer the course online, if the Secretary is satisfied the course provider has established adequate procedures for verifying:

- (1) the identity of the person taking the course online; and
- (2) the person completes the entire course.

(d) The Secretary shall establish a method of electronic verification of a student's successful completion of the course.

(e) The fee charged by the course provider must bear a reasonable relationship to the cost of the course. The Secretary shall post on the Secretary of State's website a list of approved course providers, the fees charged by the providers, and contact information for each provider.

(f) In addition to any other fee charged by the course provider, the course provider shall collect a fee of \$5 from each student to offset the costs incurred by the Secretary in administering this program. The \$5 shall be submitted to the Secretary within 14 days of the day on which it was collected. All such fees received by the Secretary shall be deposited in the Secretary of State Driver Services Administration Fund.

(Source: P.A. 102-455, eff. 1-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-982, eff. 7-1-23.)

(625 ILCS 5/6-109)

Sec. 6-109. Examination of applicants.

(a) The Secretary of State shall examine every applicant for a driver's license or permit who has not been previously licensed as a driver under the laws of this State or any other state or country, or any applicant for renewal of such driver's license or permit when such license or permit has been expired for more than one year. The Secretary of State shall, subject to the provisions of paragraph (c), examine every licensed driver at least every 8 years, and may examine or re-examine any other applicant or licensed driver, provided that during the years 1984 through 1991 those drivers issued a license for 3 years may be re-examined not less than every 7 years or more than every 10 years.

The Secretary of State shall require the testing of the eyesight of any driver's license or permit applicant who has not been previously licensed as a driver under the laws of this State and shall promulgate rules and regulations to provide for the orderly administration of all the provisions of this Section.

The Secretary of State shall include at least one test question that concerns the provisions of the Pedestrians with Disabilities Safety Act in the question pool used for the written portion of the driver's license examination within one year after July 22, 2010 (the effective date of Public Act 96-1167).

The Secretary of State shall include, in the question pool used for the written portion of the driver's license examination, test questions concerning safe driving in the presence of bicycles, of which one may be concerning the Dutch Reach method as described in Section 2-112.

The Secretary of State shall include, in the question pool used for the written portion of the driver's license examination, at least one test question concerning driver responsibilities when approaching a stationary emergency vehicle as described in Section 11-907.

(b) Except as provided for those applicants in paragraph (c), such examination shall include a test of the applicant's eyesight, his or her ability to read and understand official traffic control devices, his or her knowledge of safe driving practices and the traffic laws of this State, and may include an actual demonstration of the applicant's ability to exercise ordinary and reasonable control of the operation of a motor vehicle, and such further physical and mental examination as the Secretary of State finds necessary to determine the applicant's fitness to operate a motor vehicle safely on the highways, except the examination of an applicant 75 years of age or older or, if the Secretary adopts rules under Section 37 of the Secretary of State Act to raise the age requirement for actual demonstrations, the examination of an applicant who has attained that increased age or is older shall include an actual demonstration of the applicant's ability to exercise ordinary and reasonable control of the operation of a motor vehicle. All portions of written and verbal examinations under this Section, excepting where the English language appears on facsimiles of road signs, may be given in the Spanish language and, at the discretion of the Secretary of State, in any other language as well as in English upon request of the examinee. Deaf persons who are otherwise qualified are not prohibited from being issued a license, other than a commercial driver's license, under this Code. The examination to test an applicant's ability to read and understand official traffic control devices and knowledge of safe driving practices and the traffic laws of this State may be administered at a Secretary of

State facility, remotely via the Internet, or in a manner otherwise specified by the Secretary of State in administrative rule.

(c) Re-examination for those applicants who at the time of renewing their driver's license possess a driving record devoid of any convictions of traffic violations or evidence of committing an offense for which mandatory revocation would be required upon conviction pursuant to Section 6-205 at the time of renewal shall be in a manner prescribed by the Secretary in order to determine an applicant's ability to safely operate a motor vehicle, except that every applicant for the renewal of a driver's license who is 75 years of age or older or, if the Secretary adopts rules under Section 37 of the Secretary of State Act to raise the age requirement for actual demonstrations, every applicant for the renewal of a driver's license who has attained that increased age or is older must prove, by an actual demonstration, the applicant's ability to exercise reasonable care in the safe operation of a motor vehicle.

(d) In the event the applicant is not ineligible under the provisions of Section 6-103 to receive a driver's license, the Secretary of State shall make provision for giving an examination, either in the county where the applicant resides or at a place adjacent thereto reasonably convenient to the applicant, within not more than 30 days from the date said application is received.

(e) The Secretary of State may adopt rules regarding the use of foreign language interpreters during the application and examination process.

(Source: P.A. 103-140, eff. 6-30-23.)

(625 ILCS 5/6-117) (from Ch. 95 1/2, par. 6-117)

Sec. 6-117. Records to be kept by the Secretary of State.

(a) The Secretary of State shall file every application for a license or permit accepted under this Chapter, and shall maintain suitable indexes thereof. The records of the Secretary of State shall indicate the action taken with respect to such applications.

(b) The Secretary of State shall maintain appropriate records of all licenses and permits refused, cancelled, disqualified, revoked, or suspended and of the revocation, suspension, and disqualification of driving privileges of persons not licensed under this Chapter, and such records shall note the reasons for such action.

(c) The Secretary of State shall maintain appropriate records of convictions reported under this Chapter. Records of conviction may be maintained in a computer processible medium.

(d) The Secretary of State may also maintain appropriate records of any crash reports received.

(e) The Secretary of State shall also maintain appropriate records of any disposition of supervision or records relative to a driver's referral to a driver remedial or rehabilitative program, as required by the Secretary of State or the courts. Such records shall only be available for use by the Secretary, the driver licensing administrator of any other state, law enforcement agencies, the courts, and the affected driver or, upon proper verification, such affected driver's attorney.

(f) The Secretary of State shall also maintain or contract to maintain appropriate records of all photographs and signatures obtained in the process of issuing any driver's license, permit, or identification card. The record shall be confidential and shall not be disclosed except to those entities listed under Section 6-110.1 of this Code.

(g) The Secretary of State may establish a First Person Consent organ and tissue donor registry in compliance with subsection (b-1) of Section 5-20 of the Illinois Anatomical Gift Act, as follows:

(1) The Secretary shall offer, to each applicant for issuance or renewal of a driver's license or identification card who is 16 years of age or older, the opportunity to have his or her name included in the First Person Consent organ and tissue donor registry. The Secretary must advise the applicant or licensee that he or she is under no compulsion to have his or her name included in the registry. An individual who agrees to having his or her name included in the First Person Consent organ and tissue donor registry has given full legal consent to the donation of any of his or her organs or tissue upon his or her death. A brochure explaining this method of executing an anatomical gift must be given to each applicant for issuance or renewal of a driver's license or identification card. The brochure must advise the applicant or licensee (i) that he or she is under no compulsion to have his or her name included in this registry and (ii) that he or she may wish to consult with family, friends, or clergy before doing so.

(2) The Secretary of State may establish additional methods by which an individual may have his or her name included in the First Person Consent organ and tissue donor registry.

(3) When an individual has agreed to have his or her name included in the First Person Consent organ and tissue donor registry, the Secretary of State shall note that agreement in the First Person

consent organ and tissue donor registry. Representatives of federally designated organ procurement agencies and tissue banks and the offices of Illinois county coroners and medical examiners may inquire of the Secretary of State whether a potential organ donor's name is included in the First Person Consent organ and tissue donor registry, and the Secretary of State may provide that information to the representative.

(4) An individual may withdraw his or her consent to be listed in the First Person Consent organ and tissue donor registry maintained by the Secretary of State by notifying the Secretary of State in writing, or by any other means approved by the Secretary, of the individual's decision to have his or her name removed from the registry.

(5) The Secretary of State may undertake additional efforts, including education and awareness activities, to promote organ and tissue donation.

(6) In the absence of gross negligence or willful misconduct, the Secretary of State and his or her employees are immune from any civil or criminal liability in connection with an individual's consent to be listed in the organ and tissue donor registry.

(h) The Secretary of State may destroy a driving record created 20 or more years ago for a person who was convicted of an offense and who did not have an Illinois driver's license if the record no longer contains any convictions or withdrawal of driving privileges due to the convictions.

(Source: P.A. 102-982, eff. 7-1-23.)

(625 ILCS 5/6-205)

Sec. 6-205. Mandatory revocation of license or permit; hardship cases.

(a) Except as provided in this Section, the Secretary of State shall immediately revoke the license, permit, or driving privileges of any driver upon receiving a report of the driver's conviction of any of the following offenses:

1. Reckless homicide resulting from the operation of a motor vehicle;
2. Violation of Section 11-501 of this Code or a similar provision of a local ordinance relating to the offense of operating or being in physical control of a vehicle while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof;
3. Any felony under the laws of any State or the federal government in the commission of which a motor vehicle was used;
4. Violation of Section 11-401 of this Code relating to the offense of leaving the scene of a traffic crash involving death or personal injury;
5. Perjury or the making of a false affidavit or statement under oath to the Secretary of State under this Code or under any other law relating to the ownership or operation of motor vehicles;
6. Conviction upon 3 charges of violation of Section 11-503 of this Code relating to the offense of reckless driving committed within a period of 12 months;
7. Conviction of any offense defined in Section 4-102 of this Code if the person exercised actual physical control over the vehicle during the commission of the offense;
8. Violation of Section 11-504 of this Code relating to the offense of drag racing;
9. Violation of Chapters 8 and 9 of this Code;
10. Violation of Section 12-5 of the Criminal Code of 1961 or the Criminal Code of 2012 arising from the use of a motor vehicle;
11. Violation of Section 11-204.1 of this Code relating to aggravated fleeing or attempting to elude a peace officer;
12. Violation of paragraph (1) of subsection (b) of Section 6-507, or a similar law of any other state, relating to the unlawful operation of a commercial motor vehicle;
13. Violation of paragraph (a) of Section 11-502 of this Code or a similar provision of a local ordinance if the driver has been previously convicted of a violation of that Section or a similar provision of a local ordinance and the driver was less than 21 years of age at the time of the offense;
14. Violation of paragraph (a) of Section 11-506 of this Code or a similar provision of a local ordinance relating to the offense of street racing;
15. A second or subsequent conviction of driving while the person's driver's license, permit, or ~~privilege~~ privileges was revoked for reckless homicide or a similar out-of-state offense;
16. Any offense against any provision in this Code, or any local ordinance, regulating the movement of traffic when that offense was the proximate cause of the death of any person. Any person whose driving privileges have been revoked pursuant to this paragraph may seek to have the

revocation terminated or to have the length of revocation reduced by requesting an administrative hearing with the Secretary of State prior to the projected driver's license application eligibility date;

17. Violation of subsection (a-2) of Section 11-1301.3 of this Code or a similar provision of a local ordinance;

18. A second or subsequent conviction of illegal possession, while operating or in actual physical control, as a driver, of a motor vehicle, of any controlled substance prohibited under the Illinois Controlled Substances Act, any cannabis prohibited under the Cannabis Control Act, or any methamphetamine prohibited under the Methamphetamine Control and Community Protection Act. A defendant found guilty of this offense while operating a motor vehicle shall have an entry made in the court record by the presiding judge that this offense did occur while the defendant was operating a motor vehicle and order the clerk of the court to report the violation to the Secretary of State;

19. Violation of subsection (a) of Section 11-1414 of this Code, or a similar provision of a local ordinance, relating to the offense of overtaking or passing of a school bus when the driver, in committing the violation, is involved in a motor vehicle crash that results in death to another and the violation is a proximate cause of the death.

(b) The Secretary of State shall also immediately revoke the license or permit of any driver in the following situations:

1. Of any minor upon receiving the notice provided for in Section 5-901 of the Juvenile Court Act of 1987 that the minor has been adjudicated under that Act as having committed an offense relating to motor vehicles prescribed in Section 4-103 of this Code;

2. Of any person when any other law of this State requires either the revocation or suspension of a license or permit;

3. Of any person adjudicated under the Juvenile Court Act of 1987 based on an offense determined to have been committed in furtherance of the criminal activities of an organized gang as provided in Section 5-710 of that Act, and that involved the operation or use of a motor vehicle or the use of a driver's license or permit. The revocation shall remain in effect for the period determined by the court.

(c)(1) Whenever a person is convicted of any of the offenses enumerated in this Section, the court may recommend and the Secretary of State in his discretion, without regard to whether the recommendation is made by the court may, upon application, issue to the person a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow the petitioner to transport himself or herself or a family member of the petitioner's household to a medical facility for the receipt of necessary medical care or to allow the petitioner to transport himself or herself to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or to allow the petitioner to transport himself or herself or a family member of the petitioner's household to classes, as a student, at an accredited educational institution, or to allow the petitioner to transport children, elderly persons, or persons with disabilities who do not hold driving privileges and are living in the petitioner's household to and from daycare; if the petitioner is able to demonstrate that no alternative means of transportation is reasonably available and that the petitioner will not endanger the public safety or welfare; provided that the Secretary's discretion shall be limited to cases where undue hardship, as defined by the rules of the Secretary of State, would result from a failure to issue the restricted driving permit.

(1.5) A person subject to the provisions of paragraph 4 of subsection (b) of Section 6-208 of this Code may make application for a restricted driving permit at a hearing conducted under Section 2-118 of this Code after the expiration of 5 years from the effective date of the most recent revocation, or after 5 years from the date of release from a period of imprisonment resulting from a conviction of the most recent offense, whichever is later, provided the person, in addition to all other requirements of the Secretary, shows by clear and convincing evidence:

(A) a minimum of 3 years of uninterrupted abstinence from alcohol and the unlawful use or consumption of cannabis under the Cannabis Control Act, a controlled substance under the Illinois Controlled Substances Act, an intoxicating compound under the Use of Intoxicating Compounds Act, or methamphetamine under the Methamphetamine Control and Community Protection Act; and

(B) the successful completion of any rehabilitative treatment and involvement in any ongoing rehabilitative activity that may be recommended by a properly licensed service provider according to an assessment of the person's alcohol or drug use under Section 11-501.01 of this Code.

In determining whether an applicant is eligible for a restricted driving permit under this paragraph (1.5), the Secretary may consider any relevant evidence, including, but not limited to, testimony, affidavits, records, and the results of regular alcohol or drug tests. Persons subject to the provisions of paragraph 4 of subsection (b) of Section 6-208 of this Code and who have been convicted of more than one violation of paragraph (3), paragraph (4), or paragraph (5) of subsection (a) of Section 11-501 of this Code shall not be eligible to apply for a restricted driving permit.

A restricted driving permit issued under this paragraph (1.5) shall provide that the holder may only operate motor vehicles equipped with an ignition interlock device as required under paragraph (2) of subsection (c) of this Section and subparagraph (A) of paragraph 3 of subsection (c) of Section 6-206 of this Code. The Secretary may revoke a restricted driving permit or amend the conditions of a restricted driving permit issued under this paragraph (1.5) if the holder operates a vehicle that is not equipped with an ignition interlock device, or for any other reason authorized under this Code.

A restricted driving permit issued under this paragraph (1.5) shall be revoked, and the holder barred from applying for or being issued a restricted driving permit in the future, if the holder is subsequently convicted of a violation of Section 11-501 of this Code, a similar provision of a local ordinance, or a similar offense in another state or on a military installation.

(2) If a person's license or permit is revoked or suspended due to 2 or more convictions of violating Section 11-501 of this Code, ~~or a similar provision of a local ordinance or a similar out-of-state offense, or a similar offense committed on a military installation, or due to 2 or more convictions of violating~~ Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense, or a combination of these offenses, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(3) If:

(A) a person's license or permit is revoked or suspended 2 or more times due to any combination of:

(i) a single conviction of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or a similar offense committed on a military installation, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense or a similar offense committed on a military installation; or

(ii) a statutory summary suspension or revocation under Section 11-501.1 or a suspension under paragraph 6 of subsection (a) of Section 6-206 for refusal of chemical testing in another state or a suspension under paragraph (31) of subsection (a) of Section 6-206; or

(iii) a suspension pursuant to Section 6-203.1; arising out of separate occurrences; or

(B) a person has been convicted of one violation of subparagraph (C) or (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide where the use of alcohol or other drugs was recited as an element of the offense, or a similar provision of a law of another state or military installation;

that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(4) The person issued a permit conditioned on the use of an ignition interlock device must pay to the Secretary of State DUI Administration Fund an amount not to exceed \$30 per month. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees.

(5) If the restricted driving permit is issued for employment purposes, then the prohibition against operating a motor vehicle that is not equipped with an ignition interlock device does not apply to the operation of an occupational vehicle owned or leased by that person's employer when used solely for employment purposes. For any person who, within a 5-year period, is convicted of a second or subsequent offense under Section 11-501 of this Code, or a similar provision of a local ordinance or similar out-of-state offense or a similar offense committed on a military installation, this employment exemption does not apply until either a one-year period has elapsed during which that person had his or her driving privileges revoked or a one-year period has elapsed during which that person had a restricted driving permit which required the use of an ignition interlock device on every motor vehicle owned or operated by that person.

(6) In each case the Secretary of State may issue a restricted driving permit for a period he deems appropriate, except that the permit shall expire no later than 2 years from the date of issuance. A restricted driving permit issued under this Section shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued under this Code may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the petitioner to participate in a designated driver remedial or rehabilitative program. The Secretary of State is authorized to cancel a restricted driving permit if the permit holder does not successfully complete the program. However, if an individual's driving privileges have been revoked in accordance with paragraph 13 of subsection (a) of this Section, no restricted driving permit shall be issued until the individual has served 6 months of the revocation period.

(c-5) (Blank).

(c-6) If a person is convicted of a second violation of operating a motor vehicle while the person's driver's license, permit or privilege was revoked, where the revocation was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide or a similar out-of-state offense or a similar offense committed on a military installation, the person's driving privileges shall be revoked pursuant to subdivision (a)(15) of this Section. The person may not make application for a license or permit until the expiration of five years from the effective date of the revocation or the expiration of five years from the date of release from a term of imprisonment, whichever is later.

(c-7) If a person is convicted of a third or subsequent violation of operating a motor vehicle while the person's driver's license, permit or privilege was revoked, where the revocation was for a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the offense of reckless homicide or a similar out-of-state offense or a similar offense committed on a military installation, the person may never apply for a license or permit.

(d)(1) Whenever a person under the age of 21 is convicted under Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or a similar offense committed on a military installation, the Secretary of State shall revoke the driving privileges of that person. One year after the date of revocation, and upon application, the Secretary of State may, if satisfied that the person applying will not endanger the public safety or welfare, issue a restricted driving permit granting the privilege of driving a motor vehicle only between the hours of 5 a.m. and 9 p.m. or as otherwise provided by this Section for a period of one year. After this one-year period, and upon reapplication for a license as provided in Section 6-106, upon payment of the appropriate reinstatement fee provided under paragraph (b) of Section 6-118, the Secretary of State, in his discretion, may reinstate the petitioner's driver's license and driving privileges, or extend the restricted driving permit as many times as the Secretary of State deems appropriate, by additional periods of not more than 24 months each.

(2) If a person's license or permit is revoked or suspended due to 2 or more convictions of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or a similar offense committed on a military installation, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense, or a similar offense committed on a military installation, or a combination of these offenses, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(3) If a person's license or permit is revoked or suspended 2 or more times due to any combination of:

(A) a single conviction of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or a similar offense committed on a military installation, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense or a similar offense committed on a military institution; or

(B) a statutory summary suspension or revocation under Section 11-501.1; or

(C) a suspension pursuant to Section 6-203.1;

arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(3.5) If a person's license or permit is revoked or suspended due to a conviction for a violation of subparagraph (C) or (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, or a similar provision of a local ordinance or similar out-of-state offense, that person, if issued a restricted driving

permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(4) The person issued a permit conditioned upon the use of an interlock device must pay to the Secretary of State DUI Administration Fund an amount not to exceed \$30 per month. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees.

(5) If the restricted driving permit is issued for employment purposes, then the prohibition against driving a vehicle that is not equipped with an ignition interlock device does not apply to the operation of an occupational vehicle owned or leased by that person's employer when used solely for employment purposes. For any person who, within a 5-year period, is convicted of a second or subsequent offense under Section 11-501 of this Code, or a similar provision of a local ordinance or similar out-of-state offense, or a similar offense committed on a military installation, this employment exemption does not apply until either a one-year period has elapsed during which that person had his or her driving privileges revoked or a one-year period has elapsed during which that person had a restricted driving permit which required the use of an ignition interlock device on every motor vehicle owned or operated by that person.

(6) A restricted driving permit issued under this Section shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued under this Code may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit.

(d-5) The revocation of the license, permit, or driving privileges of a person convicted of a third or subsequent violation of Section 6-303 of this Code committed while his or her driver's license, permit, or privilege was revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state or military installation, is permanent. The Secretary may not, at any time, issue a license or permit to that person.

(e) This Section is subject to the provisions of the Driver License Compact.

(f) Any revocation imposed upon any person under subsections 2 and 3 of paragraph (b) that is in effect on December 31, 1988 shall be converted to a suspension for a like period of time.

(g) The Secretary of State shall not issue a restricted driving permit to a person under the age of 16 years whose driving privileges have been revoked under any provisions of this Code.

(h) The Secretary of State shall require the use of ignition interlock devices for a period not less than 5 years on all vehicles owned by a person who has been convicted of a second or subsequent offense under Section 11-501 of this Code or a similar provision of a local ordinance or a similar provision of a law of another state or military installation. The person must pay to the Secretary of State DUI Administration Fund an amount not to exceed \$30 for each month that he or she uses the device. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system, the amount of the fee, and the procedures, terms, and conditions relating to these fees. During the time period in which a person is required to install an ignition interlock device under this subsection (h), that person shall only operate vehicles in which ignition interlock devices have been installed, except as allowed by subdivision (c)(5) or (d)(5) of this Section. Regardless of whether an exemption under subdivision (c) (5) or (d) (5) applies, every person subject to this subsection shall not be eligible for reinstatement until the person installs an ignition interlock device and maintains the ignition interlock device for 5 years.

(i) (Blank).

(j) In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been revoked, suspended, cancelled, or disqualified under any provisions of this Code.

(k) The Secretary of State shall notify by mail any person whose driving privileges have been revoked under paragraph 16 of subsection (a) of this Section that his or her driving privileges and driver's license will be revoked 90 days from the date of the mailing of the notice.

(Source: P.A. 101-623, eff. 7-1-20; 102-299, eff. 8-6-21; 102-982, eff. 7-1-23.)

(625 ILCS 5/6-206)

Sec. 6-206. Discretionary authority to suspend or revoke license or permit; right to a hearing.

(a) The Secretary of State is authorized to suspend or revoke the driving privileges of any person without preliminary hearing upon a showing of the person's records or other sufficient evidence that the person:

1. Has committed an offense for which mandatory revocation of a driver's license or permit is required upon conviction;
2. Has been convicted of not less than 3 offenses against traffic regulations governing the movement of vehicles committed within any 12-month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;
3. Has been repeatedly involved as a driver in motor vehicle collisions or has been repeatedly convicted of offenses against laws and ordinances regulating the movement of traffic, to a degree that indicates lack of ability to exercise ordinary and reasonable care in the safe operation of a motor vehicle or disrespect for the traffic laws and the safety of other persons upon the highway;
4. Has by the unlawful operation of a motor vehicle caused or contributed to a crash resulting in injury requiring immediate professional treatment in a medical facility or doctor's office to any person, except that any suspension or revocation imposed by the Secretary of State under the provisions of this subsection shall start no later than 6 months after being convicted of violating a law or ordinance regulating the movement of traffic, which violation is related to the crash, or shall start not more than one year after the date of the crash, whichever date occurs later;
5. Has permitted an unlawful or fraudulent use of a driver's license, identification card, or permit;
6. Has been lawfully convicted of an offense or offenses in another state, including the authorization contained in Section 6-203.1, which if committed within this State would be grounds for suspension or revocation;
7. Has refused or failed to submit to an examination provided for by Section 6-207 or has failed to pass the examination;
8. Is ineligible for a driver's license or permit under the provisions of Section 6-103;
9. Has made a false statement or knowingly concealed a material fact or has used false information or identification in any application for a license, identification card, or permit;
10. Has possessed, displayed, or attempted to fraudulently use any license, identification card, or permit not issued to the person;
11. Has operated a motor vehicle upon a highway of this State when the person's driving privilege or privilege to obtain a driver's license or permit was revoked or suspended unless the operation was authorized by a monitoring device driving permit, judicial driving permit issued prior to January 1, 2009, probationary license to drive, or restricted driving permit issued under this Code;
12. Has submitted to any portion of the application process for another person or has obtained the services of another person to submit to any portion of the application process for the purpose of obtaining a license, identification card, or permit for some other person;
13. Has operated a motor vehicle upon a highway of this State when the person's driver's license or permit was invalid under the provisions of Sections 6-107.1 and 6-110;
14. Has committed a violation of Section 6-301, 6-301.1, or 6-301.2 of this Code, or Section 14, 14A, or 14B of the Illinois Identification Card Act or a similar offense in another state if, at the time of the offense, the person held an Illinois driver's license or identification card;
15. Has been convicted of violating Section 21-2 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to criminal trespass to vehicles if the person exercised actual physical control over the vehicle during the commission of the offense, in which case the suspension shall be for one year;
16. Has been convicted of violating Section 11-204 of this Code relating to fleeing from a peace officer;
17. Has refused to submit to a test, or tests, or a similar out-of-state offense or a similar offense committed on a military installation, as required under Section 11-501.1 of this Code and the person has not sought a hearing as provided for in Section 11-501.1;
18. (Blank);
19. Has committed a violation of paragraph (a) or (b) of Section 6-101 relating to driving without a driver's license;
20. Has been convicted of violating Section 6-104 relating to classification of driver's license;
21. Has been convicted of violating Section 11-402 of this Code relating to leaving the scene of a crash resulting in damage to a vehicle in excess of \$1,000, in which case the suspension shall be for one year;

22. Has used a motor vehicle in violating paragraph (3), (4), (7), or (9) of subsection (a) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to unlawful use of weapons, in which case the suspension shall be for one year;

23. Has, as a driver, been convicted of committing a violation of paragraph (a) of Section 11-502 of this Code for a second or subsequent time within one year of a similar violation;

24. Has been convicted by a court-martial or punished by non-judicial punishment by military authorities of the United States at a military installation in Illinois or in another state of or for a traffic-related offense that is the same as or similar to an offense specified under Section 6-205 or 6-206 of this Code;

25. Has permitted any form of identification to be used by another in the application process in order to obtain or attempt to obtain a license, identification card, or permit;

26. Has altered or attempted to alter a license or has possessed an altered license, identification card, or permit;

27. (Blank);

28. Has been convicted for a first time of the illegal possession, while operating or in actual physical control, as a driver, of a motor vehicle, of any controlled substance prohibited under the Illinois Controlled Substances Act, any cannabis prohibited under the Cannabis Control Act, or any methamphetamine prohibited under the Methamphetamine Control and Community Protection Act, in which case the person's driving privileges shall be suspended for one year. Any defendant found guilty of this offense while operating a motor vehicle shall have an entry made in the court record by the presiding judge that this offense did occur while the defendant was operating a motor vehicle and order the clerk of the court to report the violation to the Secretary of State;

29. Has been convicted of the following offenses that were committed while the person was operating or in actual physical control, as a driver, of a motor vehicle: criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, juvenile pimping, soliciting for a juvenile prostitute, promoting juvenile prostitution as described in subdivision (a)(1), (a)(2), or (a)(3) of Section 11-14.4 of the Criminal Code of 1961 or the Criminal Code of 2012, and the manufacture, sale or delivery of controlled substances or instruments used for illegal drug use or abuse in which case the driver's driving privileges shall be suspended for one year;

30. Has been convicted a second or subsequent time for any combination of the offenses named in paragraph 29 of this subsection, in which case the person's driving privileges shall be suspended for 5 years;

31. Has refused to submit to a test as required by Section 11-501.6 of this Code or Section 5-16c of the Boat Registration and Safety Act or has submitted to a test resulting in an alcohol concentration of 0.08 or more or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of cannabis as listed in the Cannabis Control Act, a controlled substance as listed in the Illinois Controlled Substances Act, an intoxicating compound as listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, in which case the penalty shall be as prescribed in Section 6-208.1;

32. Has been convicted of Section 24-1.2 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to the aggravated discharge of a firearm if the offender was located in a motor vehicle at the time the firearm was discharged, in which case the suspension shall be for 3 years;

33. Has as a driver, who was less than 21 years of age on the date of the offense, been convicted a first time of a violation of paragraph (a) of Section 11-502 of this Code or a similar provision of a local ordinance;

34. Has committed a violation of Section 11-1301.5 of this Code or a similar provision of a local ordinance;

35. Has committed a violation of Section 11-1301.6 of this Code or a similar provision of a local ordinance;

36. Is under the age of 21 years at the time of arrest and has been convicted of not less than 2 offenses against traffic regulations governing the movement of vehicles committed within any 24-month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;

37. Has committed a violation of subsection (c) of Section 11-907 of this Code that resulted in damage to the property of another or the death or injury of another;

38. Has been convicted of a violation of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance and the person was an occupant of a motor vehicle at the time of the violation;

39. Has committed a second or subsequent violation of Section 11-1201 of this Code;

40. Has committed a violation of subsection (a-1) of Section 11-908 of this Code;

41. Has committed a second or subsequent violation of Section 11-605.1 of this Code, a similar provision of a local ordinance, or a similar violation in any other state within 2 years of the date of the previous violation, in which case the suspension shall be for 90 days;

42. Has committed a violation of subsection (a-1) of Section 11-1301.3 of this Code or a similar provision of a local ordinance;

43. Has received a disposition of court supervision for a violation of subsection (a), (d), or (e) of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance and the person was an occupant of a motor vehicle at the time of the violation, in which case the suspension shall be for a period of 3 months;

44. Is under the age of 21 years at the time of arrest and has been convicted of an offense against traffic regulations governing the movement of vehicles after having previously had his or her driving privileges suspended or revoked pursuant to subparagraph 36 of this Section;

45. Has, in connection with or during the course of a formal hearing conducted under Section 2-118 of this Code: (i) committed perjury; (ii) submitted fraudulent or falsified documents; (iii) submitted documents that have been materially altered; or (iv) submitted, as his or her own, documents that were in fact prepared or composed for another person;

46. Has committed a violation of subsection (j) of Section 3-413 of this Code;

47. Has committed a violation of subsection (a) of Section 11-502.1 of this Code;

48. Has submitted a falsified or altered medical examiner's certificate to the Secretary of State or provided false information to obtain a medical examiner's certificate;

49. Has been convicted of a violation of Section 11-1002 or 11-1002.5 that resulted in a Type A injury to another, in which case the driving privileges of the person shall be suspended for 12 months;

50. Has committed a violation of subsection (b-5) of Section 12-610.2 that resulted in great bodily harm, permanent disability, or disfigurement, in which case the driving privileges of the person shall be suspended for 12 months;

51. Has committed a violation of Section 10-15 Of the Cannabis Regulation and Tax Act or a similar provision of a local ordinance while in a motor vehicle; or

52. Has committed a violation of subsection (b) of Section 10-20 of the Cannabis Regulation and Tax Act or a similar provision of a local ordinance.

For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26, and 27 of this subsection, license means any driver's license, any traffic ticket issued when the person's driver's license is deposited in lieu of bail, a suspension notice issued by the Secretary of State, a duplicate or corrected driver's license, a probationary driver's license, or a temporary driver's license.

(b) If any conviction forming the basis of a suspension or revocation authorized under this Section is appealed, the Secretary of State may rescind or withhold the entry of the order of suspension or revocation, as the case may be, provided that a certified copy of a stay order of a court is filed with the Secretary of State. If the conviction is affirmed on appeal, the date of the conviction shall relate back to the time the original judgment of conviction was entered and the 6-month limitation prescribed shall not apply.

(c) 1. Upon suspending or revoking the driver's license or permit of any person as authorized in this Section, the Secretary of State shall immediately notify the person in writing of the revocation or suspension. The notice to be deposited in the United States mail, postage prepaid, to the last known address of the person.

2. If the Secretary of State suspends the driver's license of a person under subsection 2 of paragraph (a) of this Section, a person's privilege to operate a vehicle as an occupation shall not be suspended, provided an affidavit is properly completed, the appropriate fee received, and a permit issued prior to the effective date of the suspension, unless 5 offenses were committed, at least 2 of which occurred while operating a commercial vehicle in connection with the driver's regular occupation. All other driving privileges shall be suspended by the Secretary of State. Any driver prior to operating a vehicle for occupational purposes only must submit the affidavit on forms to be provided by the Secretary of State setting forth the facts of the person's occupation. The affidavit shall also state the number of offenses committed while operating a vehicle in connection with the driver's regular occupation. The affidavit shall

be accompanied by the driver's license. Upon receipt of a properly completed affidavit, the Secretary of State shall issue the driver a permit to operate a vehicle in connection with the driver's regular occupation only. Unless the permit is issued by the Secretary of State prior to the date of suspension, the privilege to drive any motor vehicle shall be suspended as set forth in the notice that was mailed under this Section. If an affidavit is received subsequent to the effective date of this suspension, a permit may be issued for the remainder of the suspension period.

The provisions of this subparagraph shall not apply to any driver required to possess a CDL for the purpose of operating a commercial motor vehicle.

Any person who falsely states any fact in the affidavit required herein shall be guilty of perjury under Section 6-302 and upon conviction thereof shall have all driving privileges revoked without further rights.

3. At the conclusion of a hearing under Section 2-118 of this Code, the Secretary of State shall either rescind or continue an order of revocation or shall substitute an order of suspension; or, good cause appearing therefor, rescind, continue, change, or extend the order of suspension. If the Secretary of State does not rescind the order, the Secretary may upon application, to relieve undue hardship (as defined by the rules of the Secretary of State), issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment-related duties, or to allow the petitioner to transport himself or herself, or a family member of the petitioner's household to a medical facility, to receive necessary medical care, to allow the petitioner to transport himself or herself to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or to allow the petitioner to transport himself or herself or a family member of the petitioner's household to classes, as a student, at an accredited educational institution, or to allow the petitioner to transport children, elderly persons, or persons with disabilities who do not hold driving privileges and are living in the petitioner's household to and from daycare. The petitioner must demonstrate that no alternative means of transportation is reasonably available and that the petitioner will not endanger the public safety or welfare.

(A) If a person's license or permit is revoked or suspended due to 2 or more convictions of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or a similar offense committed on a military installation, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense, or a similar offense committed on a military installation or a combination of these offenses, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(B) If a person's license or permit is revoked or suspended 2 or more times due to any combination of:

(i) a single conviction of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or a similar offense committed on a military installation or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense or a similar offense committed on a military installation; or

(ii) a statutory summary suspension or revocation under Section 11-501.1 or a suspension under paragraph (6) of subsection (a) of Section 6-206 for refusal of chemical testing in another state or a suspension under paragraph (31) of subsection (a) of Section 6-206; or

(iii) a suspension under Section 6-203.1;

arising out of separate occurrences; that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(B-5) If a person's license or permit is revoked or suspended due to a conviction for a violation of subparagraph (C) or (F) of paragraph (1) of subsection (d) of Section 11-501 of this Code, or a similar provision of a local ordinance or similar out-of-state offense or a similar offense committed on a military installation, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(C) The person issued a permit conditioned upon the use of an ignition interlock device must pay to the Secretary of State DUI Administration Fund an amount not to exceed \$30 per month. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees.

(D) If the restricted driving permit is issued for employment purposes, then the prohibition against operating a motor vehicle that is not equipped with an ignition interlock device does not apply to the operation of an occupational vehicle owned or leased by that person's employer when used solely for employment purposes. For any person who, within a 5-year period, is convicted of a second or subsequent offense under Section 11-501 of this Code, or a similar provision of a local ordinance or similar out-of-state offense or a similar offense committed on a military installation, this employment exemption does not apply until either a one-year period has elapsed during which that person had his or her driving privileges revoked or a one-year period has elapsed during which that person had a restricted driving permit which required the use of an ignition interlock device on every motor vehicle owned or operated by that person.

(E) In each case the Secretary may issue a restricted driving permit for a period deemed appropriate, except that all permits shall expire no later than 2 years from the date of issuance. A restricted driving permit issued under this Section shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued under this Code may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a designated driver remedial or rehabilitative program. The Secretary of State is authorized to cancel a restricted driving permit if the permit holder does not successfully complete the program.

(F) A person subject to the provisions of paragraph 4 of subsection (b) of Section 6-208 of this Code may make application for a restricted driving permit at a hearing conducted under Section 2-118 of this Code after the expiration of 5 years from the effective date of the most recent revocation or after 5 years from the date of release from a period of imprisonment resulting from a conviction of the most recent offense, whichever is later, provided the person, in addition to all other requirements of the Secretary, shows by clear and convincing evidence:

(i) a minimum of 3 years of uninterrupted abstinence from alcohol and the unlawful use or consumption of cannabis under the Cannabis Control Act, a controlled substance under the Illinois Controlled Substances Act, an intoxicating compound under the Use of Intoxicating Compounds Act, or methamphetamine under the Methamphetamine Control and Community Protection Act; and

(ii) the successful completion of any rehabilitative treatment and involvement in any ongoing rehabilitative activity that may be recommended by a properly licensed service provider according to an assessment of the person's alcohol or drug use under Section 11-501.01 of this Code.

In determining whether an applicant is eligible for a restricted driving permit under this subparagraph (F), the Secretary may consider any relevant evidence, including, but not limited to, testimony, affidavits, records, and the results of regular alcohol or drug tests. Persons subject to the provisions of paragraph 4 of subsection (b) of Section 6-208 of this Code and who have been convicted of more than one violation of paragraph (3), paragraph (4), or paragraph (5) of subsection (a) of Section 11-501 of this Code shall not be eligible to apply for a restricted driving permit under this subparagraph (F).

A restricted driving permit issued under this subparagraph (F) shall provide that the holder may only operate motor vehicles equipped with an ignition interlock device as required under paragraph (2) of subsection (c) of Section 6-205 of this Code and subparagraph (A) of paragraph 3 of subsection (c) of this Section. The Secretary may revoke a restricted driving permit or amend the conditions of a restricted driving permit issued under this subparagraph (F) if the holder operates a vehicle that is not equipped with an ignition interlock device, or for any other reason authorized under this Code.

A restricted driving permit issued under this subparagraph (F) shall be revoked, and the holder barred from applying for or being issued a restricted driving permit in the future, if the holder is convicted of a violation of Section 11-501 of this Code, a similar provision of a local ordinance, or a similar offense in another state or on a military installation.

(c-3) In the case of a suspension under paragraph 43 of subsection (a), reports received by the Secretary of State under this Section shall, except during the actual time the suspension is in effect, be privileged information and for use only by the courts, police officers, prosecuting authorities, the driver

licensing administrator of any other state, the Secretary of State, or the parent or legal guardian of a driver under the age of 18. However, beginning January 1, 2008, if the person is a CDL holder, the suspension shall also be made available to the driver licensing administrator of any other state, the U.S. Department of Transportation, and the affected driver or motor carrier or prospective motor carrier upon request.

(c-4) In the case of a suspension under paragraph 43 of subsection (a), the Secretary of State shall notify the person by mail that his or her driving privileges and driver's license will be suspended one month after the date of the mailing of the notice.

(c-5) The Secretary of State may, as a condition of the reissuance of a driver's license or permit to an applicant whose driver's license or permit has been suspended before he or she reached the age of 21 years pursuant to any of the provisions of this Section, require the applicant to participate in a driver remedial education course and be retested under Section 6-109 of this Code.

(d) This Section is subject to the provisions of the Driver License Compact.

(e) The Secretary of State shall not issue a restricted driving permit to a person under the age of 16 years whose driving privileges have been suspended or revoked under any provisions of this Code.

(f) In accordance with 49 CFR 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been suspended, revoked, cancelled, or disqualified under any provisions of this Code.

(Source: P.A. 102-299, eff. 8-6-21; 102-558, eff. 8-20-21; 102-749, eff. 1-1-23; 102-813, eff. 5-13-22; 102-982, eff. 7-1-23; 103-154, eff. 6-30-23.)

(625 ILCS 5/6-208) (from Ch. 95 1/2, par. 6-208)

Sec. 6-208. Period of suspension - application after revocation.

(a) Except as otherwise provided by this Code or any other law of this State, the Secretary of State shall not suspend a driver's license, permit, or privilege to drive a motor vehicle on the highways for a period of more than one year.

(b) Any person whose license, permit, or privilege to drive a motor vehicle on the highways has been revoked shall not be entitled to have such license, permit, or privilege renewed or restored. However, such person may, except as provided under subsections (d) and (d-5) of Section 6-205, make application for a license pursuant to Section 6-106 (i) if the revocation was for a cause that has been removed or (ii) as provided in the following subparagraphs:

1. Except as provided in subparagraphs 1.3, 1.5, 2, 3, 4, and 5, the person may make application for a license (A) after the expiration of one year from the effective date of the revocation, (B) in the case of a violation of paragraph (b) of Section 11-401 of this Code or a similar provision of a local ordinance, after the expiration of 3 years from the effective date of the revocation, or (C) in the case of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a law of another state or a military installation relating to the offense of reckless homicide or a violation of subparagraph (F) of paragraph 1 of subsection (d) of Section 11-501 of this Code relating to aggravated driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, if the violation was the proximate cause of a death, after the expiration of 2 years from the effective date of the revocation or after the expiration of 24 months from the date of release from a period of imprisonment as provided in Section 6-103 of this Code, whichever is later.

1.3. If the person is convicted of a second or subsequent violation of Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or a similar offense committed on a military installation, or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, in which the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense or a similar offense committed on a military installation, or a combination of these offenses, arising out of separate occurrences, that person may not make application for a driver's license until:

(A) the person has first been issued a restricted driving permit by the Secretary of State; and

(B) the expiration of a continuous period of not less than 5 years following the issuance of the restricted driving permit during which the person's restricted driving permit is not suspended, cancelled, or revoked for a violation of any provision of law, or any rule or regulation of the Secretary of State relating to the required use of an ignition interlock device.

1.5. If the person is convicted of a violation of Section 6-303 of this Code committed while his or her driver's license, permit, or privilege was revoked because of a violation of Section 9-3 of the

Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state or a similar offense committed on a military installation, the person may not make application for a license or permit until the expiration of 3 years from the date of the conviction.

2. If such person is convicted of committing a second violation within a 20-year period of:

(A) Section 11-501 of this Code, ~~or~~ a similar out-of-state offense, a similar provision of a local ordinance, or a similar offense committed on a military installation;

(B) Paragraph (b) of Section 11-401 of this Code, a similar out-of-state offense, or a similar provision of a local ordinance, or a similar offense committed on a military installation;

(C) Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, a similar out-of-state offense, or a similar offense committed on a military installation; or

(D) any combination of the above offenses committed at different instances;

then such person may not make application for a license until after the expiration of 5 years from the effective date of the most recent revocation. The 20-year period shall be computed by using the dates the offenses were committed and shall also include similar out-of-state offenses and similar offenses committed on a military installation.

2.5. If a person is convicted of a second violation of Section 6-303 of this Code committed while the person's driver's license, permit, or privilege was revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, ~~or~~ a similar provision of a law of another state, or a similar offense committed on a military installation, the person may not make application for a license or permit until the expiration of 5 years from the date of release from a term of imprisonment.

3. However, except as provided in subparagraph 4, if such person is convicted of committing a third violation or any combination of the above offenses, including similar out-of-state offenses and similar offenses committed on a military installation, contained in subparagraph 2, then such person may not make application for a license until after the expiration of 10 years from the effective date of the most recent revocation.

4. Except as provided in paragraph (1.5) of subsection (c) of Section 6-205 and subparagraph (F) of paragraph 3 of subsection (c) of Section 6-206 of this Code, the person may not make application for a license if the person is convicted of committing a fourth or subsequent violation of Section 11-501 of this Code or a similar provision of a local ordinance, Section 11-401 of this Code, Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, or a combination of these offenses, similar provisions of local ordinances, similar out-of-state offenses, or similar offenses committed on a military installation.

4.5. A bona fide resident of a foreign jurisdiction who is subject to the provisions of subparagraph 4 of this subsection (b) may make application for termination of the revocation after a period of 10 years from the effective date of the most recent revocation. However, if a person who has been granted a termination of revocation under this subparagraph 4.5 subsequently becomes a resident of this State, the revocation shall be reinstated and the person shall be subject to the provisions of subparagraph 4.

5. The person may not make application for a license or permit if the person is convicted of a third or subsequent violation of Section 6-303 of this Code committed while his or her driver's license, permit, or privilege was revoked because of a violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, relating to the offense of reckless homicide, or a similar provision of a law of another state, or a similar offense committed on a military installation.

Notwithstanding any other provision of this Code, all persons referred to in this paragraph (b) may not have their privileges restored until the Secretary receives payment of the required reinstatement fee pursuant to subsection (b) of Section 6-118.

In no event shall the Secretary issue such license unless and until such person has had a hearing pursuant to this Code and the appropriate administrative rules and the Secretary is satisfied, after a review or investigation of such person, that to grant the privilege of driving a motor vehicle on the highways will not endanger the public safety or welfare.

(c) (Blank).

(Source: P.A. 99-290, eff. 1-1-16; 99-296, eff. 1-1-16; 99-642, eff. 7-28-16.)

(625 ILCS 5/6-301) (from Ch. 95 1/2, par. 6-301)

Sec. 6-301. Unlawful use of license or permit.

(a) It is a violation of this Section for any person:

1. To display or cause to be displayed or have in his possession any cancelled, revoked, or suspended license or permit;
2. To lend his license or permit to any other person or knowingly allow the use thereof by another;
3. To display or represent as his own any license or permit issued to another;
4. To fail or refuse to surrender to the Secretary of State or his agent or any peace officer upon his lawful demand, any license or permit, which has been suspended, revoked, or cancelled;
5. To allow any unlawful use of a license or permit issued to him;
6. To submit to an examination or to obtain the services of another person to submit to an examination for the purpose of obtaining a drivers license or permit for some other person. For purposes of this subsection, "submission to an examination" includes providing answers to the person taking the examination, whether those answers are provided in person or remotely, via any electronic device, including, but not limited to, microphones and cell phones.

(b) Sentence.

1. Any person convicted of a violation of this Section shall be guilty of a Class A misdemeanor and shall be sentenced to a minimum fine of \$500 or 50 hours of community service, preferably at an alcohol abuse prevention program, if available.

2. Any person convicted of a second or subsequent violation of this Section shall be guilty of a Class 4 felony.

3. In addition to any other sentence imposed under paragraph 1 or 2 of this subsection (b), a person convicted of a violation of paragraph 6 of subsection (a) shall be imprisoned for not less than 7 days.

(c) This Section does not prohibit any lawfully authorized investigative, protective, law enforcement or other activity of any agency of the United States, State of Illinois or any other state or political subdivision thereof.

(d) This Section does not apply to licenses and permits invalidated under Section 6-301.3 of this Code.

(Source: P.A. 92-647, eff. 1-1-03; 92-883, eff. 1-13-03.)

(625 ILCS 5/6-521) (from Ch. 95 1/2, par. 6-521)

Sec. 6-521. Rulemaking Authority.

(a) The Secretary of State, using the authority to license motor vehicle operators under this Code, may adopt such rules and regulations as may be necessary to establish standards, policies and procedures for the licensing and sanctioning of commercial motor vehicle drivers in order to meet the requirements of the Commercial Motor Vehicle Act of 1986 (CMVSA); subsequent federal rulemaking under 49 C.F.R. Part 383 or Part 1572; and administrative and policy decisions of the U.S. Secretary of Transportation and the Federal Motor Carrier Safety Administration. The Secretary may, as provided in the CMVSA, establish stricter requirements for the licensing of commercial motor vehicle drivers than those established by the federal government.

(b) By January 1, 1994, the Secretary of State shall establish rules and regulations for the issuance of a restricted commercial driver's license for farm-related service industries consistent with federal guidelines. The restricted license shall be available for a seasonal period or periods not to exceed a total of 210 ~~180~~ days in any 12-month ~~12-month~~ period.

(c) (Blank).

(d) By July 1, 1995, the Secretary of State shall establish rules and regulations for the issuance and cancellation of a School Bus Driver's Permit. The permit shall be required for the operation of a school bus as provided in subsection (c), a non-restricted CDL with passenger endorsement, or a properly classified driver's license. The permit will establish that the school bus driver has met all the requirements of the application and screening process established by Section 6-106.1 of this Code.

(Source: P.A. 98-726, eff. 1-1-15.)

(625 ILCS 5/7-211) (from Ch. 95 1/2, par. 7-211)

Sec. 7-211. Duration of suspension.

(a) Unless a suspension is terminated under other provisions of this Code, the driver's license or registration and nonresident's operating privilege suspended as provided in Section 7-205 shall remain suspended and shall not be renewed nor shall any license or registration be issued to the person until:

1. The person deposits or there shall be deposited and filed on the person's behalf the security required under Section 7-201;

2. ~~(Blank); Two years have elapsed following the date the driver's license and registrations were suspended and evidence satisfactory to the Secretary of State that during the period no action for damages arising out of a motor vehicle crash has been properly filed;~~

3. Receipt of proper notice that the person has filed bankruptcy which would include all claims for personal injury and property damage resulting from the crash;

4. ~~(Blank); or After the expiration of 5 years from the date of the crash, the Secretary of State has not received documentation that any action at law for damages arising out of the motor vehicle crash has been filed against the person; or~~

5. The applicable statute of limitations has expired and the person seeking reinstatement provides evidence satisfactory to the Secretary of State that, during the statute of limitations period, no action for damages arising out of the motor vehicle crash has been properly filed.

An affidavit that no action at law for damages arising out of the motor vehicle crash has been filed against the applicant, or if filed that it is not still pending shall be prima facie evidence of that fact. The Secretary of State may take whatever steps are necessary to verify the statement set forth in the applicant's affidavit.

(b) The driver's license or registration and nonresident's operating privileges suspended as provided in Section 7-205 shall also remain suspended and shall not be renewed nor shall any license or registration be issued to the person until the person gives proof of his or her financial responsibility in the future as provided in Section 1-164.5. The proof is to be maintained by the person in a manner satisfactory to the Secretary of State for a period of 3 years after the date the proof is first filed.

(Source: P.A. 102-52, eff. 1-1-22; 102-982, eff. 7-1-23.)

(625 ILCS 5/7-503) (from Ch. 95 1/2, par. 7-503)

Sec. 7-503. Unclaimed Security Deposits. During July, annually, the Secretary shall compile a list of all securities on deposit, pursuant to this Article, for one year since the expiration of the applicable statute of limitations more than 3 years and concerning which he has received no notice as to the pendency of any judicial proceeding that could affect the disposition thereof. Thereupon, he shall promptly send a notice to the last known address of each depositor advising him that his deposit will be subject to escheat to the State of Illinois if not claimed within 30 days after the mailing date of such notice. At the expiration of such time, the Secretary of State shall file with the State Treasurer an order directing the transfer of such deposit to the general revenue fund in the State Treasury. Upon receipt of such order, the State Treasurer shall make such transfer, after converting to cash any other type of security. Thereafter any person having a legal claim against such deposit may enforce it by appropriate proceedings in the Court of Claims subject to the limitations prescribed for such Court. At the expiration of such limitation period such deposit shall escheat to the State of Illinois.

(Source: P.A. 94-239, eff. 1-1-06.)

(625 ILCS 5/11-306) (from Ch. 95 1/2, par. 11-306)

Sec. 11-306. Traffic-control signal legend. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights or color lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and the lights shall indicate and apply to drivers of vehicles, bicyclists, and pedestrians as follows:

(a) Green indication.

1. Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. Vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles, bicyclists, and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

2. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right of way to bicyclists and pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

3. Unless otherwise directed by a pedestrian-control signal, as provided in Section 11-307, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) Steady yellow indication.

1. Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter.

2. Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal as provided in Section 11-307, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(b-5) Flashing yellow arrow indication.

1. Vehicular traffic facing a flashing yellow arrow indication may cautiously enter the intersection only to make the movement indicated by the arrow and shall yield the right-of-way to other vehicles and pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited.

2. Pedestrians facing a flashing yellow arrow indication, unless otherwise directed by a pedestrian-control signal as provided in Section 11-307, may proceed across the roadway within any marked or unmarked crosswalk that crosses the lane or lanes used to depart the intersection by traffic controlled by the flashing yellow arrow indication. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing yellow signal indication is first displayed.

(c) Steady red indication.

1. Except as provided in paragraphs 3 and 3.5 of this subsection (c), vehicular traffic facing a steady circular red signal alone shall stop at a clearly marked stop line, but if there is no such stop line, before entering the crosswalk on the near side of the intersection, or if there is no such crosswalk, then before entering the intersection, and shall remain standing until an indication to proceed is shown.

2. Except as provided in paragraphs 3 and 3.5 of this subsection (c), vehicular traffic facing a steady red arrow signal shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make a movement permitted by another signal, shall stop at a clearly marked stop line, but if there is no such stop line, before entering the crosswalk on the near side of the intersection, or if there is no such crosswalk, then before entering the intersection, and shall remain standing until an indication permitting the movement indicated by such red arrow is shown.

3. Except when a sign is in place prohibiting a turn and local authorities by ordinance or State authorities by rule or regulation prohibit any such turn, vehicular traffic facing any steady red signal may cautiously enter the intersection to turn right, or to turn left from a one-way street into a one-way street, after stopping as required by paragraph 1 or paragraph 2 of this subsection. After stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction or roadways. Such driver shall yield the right of way to bicyclists or pedestrians within the intersection or an adjacent crosswalk.

3.5. ~~The~~ ~~In municipalities with less than 2,000,000 inhabitants, after stopping as required by paragraph 1 or 2 of this subsection, the driver of a motorcycle or bicycle, facing a steady red signal which fails to change to a green signal within a reasonable period of time not less than 120 seconds because of a signal malfunction or because the signal has failed to detect the arrival of the motorcycle or bicycle due to the vehicle's size or weight, shall have the right to proceed, after yielding the right of way to oncoming traffic facing a green signal, subject to the rules applicable after making a stop at a stop sign as required by Section 11-1204 of this Code.~~

4. Unless otherwise directed by a pedestrian-control signal as provided in Section 11-307, pedestrians facing a steady circular red or red arrow signal alone shall not enter the roadway.

(d) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this Section shall be applicable except as to provisions which by their nature can have no application. Any stop required shall be at a traffic sign or a marking on the pavement indicating where the stop shall be made or, in the absence of such sign or marking, the stop shall be made at the signal.

(e) The motorman of any streetcar shall obey the above signals as applicable to vehicles.

(Source: P.A. 97-627, eff. 1-1-12; 97-762, eff. 7-6-12; 98-798, eff. 7-31-14.)

(625 ILCS 5/11-307) (from Ch. 95 1/2, par. 11-307)

Sec. 11-307. Pedestrian-control signals. Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" or the illuminated symbols of a walking person or an upraised palm are in place such signals shall indicate as follows:

(a) Walk or walking person symbol. Pedestrians facing such signal may proceed across the roadway in the direction of the signal, and shall be given the right of way by the drivers of all vehicles. Bicyclists may proceed across the roadway in the direction of the signal, shall be given the right of way by the drivers of all vehicles, and shall yield the right of way to all pedestrians.

(b) Don't Walk or upraised palm symbol. No pedestrian or bicyclist shall start to cross the roadway in the direction of such signal, but any pedestrian or bicyclist who has partly completed his crossing on the Walk signal or walking person symbol shall proceed to a sidewalk or safety island while the "Don't Walk" signal or upraised palm symbol is illuminated, steady, or flashing.

(Source: P.A. 81-553.)

(625 ILCS 5/11-501.01)

Sec. 11-501.01. Additional administrative sanctions.

(a) After a finding of guilt and prior to any final sentencing or an order for supervision, for an offense based upon an arrest for a violation of Section 11-501 or a similar provision of a local ordinance, individuals shall be required to undergo a professional evaluation to determine if an alcohol, drug, or intoxicating compound abuse problem exists and the extent of the problem, and undergo the imposition of treatment as appropriate. Programs conducting these evaluations shall be licensed by the Department of Human Services. The cost of any professional evaluation shall be paid for by the individual required to undergo the professional evaluation.

(b) Any person who is found guilty of or pleads guilty to violating Section 11-501, including any person receiving a disposition of court supervision for violating that Section, may be required by the Court to attend a victim impact panel offered by, or under contract with, a county State's Attorney's office, a probation and court services department, Mothers Against Drunk Driving, or the Alliance Against Intoxicated Motorists. All costs generated by the victim impact panel shall be paid from fees collected from the offender or as may be determined by the court.

(c) (Blank).

(d) The Secretary of State shall revoke the driving privileges of any person convicted under Section 11-501 or a similar provision of a local ordinance.

(e) The Secretary of State shall require the use of ignition interlock devices for a period not less than 5 years on all vehicles owned by a person who has been convicted of a second or subsequent offense of Section 11-501 or a similar provision of a local ordinance, a similar provision of a law of another state, or a similar offense committed on a military installation. The person must pay to the Secretary of State DUI Administration Fund an amount not to exceed \$30 for each month that he or she uses the device. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system, the amount of the fee, and the procedures, terms, and conditions relating to these fees. During the time period in which a person is required to install an ignition interlock device under this subsection (e), that person shall only operate vehicles in which ignition interlock devices have been installed, except as allowed by subdivision (c)(5) or (d)(5) of Section 6-205 of this Code.

(f) (Blank).

(g) The Secretary of State Police DUI Fund is created as a special fund in the State treasury and, subject to appropriation, shall be used for enforcement and prevention of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, as defined by Section 11-501 of this Code, including, but not limited to, the purchase of law enforcement equipment and commodities to assist in the prevention of alcohol-related criminal violence throughout the State; police officer training and education in areas related to alcohol-related crime, including, but not limited to, DUI training; and police officer salaries, including, but not limited to, salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations.

(h) Whenever an individual is sentenced for an offense based upon an arrest for a violation of Section 11-501 or a similar provision of a local ordinance, and the professional evaluation recommends remedial or rehabilitative treatment or education, neither the treatment nor the education shall be the sole disposition and either or both may be imposed only in conjunction with another disposition. The court shall monitor compliance with any remedial education or treatment recommendations contained in the professional evaluation. Programs conducting alcohol or other drug evaluation or remedial education must be licensed by the Department of Human Services. If the individual is not a resident of Illinois, however, the court may

accept an alcohol or other drug evaluation or remedial education program in the individual's state of residence. Programs providing treatment must be licensed under existing applicable alcoholism and drug treatment licensure standards.

(i) (Blank).

(j) A person that is subject to a chemical test or tests of blood under subsection (a) of Section 11-501.1 or subdivision (c)(2) of Section 11-501.2 of this Code, whether or not that person consents to testing, shall be liable for the expense up to \$500 for blood withdrawal by a physician authorized to practice medicine, a licensed physician assistant, a licensed advanced practice registered nurse, a registered nurse, a trained phlebotomist, a licensed paramedic, or a qualified person other than a police officer approved by the Illinois State Police to withdraw blood, who responds, whether at a law enforcement facility or a health care facility, to a police department request for the drawing of blood based upon refusal of the person to submit to a lawfully requested breath test or probable cause exists to believe the test would disclose the ingestion, consumption, or use of drugs or intoxicating compounds if:

(1) the person is found guilty of violating Section 11-501 of this Code or a similar provision of a local ordinance; or

(2) the person pleads guilty to or stipulates to facts supporting a violation of Section 11-503 of this Code or a similar provision of a local ordinance when the plea or stipulation was the result of a plea agreement in which the person was originally charged with violating Section 11-501 of this Code or a similar local ordinance.

(Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21.)

(625 ILCS 5/11-501.1)

Sec. 11-501.1. Suspension of drivers license; statutory summary alcohol, other drug or drugs, or intoxicating compound or compounds related suspension or revocation; implied consent.

(a) Any person who drives or is in actual physical control of a motor vehicle upon the public highways of this State shall be deemed to have given consent, subject to the provisions of Section 11-501.2, to a chemical test or tests of blood, breath, other bodily substance, or urine for the purpose of determining the content of alcohol, other drug or drugs, or intoxicating compound or compounds or any combination thereof in the person's blood if arrested, as evidenced by the issuance of a Uniform Traffic Ticket, for any offense as defined in Section 11-501 or a similar provision of a local ordinance, or if arrested for violating Section 11-401. If a law enforcement officer has probable cause to believe the person was under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, the law enforcement officer shall request a chemical test or tests which shall be administered at the direction of the arresting officer. The law enforcement agency employing the officer shall designate which of the aforesaid tests shall be administered. Up to 2 additional tests of urine or other bodily substance may be administered even after a blood or breath test or both has been administered. For purposes of this Section, an Illinois law enforcement officer of this State who is investigating the person for any offense defined in Section 11-501 may travel into an adjoining state, where the person has been transported for medical care, to complete an investigation and to request that the person submit to the test or tests set forth in this Section. The requirements of this Section that the person be arrested are inapplicable, but the officer shall issue the person a Uniform Traffic Ticket for an offense as defined in Section 11-501 or a similar provision of a local ordinance prior to requesting that the person submit to the test or tests. The issuance of the Uniform Traffic Ticket shall not constitute an arrest, but shall be for the purpose of notifying the person that he or she is subject to the provisions of this Section and of the officer's belief of the existence of probable cause to arrest. Upon returning to this State, the officer shall file the Uniform Traffic Ticket with the Circuit Clerk of the county where the offense was committed, and shall seek the issuance of an arrest warrant or a summons for the person.

(a-5) (Blank).

(b) Any person who is dead, unconscious, or who is otherwise in a condition rendering the person incapable of refusal, shall be deemed not to have withdrawn the consent provided by paragraph (a) of this Section and the test or tests may be administered, subject to the provisions of Section 11-501.2.

(c) A person requested to submit to a test as provided above shall be warned by the law enforcement officer requesting the test that a refusal to submit to the test will result in the statutory summary suspension of the person's privilege to operate a motor vehicle, as provided in Section 6-208.1 of this Code, and will also result in the disqualification of the person's privilege to operate a commercial motor vehicle, as provided in Section 6-514 of this Code, if the person is a CDL holder. The person shall also be warned that a refusal to submit to the test, when the person was involved in a motor vehicle crash that caused personal

injury or death to another, will result in the statutory summary revocation of the person's privilege to operate a motor vehicle, as provided in Section 6-208.1, and will also result in the disqualification of the person's privilege to operate a commercial motor vehicle, as provided in Section 6-514 of this Code, if the person is a CDL holder. The person shall also be warned by the law enforcement officer that if the person submits to the test or tests provided in paragraph (a) of this Section and the alcohol concentration in the person's blood, other bodily substance, or breath is 0.08 or greater, or testing discloses the presence of cannabis as listed in the Cannabis Control Act with a tetrahydrocannabinol concentration as defined in paragraph 6 of subsection (a) of Section 11-501.2 of this Code, or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act is detected in the person's blood, other bodily substance or urine, a statutory summary suspension of the person's privilege to operate a motor vehicle, as provided in Sections 6-208.1 and 11-501.1 of this Code, will be imposed. If the person is also a CDL holder, he or she shall be warned by the law enforcement officer that if the person submits to the test or tests provided in paragraph (a) of this Section and the alcohol concentration in the person's blood, other bodily substance, or breath is 0.08 or greater, or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of cannabis as covered by the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act is detected in the person's blood, other bodily substance, or urine, a disqualification of the person's privilege to operate a commercial motor vehicle, as provided in Section 6-514 of this Code, will be imposed.

A person who is under the age of 21 at the time the person is requested to submit to a test as provided above shall, in addition to the warnings provided for in this Section, be further warned by the law enforcement officer requesting the test that if the person submits to the test or tests provided in paragraph (a) of this Section and the alcohol concentration in the person's blood, other bodily substance, or breath is greater than 0.00 and less than 0.08, a suspension of the person's privilege to operate a motor vehicle, as provided under Sections 6-208.2 and 11-501.8 of this Code, will be imposed. The results of this test shall be admissible in a civil or criminal action or proceeding arising from an arrest for an offense as defined in Section 11-501 of this Code or a similar provision of a local ordinance or pursuant to Section 11-501.4 in prosecutions for reckless homicide brought under the Criminal Code of 1961 or the Criminal Code of 2012. These test results, however, shall be admissible only in actions or proceedings directly related to the incident upon which the test request was made.

A person requested to submit to a test shall also acknowledge, in writing, receipt of the warning required under this Section. If the person refuses to acknowledge receipt of the warning, the law enforcement officer shall make a written notation on the warning that the person refused to sign the warning. A person's refusal to sign the warning shall not be evidence that the person was not read the warning.

(d) If the person refuses testing or submits to a test that discloses an alcohol concentration of 0.08 or more, or testing discloses the presence of cannabis as listed in the Cannabis Control Act with a tetrahydrocannabinol concentration as defined in paragraph 6 of subsection (a) of Section 11-501.2 of this Code, or any amount of a drug, substance, or intoxicating compound in the person's breath, blood, other bodily substance, or urine resulting from the unlawful use or consumption of a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, the law enforcement officer shall immediately submit a sworn report to the circuit court of venue and the Secretary of State, certifying that the test or tests was or were requested under paragraph (a) and the person refused to submit to a test, or tests, or submitted to testing that disclosed an alcohol concentration of 0.08 or more, testing discloses the presence of cannabis as listed in the Cannabis Control Act with a tetrahydrocannabinol concentration as defined in paragraph 6 of subsection (a) of Section 11-501.2 of this Code, or any amount of a drug, substance, or intoxicating compound in the person's breath, blood, other bodily substance, or urine resulting from the unlawful use or consumption of a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act. If the person is also a CDL holder and refuses testing or submits to a test that discloses an alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in the person's breath, blood, other bodily substance, or urine resulting from the unlawful use or

consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, the law enforcement officer shall also immediately submit a sworn report to the circuit court of venue and the Secretary of State, certifying that the test or tests was or were requested under paragraph (a) and the person refused to submit to a test, or tests, or submitted to testing that disclosed an alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in the person's breath, blood, other bodily substance, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act.

(e) Upon receipt of the sworn report of a law enforcement officer submitted under paragraph (d), the Secretary of State shall enter the statutory summary suspension or revocation and disqualification for the periods specified in Sections 6-208.1 and 6-514, respectively, and effective as provided in paragraph (g).

If the person is a first offender as defined in Section 11-500 of this Code, and is not convicted of a violation of Section 11-501 of this Code or a similar provision of a local ordinance, then reports received by the Secretary of State under this Section shall, except during the actual time the Statutory Summary Suspension is in effect, be privileged information and for use only by the courts, police officers, prosecuting authorities or the Secretary of State, unless the person is a CDL holder, is operating a commercial motor vehicle or vehicle required to be placarded for hazardous materials, in which case the suspension shall not be privileged. Reports received by the Secretary of State under this Section shall also be made available to the parent or guardian of a person under the age of 18 years that holds an instruction permit or a graduated driver's license, regardless of whether the statutory summary suspension is in effect. A statutory summary revocation shall not be privileged information.

(f) The law enforcement officer submitting the sworn report under paragraph (d) shall serve immediate notice of the statutory summary suspension or revocation on the person and the suspension or revocation and disqualification shall be effective as provided in paragraph (g).

(1) In cases involving a person who is not a CDL holder where the blood alcohol concentration of 0.08 or greater or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act is established by a subsequent analysis of blood, other bodily substance, or urine or analysis of whole blood or other bodily substance establishes a tetrahydrocannabinol concentration as defined in paragraph 6 of subsection (a) of Section 11-501.2 of this Code, collected at the time of arrest, the arresting officer or arresting agency shall give notice as provided in this Section or by deposit in the United States mail of the notice in an envelope with postage prepaid and addressed to the person at his or her address as shown on the Uniform Traffic Ticket and the statutory summary suspension shall begin as provided in paragraph (g).

(1.3) In cases involving a person who is a CDL holder where the blood alcohol concentration of 0.08 or greater or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of cannabis as covered by the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act is established by a subsequent analysis of blood, other bodily substance, or urine collected at the time of arrest, the arresting officer or arresting agency shall give notice as provided in this Section or by deposit in the United States mail of the notice in an envelope with postage prepaid and addressed to the person at his or her address as shown on the Uniform Traffic Ticket and the statutory summary suspension and disqualification shall begin as provided in paragraph (g).

(1.5) The officer shall confiscate any Illinois driver's license or permit on the person at the time of arrest. If the person has a valid driver's license or permit, the officer shall issue the person a receipt, in a form prescribed by the Secretary of State, that will allow that person to drive during the periods provided for in paragraph (g). The officer shall immediately forward the driver's license or permit to the Secretary of State ~~circuit court of venue~~ along with the sworn report provided for in paragraph (d).

(2) (Blank).

(g) The statutory summary suspension or revocation and disqualification referred to in this Section shall take effect on the 46th day following the date the notice of the statutory summary suspension or revocation was given to the person.

(h) The following procedure shall apply whenever a person is arrested for any offense as defined in Section 11-501 or a similar provision of a local ordinance:

Upon receipt of the sworn report from the law enforcement officer, the Secretary of State shall confirm the statutory summary suspension or revocation by mailing a notice of the effective date of the suspension or revocation to the person and the court of venue. The Secretary of State shall also mail notice of the effective date of the disqualification to the person. However, should the sworn report be defective by not containing sufficient information or be completed in error, the confirmation of the statutory summary suspension or revocation shall not be mailed to the person or entered to the record; instead, the sworn report shall be forwarded to the court of venue with a copy returned to the issuing agency identifying any defect.

(i) As used in this Section, "personal injury" includes any Type A injury as indicated on the traffic crash report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or a medical facility. A Type A injury includes severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.

(Source: P.A. 102-982, eff. 7-1-23.)

(625 ILCS 5/11-703) (from Ch. 95 1/2, par. 11-703)

Sec. 11-703. Overtaking a vehicle on the left. The following rules govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules otherwise stated in this Chapter:

(a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle. In no event shall such movement be made by driving off the pavement or the main traveled portion of the roadway.

(b) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

(c) The driver of a 2 wheeled vehicle may not, in passing upon the left of any vehicle proceeding in the same direction, pass upon the right of any vehicle proceeding in the same direction unless there is an unobstructed lane of traffic available to permit such passing maneuver safely.

(d) The operator of a motor vehicle overtaking a bicycle or individual proceeding in the same direction on a highway shall:

(1) if another lane of traffic proceeding in the same direction is available, make a lane change into another available lane with due regard for safety and traffic conditions, if practicable and not prohibited by law, before overtaking or passing the bicycle; and

(2) leave a safe distance, but not less than 3 feet, when passing the bicycle or individual and shall maintain that distance until safely past the overtaken bicycle or individual.

(d-5) A driver of a motor vehicle overtaking a bicycle proceeding in the same direction on a highway may, subject to the provisions in paragraph (d) of this Section and Section 11-706 of this Code, pass to the left of the bicycle on a portion of the highway designated as a no-passing zone under Section 11-707 of this Code if the driver is able to overtake and pass the bicycle when:

(1) the bicycle is traveling at a speed of less than half of the posted speed limit of the highway;

(2) the driver is able to overtake and pass the bicycle without exceeding the posted speed limit of the highway; and

(3) there is sufficient distance to the left of the centerline of the highway for the motor vehicle to meet the overtaking and passing requirements under this Section.

(e) A person driving a motor vehicle shall not, in a reckless manner, drive the motor vehicle unnecessarily close to, toward, or near a bicyclist, pedestrian, or a person riding a horse or driving an animal drawn vehicle.

(f) Every person convicted of paragraph (e) of this Section shall be guilty of a Class A misdemeanor if the violation does not result in great bodily harm or permanent disability or disfigurement to another. If the violation results in great bodily harm or permanent disability or disfigurement to another, the person shall be guilty of a Class 3 felony.

(Source: P.A. 100-359, eff. 1-1-18.)

(625 ILCS 5/11-712 new)

Sec. 11-712. Driving in bicycle lanes, pedestrian or bicycle trails or paths.

(a) No person shall drive a motor vehicle on a bicycle lane, trail, or path designated by an official sign or marking for the exclusive use of bicycles or pedestrians. A violation of this Section is not an offense against traffic regulations governing the movement of vehicles.

(b) This Section does not apply to an authorized vehicle.

(625 ILCS 5/11-1425) (from Ch. 95 1/2, par. 11-1425)

Sec. 11-1425. Stop when traffic obstructed.

(a) No driver shall enter an intersection or a marked crosswalk or drive onto any railroad grade crossing unless there is sufficient space on the other side of the intersection, crosswalk or railroad grade crossing to accommodate the vehicle he is operating without obstructing the passage of other vehicles, pedestrians or railroad trains notwithstanding any traffic-control signal indication to proceed.

(b) No driver shall enter a highway rail grade crossing unless there is sufficient space on the other side of the highway rail grade crossing to accommodate the vehicle being operated without obstructing the passage of a train or other railroad equipment using the rails, notwithstanding any traffic-control signal indication to proceed.

(b-5) No driver operating a commercial motor vehicle, as defined in Section 6-500 of this Code, shall enter a highway rail grade crossing unless there is sufficient space on the other side of the highway rail grade crossing to accommodate the vehicle being operated without obstructing the passage of a train or other railroad equipment using the rails, notwithstanding any traffic-control signal indication to proceed.

(c) (Blank).

(d) Beginning with the effective date of this amendatory Act of the 95th General Assembly, the Secretary of State shall suspend for a period of one month the driving privileges of any person convicted of a violation of subsections ~~subsection~~ (b) and (b-5) of this Section or a similar provision of a local ordinance; the Secretary shall suspend for a period of 3 months the driving privileges of any person convicted of a second or subsequent violation of subsections ~~subsection~~ (b) and (b-5) of this Section or a similar provision of a local ordinance if the second or subsequent violation occurs within 5 years of a prior conviction for the same offense. In addition to the suspensions authorized by this Section, any person convicted of violating subsections ~~subsection~~ (b) and (b-5) of this Section or a similar provision of a local ordinance shall be subject to a mandatory fine of \$500 or 50 hours of community service. Any person given a disposition of court supervision for violating subsections ~~subsection~~ (b) and (b-5) of this Section or a similar provision of a local ordinance shall also be subject to a mandatory fine of \$500 or 50 hours of community service. Upon a second or subsequent violation, in addition to the suspensions authorized by this Section, the person shall be subject to a mandatory fine of \$500 and 50 hours community service. The Secretary may also grant, for the duration of any suspension issued under this subsection, a restricted driving permit granting the privilege of driving a motor vehicle between the driver's residence and place of employment or within other proper limits that the Secretary of State shall find necessary to avoid any undue hardship. A restricted driving permit issued hereunder shall be subject to cancellation, revocation and suspension by the Secretary of State in like manner and for like cause as a driver's license may be cancelled, revoked or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension or cancellation of the restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a designated driver remedial or rehabilitative program. Any conviction for a violation of this subsection shall be included as an offense for the purposes of determining suspension action under any other provision of this Code, provided however, that the penalties provided under this subsection shall be imposed unless those penalties imposed under other applicable provisions are greater.

(Source: P.A. 103-179, eff. 6-30-23.)

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

Under the rules, the foregoing **Senate Bill No. 125**, with House Amendment No. 2, was referred to the Secretary's Desk.

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

[May 24, 2024]

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

SENATE BILL NO. 1779

A bill for AN ACT concerning regulation.

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

House Amendment No. 1 to SENATE BILL NO. 1779

House Amendment No. 3 to SENATE BILL NO. 1779

Passed the House, as amended, May 24, 2024.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1779

AMENDMENT NO. 1. Amend Senate Bill 1779 by replacing everything after the enacting clause with the following:

"Section 5. The Nursing Home Care Act is amended by adding Section 3-220 as follows:

(210 ILCS 45/3-220 new)

Sec. 3-220. Certified medication aide program.

(a) Definitions. As used in this Section:

"Department" means the Department of Public Health.

"Certified medication aide" means a person who has met the qualifications for certification under this Section who assists with medication administration while under the supervision of a registered professional nurse in a skilled nursing facility.

"Qualified employer" means a facility licensed under this Act by the Department of Public Health that meets the qualifications set forth in subsection (c) of Section 3-220 of this Act.

(b) The Department shall administer and enforce a certified medication aide program, ensuring the regulation and certification of medication aides. In order for a facility to use certified medication aides, it must have the approval of the Department.

(c) To be approved as a qualified facility, a facility must:

(1) be licensed and in compliance when applying as a skilled nursing facility by the Department of Public Health;

(2) not appear on the Centers for Medicare and Medicaid Services Special Focus Facility List;

(3) certify that the employment of a certified medication aide will not replace or diminish the employment of a registered nurse or licensed practical nurse at the facility;

(4) certify that a registered nurse will be on duty and present in the facility to delegate and supervise the medication administration by a certified medication aide during the delegation times;

(5) certify that, with the exception of licensed health care professionals, only certified medication aides will be employed in the capacity of administering medication; and

(6) provide information regarding patient safety, efficiency, and errors as determined by the Department by rule.

Failure to submit any required report shall be grounds for discipline or sanctions under this Act, the Nurse Practice Act, or the Nursing Home Administrators Licensing and Disciplinary Act.

(d) The Department shall submit a report regarding patient safety, efficiency, and errors, as determined by rule, to the General Assembly no later than one year after the full implementation of the program.

(e) Nothing in this Section shall be construed as preventing or restricting the practice, services, or activities of:

(1) any person licensed in this State by any other law from engaging in the profession or occupation for which the person is licensed;

(2) any person employed as a medication aide by the government of the United States, if the person practices as a medication aide solely under the direction or control of the organization by which the person is employed; or

(3) any person pursuing a course of study leading to a certificate in medication aide at an accredited or approved educational program if such activities and services constitute a part of a supervised course of study and if such person is designated by a title which clearly indicates the person's status as a student or trainee.

(f) Nothing in this Section shall be construed to limit the delegation of tasks or duties by a physician, dentist, advanced practice registered nurse, or podiatric physician as authorized by law.

(g) A certified medication aide may only practice in a qualified facility.

(h) Certified medication aides must be supervised by and receive delegation from a registered nurse that is on duty and present in the facility at all times when certified medication aides are administering medication.

(i) Certified medication aides shall not perform other duties during the duration of the medication distribution.

(j) Certified medication aides shall not administer any medication until a physician has conducted an initial assessment of the resident.

(k) Certified medication aides shall not administer any Schedule II controlled substances as set forth in the Illinois Controlled Substances Act and may not administer any subcutaneous, intramuscular, intradermal, or intravenous medication.

(l) In addition to any other penalty provided by law, any person who practices, offers to practice, attempts to practice, or holds oneself out to practice as a medication aide without being certified under this Section shall pay a civil penalty to the Department in an amount determined by the Department by rule.

(m) The Department has the authority and power to investigate any and all activity under this Section that is not certified.

(n) The civil penalty described in this Section shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(o) The Department shall authorize examinations of applicants for certification under this Section at the times and places it designates. The examination shall be of a character to give a fair test of the qualifications of the applicant to practice as a certified medication aide.

(p) Applicants for examination as a certified medication aide shall be required to pay, either to the Department or the designated testing service, a fee covering the cost of providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

(q) An applicant for certification by examination to practice as a certified medication aide must:

(1) submit a completed written application on forms provided by the Department and pay any fees as established by the Department;

(2) be age 18 or older;

(3) have a State of Illinois High School Diploma;

(4) demonstrate the ability to speak, read, and write the English language or language of the facility, as determined by rule;

(5) demonstrate competency in math, as determined by rule;

(6) be currently certified in good standing as a certified nursing assistant and provide proof of 2,000 hours of practice as a certified nursing assistant within 3 years before application for certification;

(7) submit to the criminal history records check required under the Health Care Worker Background Check Act;

(8) have not engaged in conduct or behavior determined to be grounds for discipline under this Act;

(9) be currently certified to perform cardiopulmonary resuscitation by the American Heart Association or American Red Cross;

(10) have successfully completed a course of study that is approved by the Department by rule and that includes:

(A) a minimum of 60 hours of classroom-based certified medication aide education;

(B) a minimum of 10 hours of simulation laboratory study; and

(C) a minimum of 30 hours of registered nurse-supervised clinical practicum with progressive responsibility of patient medication assistance;

(11) have successfully completed the medication aide certification examination or other examination authorized by the Department; and

(12) submit proof of employment by a qualifying facility.

(r) The expiration date for each certification to practice as a certified medication aide shall be set by rule.

(s) Violations and enforcement shall be as otherwise provided in Article III of this Act.

(t) Any person who is issued a certification as a medication aide under the terms of this Section shall use the words "certified medication aide" in connection with the person's name to denote the person's certification under this Section.

(u) The Department shall propose rules to implement, administer, and enforce this Section within 90 days after the effective date of this amendatory Act of the 103rd General Assembly."

AMENDMENT NO. 3 TO SENATE BILL 1779

AMENDMENT NO. 3. Amend Senate Bill 1779, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 7, line 13, before "Violations", by inserting "The Department may take disciplinary action against a medication aide, including, but not limited to, suspension or revocation of the medication aide's certification, for gross negligence."; and

on page 7, immediately below line 19, by inserting the following:

"(u) To ensure transparency and the well-being of residents, a facility is required to provide information about medication administration via certified medication aides in its admission agreements so that residents and their families understand the addition of certified medication aides as members of the healthcare team."; and

on page 7, line 20, by replacing "(u)" with "(v)"; and

on page 7, line 21, by replacing "90" with "180".

Under the rules, the foregoing **Senate Bill No. 1779**, with House Amendments numbered 1 and 3, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

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

SENATE BILL NO. 3156

A bill for AN ACT concerning education.

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. 3156

House Amendment No. 3 to SENATE BILL NO. 3156

Passed the House, as amended, May 24, 2024.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 3156

AMENDMENT NO. 2. Amend Senate Bill 3156 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 2-3.47a, 2-3.170, 10-17a, 10-20.12a, 10-20.17a, 10-20.56, 10-22.24b, 10-27.1A, 10-27.1B, 18-8.15, 21B-45, 21B-50, 26-2, 27-22.2, and 34-8.05 as follows:

(105 ILCS 5/2-3.47a)

Sec. 2-3.47a. Strategic plan.

(a) The State Board of Education shall develop and maintain a continuing comprehensive strategic plan for elementary and secondary education. The strategic plan shall address how the State Board of Education will focus its efforts to increase equity in all Illinois schools and shall include, without limitation, all of the following topic areas:

(1) Service and support to school districts to improve student performance.

(2) Programs to improve equitable and strategic resource allocation in all schools.

(3) Efforts to enhance the social-emotional well-being of Illinois students.

[May 24, 2024]

- (4) (Blank).
- (5) (Blank).
- (6) (Blank).
- (7) (Blank).
- (8) (Blank).
- (9) (Blank).
- (10) (Blank).
- (11) (Blank).
- (12) (Blank).
- (13) (Blank).
- (14) Attraction and retention of diverse and qualified teachers and leaders.
- (15) (Blank).

The State Board of Education shall consult with the educational community, hold public hearings, and receive input from all interested groups in drafting the strategic plan.

(b) To meet the requirements of this Section, the State Board of Education shall issue to the Governor and General Assembly a preliminary report within 6 months after the effective date of this amendatory Act of the 93rd General Assembly and a final 5-year strategic plan within one year after the effective date of this amendatory Act of the 93rd General Assembly. Thereafter, the State Board shall annually review the strategic plan and, if necessary, update its contents. The State Board shall provide updates regarding the topic areas contained in the strategic plan and any updates to its contents, if applicable, shall be updated and issued to the Governor and General Assembly on or before July 1 of each year.

(Source: P.A. 102-539, eff. 8-20-21.)

(105 ILCS 5/2-3.170)

Sec. 2-3.170. Property tax relief pool grants.

(a) As used in this Section,

"EAV" means equalized assessed valuation as defined under Section 18-8.15 of this Code.

"Property tax multiplier" equals one minus the square of the school district's Local Capacity Percentage, as defined in Section 18-8.15 of this Code.

"Local capacity percentage multiplier" means one minus the school district's Local Capacity Percentage, as defined in Section 18-8.15.

"State Board" means the State Board of Education.

(b) Subject to appropriation, the State Board shall provide grants to eligible school districts that provide tax relief to the school district's residents, which may be no greater than 1% of EAV for a unit district, 0.69% of EAV for an elementary school district, or 0.31% of EAV for a high school district, as provided in this Section.

(b-5) School districts may apply for property tax relief under this Section concurrently to setting their levy for the fiscal year. The intended relief may not be greater than 1% of the EAV for a unit district, 0.69% of the EAV for an elementary school district, or 0.31% of the EAV for a high school district, multiplied by the school district's local capacity percentage multiplier. The State Board shall process applications for relief, providing a grant to those districts with the highest adjusted operating tax rate, as determined by those districts with the highest percentage of the simple average adjusted operating tax rate of districts of the same type, either elementary, high school, or unit, first, in an amount equal to the intended relief multiplied by the property tax multiplier. The State Board shall provide grants to school districts in order of priority until the property tax relief pool is exhausted. If more school districts apply for relief under this subsection than there are funds available, the State Board must distribute the grants and prorate any remaining funds to the final school district that qualifies for grant relief. The abatement amount for that district must be equal to the grant amount divided by the property tax multiplier.

If a school district receives the State Board's approval of a grant under this Section by March 1 of the fiscal year, the school district shall present a duly authorized and approved abatement resolution by March 30 of the fiscal year to the county clerk of each county in which the school files its levy, authorizing the county clerk to lower the school district's levy by the amount designated in its application to the State Board. When the preceding requisites are satisfied, the county clerk shall reduce the amount collected for the school district by the amount indicated in the school district's abatement resolution for that fiscal year.

(c) (Blank).

(d) School districts seeking grants under this Section shall apply to the State Board each year. All applications to the State Board for grants shall include the amount of the tax relief intended by the school district.

(e) Each year, based on the most recent available data provided by school districts pursuant to Section 18-8.15 of this Code, the State Board shall calculate the order of priority for grant eligibility under subsection (b-5) and publish a list of the school districts eligible for relief. The State Board shall provide grants in the manner provided under subsection (b-5).

(f) The State Board shall publish a final list of eligible grant recipients and provide payment of the grants by March 1 of each year.

(g) If notice of eligibility from the State Board is received by a school district by March 1, then by March 30, the school district shall file an abatement of its property tax levy in an amount equal to the grant received under this Section divided by the property tax multiplier. Payment of all grant amounts shall be made by June 1 each fiscal year. The State Superintendent of Education shall establish the timeline in such cases in which notice cannot be made by March 1.

(h) The total property tax relief allowable to a school district under this Section shall be calculated based on the total amount of reduction in the school district's aggregate extension. The total grant shall be equal to the reduction, multiplied by the property tax multiplier. The reduction shall be equal to 1% of a district's EAV for a unit school district, 0.69% for an elementary school district, or 0.31% for a high school district, multiplied by the school district's local capacity percentage multiplier.

(i) If the State Board does not expend all appropriations allocated pursuant to this Section, then any remaining funds shall be allocated pursuant to Section 18-8.15 of this Code.

(j) The State Board shall prioritize payments under Section 18-8.15 of this Code over payments under this Section, if necessary.

(k) Any grants received by a school district shall be included in future calculations of that school district's Base Funding Minimum under Section 18-8.15 of this Code. Beginning with Fiscal Year 2020, if a school district receives a grant under this Section, the school district must present to the county clerk a duly authorized and approved abatement resolution by March 30 for the year in which the school district receives the grant and the successive fiscal year following the receipt of the grant, authorizing the county clerk to lower the school district's levy by the amount designated in its original application to the State Board. After receiving a resolution, the county clerk must reduce the amount collected for the school district by the amount indicated in the school district's abatement resolution for that fiscal year. If a school district does not abate in this amount for the successive fiscal year, the grant amount may not be included in the school district's Base Funding Minimum under Section 18-8.15 in the fiscal year following the tax year in which the abatement is not authorized and in any future fiscal year thereafter, and the county clerk must notify the State Board of the increase no later 30 days after it occurs.

(l) In the immediate 2 consecutive tax years following receipt of a Property Tax Pool Relief Grant, the aggregate extension base of any school district receiving a grant under this Section, for purposes of the Property Tax Extension Limitation Law, shall include the tax relief the school district provided in the previous taxable year under this Section.

(Source: P.A. 100-465, eff. 8-31-17; 100-582, eff. 3-23-18; 100-863, eff. 8-14-18; 101-17, eff. 6-14-19; 101-643, eff. 6-18-20.)

(105 ILCS 5/10-17a)

Sec. 10-17a. State, school district, and school report cards; Expanded High School Snapshot Report.

(1) By October 31, 2013 and October 31 of each subsequent school year, the State Board of Education, through the State Superintendent of Education, shall prepare a State report card, school district report cards, and school report cards, and shall by the most economical means provide to each school district in this State, including special charter districts and districts subject to the provisions of Article 34, the report cards for the school district and each of its schools. Because of the impacts of the COVID-19 public health emergency during school year 2020-2021, the State Board of Education shall have until December 31, 2021 to prepare and provide the report cards that would otherwise be due by October 31, 2021. During a school year in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, the report cards for the school districts and each of its schools shall be prepared by December 31.

(2) In addition to any information required by federal law, the State Superintendent shall determine the indicators and presentation of the school report card, which must include, at a minimum, the most current data collected and maintained by the State Board of Education related to the following:

(A) school characteristics and student demographics, including average class size, average teaching experience, student racial/ethnic breakdown, and the percentage of students classified as low-income; the percentage of students classified as English learners, the number of students who graduate from a bilingual or English learner program, and the number of students who graduate from, transfer from, or otherwise leave bilingual programs; the percentage of students who have individualized education plans or 504 plans that provide for special education services; the number and the percentage of all students in grades kindergarten through 8, disaggregated by the student demographics described in this paragraph (A), in each of the following categories: (i) those who have been assessed for placement in a gifted education program or accelerated placement, (ii) those who have enrolled in a gifted education program or in accelerated placement, and (iii) for each of categories (i) and (ii), those who received direct instruction from a teacher who holds a gifted education endorsement; the number and the percentage of all students in grades 9 through 12, disaggregated by the student demographics described in this paragraph (A), who have been enrolled in an advanced academic program; the percentage of students scoring at the "exceeds expectations" level on the assessments required under Section 2-3.64a-5 of this Code; the percentage of students who annually transferred in or out of the school district; average daily attendance; the per-pupil operating expenditure of the school district; and the per-pupil State average operating expenditure for the district type (elementary, high school, or unit);

(B) curriculum information, including, where applicable, Advanced Placement, International Baccalaureate or equivalent courses, dual credit courses, foreign language classes, computer science courses, school personnel resources (including Career Technical Education teachers), before and after school programs, extracurricular activities, subjects in which elective classes are offered, health and wellness initiatives (including the average number of days of Physical Education per week per student), approved programs of study, awards received, community partnerships, and special programs such as programming for the gifted and talented, students with disabilities, and work-study students;

(C) student outcomes, including, where applicable, the percentage of students deemed proficient on assessments of State standards, the percentage of students in the eighth grade who pass Algebra, the percentage of students who participated in workplace learning experiences, the percentage of students enrolled in post-secondary institutions (including colleges, universities, community colleges, trade/vocational schools, and training programs leading to career certification within 2 semesters of high school graduation), the percentage of students graduating from high school who are college and career ready, the percentage of graduates enrolled in community colleges, colleges, and universities who are in one or more courses that the community college, college, or university identifies as a developmental course, and the percentage of students with disabilities under the federal Individuals with Disabilities Education Act and Article 14 of this Code who have fulfilled the minimum State graduation requirements set forth in Section 27-22 of this Code and have been issued a regular high school diploma;

(D) student progress, including, where applicable, the percentage of students in the ninth grade who have earned 5 credits or more without failing more than one core class, a measure of students entering kindergarten ready to learn, a measure of growth, and the percentage of students who enter high school on track for college and career readiness;

(E) the school environment, including, where applicable, high school dropout rate by grade level, the percentage of students with less than 10 absences in a school year, the percentage of teachers with less than 10 absences in a school year for reasons other than professional development, leaves taken pursuant to the federal Family Medical Leave Act of 1993, long-term disability, or parental leaves, the 3-year average of the percentage of teachers returning to the school from the previous year, the number of different principals at the school in the last 6 years, the number of teachers who hold a gifted education endorsement, the process and criteria used by the district to determine whether a student is eligible for participation in a gifted education program or advanced academic program and the manner in which parents and guardians are made aware of the process and criteria, the number of teachers who are National Board Certified Teachers, disaggregated by race and ethnicity, 2 or more indicators from any school climate survey selected or approved by the State and administered pursuant to Section 2-3.153 of this Code, with the same or similar indicators included on school report cards for all surveys selected or approved by the State pursuant to Section 2-3.153 of this Code, the combined percentage of teachers rated as proficient or excellent in their most recent

evaluation, and, beginning with the 2022-2023 school year, data on the number of incidents of violence that occurred on school grounds or during school-related activities and that resulted in an out-of-school suspension, expulsion, or removal to an alternative setting, as reported pursuant to Section 2-3.162;

(F) a school district's and its individual schools' balanced accountability measure, in accordance with Section 2-3.25a of this Code;

(G) the total and per pupil normal cost amount the State contributed to the Teachers' Retirement System of the State of Illinois in the prior fiscal year for the school's employees, which shall be reported to the State Board of Education by the Teachers' Retirement System of the State of Illinois;

(H) for a school district organized under Article 34 of this Code only, State contributions to the Public School Teachers' Pension and Retirement Fund of Chicago and State contributions for health care for employees of that school district;

(I) a school district's Final Percent of Adequacy, as defined in paragraph (4) of subsection (f) of Section 18-8.15 of this Code;

(J) a school district's Local Capacity Target, as defined in paragraph (2) of subsection (c) of Section 18-8.15 of this Code, displayed as a percentage amount;

(K) a school district's Real Receipts, as defined in paragraph (1) of subsection (d) of Section 18-8.15 of this Code, divided by a school district's Adequacy Target, as defined in paragraph (1) of subsection (b) of Section 18-8.15 of this Code, displayed as a percentage amount;

(L) a school district's administrative costs;

(M) whether or not the school has participated in the Illinois Youth Survey. In this paragraph (M), "Illinois Youth Survey" means a self-report survey, administered in school settings every 2 years, designed to gather information about health and social indicators, including substance abuse patterns and the attitudes of students in grades 8, 10, and 12;

(N) whether the school offered its students career and technical education opportunities; and

(O) ~~beginning~~ ~~Beginning~~ with the October 2024 report card, the total number of school counselors, school social workers, school nurses, and school psychologists by school, district, and State, the average number of students per school counselor in the school, district, and State, the average number of students per school social worker in the school, district, and State, the average number of students per school nurse in the school, district, and State, and the average number of students per school psychologist in the school, district, and State.

The school report card shall also provide information that allows for comparing the current outcome, progress, and environment data to the State average, to the school data from the past 5 years, and to the outcomes, progress, and environment of similar schools based on the type of school and enrollment of low-income students, special education students, and English learners.

As used in this subsection (2):

"Accelerated placement" has the meaning ascribed to that term in Section 14A-17 of this Code.

"Administrative costs" means costs associated with executive, administrative, or managerial functions within the school district that involve planning, organizing, managing, or directing the school district.

"Advanced academic program" means a course of study, including, but not limited to, accelerated placement, advanced placement coursework, International Baccalaureate coursework, dual credit, or any course designated as enriched or honors, that a student is enrolled in based on advanced cognitive ability or advanced academic achievement compared to local age peers and in which the curriculum is substantially differentiated from the general curriculum to provide appropriate challenge and pace.

"Computer science" means the study of computers and algorithms, including their principles, their hardware and software designs, their implementation, and their impact on society. "Computer science" does not include the study of everyday uses of computers and computer applications, such as keyboarding or accessing the Internet.

"Gifted education" means educational services, including differentiated curricula and instructional methods, designed to meet the needs of gifted children as defined in Article 14A of this Code.

For the purposes of paragraph (A) of this subsection (2), "average daily attendance" means the average of the actual number of attendance days during the previous school year for any enrolled student who is subject to compulsory attendance by Section 26-1 of this Code at each school and charter school.

(2.5) For any school report card prepared after July 1, 2025, for all high school graduation completion rates that are reported on the school report card as required under this Section or by any other State or federal law, the State Superintendent of Education shall also report the percentage of students who did not

meet the requirements of high school graduation completion for any reason and, of those students, the percentage that are classified as students who fulfill the requirements of Section 14-16 of this Code.

The State Superintendent shall ensure that for the 2023-2024 school year there is a specific code for districts to report students who fulfill the requirements of Section 14-16 of this Code to ensure accurate reporting under this Section.

All reporting requirements under this subsection (2.5) shall be included on the school report card where high school graduation completion rates are reported, along with a brief explanation of how fulfilling the requirements of Section 14-16 of this Code is different from receiving a regular high school diploma.

(3) At the discretion of the State Superintendent, the school district report card shall include a subset of the information identified in paragraphs (A) through (E) of subsection (2) of this Section, as well as information relating to the operating expense per pupil and other finances of the school district, and the State report card shall include a subset of the information identified in paragraphs (A) through (E) and paragraph (N) of subsection (2) of this Section. The school district report card shall include the average daily attendance, as that term is defined in subsection (2) of this Section, of students who have individualized education programs and students who have 504 plans that provide for special education services within the school district.

(4) Notwithstanding anything to the contrary in this Section, in consultation with key education stakeholders, the State Superintendent shall at any time have the discretion to amend or update any and all metrics on the school, district, or State report card.

(5) Annually, no more than 30 calendar days after receipt of the school district and school report cards from the State Superintendent of Education, each school district, including special charter districts and districts subject to the provisions of Article 34, shall present such report cards at a regular school board meeting subject to applicable notice requirements, post the report cards on the school district's Internet web site, if the district maintains an Internet web site, make the report cards available to a newspaper of general circulation serving the district, and, upon request, send the report cards home to a parent (unless the district does not maintain an Internet web site, in which case the report card shall be sent home to parents without request). If the district posts the report card on its Internet web site, the district shall send a written notice home to parents stating (i) that the report card is available on the web site, (ii) the address of the web site, (iii) that a printed copy of the report card will be sent to parents upon request, and (iv) the telephone number that parents may call to request a printed copy of the report card.

(6) Nothing contained in Public Act 98-648 repeals, supersedes, invalidates, or nullifies final decisions in lawsuits pending on July 1, 2014 (the effective date of Public Act 98-648) in Illinois courts involving the interpretation of Public Act 97-8.

(7) As used in this subsection (7):

~~"Advanced track coursework or programs"~~ "Advanced track coursework or programs" means any high school courses, sequence of courses, or class or grouping of students organized to provide more rigorous, enriched, advanced, accelerated, gifted, or above grade-level instruction. This may include, but is not limited to, Advanced Placement courses, International Baccalaureate courses, honors, weighted, advanced, or enriched courses, or gifted or accelerated programs, classrooms, or courses.

"Course" means any high school class or course offered by a school that is assigned a school course code by the State Board of Education.

"High school" means a school that maintains any of grades 9 through 12.

~~"English learner coursework or English learner program" means a high school English learner course or program designated to serve English learners, who may be designated as English language learners or limited English proficiency learners.~~

~~"Standard coursework or programs" means any high school courses or classes other than advanced track coursework or programs, English learner coursework or programs, or special education coursework or programs.~~

By ~~December~~ ~~October~~ 31, 2027 and by ~~December~~ ~~October~~ 31 of each subsequent year, the State Board of Education, through the State Superintendent of Education, shall prepare a stand-alone report covering all public high schools in this State, to be referred to as the Expanded High School Coursework Snapshot Report. The State Board shall post the Report on the State Board's Internet website. Each school district with a high school enrollment for the reporting year shall include on the school district's Internet website, if the district maintains an Internet website, a hyperlink to the Report on the State Board's Internet website titled "Expanded High School Coursework Snapshot Report". Hyperlinks under this subsection (7) shall be displayed in a manner that is easily accessible to the public.

The Expanded High School Coursework Snapshot Report shall include:

(A) a listing of all standard coursework or programs that have offered by a high school student enrollment;

(B) a listing of all advanced ~~advanced-track~~ coursework or programs that have offered by a high school student enrollment;

(C) a listing of all English learner coursework or programs that have high school student enrollment by English learners offered by a high school;

(D) a listing of all special education coursework or programs that have high school student enrollment by students with disabilities offered by a high school;

(E) data tables and graphs comparing advanced ~~advanced-track~~ coursework or programs enrollment with standard coursework or programs enrollment according to the following parameters:

(i) the average years of experience of all teachers in a high school who are assigned to teach advanced ~~advanced-track~~ coursework or programs compared with the average years of experience of all teachers in the high school who are assigned to teach standard coursework or programs;

(ii) the average years of experience of all teachers in a high school who are assigned to teach special education coursework or programs that have high school enrollment by students with disabilities compared with the average years of experience of all teachers in the high school who are not assigned to teach standard coursework or programs that have high school student enrollment by students with disabilities;

(iii) the average years of experience of all teachers in a high school who are assigned to teach English learner coursework or programs that have high school student enrollment by English learners compared with the average years of experience of all teachers in the high school who are not assigned to teach standard coursework or programs that have high school student enrollment by English learners;

(iv) the number of high school teachers who possess bachelor's degrees, master's degrees, or higher ~~doctorate~~ degrees and who are assigned to teach advanced ~~advanced-track~~ courses or programs compared with the number of teachers who possess bachelor's degrees, master's degrees, or higher ~~doctorate~~ degrees and who are assigned to teach standard coursework or programs;

(v) the number of high school teachers who possess bachelor's degrees, master's degrees, or higher ~~doctorate~~ degrees and who are assigned to teach special education coursework or programs that have high school student enrollment by students with disabilities compared with the number of teachers who possess bachelor's degrees, master's degrees, or higher ~~doctorate~~ degrees and who are not assigned to teach standard coursework or programs that have high school student enrollment by students with disabilities;

(vi) the number of high school teachers who possess bachelor's degrees, master's degrees, or higher ~~doctorate~~ degrees and who are assigned to teach English learner coursework or programs that have high school student enrollment by English learners compared with the number of teachers who possess bachelor's degrees, master's degrees, or higher ~~doctorate~~ degrees and who are not assigned to teach standard coursework or programs that have high school student enrollment by English learners;

(vii) the average student enrollment and class size of advanced ~~advanced-track~~ coursework or programs offered in a high school compared with the average student enrollment and class size of standard coursework or programs;

(viii) the percentages of high school students, delineated by race, gender, and program student group, who are enrolled in advanced ~~advanced-track~~ coursework or programs in a high school compared with the gender of students enrolled in standard coursework or programs;

(ix) (blank); the percentages of students delineated by gender who are enrolled in special education coursework or programs in a high school compared with the percentages of students enrolled in standard coursework or programs;

(x) (blank); the percentages of students delineated by gender who are enrolled in English learner coursework or programs in a high school compared with the gender of students enrolled in standard coursework or programs;

(xi) (blank); the percentages of high school students in each individual race and ethnicity category, as defined in the most recent federal decennial census, who are enrolled in

advanced track coursework or programs compared with the percentages of students in each individual race and ethnicity category enrolled in standard coursework or programs;

(xii) (blank); the percentages of high school students in each of the race and ethnicity categories, as defined in the most recent federal decennial census, who are enrolled in special education coursework or programs compared with the percentages of students in each of the race and ethnicity categories who are enrolled in standard coursework or programs;

(xiii) (blank); the percentages of high school students in each of the race and ethnicity categories, as defined in the most recent federal decennial census, who are enrolled in English learner coursework or programs in a high school compared with the percentages of high school students in each of the race and ethnicity categories who are enrolled in standard coursework or programs;

(xiv) the percentage of high school students, by race, gender, and program student group, who earn reach proficiency (the equivalent of a C grade or higher on a grade A through F scale) in one or more advanced ~~advanced track~~ coursework or programs compared with the percentage of high school students, by race, gender, and program student group, who earn proficiency (the equivalent of a C grade or higher on a grade A through F scale) in one or more standard coursework or programs;

(xv) (blank); the percentage of high school students who reach proficiency (the equivalent of a C grade or higher on a grade A through F scale) in special education coursework or programs compared with the percentage of high school students who earn proficiency (the equivalent of a C grade or higher on a grade A through F scale) in standard coursework or programs; and

(xvi) (blank); and the percentage of high school students who reach proficiency (the equivalent of a C grade or higher on a grade A through F scale) in English learner coursework or programs compared with the percentage of high school students who earn proficiency (the equivalent of a C grade or higher on a grade A through F scale) in standard coursework or programs; and

(F) data tables and graphs for each race and ethnicity category, as defined in the most recent federal decennial census, and gender category, as defined in the most recent federal decennial census, describing:

(i) the total student number and student percentage for ~~of~~ Advanced Placement courses taken by race and ethnicity category and gender category, as defined in the most recent federal decennial census;

(ii) the total student number and student percentage for ~~of~~ International Baccalaureate courses taken by race and ethnicity category and gender category, as defined in the most recent federal decennial census;

(iii) (blank); for each race and ethnicity category and gender category, as defined in the most recent federal decennial census, the percentage of high school students enrolled in Advanced Placement courses;

(iv) (blank); and for each race and ethnicity category and gender category, as defined in the most recent federal decennial census, the percentage of high school students enrolled in International Baccalaureate courses; and

(v) for each race and ethnicity category, as defined in the most recent federal decennial census, the total student number and student percentage of high school students who earn a score of 3 or higher on the Advanced Placement exam associated with an Advanced Placement course.

For data on teacher experience and education under this subsection (7), a teacher who teaches a combination of courses designated as advanced ~~advanced track~~ coursework or programs, courses or programs that have high school student enrollment by English learners ~~learner coursework or programs~~, or standard coursework or programs shall be included in all relevant categories and the teacher's level of experience shall be added to the categories.

(Source: P.A. 102-16, eff. 6-17-21; 102-294, eff. 1-1-22; 102-539, eff. 8-20-21; 102-558, eff. 8-20-21; 102-594, eff. 7-1-22; 102-813, eff. 5-13-22; 103-116, eff. 6-30-23; 103-263, eff. 6-30-23; 103-413, eff. 1-1-24; 103-503, eff. 1-1-24; revised 9-12-23.)

(105 ILCS 5/10-20.12a) (from Ch. 122, par. 10-20.12a)

Sec. 10-20.12a. Tuition for non-resident pupils.

(a) To charge non-resident pupils who attend the schools of the district tuition in an amount not exceeding 110% of the per capita cost of maintaining the schools of the district for the preceding school year.

Such per capita cost shall be computed by dividing the total cost of conducting and maintaining the schools of the district by the average daily attendance, including tuition pupils. Depreciation on the buildings and equipment of the schools of the district, and the amount of annual depreciation on such buildings and equipment shall be dependent upon the useful life of such property.

The tuition charged shall in no case exceed 110% of the per capita cost of conducting and maintaining the schools of the district attended, as determined with reference to the most recent audit prepared under Section 3-7 which is available at the commencement of the current school year. Non-resident pupils attending the schools of the district for less than the school term shall have their tuition apportioned, however pupils who become non-resident during a school term shall not be charged tuition for the remainder of the school term in which they became non-resident pupils.

Notwithstanding the provisions of this Section, a school district may ~~adopt a policy to~~ waive tuition costs for a non-resident pupil who if the pupil is the child of a district employee if the district adopts a policy approving such waiver. For purposes of this paragraph, "child" means a district employee's child who is a biological child, adopted child, foster child, stepchild, or a child for which the employee serves as a legal guardian.

(b) Unless otherwise agreed to by the parties involved and where the educational services are not otherwise provided for, educational services for an Illinois student under the age of 21 (and not eligible for services pursuant to Article 14 of this Code) in any residential program shall be provided by the district in which the facility is located and financed as follows. The cost of educational services shall be paid by the district in which the student resides in an amount equal to the cost of providing educational services in the residential facility. Payments shall be made by the district of the student's residence and shall be made to the district wherein the facility is located no less than once per month unless otherwise agreed to by the parties.

The funding provision of this subsection (b) applies to all Illinois students under the age of 21 (and not eligible for services pursuant to Article 14 of this Code) receiving educational services in residential facilities, irrespective of whether the student was placed therein pursuant to this Code or the Juvenile Court Act of 1987 or by an Illinois public agency or a court. The changes to this subsection (b) made by this amendatory Act of the 95th General Assembly apply to all placements in effect on July 1, 2007 and all placements thereafter. For purposes of this subsection (b), a student's district of residence shall be determined in accordance with subsection (a) of Section 10-20.12b of this Code. The placement of a student in a residential facility shall not affect the residency of the student. When a dispute arises over the determination of the district of residence under this subsection (b), any person or entity, including without limitation a school district or residential facility, may make a written request for a residency decision to the State Superintendent of Education, who, upon review of materials submitted and any other items or information he or she may request for submission, shall issue his or her decision in writing. The decision of the State Superintendent of Education is final.

(Source: P.A. 103-111, eff. 6-29-23.)

(105 ILCS 5/10-20.17a) (from Ch. 122, par. 10-20.17a)

Sec. 10-20.17a. Hazardous materials training. To enhance the safety of pupils and staff by providing in-service training programs on the safe handling and use of hazardous or toxic materials for personnel in the district who work with such materials on a regular basis. Such programs may shall be identified approved by the State Board of Education, in consultation with the ~~Illinois~~ Department of Public Health, for use by school boards in implementing this Section.

(Source: P.A. 84-1294.)

(105 ILCS 5/10-20.56)

Sec. 10-20.56. E-learning days.

(a) The State Board of Education shall establish and maintain, for implementation in school districts, a program for use of electronic-learning (e-learning) days, as described in this Section. School districts may utilize a program approved under this Section for use during remote learning days and blended remote learning days under Section 10-30 or 34-18.66.

(b) The school board of a school district may, by resolution, adopt a research-based program or research-based programs for e-learning days district-wide that shall permit student instruction to be received electronically while students are not physically present in lieu of the district's scheduled emergency days as required by Section 10-19 of this Code or because a school was selected to be a polling place under Section

11-4.1 of the Election Code. The research-based program or programs may not exceed the minimum number of emergency days in the approved school calendar and must be verified annually by the regional office of education or intermediate service center for the school district before the implementation of any e-learning days in that school year on or before September 1st annually to ensure access for all students. The regional office of education or intermediate service center shall ensure that the specific needs of all students are met, including special education students and English learners, and that all mandates are still met using the proposed research-based program. The e-learning program may utilize the Internet, telephones, texts, chat rooms, or other similar means of electronic communication for instruction and interaction between teachers and students that meet the needs of all learners. The e-learning program shall address the school district's responsibility to ensure that all teachers and staff who may be involved in the provision of e-learning have access to any and all hardware and software that may be required for the program. If a proposed program does not address this responsibility, the school district must propose an alternate program.

(c) Before its adoption by a school board, the school board must hold a public hearing on a school district's initial proposal for an e-learning program or for renewal of such a program, at a regular or special meeting of the school board, in which the terms of the proposal must be substantially presented and an opportunity for allowing public comments must be provided. Notice of such public hearing must be provided at least 10 days prior to the hearing by:

(1) publication in a newspaper of general circulation in the school district;

(2) written or electronic notice designed to reach the parents or guardians of all students enrolled in the school district; and

(3) written or electronic notice designed to reach any exclusive collective bargaining representatives of school district employees and all those employees not in a collective bargaining unit.

(d) The regional office of education or intermediate service center for the school district must timely verify that a proposal for an e-learning program has met the requirements specified in this Section and that the proposal contains provisions designed to reasonably and practicably accomplish the following:

(1) to ensure and verify at least 5 clock hours of instruction or school work, as required under Section 10-19.05, for each student participating in an e-learning day;

(2) to ensure access from home or other appropriate remote facility for all students participating, including computers, the Internet, and other forms of electronic communication that must be utilized in the proposed program;

(2.5) to ensure that non-electronic materials are made available to students participating in the program who do not have access to the required technology or to participating teachers or students who are prevented from accessing the required technology;

(3) to ensure appropriate learning opportunities for students with special needs;

(4) to monitor and verify each student's electronic participation;

(5) to address the extent to which student participation is within the student's control as to the time, pace, and means of learning;

(6) to provide effective notice to students and their parents or guardians of the use of particular days for e-learning;

(7) to provide staff and students with adequate training for e-learning days' participation;

(8) to ensure an opportunity for any collective bargaining negotiations with representatives of the school district's employees that would be legally required, including all classifications of school district employees who are represented by collective bargaining agreements and who would be affected in the event of an e-learning day;

(9) to review and revise the program as implemented to address difficulties confronted; and

(10) to ensure that the protocol regarding general expectations and responsibilities of the program is communicated to teachers, staff, and students at least 30 days prior to utilizing an e-learning day in a school year.

The school board's approval of a school district's initial e-learning program and renewal of the e-learning program shall be for a term of 3 school years, beginning with the first school year in which the program was approved and verified by the regional office of education or intermediate service center for the school district.

(d-5) A school district shall pay to its contractors who provide educational support services to the district, including, but not limited to, custodial, transportation, or food service providers, their daily, regular rate of pay or billings rendered for any e-learning day that is used because a school was selected to be a

polling place under Section 11-4.1 of the Election Code, except that this requirement does not apply to contractors who are paid under contracts that are entered into, amended, or renewed on or after March 15, 2022 or to contracts that otherwise address compensation for such e-learning days.

(d-10) A school district shall pay to its employees who provide educational support services to the district, including, but not limited to, custodial employees, building maintenance employees, transportation employees, food service providers, classroom assistants, or administrative staff, their daily, regular rate of pay and benefits rendered for any school closure or e-learning day if the closure precludes them from performing their regularly scheduled duties and the employee would have reported for work but for the closure, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(d-15) A school district shall make full payment that would have otherwise been paid to its contractors who provide educational support services to the district, including, but not limited to, custodial, building maintenance, transportation, food service providers, classroom assistants, or administrative staff, their daily, regular rate of pay and benefits rendered for any school closure or e-learning day if any closure precludes them from performing their regularly scheduled duties and employees would have reported for work but for the closure. The employees who provide the support services covered by such contracts shall be paid their daily bid package rates and benefits as defined by their local operating agreements or collective bargaining agreements, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(d-20) A school district shall make full payment or reimbursement to an employee or contractor as specified in subsection (d-10) or (d-15) of this Section for any school closure or e-learning day in the 2021-2022 school year that occurred prior to the effective date of this amendatory Act of the 102nd General Assembly if the employee or contractor did not receive pay or was required to use earned paid time off, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(e) The State Board of Education may adopt rules consistent with the provision of this Section.

(f) For purposes of subsections (d-10), (d-15), and (d-20) of this Section:

"Employee" means anyone employed by a school district on or after the effective date of this amendatory Act of the 102nd General Assembly.

"School district" includes charter schools established under Article 27A of this Code, but does not include the Department of Juvenile Justice School District.

(Source: P.A. 101-12, eff. 7-1-19; 101-643, eff. 6-18-20; 102-584, eff. 6-1-22; 102-697, eff. 4-5-22.)

(105 ILCS 5/10-22.24b)

(Text of Section before amendment by P.A. 103-542)

Sec. 10-22.24b. School counseling services. School counseling services in public schools may be provided by school counselors as defined in Section 10-22.24a of this Code or by individuals who hold a Professional Educator License with a school support personnel endorsement in the area of school counseling under Section 21B-25 of this Code.

School counseling services may include, but are not limited to:

(1) designing and delivering a comprehensive school counseling program through a standards-based, data-informed program that promotes student achievement and wellness;

(2) ~~(blank); incorporating the common core language into the school counselor's work and role;~~

(3) school counselors working as culturally skilled professionals who act sensitively to promote social justice and equity in a pluralistic society;

(4) providing individual and group counseling;

(5) providing a core counseling curriculum that serves all students and addresses the knowledge and skills appropriate to their developmental level through a collaborative model of delivery involving the school counselor, classroom teachers, and other appropriate education professionals, and including prevention and pre-referral activities;

(6) making referrals when necessary to appropriate offices or outside agencies;

(7) providing college and career development activities and counseling;

(8) developing individual career plans with students, which includes planning for post-secondary education, as appropriate, and engaging in related and relevant career and technical education coursework in high school ~~as described in paragraph (55);~~

(9) assisting all students with a college or post-secondary education plan, which must include a discussion on all post-secondary education options, including 4-year colleges or universities,

community colleges, and vocational schools, and includes planning for post-secondary education, as appropriate, and engaging in related and relevant career and technical education coursework in high school ~~as described in paragraph (55);~~

(10) ~~(blank); intentionally addressing the career and college needs of first generation students;~~

(11) educating all students on scholarships, financial aid, and preparation of the Federal Application for Federal Student Aid;

(12) collaborating with institutions of higher education and local community colleges so that students understand post-secondary education options and are ready to transition successfully;

(13) providing crisis intervention and contributing to the development of a specific crisis plan within the school setting in collaboration with multiple stakeholders;

(14) ~~providing educational opportunities for educating students, teachers, and parents on mental health anxiety, depression, cutting, and suicide issues and intervening with students who present with these issues;~~

(15) providing counseling and other resources to students who are in crisis;

(16) ~~working to address barriers that prohibit or limit access providing resources for those students who do not have access to mental health services;~~

(17) addressing bullying and conflict resolution with all students;

(18) teaching communication skills and helping students develop positive relationships;

(19) using culturally sensitive skills in working with all students to promote wellness;

(20) ~~working to address addressing the needs of all undocumented students with regard to citizenship status in the school, as well as students who are legally in the United States, but whose parents are undocumented;~~

(21) ~~(blank); contributing to a student's functional behavioral assessment, as well as assisting in the development of non-aversive behavioral intervention strategies;~~

(22) ~~providing academic, social-emotional, and college and career supports to all students irrespective of special education or Section 504 status (i) assisting students in need of special education services by implementing the academic supports and social-emotional and college or career development counseling services or interventions per a student's individualized education program (IEP); (ii) participating in or contributing to a student's IEP and completing a social developmental history; or (iii) providing services to a student with a disability under the student's IEP or federal Section 504 plan, as recommended by the student's IEP team or Section 504 plan team and in compliance with federal and State laws and rules governing the provision of educational and related services and school based accommodations to students with disabilities and the qualifications of school personnel to provide such services and accommodations;~~

(23) ~~assisting students in goal setting and success skills for classroom behavior, study skills, test preparation, internal motivation, and intrinsic rewards the development of a personal educational plan with each student;~~

(24) ~~(blank); educating students on dual credit and learning opportunities on the Internet;~~

(25) providing information for all students in the selection of courses that will lead to post-secondary education opportunities toward a successful career;

(26) interpreting achievement test results and guiding students in appropriate directions;

(27) ~~(blank); counseling with students, families, and teachers, in compliance with federal and State laws;~~

(28) providing families with opportunities for education and counseling as appropriate in relation to the student's educational assessment;

(29) consulting and collaborating with teachers and other school personnel regarding behavior management and intervention plans and inclusion in support of students;

(30) teaming and partnering with staff, parents, businesses, and community organizations to support student achievement and social-emotional learning standards for all students;

(31) developing and implementing school-based prevention programs, including, but not limited to, mediation and violence prevention, implementing social and emotional education programs and services, and establishing and implementing bullying prevention and intervention programs;

(32) developing culturally sensitive assessment instruments for measuring school counseling prevention and intervention effectiveness and collecting, analyzing, and interpreting data;

(33) participating on school and district committees to advocate for student programs and resources, as well as establishing a school counseling advisory council that includes representatives of

key stakeholders selected to review and advise on the implementation of the school counseling program;

(34) acting as a liaison between the public schools and community resources and building relationships with important stakeholders, such as families, administrators, teachers, and board members;

(35) maintaining organized, clear, and useful records in a confidential manner consistent with Section 5 of the Illinois School Student Records Act, the Family Educational Rights and Privacy Act, and the Health Insurance Portability and Accountability Act;

(36) presenting an annual agreement to the administration, including a formal discussion of the alignment of school and school counseling program missions and goals and detailing specific school counselor responsibilities;

(37) identifying and implementing culturally sensitive measures of success for student competencies in each of the 3 domains of academic, social and emotional, and college and career learning based on planned and periodic assessment of the comprehensive developmental school counseling program;

(38) collaborating as a team member in Multi-Tiered Systems of Support Response to Intervention (RTI) and other school initiatives;

(39) conducting observations and participating in recommendations or interventions regarding the placement of children in educational programs or special education classes;

(40) analyzing data and results of school counseling program assessments, including curriculum, small-group, and closing-the-gap results reports, and designing strategies to continue to improve program effectiveness;

(41) analyzing data and results of school counselor competency assessments;

(42) following American School Counselor Association Ethical Standards for School Counselors to demonstrate high standards of integrity, leadership, and professionalism;

(43) using student competencies to assess student growth and development to inform decisions regarding strategies, activities, and services that help students achieve the highest academic level possible knowing and embracing common core standards by using common core language;

(44) practicing as a culturally skilled school counselor by infusing the multicultural competencies within the role of the school counselor, including the practice of culturally sensitive attitudes and beliefs, knowledge, and skills;

(45) infusing the Social-Emotional Standards, as presented in the State Board of Education standards, across the curriculum and in the counselor's role in ways that empower and enable students to achieve academic success across all grade levels;

(46) providing services only in areas in which the school counselor has appropriate training or expertise, as well as only providing counseling or consulting services within his or her employment to any student in the district or districts which employ such school counselor, in accordance with professional ethics;

(47) having adequate training in supervision knowledge and skills in order to supervise school counseling interns enrolled in graduate school counselor preparation programs that meet the standards established by the State Board of Education;

(48) being involved with State and national professional associations;

(49) participating, at least once every 2 years, in an in-service training program for school counselors conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth, which shall include training concerning (i) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (ii) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed, and (iii) implementing the school district's policies, procedures, and protocols with regard to such youth, including confidentiality; at a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence;

(50) participating, at least every 2 years, in an in-service training program for school counselors conducted by persons with expertise in anaphylactic reactions and management;

(51) participating, at least once every 2 years, in an in-service training on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel;

(52) participating, in addition to other topics at in-service training programs, in training to identify the warning signs of mental illness and suicidal behavior in adolescents and teenagers and learning appropriate intervention and referral techniques;

(53) ~~(blank); obtaining training to have a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS), including the nature of the disease, its causes and effects, the means of detecting it and preventing its transmission, and the availability of appropriate sources of counseling and referral and any other information that may be appropriate considering the age and grade level of the pupils; the school board shall supervise such training and the State Board of Education and the Department of Public Health shall jointly develop standards for such training;~~

(54) ~~(blank); and participating in mandates from the State Board of Education for bullying education and social-emotional literacy; and~~

(55) promoting career and technical education by assisting each student to determine an appropriate postsecondary plan based upon the student's skills, strengths, and goals and assisting the student to implement the best practices that improve career or workforce readiness after high school.

School districts may employ a sufficient number of school counselors to maintain the national and State recommended student-counselor ratio of 250 to 1. School districts may have school counselors spend at least 80% of his or her work time in direct contact with students.

Nothing in this Section prohibits other qualified professionals, including other endorsed school support personnel, from providing the services listed in this Section.

(Source: P.A. 102-876, eff. 1-1-23; 103-154, eff. 6-30-23.)

(Text of Section after amendment by P.A. 103-542)

Sec. 10-22.24b. School counseling services. School counseling services in public schools may be provided by school counselors as defined in Section 10-22.24a of this Code or by individuals who hold a Professional Educator License with a school support personnel endorsement in the area of school counseling under Section 21B-25 of this Code.

School counseling services may include, but are not limited to:

(1) designing and delivering a comprehensive school counseling program through a standards-based, data-informed program that promotes student achievement and wellness;

(2) ~~(blank); incorporating the common core language into the school counselor's work and role;~~

(3) school counselors working as culturally skilled professionals who act sensitively to promote social justice and equity in a pluralistic society;

(4) providing individual and group counseling;

(5) providing a core counseling curriculum that serves all students and addresses the knowledge and skills appropriate to their developmental level through a collaborative model of delivery involving the school counselor, classroom teachers, and other appropriate education professionals, and including prevention and pre-referral activities;

(6) making referrals when necessary to appropriate offices or outside agencies;

(7) providing college and career development activities and counseling;

(8) developing individual career plans with students, which includes planning for post-secondary education, as appropriate, and engaging in related and relevant career and technical education coursework in high school ~~as described in paragraph (55);~~

(9) assisting all students with a college or post-secondary education plan, which must include a discussion on all post-secondary education options, including 4-year colleges or universities, community colleges, and vocational schools, and includes planning for post-secondary education, as appropriate, and engaging in related and relevant career and technical education coursework in high school ~~as described in paragraph (55);~~

(10) ~~(blank); intentionally addressing the career and college needs of first generation students;~~

(11) educating all students on scholarships, financial aid, and preparation of the Federal Application for Federal Student Aid;

(12) collaborating with institutions of higher education and local community colleges so that students understand post-secondary education options and are ready to transition successfully;

(13) providing crisis intervention and contributing to the development of a specific crisis plan within the school setting in collaboration with multiple stakeholders;

(14) ~~providing educational opportunities for educating students, teachers, and parents on mental health anxiety, depression, cutting, and suicide issues and intervening with students who present with these issues;~~

(15) providing counseling and other resources to students who are in crisis;

(16) ~~working to address barriers that prohibit or limit access providing resources for those students who do not have access to mental health services;~~

(17) addressing bullying and conflict resolution with all students;

(18) teaching communication skills and helping students develop positive relationships;

(19) using culturally sensitive skills in working with all students to promote wellness;

(20) ~~working to address addressing the needs of all undocumented students with regard to citizenship status in the school, as well as students who are legally in the United States, but whose parents are undocumented;~~

(21) (blank); ~~contributing to a student's functional behavioral assessment, as well as assisting in the development of non-aversive behavioral intervention strategies;~~

(22) ~~providing academic, social-emotional, and college and career supports to all students irrespective of special education or Section 504 status; (i) assisting students in need of special education services by implementing the academic supports and social emotional and college or career development counseling services or interventions per a student's individualized education program (IEP); (ii) participating in or contributing to a student's IEP and completing a social developmental history; or (iii) providing services to a student with a disability under the student's IEP or federal Section 504 plan, as recommended by the student's IEP team or Section 504 plan team and in compliance with federal and State laws and rules governing the provision of educational and related services and school-based accommodations to students with disabilities and the qualifications of school personnel to provide such services and accommodations;~~

(23) ~~assisting students in goal setting and success skills for classroom behavior, study skills, test preparation, internal motivation, and intrinsic rewards the development of a personal educational plan with each student;~~

(24) (blank); ~~educating students on dual credit and learning opportunities on the Internet;~~

(25) providing information for all students in the selection of courses that will lead to post-secondary education opportunities toward a successful career;

(26) interpreting achievement test results and guiding students in appropriate directions;

(27) (blank); ~~counseling with students, families, and teachers, in compliance with federal and State laws;~~

(28) providing families with opportunities for education and counseling as appropriate in relation to the student's educational assessment;

(29) consulting and collaborating with teachers and other school personnel regarding behavior management and intervention plans and inclusion in support of students;

(30) teaming and partnering with staff, parents, businesses, and community organizations to support student achievement and social-emotional learning standards for all students;

(31) developing and implementing school-based prevention programs, including, but not limited to, mediation and violence prevention, implementing social and emotional education programs and services, and establishing and implementing bullying prevention and intervention programs;

(32) developing culturally sensitive assessment instruments for measuring school counseling prevention and intervention effectiveness and collecting, analyzing, and interpreting data;

(33) participating on school and district committees to advocate for student programs and resources, as well as establishing a school counseling advisory council that includes representatives of key stakeholders selected to review and advise on the implementation of the school counseling program;

(34) acting as a liaison between the public schools and community resources and building relationships with important stakeholders, such as families, administrators, teachers, and board members;

(35) maintaining organized, clear, and useful records in a confidential manner consistent with Section 5 of the Illinois School Student Records Act, the Family Educational Rights and Privacy Act, and the Health Insurance Portability and Accountability Act;

(36) presenting an annual agreement to the administration, including a formal discussion of the alignment of school and school counseling program missions and goals and detailing specific school counselor responsibilities;

(37) identifying and implementing culturally sensitive measures of success for student competencies in each of the 3 domains of academic, social and emotional, and college and career learning based on planned and periodic assessment of the comprehensive developmental school counseling program;

(38) collaborating as a team member in Multi-Tiered Systems of Support ~~Response to Intervention (RTI)~~ and other school initiatives;

(39) conducting observations and participating in recommendations or interventions regarding the placement of children in educational programs or special education classes;

(40) analyzing data and results of school counseling program assessments, including curriculum, small-group, and closing-the-gap results reports, and designing strategies to continue to improve program effectiveness;

(41) analyzing data and results of school counselor competency assessments;

(42) following American School Counselor Association Ethical Standards for School Counselors to demonstrate high standards of integrity, leadership, and professionalism;

(43) using student competencies to assess student growth and development to inform decisions regarding strategies, activities, and services that help students achieve the highest academic level possible knowing and embracing common core standards by using common core language;

(44) practicing as a culturally skilled school counselor by infusing the multicultural competencies within the role of the school counselor, including the practice of culturally sensitive attitudes and beliefs, knowledge, and skills;

(45) infusing the Social-Emotional Standards, as presented in the State Board of Education standards, across the curriculum and in the counselor's role in ways that empower and enable students to achieve academic success across all grade levels;

(46) providing services only in areas in which the school counselor has appropriate training or expertise, as well as only providing counseling or consulting services within his or her employment to any student in the district or districts which employ such school counselor, in accordance with professional ethics;

(47) having adequate training in supervision knowledge and skills in order to supervise school counseling interns enrolled in graduate school counselor preparation programs that meet the standards established by the State Board of Education;

(48) being involved with State and national professional associations;

(49) complete the required training as outlined in Section 10-22.39;

(50) (blank);

(51) (blank);

(52) (blank);

(53) (blank);

(54) ~~(blank); and participating in mandates from the State Board of Education for bullying education and social emotional literacy; and~~

(55) promoting career and technical education by assisting each student to determine an appropriate postsecondary plan based upon the student's skills, strengths, and goals and assisting the student to implement the best practices that improve career or workforce readiness after high school.

School districts may employ a sufficient number of school counselors to maintain the national and State recommended student-counselor ratio of 250 to 1. School districts may have school counselors spend at least 80% of his or her work time in direct contact with students.

Nothing in this Section prohibits other qualified professionals, including other endorsed school support personnel, from providing the services listed in this Section.

(Source: P.A. 102-876, eff. 1-1-23; 103-154, eff. 6-30-23; 103-542, eff. 7-1-24 (see Section 905 of P.A. 103-563 for effective date of P.A. 103-542.)

(105 ILCS 5/10-27.1A)

Sec. 10-27.1A. Firearms in schools.

(a) All school officials, including teachers, school counselors, and support staff, shall immediately notify the office of the principal in the event that they observe any person in possession of a firearm on school grounds; provided that taking such immediate action to notify the office of the principal would not

immediately endanger the health, safety, or welfare of students who are under the direct supervision of the school official or the school official. If the health, safety, or welfare of students under the direct supervision of the school official or of the school official is immediately endangered, the school official shall notify the office of the principal as soon as the students under his or her supervision and he or she are no longer under immediate danger. A report is not required by this Section when the school official knows that the person in possession of the firearm is a law enforcement official engaged in the conduct of his or her official duties. Any school official acting in good faith who makes such a report under this Section shall have immunity from any civil or criminal liability that might otherwise be incurred as a result of making the report. The identity of the school official making such report shall not be disclosed except as expressly and specifically authorized by law. Knowingly and willfully failing to comply with this Section is a petty offense. A second or subsequent offense is a Class C misdemeanor.

(b) Upon receiving a report from any school official pursuant to this Section, or from any other person, the principal or his or her designee shall immediately notify a local law enforcement agency. If the person found to be in possession of a firearm on school grounds is a student, the principal or his or her designee shall also immediately notify that student's parent or guardian. Any principal or his or her designee acting in good faith who makes such reports under this Section shall have immunity from any civil or criminal liability that might otherwise be incurred or imposed as a result of making the reports. Knowingly and willfully failing to comply with this Section is a petty offense. A second or subsequent offense is a Class C misdemeanor. If the person found to be in possession of the firearm on school grounds is a minor, the law enforcement agency shall detain that minor until such time as the agency makes a determination pursuant to clause (a) of subsection (1) of Section 5-401 of the Juvenile Court Act of 1987, as to whether the agency reasonably believes that the minor is delinquent. If the law enforcement agency determines that probable cause exists to believe that the minor committed a violation of item (4) of subsection (a) of Section 24-1 of the Criminal Code of 2012 while on school grounds, the agency shall detain the minor for processing pursuant to Section 5-407 of the Juvenile Court Act of 1987.

(c) Upon receipt of any written, electronic, or verbal report from any school personnel regarding a verified incident involving a firearm in a school or on school owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel, the superintendent or his or her designee shall report all such firearm-related incidents occurring in a school or on school property to the local law enforcement authorities immediately, ~~who shall report to the Illinois State Police in a form, manner, and frequency as prescribed by the Illinois State Police.~~

~~The State Board of Education shall receive an annual statistical compilation and related data associated with incidents involving firearms in schools from the Illinois State Police. The State Board of Education shall compile this information by school district and make it available to the public.~~

(c-5) Schools shall report any written, electronic, or verbal report of a verified incident involving a firearm made under subsection (c) to the State Board of Education through existing school incident reporting systems as they occur during the year by no later than July 31 for the previous school year. The State Board of Education shall report data by school district, as collected from school districts, and make it available to the public via its website. The local law enforcement authority shall, by March 1 of each year, report the required data from the previous year to the Illinois State Police's Illinois Uniform Crime Reporting Program, which shall be included in its annual Crime in Illinois report.

(d) As used in this Section, the term "firearm" shall have the meaning ascribed to it in Section 1.1 of the Firearm Owners Identification Card Act.

As used in this Section, the term "school" means any public or private elementary or secondary school.

As used in this Section, the term "school grounds" includes the real property comprising any school, any conveyance owned, leased, or contracted by a school to transport students to or from school or a school-related activity, or any public way within 1,000 feet of the real property comprising any school. (Source: P.A. 102-197, eff. 7-30-21; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 103-34, eff. 6-9-23.)

(105 ILCS 5/10-27.1B)

Sec. 10-27.1B. Reporting drug-related incidents in schools.

(a) In this Section:

"Drug" means "cannabis" as defined under subsection (a) of Section 3 of the Cannabis Control Act, "narcotic drug" as defined under subsection (aa) of Section 102 of the Illinois Controlled Substances Act, or "methamphetamine" as defined under Section 10 of the Methamphetamine Control and Community Protection Act.

"School" means any public or private elementary or secondary school.

(b) Upon receipt of any written, electronic, or verbal report from any school personnel regarding a verified incident involving drugs in a school or on school owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel, the superintendent or his or her designee, or other appropriate administrative officer for a private school, shall report all such drug-related incidents occurring in a school or on school property to the local law enforcement authorities immediately ~~and to the Illinois State Police in a form, manner, and frequency as prescribed by the Illinois State Police.~~

~~(c) (Blank). The State Board of Education shall receive an annual statistical compilation and related data associated with drug-related incidents in schools from the Illinois State Police. The State Board of Education shall compile this information by school district and make it available to the public.~~

(d) Schools shall report any written, electronic, or verbal report of an incident involving drugs made under subsection (b) to the State Board of Education through existing school incident reporting systems as they occur during the year by no later than July 31 for the previous school year. The State Board of Education shall report data by school district, as collected from school districts, and make it available to the public via its website. The local law enforcement authority shall, by March 1 of each year, report the required data from the previous year to the Illinois State Police's Illinois Uniform Crime Reporting Program, which shall be included in its annual Crime in Illinois report.

(Source: P.A. 102-538, eff. 8-20-21.)

(105 ILCS 5/18-8.15)

Sec. 18-8.15. Evidence-Based Funding for student success for the 2017-2018 and subsequent school years.

(a) General provisions.

(1) The purpose of this Section is to ensure that, by June 30, 2027 and beyond, this State has a kindergarten through grade 12 public education system with the capacity to ensure the educational development of all persons to the limits of their capacities in accordance with Section 1 of Article X of the Constitution of the State of Illinois. To accomplish that objective, this Section creates a method of funding public education that is evidence-based; is sufficient to ensure every student receives a meaningful opportunity to learn irrespective of race, ethnicity, sexual orientation, gender, or community-income level; and is sustainable and predictable. When fully funded under this Section, every school shall have the resources, based on what the evidence indicates is needed, to:

(A) provide all students with a high quality education that offers the academic, enrichment, social and emotional support, technical, and career-focused programs that will allow them to become competitive workers, responsible parents, productive citizens of this State, and active members of our national democracy;

(B) ensure all students receive the education they need to graduate from high school with the skills required to pursue post-secondary education and training for a rewarding career;

(C) reduce, with a goal of eliminating, the achievement gap between at-risk and non-at-risk students by raising the performance of at-risk students and not by reducing standards; and

(D) ensure this State satisfies its obligation to assume the primary responsibility to fund public education and simultaneously relieve the disproportionate burden placed on local property taxes to fund schools.

(2) The Evidence-Based Funding formula under this Section shall be applied to all Organizational Units in this State. The Evidence-Based Funding formula outlined in this Act is based on the formula outlined in Senate Bill 1 of the 100th General Assembly, as passed by both legislative chambers. As further defined and described in this Section, there are 4 major components of the Evidence-Based Funding model:

(A) First, the model calculates a unique Adequacy Target for each Organizational Unit in this State that considers the costs to implement research-based activities, the unit's student demographics, and regional wage differences.

(B) Second, the model calculates each Organizational Unit's Local Capacity, or the amount each Organizational Unit is assumed to contribute toward its Adequacy Target from local resources.

(C) Third, the model calculates how much funding the State currently contributes to the Organizational Unit and adds that to the unit's Local Capacity to determine the unit's overall current adequacy of funding.

(D) Finally, the model's distribution method allocates new State funding to those Organizational Units that are least well-funded, considering both Local Capacity and State funding, in relation to their Adequacy Target.

(3) An Organizational Unit receiving any funding under this Section may apply those funds to any fund so received for which that Organizational Unit is authorized to make expenditures by law.

(4) As used in this Section, the following terms shall have the meanings ascribed in this paragraph (4):

"Adequacy Target" is defined in paragraph (1) of subsection (b) of this Section.

"Adjusted EAV" is defined in paragraph (4) of subsection (d) of this Section.

"Adjusted Local Capacity Target" is defined in paragraph (3) of subsection (c) of this Section.

"Adjusted Operating Tax Rate" means a tax rate for all Organizational Units, for which the State Superintendent shall calculate and subtract for the Operating Tax Rate a transportation rate based on total expenses for transportation services under this Code, as reported on the most recent Annual Financial Report in Pupil Transportation Services, function 2550 in both the Education and Transportation funds and functions 4110 and 4120 in the Transportation fund, less any corresponding fiscal year State of Illinois scheduled payments excluding net adjustments for prior years for regular, vocational, or special education transportation reimbursement pursuant to Section 29-5 or subsection (b) of Section 14-13.01 of this Code divided by the Adjusted EAV. If an Organizational Unit's corresponding fiscal year State of Illinois scheduled payments excluding net adjustments for prior years for regular, vocational, or special education transportation reimbursement pursuant to Section 29-5 or subsection (b) of Section 14-13.01 of this Code exceed the total transportation expenses, as defined in this paragraph, no transportation rate shall be subtracted from the Operating Tax Rate.

"Allocation Rate" is defined in paragraph (3) of subsection (g) of this Section.

"Alternative School" means a public school that is created and operated by a regional superintendent of schools and approved by the State Board.

"Applicable Tax Rate" is defined in paragraph (1) of subsection (d) of this Section.

"Assessment" means any of those benchmark, progress monitoring, formative, diagnostic, and other assessments, in addition to the State accountability assessment, that assist teachers' needs in understanding the skills and meeting the needs of the students they serve.

"Assistant principal" means a school administrator duly endorsed to be employed as an assistant principal in this State.

"At-risk student" means a student who is at risk of not meeting the Illinois Learning Standards or not graduating from elementary or high school and who demonstrates a need for vocational support or social services beyond that provided by the regular school program. All students included in an Organizational Unit's Low-Income Count, as well as all English learner and disabled students attending the Organizational Unit, shall be considered at-risk students under this Section.

"Average Student Enrollment" or "ASE" for fiscal year 2018 means, for an Organizational Unit, the greater of the average number of students (grades K through 12) reported to the State Board as enrolled in the Organizational Unit on October 1 in the immediately preceding school year, plus the pre-kindergarten students who receive special education services of 2 or more hours a day as reported to the State Board on December 1 in the immediately preceding school year, or the average number of students (grades K through 12) reported to the State Board as enrolled in the Organizational Unit on October 1, plus the pre-kindergarten students who receive special education services of 2 or more hours a day as reported to the State Board on December 1, for each of the immediately preceding 3 school years. For fiscal year 2019 and each subsequent fiscal year, "Average Student Enrollment" or "ASE" means, for an Organizational Unit, the greater of the average number of students (grades K through 12) reported to the State Board as enrolled in the Organizational Unit on October 1 and March 1 in the immediately preceding school year, plus the pre-kindergarten students who receive special education services as reported to the State Board on October 1 and March 1 in the immediately preceding school year, or the average number of students (grades K through 12) reported to the State Board as enrolled in the Organizational Unit on October 1 and March 1, plus the pre-kindergarten students who receive special education services as reported to the State Board on October 1 and March 1, for each of the immediately preceding 3 school years. For the purposes of this definition,

"enrolled in the Organizational Unit" means the number of students reported to the State Board who are enrolled in schools within the Organizational Unit that the student attends or would attend if not placed or transferred to another school or program to receive needed services. For the purposes of calculating "ASE", all students, grades K through 12, excluding those attending kindergarten for a half day and students attending an alternative education program operated by a regional office of education or intermediate service center, shall be counted as 1.0. All students attending kindergarten for a half day shall be counted as 0.5, unless in 2017 by June 15 or by March 1 in subsequent years, the school district reports to the State Board of Education the intent to implement full-day kindergarten district-wide for all students, then all students attending kindergarten shall be counted as 1.0. Special education pre-kindergarten students shall be counted as 0.5 each. If the State Board does not collect or has not collected both an October 1 and March 1 enrollment count by grade or a December 1 collection of special education pre-kindergarten students as of August 31, 2017 (the effective date of Public Act 100-465), it shall establish such collection for all future years. For any year in which a count by grade level was collected only once, that count shall be used as the single count available for computing a 3-year average ASE. Funding for programs operated by a regional office of education or an intermediate service center must be calculated using the Evidence-Based Funding formula under this Section for the 2019-2020 school year and each subsequent school year until separate adequacy formulas are developed and adopted for each type of program. ASE for a program operated by a regional office of education or an intermediate service center must be determined by the March 1 enrollment for the program. For the 2019-2020 school year, the ASE used in the calculation must be the first-year ASE and, in that year only, the assignment of students served by a regional office of education or intermediate service center shall not result in a reduction of the March enrollment for any school district. For the 2020-2021 school year, the ASE must be the greater of the current-year ASE or the 2-year average ASE. Beginning with the 2021-2022 school year, the ASE must be the greater of the current-year ASE or the 3-year average ASE. School districts shall submit the data for the ASE calculation to the State Board within 45 days of the dates required in this Section for submission of enrollment data in order for it to be included in the ASE calculation. For fiscal year 2018 only, the ASE calculation shall include only enrollment taken on October 1. In recognition of the impact of COVID-19, the definition of "Average Student Enrollment" or "ASE" shall be adjusted for calculations under this Section for fiscal years 2022 through 2024. For fiscal years 2022 through 2024, the enrollment used in the calculation of ASE representing the 2020-2021 school year shall be the greater of the enrollment for the 2020-2021 school year or the 2019-2020 school year.

"Base Funding Guarantee" is defined in paragraph (10) of subsection (g) of this Section.

"Base Funding Minimum" is defined in subsection (e) of this Section.

"Base Tax Year" means the property tax levy year used to calculate the Budget Year allocation of primary State aid.

"Base Tax Year's Extension" means the product of the equalized assessed valuation utilized by the county clerk in the Base Tax Year multiplied by the limiting rate as calculated by the county clerk and defined in PTELL.

"Bilingual Education Allocation" means the amount of an Organizational Unit's final Adequacy Target attributable to bilingual education divided by the Organizational Unit's final Adequacy Target, the product of which shall be multiplied by the amount of new funding received pursuant to this Section. An Organizational Unit's final Adequacy Target attributable to bilingual education shall include all additional investments in English learner students' adequacy elements.

"Budget Year" means the school year for which primary State aid is calculated and awarded under this Section.

"Central office" means individual administrators and support service personnel charged with managing the instructional programs, business and operations, and security of the Organizational Unit.

"Comparable Wage Index" or "CWI" means a regional cost differentiation metric that measures systemic, regional variations in the salaries of college graduates who are not educators. The CWI utilized for this Section shall, for the first 3 years of Evidence-Based Funding implementation, be the CWI initially developed by the National Center for Education Statistics, as most recently updated by Texas A & M University. In the fourth and subsequent years of Evidence-Based Funding implementation, the State Superintendent shall re-determine the CWI using a similar methodology to

that identified in the Texas A & M University study, with adjustments made no less frequently than once every 5 years.

"Computer technology and equipment" means computers servers, notebooks, network equipment, copiers, printers, instructional software, security software, curriculum management courseware, and other similar materials and equipment.

"Computer technology and equipment investment allocation" means the final Adequacy Target amount of an Organizational Unit assigned to Tier 1 or Tier 2 in the prior school year attributable to the additional \$285.50 per student computer technology and equipment investment grant divided by the Organizational Unit's final Adequacy Target, the result of which shall be multiplied by the amount of new funding received pursuant to this Section. An Organizational Unit assigned to a Tier 1 or Tier 2 final Adequacy Target attributable to the received computer technology and equipment investment grant shall include all additional investments in computer technology and equipment adequacy elements.

"Core subject" means mathematics; science; reading, English, writing, and language arts; history and social studies; world languages; and subjects taught as Advanced Placement in high schools.

"Core teacher" means a regular classroom teacher in elementary schools and teachers of a core subject in middle and high schools.

"Core Intervention teacher (tutor)" means a licensed teacher providing one-on-one or small group tutoring to students struggling to meet proficiency in core subjects.

"CPPRT" means corporate personal property replacement tax funds paid to an Organizational Unit during the calendar year one year before the calendar year in which a school year begins, pursuant to "An Act in relation to the abolition of ad valorem personal property tax and the replacement of revenues lost thereby, and amending and repealing certain Acts and parts of Acts in connection therewith", certified August 14, 1979, as amended (Public Act 81-1st S.S.-1).

"EAV" means equalized assessed valuation as defined in paragraph (2) of subsection (d) of this Section and calculated in accordance with paragraph (3) of subsection (d) of this Section.

"ECI" means the Bureau of Labor Statistics' national employment cost index for civilian workers in educational services in elementary and secondary schools on a cumulative basis for the 12-month calendar year preceding the fiscal year of the Evidence-Based Funding calculation.

"EIS Data" means the employment information system data maintained by the State Board on educators within Organizational Units.

"Employee benefits" means health, dental, and vision insurance offered to employees of an Organizational Unit, the costs associated with the statutorily required payment of the normal cost of the Organizational Unit's teacher pensions, Social Security employer contributions, and Illinois Municipal Retirement Fund employer contributions.

"English learner" or "EL" means a child included in the definition of "English learners" under Section 14C-2 of this Code participating in a program of transitional bilingual education or a transitional program of instruction meeting the requirements and program application procedures of Article 14C of this Code. For the purposes of collecting the number of EL students enrolled, the same collection and calculation methodology as defined above for "ASE" shall apply to English learners, with the exception that EL student enrollment shall include students in grades pre-kindergarten through 12.

"Essential Elements" means those elements, resources, and educational programs that have been identified through academic research as necessary to improve student success, improve academic performance, close achievement gaps, and provide for other per student costs related to the delivery and leadership of the Organizational Unit, as well as the maintenance and operations of the unit, and which are specified in paragraph (2) of subsection (b) of this Section.

"Evidence-Based Funding" means State funding provided to an Organizational Unit pursuant to this Section.

"Extended day" means academic and enrichment programs provided to students outside the regular school day before and after school or during non-instructional times during the school day.

"Extension Limitation Ratio" means a numerical ratio in which the numerator is the Base Tax Year's Extension and the denominator is the Preceding Tax Year's Extension.

"Final Percent of Adequacy" is defined in paragraph (4) of subsection (f) of this Section.

"Final Resources" is defined in paragraph (3) of subsection (f) of this Section.

"Full-time equivalent" or "FTE" means the full-time equivalency compensation for staffing the relevant position at an Organizational Unit.

"Funding Gap" is defined in paragraph (1) of subsection (g).

"Hybrid District" means a partial elementary unit district created pursuant to Article 11E of this Code.

"Instructional assistant" means a core or special education, non-licensed employee who assists a teacher in the classroom and provides academic support to students.

"Instructional facilitator" means a qualified teacher or licensed teacher leader who facilitates and coaches continuous improvement in classroom instruction; provides instructional support to teachers in the elements of research-based instruction or demonstrates the alignment of instruction with curriculum standards and assessment tools; develops or coordinates instructional programs or strategies; develops and implements training; chooses standards-based instructional materials; provides teachers with an understanding of current research; serves as a mentor, site coach, curriculum specialist, or lead teacher; or otherwise works with fellow teachers, in collaboration, to use data to improve instructional practice or develop model lessons.

"Instructional materials" means relevant instructional materials for student instruction, including, but not limited to, textbooks, consumable workbooks, laboratory equipment, library books, and other similar materials.

"Laboratory School" means a public school that is created and operated by a public university and approved by the State Board.

"Librarian" means a teacher with an endorsement as a library information specialist or another individual whose primary responsibility is overseeing library resources within an Organizational Unit.

"Limiting rate for Hybrid Districts" means the combined elementary school and high school limiting rates.

"Local Capacity" is defined in paragraph (1) of subsection (c) of this Section.

"Local Capacity Percentage" is defined in subparagraph (A) of paragraph (2) of subsection (c) of this Section.

"Local Capacity Ratio" is defined in subparagraph (B) of paragraph (2) of subsection (c) of this Section.

"Local Capacity Target" is defined in paragraph (2) of subsection (c) of this Section.

"Low-Income Count" means, for an Organizational Unit in a fiscal year, the higher of the average number of students for the prior school year or the immediately preceding 3 school years who, as of July 1 of the immediately preceding fiscal year (as determined by the Department of Human Services), are eligible for at least one of the following low-income programs: Medicaid, the Children's Health Insurance Program, Temporary Assistance for Needy Families (TANF), or the Supplemental Nutrition Assistance Program, excluding pupils who are eligible for services provided by the Department of Children and Family Services. Until such time that grade level low-income populations become available, grade level low-income populations shall be determined by applying the low-income percentage to total student enrollments by grade level. The low-income percentage is determined by dividing the Low-Income Count by the Average Student Enrollment. The low-income percentage for programs operated by a regional office of education or an intermediate service center operating one or more alternative education programs must be set to the weighted average of the low-income percentages of all of the school districts in the service region. The weighted low-income percentage is the result of multiplying the low-income percentage of each school district served by the regional office of education or intermediate service center by each school district's Average Student Enrollment, summarizing those products and dividing the total by the total Average Student Enrollment for the service region.

"Maintenance and operations" means custodial services, facility and ground maintenance, facility operations, facility security, routine facility repairs, and other similar services and functions.

"Minimum Funding Level" is defined in paragraph (9) of subsection (g) of this Section.

"New Property Tax Relief Pool Funds" means, for any given fiscal year, all State funds appropriated under Section 2-3.170 of this Code.

"New State Funds" means, for a given school year, all State funds appropriated for Evidence-Based Funding in excess of the amount needed to fund the Base Funding Minimum for all Organizational Units in that school year.

"Nurse" means an individual licensed as a certified school nurse, in accordance with the rules established for nursing services by the State Board, who is an employee of and is available to provide health care-related services for students of an Organizational Unit.

"Operating Tax Rate" means the rate utilized in the previous year to extend property taxes for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes. For Hybrid Districts, the Operating Tax Rate shall be the combined elementary and high school rates utilized in the previous year to extend property taxes for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes.

"Organizational Unit" means a Laboratory School or any public school district that is recognized as such by the State Board and that contains elementary schools typically serving kindergarten through 5th grades, middle schools typically serving 6th through 8th grades, high schools typically serving 9th through 12th grades, a program established under Section 2-3.66 or 2-3.41, or a program operated by a regional office of education or an intermediate service center under Article 13A or 13B. The General Assembly acknowledges that the actual grade levels served by a particular Organizational Unit may vary slightly from what is typical.

"Organizational Unit CWI" is determined by calculating the CWI in the region and original county in which an Organizational Unit's primary administrative office is located as set forth in this paragraph, provided that if the Organizational Unit CWI as calculated in accordance with this paragraph is less than 0.9, the Organizational Unit CWI shall be increased to 0.9. Each county's current CWI value shall be adjusted based on the CWI value of that county's neighboring Illinois counties, to create a "weighted adjusted index value". This shall be calculated by summing the CWI values of all of a county's adjacent Illinois counties and dividing by the number of adjacent Illinois counties, then taking the weighted value of the original county's CWI value and the adjacent Illinois county average. To calculate this weighted value, if the number of adjacent Illinois counties is greater than 2, the original county's CWI value will be weighted at 0.25 and the adjacent Illinois county average will be weighted at 0.75. If the number of adjacent Illinois counties is 2, the original county's CWI value will be weighted at 0.33 and the adjacent Illinois county average will be weighted at 0.66. The greater of the county's current CWI value and its weighted adjusted index value shall be used as the Organizational Unit CWI.

"Preceding Tax Year" means the property tax levy year immediately preceding the Base Tax Year.

"Preceding Tax Year's Extension" means the product of the equalized assessed valuation utilized by the county clerk in the Preceding Tax Year multiplied by the Operating Tax Rate.

"Preliminary Percent of Adequacy" is defined in paragraph (2) of subsection (f) of this Section.

"Preliminary Resources" is defined in paragraph (2) of subsection (f) of this Section.

"Principal" means a school administrator duly endorsed to be employed as a principal in this State.

"Professional development" means training programs for licensed staff in schools, including, but not limited to, programs that assist in implementing new curriculum programs, provide data focused or academic assessment data training to help staff identify a student's weaknesses and strengths, target interventions, improve instruction, encompass instructional strategies for English learner, gifted, or at-risk students, address inclusivity, cultural sensitivity, or implicit bias, or otherwise provide professional support for licensed staff.

"Prototypical" means 450 special education pre-kindergarten and kindergarten through grade 5 students for an elementary school, 450 grade 6 through 8 students for a middle school, and 600 grade 9 through 12 students for a high school.

"PTELL" means the Property Tax Extension Limitation Law.

"PTELL EAV" is defined in paragraph (4) of subsection (d) of this Section.

"Pupil support staff" means a nurse, psychologist, social worker, family liaison personnel, or other staff member who provides support to at-risk or struggling students.

"Real Receipts" is defined in paragraph (1) of subsection (d) of this Section.

"Regionalization Factor" means, for a particular Organizational Unit, the figure derived by dividing the Organizational Unit CWI by the Statewide Weighted CWI.

"School counselor" means a licensed school counselor who provides guidance and counseling support for students within an Organizational Unit.

"School site staff" means the primary school secretary and any additional clerical personnel assigned to a school.

"Special education" means special educational facilities and services, as defined in Section 14-1.08 of this Code.

"Special Education Allocation" means the amount of an Organizational Unit's final Adequacy Target attributable to special education divided by the Organizational Unit's final Adequacy Target, the product of which shall be multiplied by the amount of new funding received pursuant to this Section. An Organizational Unit's final Adequacy Target attributable to special education shall include all special education investment adequacy elements.

"Specialist teacher" means a teacher who provides instruction in subject areas not included in core subjects, including, but not limited to, art, music, physical education, health, driver education, career-technical education, and such other subject areas as may be mandated by State law or provided by an Organizational Unit.

"Specially Funded Unit" means an Alternative School, safe school, Department of Juvenile Justice school, special education cooperative or entity recognized by the State Board as a special education cooperative, State-approved charter school, or alternative learning opportunities program that received direct funding from the State Board during the 2016-2017 school year through any of the funding sources included within the calculation of the Base Funding Minimum or Glenwood Academy.

"Supplemental Grant Funding" means supplemental general State aid funding received by an Organizational Unit during the 2016-2017 school year pursuant to subsection (H) of Section 18-8.05 of this Code (now repealed).

"State Adequacy Level" is the sum of the Adequacy Targets of all Organizational Units.

"State Board" means the State Board of Education.

"State Superintendent" means the State Superintendent of Education.

"Statewide Weighted CWI" means a figure determined by multiplying each Organizational Unit CWI times the ASE for that Organizational Unit creating a weighted value, summing all Organizational Units' weighted values, and dividing by the total ASE of all Organizational Units, thereby creating an average weighted index.

"Student activities" means non-credit producing after-school programs, including, but not limited to, clubs, bands, sports, and other activities authorized by the school board of the Organizational Unit.

"Substitute teacher" means an individual teacher or teaching assistant who is employed by an Organizational Unit and is temporarily serving the Organizational Unit on a per diem or per period-assignment basis to replace another staff member.

"Summer school" means academic and enrichment programs provided to students during the summer months outside of the regular school year.

"Supervisory aide" means a non-licensed staff member who helps in supervising students of an Organizational Unit, but does so outside of the classroom, in situations such as, but not limited to, monitoring hallways and playgrounds, supervising lunchrooms, or supervising students when being transported in buses serving the Organizational Unit.

"Target Ratio" is defined in paragraph (4) of subsection (g).

"Tier 1", "Tier 2", "Tier 3", and "Tier 4" are defined in paragraph (3) of subsection (g).

"Tier 1 Aggregate Funding", "Tier 2 Aggregate Funding", "Tier 3 Aggregate Funding", and "Tier 4 Aggregate Funding" are defined in paragraph (1) of subsection (g).

(b) Adequacy Target calculation.

(1) Each Organizational Unit's Adequacy Target is the sum of the Organizational Unit's cost of providing Essential Elements, as calculated in accordance with this subsection (b), with the salary amounts in the Essential Elements multiplied by a Regionalization Factor calculated pursuant to paragraph (3) of this subsection (b).

(2) The Essential Elements are attributable on a pro rata basis related to defined subgroups of the ASE of each Organizational Unit as specified in this paragraph (2), with investments and FTE positions pro rata funded based on ASE counts in excess of or less than the thresholds set forth in this paragraph (2). The method for calculating attributable pro rata costs and the defined subgroups thereto are as follows:

(A) Core class size investments. Each Organizational Unit shall receive the funding required to support that number of FTE core teacher positions as is needed to keep the respective class sizes of the Organizational Unit to the following maximum numbers:

(i) For grades kindergarten through 3, the Organizational Unit shall receive funding required to support one FTE core teacher position for every 15 Low-Income Count students in those grades and one FTE core teacher position for every 20 non-Low-Income Count students in those grades.

(ii) For grades 4 through 12, the Organizational Unit shall receive funding required to support one FTE core teacher position for every 20 Low-Income Count students in those grades and one FTE core teacher position for every 25 non-Low-Income Count students in those grades.

The number of non-Low-Income Count students in a grade shall be determined by subtracting the Low-Income students in that grade from the ASE of the Organizational Unit for that grade.

(B) Specialist teacher investments. Each Organizational Unit shall receive the funding needed to cover that number of FTE specialist teacher positions that correspond to the following percentages:

(i) if the Organizational Unit operates an elementary or middle school, then 20.00% of the number of the Organizational Unit's core teachers, as determined under subparagraph (A) of this paragraph (2); and

(ii) if such Organizational Unit operates a high school, then 33.33% of the number of the Organizational Unit's core teachers.

(C) Instructional facilitator investments. Each Organizational Unit shall receive the funding needed to cover one FTE instructional facilitator position for every 200 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students of the Organizational Unit.

(D) Core intervention teacher (tutor) investments. Each Organizational Unit shall receive the funding needed to cover one FTE teacher position for each prototypical elementary, middle, and high school.

(E) Substitute teacher investments. Each Organizational Unit shall receive the funding needed to cover substitute teacher costs that is equal to 5.70% of the minimum pupil attendance days required under Section 10-19 of this Code for all full-time equivalent core, specialist, and intervention teachers, school nurses, special education teachers and instructional assistants, instructional facilitators, and summer school and extended day teacher positions, as determined under this paragraph (2), at a salary rate of 33.33% of the average salary for grade K through 12 teachers and 33.33% of the average salary of each instructional assistant position.

(F) Core school counselor investments. Each Organizational Unit shall receive the funding needed to cover one FTE school counselor for each 450 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 5 students, plus one FTE school counselor for each 250 grades 6 through 8 ASE middle school students, plus one FTE school counselor for each 250 grades 9 through 12 ASE high school students.

(G) Nurse investments. Each Organizational Unit shall receive the funding needed to cover one FTE nurse for each 750 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students across all grade levels it serves.

(H) Supervisory aide investments. Each Organizational Unit shall receive the funding needed to cover one FTE for each 225 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 5 students, plus one FTE for each 225 ASE middle school students, plus one FTE for each 200 ASE high school students.

(I) Librarian investments. Each Organizational Unit shall receive the funding needed to cover one FTE librarian for each prototypical elementary school, middle school, and high school and one FTE aide or media technician for every 300 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students.

(J) Principal investments. Each Organizational Unit shall receive the funding needed to cover one FTE principal position for each prototypical elementary school, plus one FTE principal position for each prototypical middle school, plus one FTE principal position for each prototypical high school.

(K) Assistant principal investments. Each Organizational Unit shall receive the funding needed to cover one FTE assistant principal position for each prototypical elementary school, plus one FTE assistant principal position for each prototypical middle school, plus one FTE assistant principal position for each prototypical high school.

(L) School site staff investments. Each Organizational Unit shall receive the funding needed for one FTE position for each 225 ASE of pre-kindergarten children with disabilities and all kindergarten through grade 5 students, plus one FTE position for each 225 ASE middle school students, plus one FTE position for each 200 ASE high school students.

(M) Gifted investments. Each Organizational Unit shall receive \$40 per kindergarten through grade 12 ASE.

(N) Professional development investments. Each Organizational Unit shall receive \$125 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students for trainers and other professional development-related expenses for supplies and materials.

(O) Instructional material investments. Each Organizational Unit shall receive \$190 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students to cover instructional material costs.

(P) Assessment investments. Each Organizational Unit shall receive \$25 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students to cover assessment costs.

(Q) Computer technology and equipment investments. Each Organizational Unit shall receive \$285.50 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students to cover computer technology and equipment costs. For the 2018-2019 school year and subsequent school years, Organizational Units assigned to Tier 1 and Tier 2 in the prior school year shall receive an additional \$285.50 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students to cover computer technology and equipment costs in the Organizational Unit's Adequacy Target. The State Board may establish additional requirements for Organizational Unit expenditures of funds received pursuant to this subparagraph (Q), including a requirement that funds received pursuant to this subparagraph (Q) may be used only for serving the technology needs of the district. It is the intent of Public Act 100-465 that all Tier 1 and Tier 2 districts receive the addition to their Adequacy Target in the following year, subject to compliance with the requirements of the State Board.

(R) Student activities investments. Each Organizational Unit shall receive the following funding amounts to cover student activities: \$100 per kindergarten through grade 5 ASE student in elementary school, plus \$200 per ASE student in middle school, plus \$675 per ASE student in high school.

(S) Maintenance and operations investments. Each Organizational Unit shall receive \$1,038 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students for day-to-day maintenance and operations expenditures, including salary, supplies, and materials, as well as purchased services, but excluding employee benefits. The proportion of salary for the application of a Regionalization Factor and the calculation of benefits is equal to \$352.92.

(T) Central office investments. Each Organizational Unit shall receive \$742 per student of the combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students to cover central office operations, including administrators and classified personnel charged with managing the instructional programs, business and operations of the school district, and security personnel. The proportion of salary for the application of a Regionalization Factor and the calculation of benefits is equal to \$368.48.

(U) Employee benefit investments. Each Organizational Unit shall receive 30% of the total of all salary-calculated elements of the Adequacy Target, excluding substitute teachers and student activities investments, to cover benefit costs. For central office and maintenance and operations investments, the benefit calculation shall be based upon the salary proportion of each investment. If at any time the responsibility for funding the employer normal cost of teacher pensions is assigned to school districts, then that amount certified by the Teachers' Retirement System of the State of Illinois to be paid by the Organizational Unit for the preceding school

year shall be added to the benefit investment. For any fiscal year in which a school district organized under Article 34 of this Code is responsible for paying the employer normal cost of teacher pensions, then that amount of its employer normal cost plus the amount for retiree health insurance as certified by the Public School Teachers' Pension and Retirement Fund of Chicago to be paid by the school district for the preceding school year that is statutorily required to cover employer normal costs and the amount for retiree health insurance shall be added to the 30% specified in this subparagraph (U). The Teachers' Retirement System of the State of Illinois and the Public School Teachers' Pension and Retirement Fund of Chicago shall submit such information as the State Superintendent may require for the calculations set forth in this subparagraph (U).

(V) Additional investments in low-income students. In addition to and not in lieu of all other funding under this paragraph (2), each Organizational Unit shall receive funding based on the average teacher salary for grades K through 12 to cover the costs of:

- (i) one FTE intervention teacher (tutor) position for every 125 Low-Income Count students;
- (ii) one FTE pupil support staff position for every 125 Low-Income Count students;
- (iii) one FTE extended day teacher position for every 120 Low-Income Count students; and
- (iv) one FTE summer school teacher position for every 120 Low-Income Count students.

(W) Additional investments in English learner students. In addition to and not in lieu of all other funding under this paragraph (2), each Organizational Unit shall receive funding based on the average teacher salary for grades K through 12 to cover the costs of:

- (i) one FTE intervention teacher (tutor) position for every 125 English learner students;
- (ii) one FTE pupil support staff position for every 125 English learner students;
- (iii) one FTE extended day teacher position for every 120 English learner students;
- (iv) one FTE summer school teacher position for every 120 English learner students; and
- (v) one FTE core teacher position for every 100 English learner students.

(X) Special education investments. Each Organizational Unit shall receive funding based on the average teacher salary for grades K through 12 to cover special education as follows:

- (i) one FTE teacher position for every 141 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students;
- (ii) one FTE instructional assistant for every 141 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students; and
- (iii) one FTE psychologist position for every 1,000 combined ASE of pre-kindergarten children with disabilities and all kindergarten through grade 12 students.

(3) For calculating the salaries included within the Essential Elements, the State Superintendent shall annually calculate average salaries to the nearest dollar using the employment information system data maintained by the State Board, limited to public schools only and excluding special education and vocational cooperatives, schools operated by the Department of Juvenile Justice, and charter schools, for the following positions:

- (A) Teacher for grades K through 8.
- (B) Teacher for grades 9 through 12.
- (C) Teacher for grades K through 12.
- (D) School counselor for grades K through 8.
- (E) School counselor for grades 9 through 12.
- (F) School counselor for grades K through 12.
- (G) Social worker.
- (H) Psychologist.
- (I) Librarian.
- (J) Nurse.
- (K) Principal.

(L) Assistant principal.

For the purposes of this paragraph (3), "teacher" includes core teachers, specialist and elective teachers, instructional facilitators, tutors, special education teachers, pupil support staff teachers, English learner teachers, extended day teachers, and summer school teachers. Where specific grade data is not required for the Essential Elements, the average salary for corresponding positions shall apply. For substitute teachers, the average teacher salary for grades K through 12 shall apply.

For calculating the salaries included within the Essential Elements for positions not included within EIS Data, the following salaries shall be used in the first year of implementation of Evidence-Based Funding:

- (i) school site staff, \$30,000; and
- (ii) non-instructional assistant, instructional assistant, library aide, library media tech, or supervisory aide: \$25,000.

In the second and subsequent years of implementation of Evidence-Based Funding, the amounts in items (i) and (ii) of this paragraph (3) shall annually increase by the ECI.

The salary amounts for the Essential Elements determined pursuant to subparagraphs (A) through (L), (S) and (T), and (V) through (X) of paragraph (2) of subsection (b) of this Section shall be multiplied by a Regionalization Factor.

(c) Local Capacity calculation.

(1) Each Organizational Unit's Local Capacity represents an amount of funding it is assumed to contribute toward its Adequacy Target for purposes of the Evidence-Based Funding formula calculation. "Local Capacity" means either (i) the Organizational Unit's Local Capacity Target as calculated in accordance with paragraph (2) of this subsection (c) if its Real Receipts are equal to or less than its Local Capacity Target or (ii) the Organizational Unit's Adjusted Local Capacity, as calculated in accordance with paragraph (3) of this subsection (c) if Real Receipts are more than its Local Capacity Target.

(2) "Local Capacity Target" means, for an Organizational Unit, that dollar amount that is obtained by multiplying its Adequacy Target by its Local Capacity Ratio.

(A) An Organizational Unit's Local Capacity Percentage is the conversion of the Organizational Unit's Local Capacity Ratio, as such ratio is determined in accordance with subparagraph (B) of this paragraph (2), into a cumulative distribution resulting in a percentile ranking to determine each Organizational Unit's relative position to all other Organizational Units in this State. The calculation of Local Capacity Percentage is described in subparagraph (C) of this paragraph (2).

(B) An Organizational Unit's Local Capacity Ratio in a given year is the percentage obtained by dividing its Adjusted EAV or PTELL EAV, whichever is less, by its Adequacy Target, with the resulting ratio further adjusted as follows:

- (i) for Organizational Units serving grades kindergarten through 12 and Hybrid Districts, no further adjustments shall be made;
- (ii) for Organizational Units serving grades kindergarten through 8, the ratio shall be multiplied by 9/13;
- (iii) for Organizational Units serving grades 9 through 12, the Local Capacity Ratio shall be multiplied by 4/13; and
- (iv) for an Organizational Unit with a different grade configuration than those specified in items (i) through (iii) of this subparagraph (B), the State Superintendent shall determine a comparable adjustment based on the grades served.

(C) The Local Capacity Percentage is equal to the percentile ranking of the district. Local Capacity Percentage converts each Organizational Unit's Local Capacity Ratio to a cumulative distribution resulting in a percentile ranking to determine each Organizational Unit's relative position to all other Organizational Units in this State. The Local Capacity Percentage cumulative distribution resulting in a percentile ranking for each Organizational Unit shall be calculated using the standard normal distribution of the score in relation to the weighted mean and weighted standard deviation and Local Capacity Ratios of all Organizational Units. If the value assigned to any Organizational Unit is in excess of 90%, the value shall be adjusted to 90%. For Laboratory Schools, the Local Capacity Percentage shall be set at 10% in recognition of the absence of EAV and resources from the public university that are allocated to the Laboratory School. For programs operated by a regional office of education or an intermediate

service center operating one or more alternative education programs, the Local Capacity Percentage must be set at 10% in recognition of the absence of EAV and resources from school districts that are allocated to the regional office of education or intermediate service center. The weighted mean for the Local Capacity Percentage shall be determined by multiplying each Organizational Unit's Local Capacity Ratio times the ASE for the unit creating a weighted value, summing the weighted values of all Organizational Units, and dividing by the total ASE of all Organizational Units. The weighted standard deviation shall be determined by taking the square root of the weighted variance of all Organizational Units' Local Capacity Ratio, where the variance is calculated by squaring the difference between each unit's Local Capacity Ratio and the weighted mean, then multiplying the variance for each unit times the ASE for the unit to create a weighted variance for each unit, then summing all units' weighted variance and dividing by the total ASE of all units.

(D) For any Organizational Unit, the Organizational Unit's Adjusted Local Capacity Target shall be reduced by either (i) the school board's remaining contribution pursuant to paragraph (ii) of subsection (b-4) of Section 16-158 of the Illinois Pension Code in a given year or (ii) the board of education's remaining contribution pursuant to paragraph (iv) of subsection (b) of Section 17-129 of the Illinois Pension Code absent the employer normal cost portion of the required contribution and amount allowed pursuant to subdivision (3) of Section 17-142.1 of the Illinois Pension Code in a given year. In the preceding sentence, item (i) shall be certified to the State Board of Education by the Teachers' Retirement System of the State of Illinois and item (ii) shall be certified to the State Board of Education by the Public School Teachers' Pension and Retirement Fund of the City of Chicago.

(3) If an Organizational Unit's Real Receipts are more than its Local Capacity Target, then its Local Capacity shall equal an Adjusted Local Capacity Target as calculated in accordance with this paragraph (3). The Adjusted Local Capacity Target is calculated as the sum of the Organizational Unit's Local Capacity Target and its Real Receipts Adjustment. The Real Receipts Adjustment equals the Organizational Unit's Real Receipts less its Local Capacity Target, with the resulting figure multiplied by the Local Capacity Percentage.

As used in this paragraph (3), "Real Percent of Adequacy" means the sum of an Organizational Unit's Real Receipts, CPPRT, and Base Funding Minimum, with the resulting figure divided by the Organizational Unit's Adequacy Target.

(d) Calculation of Real Receipts, EAV, and Adjusted EAV for purposes of the Local Capacity calculation.

(1) An Organizational Unit's Real Receipts are the product of its Applicable Tax Rate and its Adjusted EAV. An Organizational Unit's Applicable Tax Rate is its Adjusted Operating Tax Rate for property within the Organizational Unit.

(2) The State Superintendent shall calculate the equalized assessed valuation, or EAV, of all taxable property of each Organizational Unit as of September 30 of the previous year in accordance with paragraph (3) of this subsection (d). The State Superintendent shall then determine the Adjusted EAV of each Organizational Unit in accordance with paragraph (4) of this subsection (d), which Adjusted EAV figure shall be used for the purposes of calculating Local Capacity.

(3) To calculate Real Receipts and EAV, the Department of Revenue shall supply to the State Superintendent the value as equalized or assessed by the Department of Revenue of all taxable property of every Organizational Unit, together with (i) the applicable tax rate used in extending taxes for the funds of the Organizational Unit as of September 30 of the previous year and (ii) the limiting rate for all Organizational Units subject to property tax extension limitations as imposed under PTELL.

(A) The Department of Revenue shall add to the equalized assessed value of all taxable property of each Organizational Unit situated entirely or partially within a county that is or was subject to the provisions of Section 15-176 or 15-177 of the Property Tax Code (i) an amount equal to the total amount by which the homestead exemption allowed under Section 15-176 or 15-177 of the Property Tax Code for real property situated in that Organizational Unit exceeds the total amount that would have been allowed in that Organizational Unit if the maximum reduction under Section 15-176 was (I) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (II) \$5,000 in all counties in tax year 2004 and thereafter and (ii) an amount equal to the aggregate amount for the taxable year of all additional exemptions under Section

15-175 of the Property Tax Code for owners with a household income of \$30,000 or less. The county clerk of any county that is or was subject to the provisions of Section 15-176 or 15-177 of the Property Tax Code shall annually calculate and certify to the Department of Revenue for each Organizational Unit all homestead exemption amounts under Section 15-176 or 15-177 of the Property Tax Code and all amounts of additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of \$30,000 or less. It is the intent of this subparagraph (A) that if the general homestead exemption for a parcel of property is determined under Section 15-176 or 15-177 of the Property Tax Code rather than Section 15-175, then the calculation of EAV shall not be affected by the difference, if any, between the amount of the general homestead exemption allowed for that parcel of property under Section 15-176 or 15-177 of the Property Tax Code and the amount that would have been allowed had the general homestead exemption for that parcel of property been determined under Section 15-175 of the Property Tax Code. It is further the intent of this subparagraph (A) that if additional exemptions are allowed under Section 15-175 of the Property Tax Code for owners with a household income of less than \$30,000, then the calculation of EAV shall not be affected by the difference, if any, because of those additional exemptions.

(B) With respect to any part of an Organizational Unit within a redevelopment project area in respect to which a municipality has adopted tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Division 74.4 of Article 11 of the Illinois Municipal Code, or the Industrial Jobs Recovery Law, Division 74.6 of Article 11 of the Illinois Municipal Code, no part of the current EAV of real property located in any such project area that is attributable to an increase above the total initial EAV of such property shall be used as part of the EAV of the Organizational Unit, until such time as all redevelopment project costs have been paid, as provided in Section 11-74.4-8 of the Tax Increment Allocation Redevelopment Act or in Section 11-74.6-35 of the Industrial Jobs Recovery Law. For the purpose of the EAV of the Organizational Unit, the total initial EAV or the current EAV, whichever is lower, shall be used until such time as all redevelopment project costs have been paid.

(B-5) The real property equalized assessed valuation for a school district shall be adjusted by subtracting from the real property value, as equalized or assessed by the Department of Revenue, for the district an amount computed by dividing the amount of any abatement of taxes under Section 18-170 of the Property Tax Code by 3.00% for a district maintaining grades kindergarten through 12, by 2.30% for a district maintaining grades kindergarten through 8, or by 1.05% for a district maintaining grades 9 through 12 and adjusted by an amount computed by dividing the amount of any abatement of taxes under subsection (a) of Section 18-165 of the Property Tax Code by the same percentage rates for district type as specified in this subparagraph (B-5).

(C) For Organizational Units that are Hybrid Districts, the State Superintendent shall use the lesser of the adjusted equalized assessed valuation for property within the partial elementary unit district for elementary purposes, as defined in Article 11E of this Code, or the adjusted equalized assessed valuation for property within the partial elementary unit district for high school purposes, as defined in Article 11E of this Code.

(D) If a school district's boundaries span multiple counties, then the Department of Revenue shall send to the State Board, for the purposes of calculating Evidence-Based Funding, the limiting rate and individual rates by purpose for the county that contains the majority of the school district's equalized assessed valuation.

(4) An Organizational Unit's Adjusted EAV shall be the average of its EAV over the immediately preceding 3 years or the lesser of its EAV in the immediately preceding year or the average of its EAV over the immediately preceding 3 years if the EAV in the immediately preceding year has declined by 10% or more when comparing the 2 most recent years. In the event of Organizational Unit reorganization, consolidation, or annexation, the Organizational Unit's Adjusted EAV for the first 3 years after such change shall be as follows: the most current EAV shall be used in the first year, the average of a 2-year EAV or its EAV in the immediately preceding year if the EAV declines by 10% or more when comparing the 2 most recent years for the second year, and the lesser of a 3-year average EAV or its EAV in the immediately preceding year if the Adjusted EAV declines by 10% or more when comparing the 2 most recent years for the third year. For any school district

whose EAV in the immediately preceding year is used in calculations, in the following year, the Adjusted EAV shall be the average of its EAV over the immediately preceding 2 years or the immediately preceding year if that year represents a decline of 10% or more when comparing the 2 most recent years.

"PTELL EAV" means a figure calculated by the State Board for Organizational Units subject to PTELL as described in this paragraph (4) for the purposes of calculating an Organizational Unit's Local Capacity Ratio. Except as otherwise provided in this paragraph (4), the PTELL EAV of an Organizational Unit shall be equal to the product of the equalized assessed valuation last used in the calculation of general State aid under Section 18-8.05 of this Code (now repealed) or Evidence-Based Funding under this Section and the Organizational Unit's Extension Limitation Ratio. If an Organizational Unit has approved or does approve an increase in its limiting rate, pursuant to Section 18-190 of the Property Tax Code, affecting the Base Tax Year, the PTELL EAV shall be equal to the product of the equalized assessed valuation last used in the calculation of general State aid under Section 18-8.05 of this Code (now repealed) or Evidence-Based Funding under this Section multiplied by an amount equal to one plus the percentage increase, if any, in the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor for the 12-month calendar year preceding the Base Tax Year, plus the equalized assessed valuation of new property, annexed property, and recovered tax increment value and minus the equalized assessed valuation of disconnected property.

As used in this paragraph (4), "new property" and "recovered tax increment value" shall have the meanings set forth in the Property Tax Extension Limitation Law.

(e) Base Funding Minimum calculation.

(1) For the 2017-2018 school year, the Base Funding Minimum of an Organizational Unit or a Specially Funded Unit shall be the amount of State funds distributed to the Organizational Unit or Specially Funded Unit during the 2016-2017 school year prior to any adjustments and specified appropriation amounts described in this paragraph (1) from the following Sections, as calculated by the State Superintendent: Section 18-8.05 of this Code (now repealed); Section 5 of Article 224 of Public Act 99-524 (equity grants); Section 14-7.02b of this Code (funding for children requiring special education services); Section 14-13.01 of this Code (special education facilities and staffing), except for reimbursement of the cost of transportation pursuant to Section 14-13.01; Section 14C-12 of this Code (English learners); and Section 18-4.3 of this Code (summer school), based on an appropriation level of \$13,121,600. For a school district organized under Article 34 of this Code, the Base Funding Minimum also includes (i) the funds allocated to the school district pursuant to Section 1D-1 of this Code attributable to funding programs authorized by the Sections of this Code listed in the preceding sentence and (ii) the difference between (I) the funds allocated to the school district pursuant to Section 1D-1 of this Code attributable to the funding programs authorized by Section 14-7.02 (non-public special education reimbursement), subsection (b) of Section 14-13.01 (special education transportation), Section 29-5 (transportation), Section 2-3.80 (agricultural education), Section 2-3.66 (truant's alternative education), Section 2-3.62 (educational service centers), and Section 14-7.03 (special education - orphanage) of this Code and Section 15 of the Childhood Hunger Relief Act (free breakfast program) and (II) the school district's actual expenditures for its non-public special education, special education transportation, transportation programs, agricultural education, truant's alternative education, services that would otherwise be performed by a regional office of education, special education orphanage expenditures, and free breakfast, as most recently calculated and reported pursuant to subsection (f) of Section 1D-1 of this Code. The Base Funding Minimum for Glenwood Academy shall be \$952,014. For programs operated by a regional office of education or an intermediate service center, the Base Funding Minimum must be the total amount of State funds allocated to those programs in the 2018-2019 school year and amounts provided pursuant to Article 34 of Public Act 100-586 and Section 3-16 of this Code. All programs established after June 5, 2019 (the effective date of Public Act 101-10) and administered by a regional office of education or an intermediate service center must have an initial Base Funding Minimum set to an amount equal to the first-year ASE multiplied by the amount of per pupil funding received in the previous school year by the lowest funded similar existing program type. If the enrollment for a program operated by a regional office of education or an intermediate service center is zero, then it may not receive Base Funding Minimum funds for that program in the next fiscal year, and those funds must be distributed to Organizational Units under subsection (g).

(2) For the 2018-2019 and subsequent school years, the Base Funding Minimum of Organizational Units and Specially Funded Units shall be the sum of (i) the amount of Evidence-Based Funding for the prior school year, (ii) the Base Funding Minimum for the prior school year, and (iii) any amount received by a school district pursuant to Section 7 of Article 97 of Public Act 100-21.

For the 2022-2023 school year, the Base Funding Minimum of Organizational Units shall be the amounts recalculated by the State Board of Education for Fiscal Year 2019 through Fiscal Year 2022 that were necessary due to average student enrollment errors for districts organized under Article 34 of this Code, plus the Fiscal Year 2022 property tax relief grants provided under Section 2-3.170 of this Code, ensuring each Organizational Unit has the correct amount of resources for Fiscal Year 2023 Evidence-Based Funding calculations and that Fiscal Year 2023 Evidence-Based Funding Distributions are made in accordance with this Section.

(3) Subject to approval by the General Assembly as provided in this paragraph (3), an Organizational Unit that meets all of the following criteria, as determined by the State Board, shall have District Intervention Money added to its Base Funding Minimum at the time the Base Funding Minimum is calculated by the State Board:

(A) The Organizational Unit is operating under an Independent Authority under Section 2-3.25f-5 of this Code for a minimum of 4 school years or is subject to the control of the State Board pursuant to a court order for a minimum of 4 school years.

(B) The Organizational Unit was designated as a Tier 1 or Tier 2 Organizational Unit in the previous school year under paragraph (3) of subsection (g) of this Section.

(C) The Organizational Unit demonstrates sustainability through a 5-year financial and strategic plan.

(D) The Organizational Unit has made sufficient progress and achieved sufficient stability in the areas of governance, academic growth, and finances.

As part of its determination under this paragraph (3), the State Board may consider the Organizational Unit's summative designation, any accreditations of the Organizational Unit, or the Organizational Unit's financial profile, as calculated by the State Board.

If the State Board determines that an Organizational Unit has met the criteria set forth in this paragraph (3), it must submit a report to the General Assembly, no later than January 2 of the fiscal year in which the State Board makes its determination, on the amount of District Intervention Money to add to the Organizational Unit's Base Funding Minimum. The General Assembly must review the State Board's report and may approve or disapprove, by joint resolution, the addition of District Intervention Money. If the General Assembly fails to act on the report within 40 calendar days from the receipt of the report, the addition of District Intervention Money is deemed approved. If the General Assembly approves the amount of District Intervention Money to be added to the Organizational Unit's Base Funding Minimum, the District Intervention Money must be added to the Base Funding Minimum annually thereafter.

For the first 4 years following the initial year that the State Board determines that an Organizational Unit has met the criteria set forth in this paragraph (3) and has received funding under this Section, the Organizational Unit must annually submit to the State Board, on or before November 30, a progress report regarding its financial and strategic plan under subparagraph (C) of this paragraph (3). The plan shall include the financial data from the past 4 annual financial reports or financial audits that must be presented to the State Board by November 15 of each year and the approved budget financial data for the current year. The plan shall be developed according to the guidelines presented to the Organizational Unit by the State Board. The plan shall further include financial projections for the next 3 fiscal years and include a discussion and financial summary of the Organizational Unit's facility needs. If the Organizational Unit does not demonstrate sufficient progress toward its 5-year plan or if it has failed to file an annual financial report, an annual budget, a financial plan, a deficit reduction plan, or other financial information as required by law, the State Board may establish a Financial Oversight Panel under Article 1H of this Code. However, if the Organizational Unit already has a Financial Oversight Panel, the State Board may extend the duration of the Panel.

(f) Percent of Adequacy and Final Resources calculation.

(1) The Evidence-Based Funding formula establishes a Percent of Adequacy for each Organizational Unit in order to place such units into tiers for the purposes of the funding distribution

system described in subsection (g) of this Section. Initially, an Organizational Unit's Preliminary Resources and Preliminary Percent of Adequacy are calculated pursuant to paragraph (2) of this subsection (f). Then, an Organizational Unit's Final Resources and Final Percent of Adequacy are calculated to account for the Organizational Unit's poverty concentration levels pursuant to paragraphs (3) and (4) of this subsection (f).

(2) An Organizational Unit's Preliminary Resources are equal to the sum of its Local Capacity Target, CPPRT, and Base Funding Minimum. An Organizational Unit's Preliminary Percent of Adequacy is the lesser of (i) its Preliminary Resources divided by its Adequacy Target or (ii) 100%.

(3) Except for Specially Funded Units, an Organizational Unit's Final Resources are equal to the sum of its Local Capacity, CPPRT, and Adjusted Base Funding Minimum. The Base Funding Minimum of each Specially Funded Unit shall serve as its Final Resources, except that the Base Funding Minimum for State-approved charter schools shall not include any portion of general State aid allocated in the prior year based on the per capita tuition charge times the charter school enrollment.

(4) An Organizational Unit's Final Percent of Adequacy is its Final Resources divided by its Adequacy Target. An Organizational Unit's Adjusted Base Funding Minimum is equal to its Base Funding Minimum less its Supplemental Grant Funding, with the resulting figure added to the product of its Supplemental Grant Funding and Preliminary Percent of Adequacy.

(g) Evidence-Based Funding formula distribution system.

(1) In each school year under the Evidence-Based Funding formula, each Organizational Unit receives funding equal to the sum of its Base Funding Minimum and the unit's allocation of New State Funds determined pursuant to this subsection (g). To allocate New State Funds, the Evidence-Based Funding formula distribution system first places all Organizational Units into one of 4 tiers in accordance with paragraph (3) of this subsection (g), based on the Organizational Unit's Final Percent of Adequacy. New State Funds are allocated to each of the 4 tiers as follows: Tier 1 Aggregate Funding equals 50% of all New State Funds, Tier 2 Aggregate Funding equals 49% of all New State Funds, Tier 3 Aggregate Funding equals 0.9% of all New State Funds, and Tier 4 Aggregate Funding equals 0.1% of all New State Funds. Each Organizational Unit within Tier 1 or Tier 2 receives an allocation of New State Funds equal to its tier Funding Gap, as defined in the following sentence, multiplied by the tier's Allocation Rate determined pursuant to paragraph (4) of this subsection (g). For Tier 1, an Organizational Unit's Funding Gap equals the tier's Target Ratio, as specified in paragraph (5) of this subsection (g), multiplied by the Organizational Unit's Adequacy Target, with the resulting amount reduced by the Organizational Unit's Final Resources. For Tier 2, an Organizational Unit's Funding Gap equals the tier's Target Ratio, as described in paragraph (5) of this subsection (g), multiplied by the Organizational Unit's Adequacy Target, with the resulting amount reduced by the Organizational Unit's Final Resources and its Tier 1 funding allocation. To determine the Organizational Unit's Funding Gap, the resulting amount is then multiplied by a factor equal to one minus the Organizational Unit's Local Capacity Target percentage. Each Organizational Unit within Tier 3 or Tier 4 receives an allocation of New State Funds equal to the product of its Adequacy Target and the tier's Allocation Rate, as specified in paragraph (4) of this subsection (g).

(2) To ensure equitable distribution of dollars for all Tier 2 Organizational Units, no Tier 2 Organizational Unit shall receive fewer dollars per ASE than any Tier 3 Organizational Unit. Each Tier 2 and Tier 3 Organizational Unit shall have its funding allocation divided by its ASE. Any Tier 2 Organizational Unit with a funding allocation per ASE below the greatest Tier 3 allocation per ASE shall get a funding allocation equal to the greatest Tier 3 funding allocation per ASE multiplied by the Organizational Unit's ASE. Each Tier 2 Organizational Unit's Tier 2 funding allocation shall be multiplied by the percentage calculated by dividing the original Tier 2 Aggregate Funding by the sum of all Tier 2 Organizational Units' Tier 2 funding allocation after adjusting districts' funding below Tier 3 levels.

(3) Organizational Units are placed into one of 4 tiers as follows:

(A) Tier 1 consists of all Organizational Units, except for Specially Funded Units, with a Percent of Adequacy less than the Tier 1 Target Ratio. The Tier 1 Target Ratio is the ratio level that allows for Tier 1 Aggregate Funding to be distributed, with the Tier 1 Allocation Rate determined pursuant to paragraph (4) of this subsection (g).

(B) Tier 2 consists of all Tier 1 Units and all other Organizational Units, except for Specially Funded Units, with a Percent of Adequacy of less than 0.90.

(C) Tier 3 consists of all Organizational Units, except for Specially Funded Units, with a Percent of Adequacy of at least 0.90 and less than 1.0.

(D) Tier 4 consists of all Organizational Units with a Percent of Adequacy of at least 1.0.

(4) The Allocation Rates for Tiers 1 through 4 are determined as follows:

(A) The Tier 1 Allocation Rate is 30%.

(B) The Tier 2 Allocation Rate is the result of the following equation: Tier 2 Aggregate Funding, divided by the sum of the Funding Gaps for all Tier 2 Organizational Units, unless the result of such equation is higher than 1.0. If the result of such equation is higher than 1.0, then the Tier 2 Allocation Rate is 1.0.

(C) The Tier 3 Allocation Rate is the result of the following equation: Tier 3 Aggregate Funding, divided by the sum of the Adequacy Targets of all Tier 3 Organizational Units.

(D) The Tier 4 Allocation Rate is the result of the following equation: Tier 4 Aggregate Funding, divided by the sum of the Adequacy Targets of all Tier 4 Organizational Units.

(5) A tier's Target Ratio is determined as follows:

(A) The Tier 1 Target Ratio is the ratio level that allows for Tier 1 Aggregate Funding to be distributed with the Tier 1 Allocation Rate.

(B) The Tier 2 Target Ratio is 0.90.

(C) The Tier 3 Target Ratio is 1.0.

(6) If, at any point, the Tier 1 Target Ratio is greater than 90%, then all Tier 1 funding shall be allocated to Tier 2 and no Tier 1 Organizational Unit's funding may be identified.

(7) In the event that all Tier 2 Organizational Units receive funding at the Tier 2 Target Ratio level, any remaining New State Funds shall be allocated to Tier 3 and Tier 4 Organizational Units.

(8) If any Specially Funded Units, excluding Glenwood Academy, recognized by the State Board do not qualify for direct funding following the implementation of Public Act 100-465 from any of the funding sources included within the definition of Base Funding Minimum, the unqualified portion of the Base Funding Minimum shall be transferred to one or more appropriate Organizational Units as determined by the State Superintendent based on the prior year ASE of the Organizational Units.

(8.5) If a school district withdraws from a special education cooperative, the portion of the Base Funding Minimum that is attributable to the school district may be redistributed to the school district upon withdrawal. The school district and the cooperative must include the amount of the Base Funding Minimum that is to be reapportioned in their withdrawal agreement and notify the State Board of the change with a copy of the agreement upon withdrawal.

(9) The Minimum Funding Level is intended to establish a target for State funding that will keep pace with inflation and continue to advance equity through the Evidence-Based Funding formula. The target for State funding of New Property Tax Relief Pool Funds is \$50,000,000 for State fiscal year 2019 and subsequent State fiscal years. The Minimum Funding Level is equal to \$350,000,000. In addition to any New State Funds, no more than \$50,000,000 New Property Tax Relief Pool Funds may be counted toward the Minimum Funding Level. If the sum of New State Funds and applicable New Property Tax Relief Pool Funds are less than the Minimum Funding Level, then funding for tiers shall be reduced in the following manner:

(A) First, Tier 4 funding shall be reduced by an amount equal to the difference between the Minimum Funding Level and New State Funds until such time as Tier 4 funding is exhausted.

(B) Next, Tier 3 funding shall be reduced by an amount equal to the difference between the Minimum Funding Level and New State Funds and the reduction in Tier 4 funding until such time as Tier 3 funding is exhausted.

(C) Next, Tier 2 funding shall be reduced by an amount equal to the difference between the Minimum Funding Level and New State Funds and the reduction in Tier 4 and Tier 3.

(D) Finally, Tier 1 funding shall be reduced by an amount equal to the difference between the Minimum Funding level and New State Funds and the reduction in Tier 2, 3, and 4 funding. In addition, the Allocation Rate for Tier 1 shall be reduced to a percentage equal to the Tier 1 Allocation Rate set by paragraph (4) of this subsection (g), multiplied by the result of New State Funds divided by the Minimum Funding Level.

(9.5) For State fiscal year 2019 and subsequent State fiscal years, if New State Funds exceed \$300,000,000, then any amount in excess of \$300,000,000 shall be dedicated for purposes of Section 2-3.170 of this Code up to a maximum of \$50,000,000.

(10) In the event of a decrease in the amount of the appropriation for this Section in any fiscal year after implementation of this Section, the Organizational Units receiving Tier 1 and Tier 2 funding, as determined under paragraph (3) of this subsection (g), shall be held harmless by establishing a Base Funding Guarantee equal to the per pupil kindergarten through grade 12 funding received in accordance with this Section in the prior fiscal year. Reductions shall be made to the Base Funding Minimum of Organizational Units in Tier 3 and Tier 4 on a per pupil basis equivalent to the total number of the ASE in Tier 3-funded and Tier 4-funded Organizational Units divided by the total reduction in State funding. The Base Funding Minimum as reduced shall continue to be applied to Tier 3 and Tier 4 Organizational Units and adjusted by the relative formula when increases in appropriations for this Section resume. In no event may State funding reductions to Organizational Units in Tier 3 or Tier 4 exceed an amount that would be less than the Base Funding Minimum established in the first year of implementation of this Section. If additional reductions are required, all school districts shall receive a reduction by a per pupil amount equal to the aggregate additional appropriation reduction divided by the total ASE of all Organizational Units.

(11) The State Superintendent shall make minor adjustments to the distribution formula set forth in this subsection (g) to account for the rounding of percentages to the nearest tenth of a percentage and dollar amounts to the nearest whole dollar.

(h) State Superintendent administration of funding and district submission requirements.

(1) The State Superintendent shall, in accordance with appropriations made by the General Assembly, meet the funding obligations created under this Section.

(2) The State Superintendent shall calculate the Adequacy Target for each Organizational Unit under this Section. No Evidence-Based Funding shall be distributed within an Organizational Unit without the approval of the unit's school board.

(3) Annually, the State Superintendent shall calculate and report to each Organizational Unit the unit's aggregate financial adequacy amount, which shall be the sum of the Adequacy Target for each Organizational Unit. The State Superintendent shall calculate and report separately for each Organizational Unit the unit's total State funds allocated for its students with disabilities. The State Superintendent shall calculate and report separately for each Organizational Unit the amount of funding and applicable FTE calculated for each Essential Element of the unit's Adequacy Target.

(4) Annually, the State Superintendent shall calculate and report to each Organizational Unit the amount the unit must expend on special education and bilingual education and computer technology and equipment for Organizational Units assigned to Tier 1 or Tier 2 that received an additional \$285.50 per student computer technology and equipment investment grant to their Adequacy Target pursuant to the unit's Base Funding Minimum, Special Education Allocation, Bilingual Education Allocation, and computer technology and equipment investment allocation.

(5) Moneys distributed under this Section shall be calculated on a school year basis, but paid on a fiscal year basis, with payments beginning in August and extending through June. Unless otherwise provided, the moneys appropriated for each fiscal year shall be distributed in 22 equal payments at least 2 times monthly to each Organizational Unit. If moneys appropriated for any fiscal year are distributed other than monthly, the distribution shall be on the same basis for each Organizational Unit.

(6) Any school district that fails, for any given school year, to maintain school as required by law or to maintain a recognized school is not eligible to receive Evidence-Based Funding. In case of non-recognition of one or more attendance centers in a school district otherwise operating recognized schools, the claim of the district shall be reduced in the proportion that the enrollment in the attendance center or centers bears to the enrollment of the school district. "Recognized school" means any public school that meets the standards for recognition by the State Board. A school district or attendance center not having recognition status at the end of a school term is entitled to receive State aid payments due upon a legal claim that was filed while it was recognized.

(7) School district claims filed under this Section are subject to Sections 18-9 and 18-12 of this Code, except as otherwise provided in this Section.

(8) Each fiscal year, the State Superintendent shall calculate for each Organizational Unit an amount of its Base Funding Minimum and Evidence-Based Funding that shall be deemed attributable

to the provision of special educational facilities and services, as defined in Section 14-1.08 of this Code, in a manner that ensures compliance with maintenance of State financial support requirements under the federal Individuals with Disabilities Education Act. An Organizational Unit must use such funds only for the provision of special educational facilities and services, as defined in Section 14-1.08 of this Code, and must comply with any expenditure verification procedures adopted by the State Board.

(9) All Organizational Units in this State must submit annual spending plans, as part of the budget submission process, no later than October 31 of each year to the State Board. The spending plan shall describe how each Organizational Unit will utilize the Base Funding Minimum and Evidence-Based Funding it receives from this State under this Section with specific identification of the intended utilization of Low-Income, English learner, and special education resources. Additionally, the annual spending plans of each Organizational Unit shall describe how the Organizational Unit expects to achieve student growth and how the Organizational Unit will achieve State education goals, as defined by the State Board. The State Superintendent may, from time to time, identify additional requisites for Organizational Units to satisfy when compiling the annual spending plans required under this subsection (h). The format and scope of annual spending plans shall be developed by the State Superintendent and the State Board of Education. School districts that serve students under Article 14C of this Code shall continue to submit information as required under Section 14C-12 of this Code.

(10) No later than January 1, 2018, the State Superintendent shall develop a 5-year strategic plan for all Organizational Units to help in planning for adequacy funding under this Section. The State Superintendent shall submit the plan to the Governor and the General Assembly, as provided in Section 3.1 of the General Assembly Organization Act. The plan shall include recommendations for:

(A) a framework for collaborative, professional, innovative, and 21st century learning environments using the Evidence-Based Funding model;

(B) ways to prepare and support this State's educators for successful instructional careers;

(C) application and enhancement of the current financial accountability measures, the approved State plan to comply with the federal Every Student Succeeds Act, and the Illinois Balanced Accountability Measures in relation to student growth and elements of the Evidence-Based Funding model; and

(D) implementation of an effective school adequacy funding system based on projected and recommended funding levels from the General Assembly.

(11) On an annual basis, the State Superintendent must recalibrate all of the following per pupil elements of the Adequacy Target and applied to the formulas, based on the study of average expenses and as reported in the most recent annual financial report:

(A) Gifted under subparagraph (M) of paragraph (2) of subsection (b).

(B) Instructional materials under subparagraph (O) of paragraph (2) of subsection (b).

(C) Assessment under subparagraph (P) of paragraph (2) of subsection (b).

(D) Student activities under subparagraph (R) of paragraph (2) of subsection (b).

(E) Maintenance and operations under subparagraph (S) of paragraph (2) of subsection

(b).

(F) Central office under subparagraph (T) of paragraph (2) of subsection (b).

(i) Professional Review Panel.

(1) A Professional Review Panel is created to study and review topics related to the implementation and effect of Evidence-Based Funding, as assigned by a joint resolution or Public Act of the General Assembly or a motion passed by the State Board of Education. The Panel must provide recommendations to and serve the Governor, the General Assembly, and the State Board. The State Superintendent or his or her designee must serve as a voting member and chairperson of the Panel. The State Superintendent must appoint a vice chairperson from the membership of the Panel. The Panel must advance recommendations based on a three-fifths majority vote of Panel members present and voting. A minority opinion may also accompany any recommendation of the Panel. The Panel shall be appointed by the State Superintendent, except as otherwise provided in paragraph (2) of this subsection (i) and include the following members:

(A) Two appointees that represent district superintendents, recommended by a statewide organization that represents district superintendents.

(B) Two appointees that represent school boards, recommended by a statewide organization that represents school boards.

(C) Two appointees from districts that represent school business officials, recommended by a statewide organization that represents school business officials.

(D) Two appointees that represent school principals, recommended by a statewide organization that represents school principals.

(E) Two appointees that represent teachers, recommended by a statewide organization that represents teachers.

(F) Two appointees that represent teachers, recommended by another statewide organization that represents teachers.

(G) Two appointees that represent regional superintendents of schools, recommended by organizations that represent regional superintendents.

(H) Two independent experts selected solely by the State Superintendent.

(I) Two independent experts recommended by public universities in this State.

(J) One member recommended by a statewide organization that represents parents.

(K) Two representatives recommended by collective impact organizations that represent major metropolitan areas or geographic areas in Illinois.

(L) One member from a statewide organization focused on research-based education policy to support a school system that prepares all students for college, a career, and democratic citizenship.

(M) One representative from a school district organized under Article 34 of this Code.

The State Superintendent shall ensure that the membership of the Panel includes representatives from school districts and communities reflecting the geographic, socio-economic, racial, and ethnic diversity of this State. The State Superintendent shall additionally ensure that the membership of the Panel includes representatives with expertise in bilingual education and special education. Staff from the State Board shall staff the Panel.

(2) In addition to those Panel members appointed by the State Superintendent, 4 members of the General Assembly shall be appointed as follows: one member of the House of Representatives appointed by the Speaker of the House of Representatives, one member of the Senate appointed by the President of the Senate, one member of the House of Representatives appointed by the Minority Leader of the House of Representatives, and one member of the Senate appointed by the Minority Leader of the Senate. There shall be one additional member appointed by the Governor. All members appointed by legislative leaders or the Governor shall be non-voting, ex officio members.

(3) The Panel must study topics at the direction of the General Assembly or State Board of Education, as provided under paragraph (1). The Panel may also study the following topics at the direction of the chairperson:

(A) The format and scope of annual spending plans referenced in paragraph (9) of subsection (h) of this Section.

(B) The Comparable Wage Index under this Section.

(C) Maintenance and operations, including capital maintenance and construction costs.

(D) "At-risk student" definition.

(E) Benefits.

(F) Technology.

(G) Local Capacity Target.

(H) Funding for Alternative Schools, Laboratory Schools, safe schools, and alternative learning opportunities programs.

(I) Funding for college and career acceleration strategies.

(J) Special education investments.

(K) Early childhood investments, in collaboration with the Illinois Early Learning Council.

(4) (Blank).

(5) Within 5 years after the implementation of this Section, and every 5 years thereafter, the Panel shall complete an evaluative study of the entire Evidence-Based Funding model, including an assessment of whether or not the formula is achieving State goals. The Panel shall report to the State Board, the General Assembly, and the Governor on the findings of the study.

(6) (Blank).

(7) To ensure that (i) the Adequacy Target calculation under subsection (b) accurately reflects the needs of students living in poverty or attending schools located in areas of high poverty, (ii) racial equity within the Evidence-Based Funding formula is explicitly explored and advanced, and (iii) the funding goals of the formula distribution system established under this Section are sufficient to provide adequate funding for every student and to fully fund every school in this State, the Panel shall review the Essential Elements under paragraph (2) of subsection (b). The Panel shall consider all of the following in its review:

(A) The financial ability of school districts to provide instruction in a foreign language to every student and whether an additional Essential Element should be added to the formula to ensure that every student has access to instruction in a foreign language.

(B) The adult-to-student ratio for each Essential Element in which a ratio is identified. The Panel shall consider whether the ratio accurately reflects the staffing needed to support students living in poverty or who have traumatic backgrounds.

(C) Changes to the Essential Elements that may be required to better promote racial equity and eliminate structural racism within schools.

(D) The impact of investing \$350,000,000 in additional funds each year under this Section and an estimate of when the school system will become fully funded under this level of appropriation.

(E) Provide an overview of alternative funding structures that would enable the State to become fully funded at an earlier date.

(F) The potential to increase efficiency and to find cost savings within the school system to expedite the journey to a fully funded system.

(G) The appropriate levels for reenrolling and graduating high-risk high school students who have been previously out of school. These outcomes shall include enrollment, attendance, skill gains, credit gains, graduation or promotion to the next grade level, and the transition to college, training, or employment, with an emphasis on progressively increasing the overall attendance.

(H) The evidence-based or research-based practices that are shown to reduce the gaps and disparities experienced by African American students in academic achievement and educational performance, including practices that have been shown to reduce disparities in disciplinary rates, drop-out rates, graduation rates, college matriculation rates, and college completion rates.

On or before December 31, 2021, the Panel shall report to the State Board, the General Assembly, and the Governor on the findings of its review. This paragraph (7) is inoperative on and after July 1, 2022.

(8) On or before April 1, 2024, the Panel must submit a report to the General Assembly on annual adjustments to Glenwood Academy's base-funding minimum in a similar fashion to school districts under this Section.

(j) References. Beginning July 1, 2017, references in other laws to general State aid funds or calculations under Section 18-8.05 of this Code (now repealed) shall be deemed to be references to evidence-based model formula funds or calculations under this Section.

(Source: P.A. 102-33, eff. 6-25-21; 102-197, eff. 7-30-21; 102-558, eff. 8-20-21; 102-699, eff. 4-19-22; 102-782, eff. 1-1-23; 102-813, eff. 5-13-22; 102-894, eff. 5-20-22; 103-8, eff. 6-7-23; 103-154, eff. 6-30-23; 103-175, eff. 6-30-23; revised 8-30-23.)

(105 ILCS 5/21B-45)

Sec. 21B-45. Professional Educator License renewal.

(a) Individuals holding a Professional Educator License are required to complete the licensure renewal requirements as specified in this Section, unless otherwise provided in this Code.

Individuals holding a Professional Educator License shall meet the renewal requirements set forth in this Section, unless otherwise provided in this Code. If an individual holds a license endorsed in more than one area that has different renewal requirements, that individual shall follow the renewal requirements for the position for which he or she spends the majority of his or her time working.

(b) All Professional Educator Licenses not renewed as provided in this Section shall lapse on September 1 of that year. Notwithstanding any other provisions of this Section, if a license holder's electronic mail address is available, the State Board of Education shall send him or her notification electronically that his or her license will lapse if not renewed, to be sent no more than 6 months prior to the license lapsing. Lapsed licenses may be immediately reinstated upon (i) payment to the State Board of

Education by the applicant of a \$50 penalty or (ii) the demonstration of proficiency by completing 9 semester hours of coursework from a regionally accredited institution of higher education in the content area that most aligns with one or more of the educator's endorsement areas. Any and all back fees, including without limitation registration fees owed from the time of expiration of the license until the date of reinstatement, shall be paid and kept in accordance with the provisions in Article 3 of this Code concerning an institute fund and the provisions in Article 21B of this Code concerning fees and requirements for registration. Licenses not registered in accordance with Section 21B-40 of this Code shall lapse after a period of 6 months from the expiration of the last year of registration or on January 1 of the fiscal year following initial issuance of the license. An unregistered license is invalid after September 1 for employment and performance of services in an Illinois public or State-operated school or cooperative and in a charter school. Any license or endorsement may be voluntarily surrendered by the license holder. A voluntarily surrendered license shall be treated as a revoked license. An Educator License with Stipulations with only a paraprofessional endorsement does not lapse.

(c) From July 1, 2013 through June 30, 2014, in order to satisfy the requirements for licensure renewal provided for in this Section, each professional educator licensee with an administrative endorsement who is working in a position requiring such endorsement shall complete one Illinois Administrators' Academy course, as described in Article 2 of this Code, per fiscal year.

(c-5) All licenses issued by the State Board of Education under this Article that expire on June 30, 2020 and have not been renewed by the end of the 2020 renewal period shall be extended for one year and shall expire on June 30, 2021.

(d) Beginning July 1, 2014, in order to satisfy the requirements for licensure renewal provided for in this Section, each professional educator licensee may create a professional development plan each year. The plan shall address one or more of the endorsements that are required of his or her educator position if the licensee is employed and performing services in an Illinois public or State-operated school or cooperative. If the licensee is employed in a charter school, the plan shall address that endorsement or those endorsements most closely related to his or her educator position. Licensees employed and performing services in any other Illinois schools may participate in the renewal requirements by adhering to the same process.

Except as otherwise provided in this Section, the licensee's professional development activities shall align with one or more of the following criteria:

- (1) activities are of a type that engages participants over a sustained period of time allowing for analysis, discovery, and application as they relate to student learning, social or emotional achievement, or well-being;
- (2) professional development aligns to the licensee's performance;
- (3) outcomes for the activities must relate to student growth or district improvement;
- (4) activities align to State-approved standards; and
- (5) higher education coursework.

(e) For each renewal cycle, each professional educator licensee shall engage in professional development activities. Prior to renewal, the licensee shall enter electronically into the Educator Licensure Information System (ELIS) the name, date, and location of the activity, the number of professional development hours, and the provider's name. The following provisions shall apply concerning professional development activities:

(1) Each licensee shall complete a total of 120 hours of professional development per 5-year renewal cycle in order to renew the license, except as otherwise provided in this Section.

(2) Beginning with his or her first full 5-year cycle, any licensee with an administrative endorsement who is not working in a position requiring such endorsement is not required to complete Illinois Administrators' Academy courses, as described in Article 2 of this Code. Such licensees must complete one Illinois Administrators' Academy course within one year after returning to a position that requires the administrative endorsement.

(3) Any licensee with an administrative endorsement who is working in a position requiring such endorsement or an individual with a Teacher Leader endorsement serving in an administrative capacity at least 50% of the day shall complete one Illinois Administrators' Academy course, as described in Article 2 of this Code, each fiscal year in addition to 100 hours of professional development per 5-year renewal cycle in accordance with this Code. However, for the 2021-2022 school year only, a licensee under this paragraph (3) is not required to complete an Illinois Administrators' Academy course.

(4) Any licensee holding a current National Board for Professional Teaching Standards (NBPTS) master teacher designation shall complete a total of 60 hours of professional development per 5-year renewal cycle in order to renew the license.

(5) Licensees working in a position that does not require educator licensure or working in a position for less than 50% for any particular year are considered to be exempt and shall be required to pay only the registration fee in order to renew and maintain the validity of the license.

(6) Licensees who are retired and qualify for benefits from a State of Illinois retirement system shall be listed as retired, and the license shall be maintained in retired status. For any renewal cycle in which a licensee retires during the renewal cycle, the licensee must complete professional development activities on a prorated basis depending on the number of years during the renewal cycle the educator held an active license. If a licensee retires during a renewal cycle, the license status must be updated using ELIS indicating that the licensee wishes to maintain the license in retired status and the licensee must show proof of completion of professional development activities on a prorated basis for all years of that renewal cycle for which the license was active. An individual with a license in retired status shall not be required to complete professional development activities until returning to a position that requires educator licensure. Upon returning to work in a position that requires the Professional Educator License, the license status shall immediately be updated using ELIS and the licensee shall complete renewal requirements for that year. A retired teacher, even if returning to a position that requires educator licensure, shall not be required to pay registration fees. A license in retired status cannot lapse. Beginning on January 6, 2017 (the effective date of Public Act 99-920) through December 31, 2017, any licensee who has retired and whose license has lapsed for failure to renew as provided in this Section may reinstate that license and maintain it in retired status upon providing proof to the State Board of Education using ELIS that the licensee is retired and is not working in a position that requires a Professional Educator License.

(7) For any renewal cycle in which professional development hours were required, but not fulfilled, the licensee shall complete any missed hours to total the minimum professional development hours required in this Section prior to September 1 of that year. Professional development hours used to fulfill the minimum required hours for a renewal cycle may be used for only one renewal cycle. For any fiscal year or renewal cycle in which an Illinois Administrators' Academy course was required but not completed, the licensee shall complete any missed Illinois Administrators' Academy courses prior to September 1 of that year. The licensee may complete all deficient hours and Illinois Administrators' Academy courses while continuing to work in a position that requires that license until September 1 of that year.

(8) Any licensee who has not fulfilled the professional development renewal requirements set forth in this Section at the end of any 5-year renewal cycle is ineligible to register his or her license and may submit an appeal to the State Superintendent of Education for reinstatement of the license.

(9) If professional development opportunities were unavailable to a licensee, proof that opportunities were unavailable and request for an extension of time beyond August 31 to complete the renewal requirements may be submitted from April 1 through June 30 of that year to the State Educator Preparation and Licensure Board. If an extension is approved, the license shall remain valid during the extension period.

(10) Individuals who hold exempt licenses prior to December 27, 2013 (the effective date of Public Act 98-610) shall commence the annual renewal process with the first scheduled registration due after December 27, 2013 (the effective date of Public Act 98-610).

(11) Notwithstanding any other provision of this subsection (e), if a licensee earns more than the required number of professional development hours during a renewal cycle, then the licensee may carry over any hours earned from April 1 through June 30 of the last year of the renewal cycle. Any hours carried over in this manner must be applied to the next renewal cycle. Illinois Administrators' Academy courses or hours earned in those courses may not be carried over.

(e-5) The number of professional development hours required under subsection (e) is reduced by 20% for any renewal cycle that includes the 2021-2022 school year.

(f) At the time of renewal, each licensee shall respond to the required questions under penalty of perjury.

(f-5) The State Board of Education shall conduct random audits of licensees to verify a licensee's fulfillment of the professional development hours required under this Section. Upon completion of a random audit, if it is determined by the State Board of Education that the licensee did not complete the required

number of professional development hours or did not provide sufficient proof of completion, the licensee shall be notified that his or her license has lapsed. A license that has lapsed under this subsection may be reinstated as provided in subsection (b).

(g) The following entities shall be designated as approved to provide professional development activities for the renewal of Professional Educator Licenses:

- (1) The State Board of Education.
- (2) Regional offices of education and intermediate service centers.

(3) Illinois professional associations representing the following groups that are approved by the State Superintendent of Education:

- (A) school administrators;
- (B) principals;
- (C) school business officials;
- (D) teachers, including special education teachers;
- (E) school boards;
- (F) school districts;
- (G) parents; and
- (H) school service personnel.

(4) Regionally accredited institutions of higher education that offer Illinois-approved educator preparation programs and public community colleges subject to the Public Community College Act.

(5) Illinois public school districts, charter schools authorized under Article 27A of this Code, and joint educational programs authorized under Article 10 of this Code for the purposes of providing career and technical education or special education services.

(6) A not-for-profit organization that, as of December 31, 2014 (the effective date of Public Act 98-1147), has had or has a grant from or a contract with the State Board of Education to provide professional development services in the area of English Learning to Illinois school districts, teachers, or administrators.

(7) State agencies, State boards, and State commissions.

(8) Museums as defined in Section 10 of the Museum Disposition of Property Act.

(h) Approved providers under subsection (g) of this Section shall make available professional development opportunities that satisfy at least one of the following:

- (1) increase the knowledge and skills of school and district leaders who guide continuous professional development;
- (2) improve the learning of students;
- (3) organize adults into learning communities whose goals are aligned with those of the school and district;
- (4) deepen educator's content knowledge;
- (5) provide educators with research-based instructional strategies to assist students in meeting rigorous academic standards;
- (6) prepare educators to appropriately use various types of classroom assessments;
- (7) use learning strategies appropriate to the intended goals;
- (8) provide educators with the knowledge and skills to collaborate;
- (9) prepare educators to apply research to decision making;
- (10) provide educators with training on inclusive practices in the classroom that examines instructional and behavioral strategies that improve academic and social-emotional outcomes for all students, with or without disabilities, in a general education setting; or

(11) beginning on July 1, 2022, provide educators with training on the physical and mental health needs of students, student safety, educator ethics, professional conduct, and other topics that address the well-being of students and improve the academic and social-emotional outcomes of students.

(i) Approved providers under subsection (g) of this Section shall do the following:

- (1) align professional development activities to the State-approved national standards for professional learning;
- (2) meet the professional development criteria for Illinois licensure renewal;
- (3) produce a rationale for the activity that explains how it aligns to State standards and identify the assessment for determining the expected impact on student learning or school improvement;
- (4) maintain original documentation for completion of activities;

(5) provide license holders with evidence of completion of activities;

(6) request an Illinois Educator Identification Number (IEIN) for each educator during each professional development activity; and

(7) beginning on July 1, 2019, register annually with the State Board of Education prior to offering any professional development opportunities in the current fiscal year.

(j) The State Board of Education shall conduct annual audits of a subset of approved providers, except for school districts, which shall be audited by regional offices of education and intermediate service centers. The State Board of Education shall ensure that each approved provider, except for a school district, is audited at least once every 5 years. The State Board of Education may conduct more frequent audits of providers if evidence suggests the requirements of this Section or administrative rules are not being met.

(1) (Blank).

(2) Approved providers shall comply with the requirements in subsections (h) and (i) of this Section by annually submitting data to the State Board of Education demonstrating how the professional development activities impacted one or more of the following:

(A) educator and student growth in regards to content knowledge or skills, or both;

(B) educator and student social and emotional growth; or

(C) alignment to district or school improvement plans.

(3) The State Superintendent of Education shall review the ~~annual~~ data collected by the State Board of Education, regional offices of education, and intermediate service centers in audits conducted under this subsection (j) to determine if the approved provider has met the criteria and should continue to be an approved provider or if further action should be taken as provided in rules.

(k) Registration fees shall be paid for the next renewal cycle between April 1 and June 30 in the last year of each 5-year renewal cycle using ELIS. If all required professional development hours for the renewal cycle have been completed and entered by the licensee, the licensee shall pay the registration fees for the next cycle using a form of credit or debit card.

(l) Any professional educator licensee endorsed for school support personnel who is employed and performing services in Illinois public schools and who holds an active and current professional license issued by the Department of Financial and Professional Regulation or a national certification board, as approved by the State Board of Education, related to the endorsement areas on the Professional Educator License shall be deemed to have satisfied the continuing professional development requirements provided for in this Section. Such individuals shall be required to pay only registration fees to renew the Professional Educator License. An individual who does not hold a license issued by the Department of Financial and Professional Regulation shall complete professional development requirements for the renewal of a Professional Educator License provided for in this Section.

(m) Appeals to the State Educator Preparation and Licensure Board must be made within 30 days after receipt of notice from the State Superintendent of Education that a license will not be renewed based upon failure to complete the requirements of this Section. A licensee may appeal that decision to the State Educator Preparation and Licensure Board in a manner prescribed by rule.

(1) Each appeal shall state the reasons why the State Superintendent's decision should be reversed and shall be sent by certified mail, return receipt requested, to the State Board of Education.

(2) The State Educator Preparation and Licensure Board shall review each appeal regarding renewal of a license within 90 days after receiving the appeal in order to determine whether the licensee has met the requirements of this Section. The State Educator Preparation and Licensure Board may hold an appeal hearing or may make its determination based upon the record of review, which shall consist of the following:

(A) the regional superintendent of education's rationale for recommending nonrenewal of the license, if applicable;

(B) any evidence submitted to the State Superintendent along with the individual's electronic statement of assurance for renewal; and

(C) the State Superintendent's rationale for nonrenewal of the license.

(3) The State Educator Preparation and Licensure Board shall notify the licensee of its decision regarding license renewal by certified mail, return receipt requested, no later than 30 days after reaching a decision. Upon receipt of notification of renewal, the licensee, using ELIS, shall pay the applicable registration fee for the next cycle using a form of credit or debit card.

(n) The State Board of Education may adopt rules as may be necessary to implement this Section.

(Source: P.A. 102-676, eff. 12-3-21; 102-710, eff. 4-27-22; 102-730, eff. 5-6-22; 102-852, eff. 5-13-22; 103-154, eff. 6-30-23.)

(105 ILCS 5/21B-50)

Sec. 21B-50. Alternative Educator Licensure Program for Teachers.

(a) There is established an alternative educator licensure program, to be known as the Alternative Educator Licensure Program for Teachers.

(b) The Alternative Educator Licensure Program for Teachers may be offered by a recognized institution approved to offer educator preparation programs by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board.

The program shall be comprised of up to 3 phases:

(1) A course of study that at a minimum includes instructional planning; instructional strategies, including special education, reading, and English language learning; classroom management; and the assessment of students and use of data to drive instruction.

(2) A year of residency, which is a candidate's assignment to a full-time teaching position or as a co-teacher for one full school year. An individual must hold an Educator License with Stipulations with an alternative provisional educator endorsement in order to enter the residency. In residency, the candidate must be assigned an effective, fully licensed teacher by the principal or principal equivalent to act as a mentor and coach the candidate through residency, complete additional program requirements that address required State and national standards, pass the State Board's teacher performance assessment, if required under Section 21B-30, and be recommended by the principal or qualified equivalent of a principal, as required under subsection (d) of this Section, and the program coordinator to be recommended for full licensure or to continue with a second year of the residency.

(3) (Blank).

(4) A comprehensive assessment of the candidate's teaching effectiveness, as evaluated by the principal or qualified equivalent of a principal, as required under subsection (d) of this Section, and the program coordinator, at the end of either the first or the second year of residency. If there is disagreement between the 2 evaluators about the candidate's teaching effectiveness at the end of the first year of residency, a second year of residency shall be required. If there is disagreement between the 2 evaluators at the end of the second year of residency, the candidate may complete one additional year of residency teaching under a professional development plan developed by the principal or qualified equivalent and the preparation program. At the completion of the third year, a candidate must have positive evaluations and a recommendation for full licensure from both the principal or qualified equivalent and the program coordinator or no Professional Educator License shall be issued.

Successful completion of the program shall be deemed to satisfy any other practice or student teaching and content matter requirements established by law.

(c) An alternative provisional educator endorsement on an Educator License with Stipulations is valid for up to 2 years of teaching in the public schools, including without limitation a preschool educational program under Section 2-3.71 of this Code or charter school, or in a State-recognized nonpublic school in which the chief administrator is required to have the licensure necessary to be a principal in a public school in this State and in which a majority of the teachers are required to have the licensure necessary to be instructors in a public school in this State, but may be renewed for a third year if needed to complete the Alternative Educator Licensure Program for Teachers. The endorsement shall be issued only once to an individual who meets all of the following requirements:

(1) Has graduated from a regionally accredited college or university with a bachelor's degree or higher.

(2) (Blank).

(3) Has completed a major in the content area if seeking a middle or secondary level endorsement or, if seeking an early childhood, elementary, or special education endorsement, has completed a major in the content area of early childhood reading, English/language arts, mathematics, or one of the sciences. If the individual does not have a major in a content area for any level of teaching, he or she must submit transcripts to the State Board of Education to be reviewed for equivalency.

(4) Has successfully completed phase (1) of subsection (b) of this Section.

(5) Has passed a content area test required for the specific endorsement ~~for admission into the program~~, as required under Section 21B-30 of this Code.

A candidate possessing the alternative provisional educator endorsement may receive a salary, benefits, and any other terms of employment offered to teachers in the school who are members of an exclusive bargaining representative, if any, but a school is not required to provide these benefits during the years of residency if the candidate is serving only as a co-teacher. If the candidate is serving as the teacher of record, the candidate must receive a salary, benefits, and any other terms of employment. Residency experiences must not be counted towards tenure.

(d) The recognized institution offering the Alternative Educator Licensure Program for Teachers must partner with a school district, including without limitation a preschool educational program under Section 2-3.71 of this Code or charter school, or a State-recognized, nonpublic school in this State in which the chief administrator is required to have the licensure necessary to be a principal in a public school in this State and in which a majority of the teachers are required to have the licensure necessary to be instructors in a public school in this State. A recognized institution that partners with a public school district administering a preschool educational program under Section 2-3.71 of this Code must require a principal to recommend or evaluate candidates in the program. A recognized institution that partners with an eligible entity administering a preschool educational program under Section 2-3.71 of this Code and that is not a public school district must require a principal or qualified equivalent of a principal to recommend or evaluate candidates in the program. The program presented for approval by the State Board of Education must demonstrate the supports that are to be provided to assist the provisional teacher during the one-year ~~1-year~~ or 2-year residency period and if the residency period is to be less than 2 years in length, assurances from the partner school districts to provide intensive mentoring and supports through at least the end of the second full year of teaching for educators who completed the Alternative ~~Educator~~ Educators Licensure Program for Teachers in less than 2 years. These supports must, at a minimum, provide additional contact hours with mentors during the first year of residency.

(e) Upon completion of phases under paragraphs (1), (2), (4), and, if needed, (3) in subsection (b) of this Section and all assessments required under Section 21B-30 of this Code, an individual shall receive a Professional Educator License.

(f) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to establish and implement the Alternative Educator Licensure Program for Teachers.

(Source: P.A. 103-111, eff. 6-29-23; 103-488, eff. 8-4-23; revised 9-1-23.)

(105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

Sec. 26-2. Enrolled pupils not of compulsory school age.

(a) Any person having custody or control of a child who is below the age of 6 years or is 17 years of age or above and who is enrolled in any of grades kindergarten through 12 in the public school shall cause the child to attend the public school in the district wherein he or she resides when it is in session during the regular school term, unless the child is excused under Section 26-1 of this Code.

(b) A school district shall deny reenrollment in its secondary schools to any child 19 years of age or above who has dropped out of school and who could not, because of age and lack of credits, attend classes during the normal school year and graduate before his or her twenty-first birthday. A district may, however, enroll the child in a graduation incentives program under Section 26-16 of this Code or an alternative learning opportunities program established under Article 13B. No child shall be denied reenrollment for the above reasons unless the school district first offers the child due process as required in cases of expulsion under Section 10-22.6. If a child is denied reenrollment after being provided with due process, the school district must provide counseling to that child and must direct that child to alternative educational programs, including adult education programs, that lead to graduation or receipt of a State of Illinois High School Diploma.

(c) A school or school district may deny enrollment to a student 17 years of age or older for one semester for failure to meet minimum attendance standards if all of the following conditions are met:

(1) The student was absent without valid cause for 20% or more of the attendance days in the semester immediately prior to the current semester.

(2) The student and the student's parent or guardian are given written notice warning that the student is subject to denial from enrollment for one semester unless the student is absent without valid cause less than 20% of the attendance days in the current semester.

(3) The student's parent or guardian is provided with the right to appeal the notice, as determined by the State Board of Education in accordance with due process.

(4) The student is provided with attendance remediation services, including without limitation assessment, counseling, and support services.

(5) The student is absent without valid cause for 20% or more of the attendance days in the current semester.

A school or school district may not deny enrollment to a student (or reenrollment to a dropout) who is at least 17 years of age or older but below 19 years for more than one consecutive semester for failure to meet attendance standards.

(d) No child may be denied reenrollment under this Section in violation of the federal Individuals with Disabilities Education Act or the Americans with Disabilities Act.

(e) In this subsection (e), "reenrolled student" means a dropout who has reenrolled full-time in a public school. Each school district shall identify, track, and report on the educational progress and outcomes of reenrolled students as a subset of the district's required reporting on all enrollments. A reenrolled student who again drops out must not be counted again against a district's dropout rate performance measure. ~~The State Board of Education shall set performance standards for programs serving reenrolled students.~~

(f) The State Board of Education shall adopt any rules necessary to implement the changes to this Section made by Public Act 93-803.

(Source: P.A. 102-981, eff. 1-1-23; 102-1100, eff. 1-1-23; 103-154, eff. 6-30-23.)

(105 ILCS 5/27-22.2) (from Ch. 122, par. 27-22.2)

Sec. 27-22.2. ~~Career and technical~~ ~~Vocational~~ education elective. Whenever the school board of any school district which maintains grades 9 through 12 establishes a list of courses from which secondary school students each must elect at least one course, to be completed along with other course requirements as a pre-requisite to receiving a high school diploma, that school board must include on the list of such elective courses at least one course in career and technical ~~vocational~~ education.

(Source: P.A. 84-1334; 84-1438.)

(105 ILCS 5/34-8.05)

Sec. 34-8.05. Reporting firearms in schools. On or after January 1, 1997, upon receipt of any written, electronic, or verbal report from any school personnel regarding a verified incident involving a firearm in a school or on school owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel, the general superintendent or his or her designee shall report all such firearm-related incidents occurring in a school or on school property to the local law enforcement authorities no later than 24 hours after the occurrence of the incident ~~and to the Illinois State Police in a form, manner, and frequency as prescribed by the Illinois State Police.~~

The general superintendent or the general superintendent's designee shall report any written, electronic, or verbal report of a verified incident involving a firearm to the State Board of Education through existing school incident reporting systems as they occur during the year by no later than July 31 for the previous school year. The State Board of Education shall report the data and make it available to the public via its website. The local law enforcement authority shall, by March 1 of each year, report the required data from the previous year to the Illinois State Police's Illinois Uniform Crime Reporting Program, which shall be included in its annual Crime in Illinois report.

~~The State Board of Education shall receive an annual statistical compilation and related data associated with incidents involving firearms in schools from the Illinois State Police.~~ As used in this Section, the term "firearm" shall have the meaning ascribed to it in Section 1.1 of the Firearm Owners Identification Card Act.

(Source: P.A. 102-538, eff. 8-20-21.)

Section 10. The School Safety Drill Act is amended by changing Sections 45 and 50 as follows:

(105 ILCS 128/45)

Sec. 45. Threat assessment procedure.

(a) Each school district must implement a threat assessment procedure that may be part of a school board policy on targeted school violence prevention. The procedure must include the creation of a threat assessment team. The team must include at least one law enforcement official and cross-disciplinary representatives of the district who are most directly familiar with the mental and behavioral health needs of students and staff. Such cross-disciplinary representatives may include all of the following members:

(1) An administrator employed by the school district or a special education cooperative that serves the school district and is available to serve.

(2) A teacher employed by the school district or a special education cooperative that serves the school district and is available to serve.

(3) A school counselor employed by the school district or a special education cooperative that serves the school district and is available to serve.

(4) A school psychologist employed by the school district or a special education cooperative that serves the school district and is available to serve.

(5) A school social worker employed by the school district or a special education cooperative that serves the school district and is available to serve.

(6) (Blank). ~~At least one law enforcement official.~~

If a school district is unable to establish a threat assessment team with school district staff and resources, it may utilize a regional behavioral threat assessment and intervention team that includes mental health professionals and representatives from the State, county, and local law enforcement agencies.

(b) A school district shall establish the threat assessment team under this Section no later than 180 days after August 23, 2019 (the effective date of Public Act 101-455) and must implement an initial threat assessment procedure no later than 120 days after August 23, 2019 (the effective date of Public Act 101-455). Each year prior to the start of the school year, the school board shall file the threat assessment procedure and a list identifying the members of the school district's threat assessment team or regional behavior threat assessment and intervention team with (i) a local law enforcement agency and (ii) the regional office of education or, with respect to a school district organized under Article 34 of the School Code, the State Board of Education.

(b-5) A charter school operating under a charter issued by a local board of education may adhere to the local board's threat assessment procedure or may implement its own threat assessment procedure in full compliance with the requirements of this Section. The charter agreement shall specify in detail how threat assessment procedures will be determined for the charter school.

(b-10) A special education cooperative operating under a joint agreement must implement its own threat assessment procedure in full compliance with the requirements of this Section, including the creation of a threat assessment team, which may consist of individuals employed by the member districts. The procedure must include actions the special education cooperative will take in partnership with its member districts to address a threat.

(c) Any sharing of student information under this Section must comply with the federal Family Educational Rights and Privacy Act of 1974 and the Illinois School Student Records Act.

(d) (Blank).

(Source: P.A. 102-791, eff. 5-13-22; 102-894, eff. 5-20-22; 103-154, eff. 6-30-23; 103-175, eff. 6-30-23.)
(105 ILCS 128/50)

Sec. 50. Crisis response mapping data grants.

(a) Subject to appropriation, a public school district, a charter school, a special education cooperative or district, an education for employment system, a State-approved area career center, a public university laboratory school, the Illinois Mathematics and Science Academy, the Department of Juvenile Justice School District, a regional office of education, the Illinois School for the Deaf, the Illinois School for the Visually Impaired, the Philip J. Rock Center and School, an early childhood or preschool program supported by the Early Childhood Block Grant, or any other public school entity designated by the State Board of Education by rule, may apply to the State Board of Education ~~or the State Board of Education~~ or the State Board's designee for a grant to obtain crisis response mapping data and to provide copies of the crisis response mapping data to appropriate local, county, State, and federal first responders for use in response to emergencies. The crisis response mapping data shall be stored and provided in an electronic or digital format to assist first responders in responding to emergencies at the school.

(b) Subject to appropriation, including funding for any administrative costs reasonably incurred by the State Board of Education or the State Board's designee in the administration of the grant program described by this Section, the State Board shall provide grants to any entity in subsection (a) upon approval of an application submitted by the entity to cover the costs incurred in obtaining crisis response mapping data under this Section. The grant application must include crisis response mapping data for all schools under the jurisdiction of the entity submitting the application, including, in the case of a public school district, any charter schools authorized by the school board for the school district.

(c) To be eligible for a grant under this Section, the crisis response mapping data must, at a minimum:

(1) be compatible and integrate into security software platforms in use by the specific school for which the data is provided without requiring local law enforcement agencies or the school district to purchase additional software or requiring the integration of third-party software to view the data;

(2) be compatible with security software platforms in use by the specific school for which the data is provided without requiring local public safety agencies or the school district to purchase additional software or requiring the integration of third-party software to view the data;

(3) be capable of being provided in a printable format;

(4) be verified for accuracy by an on-site walk-through of the school building and grounds;

(5) be oriented to true north;

(6) be overlaid on current aerial imagery or plans of the school building;

(7) contain site-specific labeling that matches the structure of the school building, including room labels, hallway names, and external door or stairwell numbers and the location of hazards, critical utilities, key boxes, automated external defibrillators, and trauma kits, and that matches the school grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties; and

(8) be overlaid with gridded x/y coordinates.

(d) Subject to appropriation, the crisis response mapping data may be reviewed annually to update the data as necessary.

(e) Crisis response mapping data obtained pursuant to this Section are confidential and exempt from disclosure under the Freedom of Information Act.

(f) The State Board may adopt rules to implement the provisions of this Section.

(Source: P.A. 103-8, eff. 6-7-23; revised 1-20-24.)

Section 15. The Vocational Education Act is amended by changing Section 2.1 as follows:

(105 ILCS 435/2.1) (from Ch. 122, par. 697.1)

Sec. 2.1. Gender Equity Advisory Committee.

(a) The Superintendent of the State Board of Education shall appoint a Gender Equity Advisory Committee consisting of at least 9 members to advise and consult with the State Board of Education and the State Board of Education's gender equity liaison ~~coordinator~~ in all aspects relating to ensuring that all students have equal educational opportunities to pursue high wage, high skill, and in-demand occupations leading to economic self-sufficiency.

(b) Membership shall include, without limitation, one regional career and technical education system director with experience in gender equity coordinator, 2 State Board of Education employees, an appointee of the Director of Labor, and 5 citizen appointees who have expertise in one or more of the following areas: nontraditional training and placement; service delivery to single parents; service delivery to displaced homemakers; service delivery to female, male, and nonbinary teens; service delivery to students of color; service delivery to members of special populations, including, but not limited to, individuals from economically disadvantaged families, English learners, individuals with disabilities, individuals who are out of the workforce, individuals experiencing homelessness, migrants, individuals in foster care, and military students; business and industry experience; and career and technical education ~~Education-to-Careers~~ experience. Membership also may include employees from the Department of Commerce and Economic Opportunity, the Department of Human Services, and the Illinois Community College Board who have expertise in one or more of the areas listed in this subsection (b) for the citizen appointees. Appointments shall be made taking into consideration expertise of services provided in secondary, postsecondary, and community-based ~~community-based~~ programs.

(c) Members shall initially be appointed to one-year ~~one-year~~ terms commencing in January 1, 1990, and thereafter, until January 1, 2025, to 2-year ~~two-year~~ terms commencing on January 1 of each odd numbered year. Beginning on January 1, 2025, members shall be appointed as follows. The career and technical education system director appointee, one State Board of Education appointee, the appointee of the Director of Labor, and 2 citizen appointees, as determined by the State Superintendent of Education, shall initially be appointed to 3-year terms and thereafter to 2-year terms; the remaining members of the committee shall initially and thereafter be appointed to 2-year terms; and all terms shall commence on January 1.

Vacancies shall be filled as prescribed in subsection (b) for the remainder of the unexpired term.

(d) At the first meeting following the start of each calendar year, the ~~Each newly appointed~~ committee shall elect a Chair and Secretary from its members to serve until the first meeting of the subsequent calendar

year. Members shall serve without compensation, but shall be reimbursed for expenses incurred in the performance of their duties. The Committee shall meet at least bi-annually and at other times at the call of the Chair or at the request of the State Board of Education's gender equity liaison coordinator.

(e) On or before December 15, 2023, the Committee shall submit recommendations to the Governor, General Assembly, and State Board of Education regarding how school districts and the State Board of Education can better support historically disadvantaged males, including African American students and other students of color, to ensure educational equity.

(f) On and after December 31, 2023, subsection (e) is inoperative.
(Source: P.A. 102-863, eff. 1-1-23.)

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."

AMENDMENT NO. 3 TO SENATE BILL 3156

AMENDMENT NO. 3. Amend Senate Bill 3156, AS AMENDED, with reference to page and line numbers of House Amendment No. 2 on page 1, line 6, after "18-8.15," by inserting "21B-30,"; and

on page 133, immediately below line 15, by inserting the following:

"(105 ILCS 5/21B-30)

Sec. 21B-30. Educator testing.

(a) (Blank).

(b) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall design and implement a system of examinations, which shall be required prior to the issuance of educator licenses. These examinations and indicators must be based on national and State professional teaching standards, as determined by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The State Board of Education may adopt such rules as may be necessary to implement and administer this Section.

(c) (Blank).

(c-5) The State Board must adopt rules to implement a paraprofessional competency test. This test would allow an applicant seeking an Educator License with Stipulations with a paraprofessional educator endorsement to obtain the endorsement if he or she passes the test and meets the other requirements of subparagraph (J) of paragraph (2) of Section 21B-20 other than the higher education requirements.

(d) All applicants seeking a State license shall be required to pass a test of content area knowledge for each area of endorsement for which there is an applicable test. There shall be no exception to this requirement. No candidate shall be allowed to student teach or serve as the teacher of record until he or she has passed the applicable content area test.

(d-5) The State Board shall consult with any applicable vendors within 90 days after July 28, 2023 (the effective date of Public Act 103-402) ~~this amendatory Act of the 103rd General Assembly~~ to develop a plan to transition the test of content area knowledge in the endorsement area of elementary education, grades one through 6, by July 1, 2026 to a content area test that contains testing elements that cover bilingualism, biliteracy, oral language development, foundational literacy skills, and developmentally appropriate higher-order comprehension and on which a valid and reliable language and literacy subscore can be determined. The State Board shall base its rules concerning the passing subscore on the language and literacy portion of the test on the recommended cut-score determined in the formal standard-setting process. Candidates need not achieve a particular subscore in the area of language and literacy. The State Board shall aggregate and publish the number of candidates in each preparation program who take the test and the number who pass the language and literacy portion.

(e) (Blank).

(f) Beginning on August 4, 2023 (the effective date of Public Act 103-488) ~~this amendatory Act of the 103rd General Assembly~~ through August 31, 2025, no candidate completing a teacher preparation program

in this State or candidate subject to Section 21B-35 of this Code is required to pass a teacher performance assessment. Except as otherwise provided in this Article, beginning on September 1, 2015 until August 4, 2023 (the effective date of Public Act 103-488) ~~this amendatory Act of the 103rd General Assembly~~ and beginning again on September 1, 2025, all candidates completing teacher preparation programs in this State and all candidates subject to Section 21B-35 of this Code are required to pass a teacher performance assessment approved by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. A candidate may not be required to submit test materials by video submission. Subject to appropriation, an individual who holds a Professional Educator License and is employed for a minimum of one school year by a school district designated as Tier 1 under Section 18-8.15 may, after application to the State Board, receive from the State Board a refund for any costs associated with completing the teacher performance assessment under this subsection.

(f-5) The Teacher Performance Assessment Task Force is created to evaluate potential performance-based and objective teacher performance assessment systems for implementation across all educator preparation programs in this State, with the intention of ensuring consistency across programs and supporting a thoughtful and well-rounded licensure system. Members appointed to the Task Force must reflect the racial, ethnic, and geographic diversity of this State. The Task Force shall consist of all of the following members:

- (1) One member of the Senate, appointed by the President of the Senate.
- (2) One member of the Senate, appointed by the Minority Leader of the Senate.
- (3) One member of the House of Representatives, appointed by the Speaker of the House of Representatives.
- (4) One member of the House of Representatives, appointed by the Minority Leader of the House of Representatives.
- (5) One member who represents a statewide professional teachers' organization, appointed by the State Superintendent of Education.
- (6) One member who represents a different statewide professional teachers' organization, appointed by the State Superintendent of Education.
- (7) One member from a statewide organization representing school principals, appointed by the State Superintendent of Education.
- (8) One member from a statewide organization representing regional superintendents of schools, appointed by the State Superintendent of Education.
- (9) One member from a statewide organization representing school administrators, appointed by the State Superintendent of Education.
- (10) One member representing a school district organized under Article 34 of this Code, appointed by the State Superintendent of Education.
- (11) One member of an association representing rural and small schools, appointed by the State Superintendent of Education.
- (12) One member representing a suburban school district, appointed by the State Superintendent of Education.
- (13) One member from a statewide organization representing school districts in the southern suburbs of the City of Chicago, appointed by the State Superintendent of Education.
- (14) One member from a statewide organization representing large unit school districts, appointed by the State Superintendent of Education.
- (15) One member from a statewide organization representing school districts in the collar counties of the City of Chicago, appointed by the State Superintendent of Education.
- (16) Three members, each representing a different public university in this State and each a current member of the faculty of an approved educator preparation program, appointed by the State Superintendent of Education.
- (17) Three members, each representing a different 4-year nonpublic university or college in this State and each a current member of the faculty of an approved educator preparation program, appointed by the State Superintendent of Education.
- (18) One member of the Board of Higher Education, appointed by the State Superintendent of Education.
- (19) One member representing a statewide policy organization advocating on behalf of multilingual students and families, appointed by the State Superintendent of Education.

(20) One member representing a statewide organization focused on research-based education policy to support a school system that prepares all students for college, a career, and democratic citizenship, appointed by the State Superintendent of Education.

(21) Two members representing an early childhood advocacy organization, appointed by the State Superintendent of Education.

(22) One member representing a statewide organization that partners with educator preparation programs and school districts to support the growth and development of preservice teachers, appointed by the State Superintendent of Education.

(23) One member representing a statewide organization that advocates for educational equity and racial justice in schools, appointed by the State Superintendent of Education.

(24) One member representing a statewide organization that represents school boards, appointed by the State Superintendent of Education.

(25) One member who has, within the last 5 years, served as a cooperating teacher, appointed by the State Superintendent of Education.

Members of the Task Force shall serve without compensation. The Task Force shall first meet at the call of the State Superintendent of Education, and each subsequent meeting shall be called by the chairperson of the Task Force, who shall be designated by the State Superintendent of Education. The State Board of Education shall provide administrative and other support to the Task Force.

On or before October 31, August 1, 2024, the Task Force shall report on its work, including recommendations on a teacher performance assessment system in this State, to the State Board of Education and the General Assembly. The Task Force is dissolved upon submission of this report.

(g) The content area knowledge test and the teacher performance assessment shall be the tests that from time to time are designated by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, and may be tests prepared by an educational testing organization or tests designed by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The test of content area knowledge shall assess content knowledge in a specific subject field. The tests must be designed to be racially neutral to ensure that no person taking the tests is discriminated against on the basis of race, color, national origin, or other factors unrelated to the person's ability to perform as a licensed employee. The score required to pass the tests shall be fixed by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The tests shall be administered not fewer than 3 times a year at such time and place as may be designated by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board.

The State Board shall implement a test or tests to assess the speaking, reading, writing, and grammar skills of applicants for an endorsement or a license issued under subdivision (G) of paragraph (2) of Section 21B-20 of this Code in the English language and in the language of the transitional bilingual education program requested by the applicant.

(h) Except as provided in Section 34-6 of this Code, the provisions of this Section shall apply equally in any school district subject to Article 34 of this Code.

(i) The rules developed to implement and enforce the testing requirements under this Section shall include, without limitation, provisions governing test selection, test validation, and determination of a passing score, administration of the tests, frequency of administration, applicant fees, frequency of applicants taking the tests, the years for which a score is valid, and appropriate special accommodations. The State Board of Education shall develop such rules as may be needed to ensure uniformity from year to year in the level of difficulty for each form of an assessment.

(Source: P.A. 102-301, eff. 8-26-21; 103-402, eff. 7-28-23; 103-488, eff. 8-4-23; revised 9-1-23.)"

Under the rules, the foregoing **Senate Bill No. 3156**, with House Amendments numbered 2 and 3, was referred to the Secretary's Desk.

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

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

SENATE BILL NO. 3414

A bill for AN ACT concerning regulation.

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

House Amendment No. 2 to SENATE BILL NO. 3414

Passed the House, as amended, May 24, 2024.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 3414

AMENDMENT NO. 2. Amend Senate Bill 3414 on page 1, line 20, by deleting "the policy is in full alignment with Medicare and"; and

on page 5, line 7, after the semicolon, by inserting "the ordering provider is not required to obtain continuing medical education in order to prescribe a continuous glucose monitor;"; and

on page 6, by replacing lines 3 through 6 with the following:

"(7) prior authorization is required for a prescription of a continuous glucose monitor; once a continuous glucose monitor is prescribed, the prior authorization shall be approved for a 12-month period."

Under the rules, the foregoing **Senate Bill No. 3414**, with House Amendment No. 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

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

SENATE BILL NO. 426

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 1400

A bill for AN ACT concerning education.

SENATE BILL NO. 3098

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 3740

A bill for AN ACT concerning regulation.

SENATE BILL NO. 3784

A bill for AN ACT concerning health.

Passed the House, May 24, 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. 461

A bill for AN ACT concerning education.

SENATE BILL NO. 2779

A bill for AN ACT concerning local government.

SENATE BILL NO. 3201

A bill for AN ACT concerning finance.

Passed the House, May 24, 2024.

JOHN W. HOLLMAN, Clerk of the House

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 4828, sponsored by Senator Peters, was taken up, read by title a first time and referred to the Committee on Assignments.

[May 24, 2024]

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Morrison, **House Bill No. 612** 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.

At the hour of 4:22 o'clock p.m., Senator Hunter, presiding.

On motion of Senator Johnson, **House Bill No. 2363** 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	Lightford	Turner, D.
Castro	Halpin	Martwick	Ventura
Cervantes	Harris, N.	Morrison	Villa
Collins	Hastings	Murphy	Villanueva
Cunningham	Holmes	Peters	Villivalam
Edly-Allen	Hunter	Porfirio	Walker
Ellman	Johnson	Preston	Mr. President
Faraci	Jones, E.	Simmons	
Feigenholtz	Koehler	Sims	
Fine	Lewis	Toro	

The following voted in the negative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Lightford, **House Bill No. 1377** 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.

Senator Murphy, Chair of the Committee on Executive Appointments, moved that the Senate resolve itself into Executive Session to consider the report of that Committee relative to the appointment messages.

The motion prevailed.

EXECUTIVE SESSION

Senator Murphy submitted the following Motion in Writing:

MOTION IN WRITING

Pursuant to Senate Rule 10-1(c), as the Chair of the Executive Appointments Committee, I move to compile the following Appointment Messages to be acted on together by a single vote of the Senate:

- Appointment Message 103-247 (Amusement Ride and Attraction Safety Board)
- Appointment Messages 103-220 and 103-234 (Clean Energy Jobs and Justice Fund)
- Appointment Message 103-221 (Employment Security Advisory Board)

[May 24, 2024]

- Appointment Messages 103-238 and 103-253 (Energy Workforce Advisory Council)
- Appointment Message 103-260 (Health Facilities and Services Review Board)
- Appointment Message 103-235 (Illinois Criminal Justice Information Authority)
- Appointment Messages 103-222, 103-327, 103-328, and 103-329 (Illinois Finance Authority)
- Appointment Message 103-239 (Illinois State Museum Board)
- Appointment Message 103-256 (Illinois Torture Inquiry and Relief Commission)
- Appointment Messages 103-225, 103-227, 103-229, 103-236, 103-249, 103-250, 103-254, 103-262, 103-277, 103-301, 103-302, 103-305, 103-306, 103-310, 103-311, 103-314, 103-322, 103-323, 103-337, 103-348, 103-349, and 103-353 (Illinois Workforce Innovation Board)
- Appointment Message 103-230 (Labor Advisory Board)
- Appointment Message 103-240 (Northeastern Illinois University Board of Trustees)
- Appointment Messages 103-218 and 103-219 (State Board of Health)
- Appointment Message 103-241 (State Employees' Retirement System Board of Trustees)
- Appointment Message 103-231 (Will Kankakee Regional Development Authority)
- Appointment Messages 103-232, 103-233, 103-237, 103-242, and 103-263 (Workers' Compensation Advisory Board)
- Appointment Messages 103-243, 103-251, and 103-255 (Workers' Compensation Medical Fee Advisory Board)

Date: **May 24, 2024**

s/ Senator Laura Murphy
ASSISTANT MAJORITY LEADER LAURA MURPHY
CHAIR, EXECUTIVE APPOINTMENTS COMMITTEE

The foregoing Motion in Writing was filed with the Secretary and ordered placed on the Senate Calendar.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030252, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030252

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Secretary

Agency or Other Body: Illinois Department of Innovation and Technology

Start Date: June 1, 2023

End Date: January 20, 2025

Name: Sanjay Gupta

Residence: 7402 Barrel Oak Pl., Manassas, VA 20109

Annual Compensation: \$200,000

Per diem: Not Applicable

[May 24, 2024]

Nominee's Senator: Senator Don Harmon

Most Recent Holder of Office: Brandon Ragle

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030258, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030258

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Assistant Director

Agency or Other Body: Illinois Department of Public Health

Start Date: July 10, 2023

End Date: January 20, 2025

Name: Dr. Janice Phillips

Residence: 1434 Williams St., Flossmoor, IL 60422

[May 24, 2024]

Annual Compensation: \$178,500

Per diem: Not Applicable

Nominee's Senator: Senator Napoleon Harris, III

Most Recent Holder of Office: Amaal VE Tokars

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 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	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030259, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030259

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Pollution Control Board

Start Date: July 2, 2023

End Date: July 1, 2026

Name: Jennifer A. Van Wie

Residence: 118 Windjammer Ln., Third Lake, IL 60030

Annual Compensation: \$132,080

Per diem: Not Applicable

Nominee's Senator: Senator Mary Edly-Allen

Most Recent Holder of Office: Jennifer A. Van Wie

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 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	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030269, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030269

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Superintendent

Agency or Other Body: Illinois School for the Visually Impaired

[May 24, 2024]

Start Date: June 26, 2023

End Date: June 30, 2027

Name: Aimee Veith

Residence: 305 Lockwood Pl., Jacksonville, IL 62650

Annual Compensation: As determined by the Governor

Per diem: Not Applicable

Nominee's Senator: Senator Jil Tracy

Most Recent Holder of Office: Aimee Veith

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 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	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030270, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030270

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

[May 24, 2024]

Title of Office: Assistant Director

Agency or Other Body: Illinois Department of Central Management Services

Start Date: June 26, 2023

End Date: January 20, 2025

Name: Aundra Williams

Residence: 2023 Randall Ct., Springfield, IL 62703

Annual Compensation: \$165,750

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: Raven DeVaughn

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 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	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030273, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030273

To the Honorable Members of the Senate, One Hundred Third General Assembly:

[May 24, 2024]

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Deputy Secretary

Agency or Other Body: Illinois Department of Innovation and Technology

Start Date: June 7, 2023

End Date: Not Applicable

Name: Brandon Ragle

Residence: 209 Buffett Dr., Springfield, IL 62711

Annual Compensation: As determined by the Governor

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 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	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030279, reported the same back with the recommendation that the Senate consent to the following appointment:

[May 24, 2024]

Appointment Message No. 1030279

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Superintendent

Agency or Other Body: Illinois School for the Deaf

Start Date: July 10, 2023

End Date: June 30, 2027

Name: Julee M. Nist

Residence: 28 Westfair Dr., Jacksonville, IL 62650

Annual Compensation: As determined by the Governor

Per diem: Not Applicable

Nominee's Senator: Senator Jil Tracy

Most Recent Holder of Office: Julee M. Nist

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 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	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

[May 24, 2024]

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030404, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030404

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member (State Panel)

Agency or Other Body: Illinois Labor Relations Board

Start Date: January 23, 2024

End Date: January 24, 2028

Name: Frances A. Hurley

Residence: 160 N. LaSalle St., Ste S-400, Chicago, IL 60601

Annual Compensation: \$105,992

Per diem: Not Applicable

Nominee's Senator: Senator Bill Cunningham

Most Recent Holder of Office: Frances A. Hurley

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 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

[May 24, 2024]

Faraci

Lewis

Sims

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

CONSIDERATION OF MOTION IN WRITING

Pursuant to Motion in Writing filed earlier today, Senator Murphy moved to compile the following Appointment Messages to be acted on together by a single vote of the Senate:

- Appointment Message 103-247 (Amusement Ride and Attraction Safety Board)
- Appointment Messages 103-220 and 103-234 (Clean Energy Jobs and Justice Fund)
- Appointment Message 103-221 (Employment Security Advisory Board)
- Appointment Messages 103-238 and 103-253 (Energy Workforce Advisory Council)
- Appointment Message 103-260 (Health Facilities and Services Review Board)
- Appointment Message 103-235 (Illinois Criminal Justice Information Authority)
- Appointment Messages 103-222, 103-327, 103-328, and 103-329 (Illinois Finance Authority)
- Appointment Message 103-239 (Illinois State Museum Board)
- Appointment Message 103-256 (Illinois Torture Inquiry and Relief Commission)
- Appointment Messages 103-225, 103-227, 103-229, 103-236, 103-249, 103-250, 103-254, 103-262, 103-277, 103-301, 103-302, 103-305, 103-306, 103-310, 103-311, 103-314, 103-322, 103-323, 103-337, 103-348, 103-349, and 103-353 (Illinois Workforce Innovation Board)
- Appointment Message 103-230 (Labor Advisory Board)
- Appointment Message 103-240 (Northeastern Illinois University Board of Trustees)
- Appointment Messages 103-218 and 103-219 (State Board of Health)
- Appointment Message 103-241 (State Employees' Retirement System Board of Trustees)
- Appointment Message 103-231 (Will Kankakee Regional Development Authority)
- Appointment Messages 103-232, 103-233, 103-237, 103-242, and 103-263 (Workers' Compensation Advisory Board)
- Appointment Messages 103-243, 103-251, and 103-255 (Workers' Compensation Medical Fee Advisory Board)

The motion prevailed.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Messages Numbered 1030218, 1030219, 1030220, 1030221, 1030222, 1030225, 1030227, 1030229, 1030230, 1030231, 1030232, 1030233, 1030234, 1030235, 1030236, 1030237, 1030238, 1030239, 1030240, 1030241, 1030242, 1030243, 1030247, 1030249, 1030250, 1030251, 1030253, 1030254, 1030255, 1030256, 1030260, 1030262, 1030263, 1030277, 1030301, 1030302, 1030305, 1030306, 1030310, 1030311, 1030314, 1030322, 1030323, 1030327, 1030328, 1030329, 1030337, 1030348, 1030349 and 1030353, reported the same back with the recommendation that the Senate consent to the following appointments:

Appointment Message No. 1030218

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Board of Health

[May 24, 2024]

Start Date: May 12, 2023

End Date: November 1, 2024

Name: Juleigh Nowinski Konchak

Residence: 2107 N. Kedzie Blvd., Chicago, IL 60647

Annual Compensation: Expenses

Per diem: \$150 per diem not to exceed \$10,000 per annum

Nominee's Senator: Senator Cristina H. Pacione-Zayas

Most Recent Holder of Office: Peter Orris

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030219

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Board of Health

Start Date: May 12, 2023

End Date: November 1, 2025

Name: Yvette Joyce Johnson-Walker

Residence: 2205 Grange Cir., Urbana, IL 61801

Annual Compensation: Expenses

Per diem: \$150 per diem not to exceed \$10,000 per annum

Nominee's Senator: Senator Paul Faraci

Most Recent Holder of Office: Janice Phillips

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030220

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

[May 24, 2024]

Title of Office: Member

Agency or Other Body: Clean Energy Jobs and Justice Fund

Start Date: May 12, 2023

End Date: May 12, 2028

Name: Delmar L. Gillus Jr.

Residence: 3521 High Ridge Rd., Carpentersville, IL 60110

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Donald P. DeWitte

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030221

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: May 12, 2023

End Date: January 20, 2025

Name: John Gedney

Residence: 7505 Bel Mar Dr., Belvidere, IL 61008

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dave Syverson

Most Recent Holder of Office: John Gedney

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030222

To the Honorable Members of the Senate, One Hundred Third General Assembly:

[May 24, 2024]

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Finance Authority

Start Date: May 12, 2023

End Date: July 15, 2025

Name: Karen Caldwell

Residence: 10125 S. Bell Ave., Chicago, IL 60643

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Bill Cunningham

Most Recent Holder of Office: Eduardo Tobon

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030225

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: July 1, 2023

End Date: July 1, 2025

Name: Kara Demirjian Huss

Residence: 2030 Reserve Way., Decatur, IL 62521

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Sally J. Turner

Most Recent Holder of Office: Kara Demirjian Huss

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030227

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: July 1, 2023

End Date: July 1, 2025

Name: Stephen James Lefaver

Residence: 8 Bednarcik Ct., Oswego, IL 60543

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Sue Rezin

Most Recent Holder of Office: Stephen James Lefaver

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030229

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: July 1, 2023

End Date: July 1, 2025

Name: Christopher W. Toppin

Residence: 1604 Wakefield Ct., Mundelein, IL 60060

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dan McConchie

[May 24, 2024]

Most Recent Holder of Office: Christopher W. Toppin

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030230

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Labor Advisory Board

Start Date: May 12, 2023

End Date: January 20, 2025

Name: Karen Harris

Residence: 5201 S. Cornell Ave., Apt. 25F, Chicago, IL 60615

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: Kimberly A. Boho

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030231

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Will Kankakee Regional Development Authority

Start Date: May 12, 2023

End Date: January 19, 2026

Name: Hugo Manzo

Residence: 24514 Lakewoods Ln., Shorewood, IL 60404

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Rachel Ventura

Most Recent Holder of Office: Walter J. Charlton

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030232

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Workers' Compensation Advisory Board

Start Date: May 12, 2023

End Date: January 18, 2027

Name: Mark D. Prince

Residence: 378 Haney Rd., Carbondale, IL 62901

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dale Fowler

Most Recent Holder of Office: Mark D. Prince

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030233

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Workers' Compensation Advisory Board

Start Date: May 12, 2023

End Date: January 18, 2027

Name: Sean T. Stott

[May 24, 2024]

Residence: 1101 Williams Blvd., Springfield, IL 62704

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: Sean T. Stott

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030234

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Clean Energy Jobs and Justice Fund

Start Date: May 15, 2023

End Date: May 15, 2026

Name: Bradley A. Roos

Residence: 502 7th St., Apt. 203, Rockford, IL 61104

Annual Compensation: Unsalaries

Per diem: Not Applicable

Nominee's Senator: Senator Steve Stadelman

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030235

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Criminal Justice Information Authority

Start Date: May 15, 2023

End Date: January 18, 2027

Name: Vickii P. Coffey

Residence: 1239 Baythorne Dr., Flossmoor, IL 60422

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Napoleon Harris, III

Most Recent Holder of Office: Vickii P. Coffey

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030236

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: May 15, 2023

End Date: July 1, 2024

Name: Mboka Mwilambwe

Residence: 3107 Copper Creek Rd., Bloomington, IL 61704

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Sally J. Turner

Most Recent Holder of Office: Larry Walsh

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030237

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

[May 24, 2024]

Agency or Other Body: Workers' Compensation Advisory Board

Start Date: May 15, 2023

End Date: January 18, 2027

Name: Aaron William Anderson

Residence: 341 Western Dr., North Aurora, IL 60542

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Linda Holmes

Most Recent Holder of Office: Aaron William Anderson

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030238

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Energy Workforce Advisory Council

Start Date: May 22, 2023

End Date: N/A

Name: Lesley McCain

Residence: 160 E. Cunningham Dr., Palatine, IL 60067

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dan McConchie

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030239

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Museum Board

Start Date: May 22, 2023

End Date: January 15, 2024

Name: Nikhil Trivedi

Residence: 841 Mapleton Ave., Oak Park, IL 60302

Annual Compensation: Unsalariated

Per diem: Not Applicable

Nominee's Senator: Senator Don Harmon

Most Recent Holder of Office: Nikhil Trivedi

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030240

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Northeastern Illinois University Board of Trustees

Start Date: May 22, 2023

End Date: January 18, 2027

Name: Jorge M. Leon

Residence: 436 W. Belmont Ave., Apt. 402, Chicago, IL 60657

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Sara Feigenholtz

Most Recent Holder of Office: George Vukotich

Superseded Appointment Message: Not Applicable

[May 24, 2024]

Appointment Message No. 1030241

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Employees' Retirement System Board of Trustees

Start Date: May 22, 2023

End Date: June 29, 2024

Name: Mohamad Nasir

Residence: 2376 E. Ballard Rd., Des Plaines, IL 60016

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Laura M. Murphy

Most Recent Holder of Office: Carl Jenkins

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030242

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Workers' Compensation Advisory Board

Start Date: May 22, 2023

End Date: January 18, 2027

Name: Karen K. Harris

Residence: 5201 S. Cornell Ave., Apt. 25F, Chicago, IL 60615

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

[May 24, 2024]

Most Recent Holder of Office: Karen K. Harris

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030243

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Workers' Compensation Medical Fee Advisory Board

Start Date: May 22, 2023

End Date: December 5, 2025

Name: David B. Menchetti

Residence: 7036 N. Tahoma Ave., Chicago, IL 60646

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Ram Villivalam

Most Recent Holder of Office: David B. Menchetti

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030247

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Amusement Ride and Attraction Safety Board

Start Date: May 30, 2023

End Date: January 17, 2027

Name: Joseph Kagann

Residence: 6804 Armstrong Ct., Woodridge, IL 60517

Annual Compensation: Expenses

[May 24, 2024]

Per diem: \$36

Nominee's Senator: Senator John F. Curran

Most Recent Holder of Office: William N. Jennings

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030249

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: July 2, 2023

End Date: July 1, 2025

Name: Sheryl Curtis Morris

Residence: 7049 S. Oglesby Ave., Chicago, IL 60649

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: Sheryl Curtis Morris

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030250

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: May 30, 2023

End Date: July 1, 2024

Name: Jayne Vellinga

Residence: 10726 S. Wood St., Chicago, IL 60643

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Bill Cunningham

Most Recent Holder of Office: Juan Salgado

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030251

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Workers' Compensation Medical Fee Advisory Board

Start Date: May 30, 2023

End Date: December 4, 2025

Name: Amy E. Bilton

Residence: 1854 W. Iowa St., Chicago, IL 60622

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Omar Aquino

Most Recent Holder of Office: Amy E. Bilton

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030253

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Energy Workforce Advisory Council

Start Date: June 2, 2023

[May 24, 2024]

End Date: Not Applicable

Name: Scott Onque

Residence: 7135 S. Oglesby Ave., Chicago, IL 60649

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030254

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: June 5, 2023

End Date: July 1, 2024

Name: Alexander Purcell

Residence: 499 Greenbriar Rd., Glen Ellyn, IL 60137

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Laura Ellman

Most Recent Holder of Office: Kevin Battaglia

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030255

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Workers' Compensation Medical Fee Advisory Board

Start Date: June 5, 2023

End Date: December 4, 2025

Name: Carlos M. Boileve

Residence: 2928 W. Sherwin Ave., Chicago, IL 60645

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Ram Villivalam

Most Recent Holder of Office: David J. Fletcher

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030256

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Torture Inquiry and Relief Commission

Start Date: June 9, 2023

End Date: December 31, 2025

Name: Linnet Burden

Residence: 5414 N. Paulina St., Chicago, IL 60640

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Mike Simmons

Most Recent Holder of Office: Tim Touhy

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030260

To the Honorable Members of the Senate, One Hundred Third General Assembly:

[May 24, 2024]

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Health Facilities and Services Review Board

Start Date: July 2, 2023

End Date: July 1, 2026

Name: Monica LeGrand

Residence: 136 Woodbourne Ct., O'Fallon, IL 62269

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Jason Plummer

Most Recent Holder of Office: Monica LeGrand

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030262

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: July 2, 2023

End Date: July 1, 2025

Name: Kevin Irvine

Residence: 3113 W. Lawrence Ave., Apt. B402, Chicago, IL 60625

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Don Harmon

Most Recent Holder of Office: Kevin Irvine

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030263

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Workers' Compensation Advisory Board

Start Date: June 12, 2023

End Date: January 18, 2027

Name: Charles Denne Knell

Residence: 4815 N. Grandview Dr., Peoria Heights, IL 61616

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator David Koehler

Most Recent Holder of Office: Charles Denne Knell

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030277

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: July 7, 2023

End Date: July 1, 2025

Name: Donna Dorsey

Residence: 2440 Downing Cir., Gurnee, IL 60031

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Mary Edly-Allen

[May 24, 2024]

Most Recent Holder of Office: Sylvia Wetzel

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030301

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: July 24, 2023

End Date: July 1, 2025

Name: Christine Louise Caves

Residence: 22716 45th Ave. N., Port Byron, IL 61275

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Win Stoller

Most Recent Holder of Office: Henry Beards

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030302

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: July 21, 2023

End Date: July 1, 2024

Name: Andrew Warrington

Residence: 82 S. Lake St., Grayslake, IL 60030

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Mary Edly-Allen

Most Recent Holder of Office: Andrew Warrington

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030305

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: July 28, 2023

End Date: July 1, 2025

Name: Jessica Giudici

Residence: 35W503 Fox River Dr., St. Charles, IL 60174

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Donald P. DeWitte

Most Recent Holder of Office: Grailing Jones

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030306

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Board of Investment

Start Date: July 28, 2023

End Date: May 31, 2026

Name: Matthew Brewer

[May 24, 2024]

Residence: 119 N. Peoria St., Unit 3B, Chicago, IL 60607

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Patricia Van Pelt

Most Recent Holder of Office: Jaye Williams

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030310

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: August 4, 2023

End Date: July 1, 2024

Name: Marlon McClinton

Residence: 7217 S. Crandon Ave., Chicago, IL 60649

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: Marlon McClinton

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030311

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: August 4, 2023

End Date: July 1, 2024

Name: Lisa Burns Wojcik

Residence: 220 Cottage Hill Rd., O'Fallon, IL 62269

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Erica Harriss

Most Recent Holder of Office: Thomas Wendorf

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030314

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: August 11, 2023

End Date: July 1, 2025

Name: Jane R. Flanagan

Residence: 716 N. Kenilworth Ave., Oak Park, IL 60302

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Don Harmon

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030322

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

[May 24, 2024]

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: August 25, 2023

End Date: July 1, 2024

Name: Victor Bernard Dickson

Residence: 990 N. Lakeshore Dr., #7E, Chicago, IL 60611

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Sara Feigenholtz

Most Recent Holder of Office: Victor Bernard Dickson

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030323

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: August 25, 2023

End Date: July 1, 2025

Name: Alaina Jean Harkness

Residence: 5202 S. Kimbark Ave., Chicago, IL 60615

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030327

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Finance Authority

Start Date: August 28, 2023

End Date: July 15, 2025

Name: Susan L. Abrams

Residence: 1630 Sylvester Pl., Highland Park, IL 60035

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Julie A. Morrison

Most Recent Holder of Office: Peter Amaro

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030328

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Finance Authority

Start Date: August 28, 2023

End Date: July 15, 2025

Name: Steven M. Landek

Residence: 7701 S. Ferdinand Ave., Bridgeview, IL 60455

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Mike Porfirio

Most Recent Holder of Office: Terrence O'Brien

Superseded Appointment Message: Not Applicable

[May 24, 2024]

Appointment Message No. 1030329

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Finance Authority

Start Date: August 28, 2023

End Date: July 15, 2026

Name: James Randal Wexler

Residence: 1221 Judson Ave., Evanston, IL 60202

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Laura Fine

Most Recent Holder of Office: James Randal Wexler

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030337

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: September 11, 2023

End Date: July 1, 2025

Name: William Lo

Residence: 107 Megan Ln., Carterville, IL 62918

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dale Fowler

Most Recent Holder of Office: Michael Conley

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030348

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: October 2, 2023

End Date: July 1, 2025

Name: Karina Garcia

Residence: 37 W. New York St., Aurora, IL 60506

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Karina Villa

Most Recent Holder of Office: Angela Mason

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030349

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: October 2, 2023

End Date: July 1, 2025

Name: Elizabeth E. Stuck

Residence: 2452 W. Ainslie St., Chicago, IL 60625

Annual Compensation: Expenses

[May 24, 2024]

Per diem: Not Applicable

Nominee's Senator: Senator Mike Simmons

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030353

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: October 13, 2023

End Date: July 1, 2024

Name: David Henry Friedman

Residence: 211 N. Washington St., Hinsdale, IL 60521

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Suzy Glowiak Hilton

Most Recent Holder of Office: David Henry Friedman

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointments.
And on that motion, a call of the roll was had resulting as follows:

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

[May 24, 2024]

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

On motion of Senator Murphy, the Executive Session arose and the Senate resumed consideration of business.

Senator Hunter, presiding.

At the hour of 5:12 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 5:19 o'clock p.m., the Senate resumed consideration of business.

Senator Hunter, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its May 24, 2024 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Executive: **Floor Amendment No. 1 to Senate Bill 867.**

Senator Lightford, Chair of the Committee on Assignments, during its May 24, 2024 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Resolutions Numbered 733 and 825

The foregoing resolutions were placed on the Senate Calendar.

Senator Lightford, Chair of the Committee on Assignments, during its May 24, 2024 meeting, reported that the following Legislative Measures have been approved for consideration:

Floor Amendment No. 3 to House Bill 2911

Floor Amendment No. 2 to House Bill 5290

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

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

At the hour of 5:21 o'clock p.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 9:15 o'clock p.m., the Senate resumed consideration of business.

Senator Aquino, presiding.

LEGISLATIVE MEASURES FILED

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

Amendment No. 3 to House Bill 4293
Amendment No. 2 to House Bill 5151

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

Amendment No. 1 to Senate Bill 251
Amendment No. 1 to Senate Bill 698

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

Amendment No. 4 to Senate Bill 3240
Amendment No. 4 to Senate Bill 3527

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 2371

At the hour of 9:15 o'clock p.m., the Chair announced that the Senate stands adjourned until Saturday, May 25, 2024, at 10:00 o'clock a.m.