SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDRED FOURTH GENERAL ASSEMBLY

31ST LEGISLATIVE DAY

FRIDAY, APRIL 4, 2025

12:40 O'CLOCK P.M.

NO. 31
[April 4, 2025]

SENATE
Daily Journal Index
31st Legislative Day

The Senate met pursuant to the directive of the President.
Senator Laura M. Murphy, Des Plaines, Illinois, presiding.
Prayer by Pastor Curt Fleck, Civil Servant Ministries, Springfield, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Glowiak Hilton moved that reading and approval of the Journal of Thursday, April 3, 2025, be postponed, pending arrival of the printed Journal.
The motion prevailed.

LEGISLATIVE MEASURE FILED

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

Amendment No. 2 to Senate Bill 8

REPORT RECEIVED

The Secretary placed before the Senate the following report:

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

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

PRESENTATION OF RESOLUTION

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

SENATE RESOLUTION NO. 211

WHEREAS, The Assyrian people, a Semitic community who also identify as Chaldeans and Syriacs, are the indigenous people of Mesopotamia who possess a history dating back to ancient times in what is now modern-day Iraq, Syria, Turkey, and Iran; and

WHEREAS, The Assyrian people have faced systematic persecution in their ancestral homeland, including the Assyrian Genocide of 1915, which claimed the lives of hundreds of thousands, and the Semele Massacre of 1933, where thousands were killed by the Iraqi army; and

WHEREAS, The Assyrian community in the United States numbers nearly half a million and includes approximately 100,000 individuals residing in Illinois, comprising the largest concentration in the nation; and

WHEREAS, The Assyrian community has shared their rich culture and traditions with neighbors and friends while also serving as model citizens and public servants; and

WHEREAS, The Assyrian people have made significant contributions to Illinois and the United States through their achievements in the arts, business, media, law, politics, education, medicine, architecture, and engineering, enriching the cultural and economic fabric of our State; and

WHEREAS, The Assyrian New Year, known in ancient times as Akitu, is celebrated on April 1 to mark the arrival of spring and symbolizes rebirth, renewal, and the enduring spirit of the Assyrian people; and

WHEREAS, The Chicago Assyrian community will proudly commemorate Assyrian New Year 6775 with a vibrant parade on Honorary King Sargon Boulevard, along a stretch of Western Avenue, on April 6, 2025; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare April 2025 as Assyrian American Heritage Month in the State of Illinois in celebration of the Assyrian American community; and be it further

RESOLVED, That we recognize the resilience, culture, and contributions of the Assyrian people as we join them in celebrating their rich heritage and the dawn of Assyrian New Year 6775; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Assyrian American National Federation as a symbol of our respect and esteem.

COMMITTEE REPORT CORRECTION

On April 3, 2025, the Senate Committee on Executive reported **Senate Bill No. 1827** to the Senate with a recommendation of Do Pass. **Senate Bill No. 1827** should have been reported to the Senate with a recommendation of Do Pass As Amended.

REPORTS FROM STANDING COMMITTEES

Senator D. Turner, Chair of the Committee on Agriculture, to which was referred **Senate Resolution No. 124**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 124** was placed on the Secretary's Desk.

Senator D. Turner, Chair of the Committee on Agriculture, to which was referred **Senate Joint Resolution No. 24**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 24** was placed on the Secretary's Desk.

Senator Ventura, Chair of the Committee on Human Rights, to which was referred **Senate Resolution No. 118**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 118** was placed on the Secretary's Desk.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred **Appointment Messages Numbered 1030480, 1030481, 1030482, 1030484, 1030485, 1030486, 1030489, 1030490, 1030491, 1030492, 1030493, 1030494, 1030495, 1030496, 1030497, 1030502, 1030503, 1030504, 1030505, 1030506, 1030507, 1030508, 1030509, 1030510, 1030511, 1030512, 1030514, 1030515, 1030516, 1030518, 1030520, 1030521, 1030522, 1030523, 1030524, 1030525, 1030526, 1030527, 1030528, 1030529, 1030530, 1030531, 1030532, 1030533, 1030534, 1030535, 1030536, 1030537, 1030539, 1030540, 1030541, 1030542, 1030543, 1030544, 1030546, 1030547, 1030548, 1030549, 1030550, 1030551, 1030552, 1030553, 1030556, 1030557, 1030558, 1030559, 1030560, 1030561, 1030564, 1030565, 1030567, 1030568, 1030569, 1030570, 1030571, 1030572, 1030573, 1030574, 1030575, 1030576, 1030577 and 1030579**, reported the same back with the recommendation that the Senate do consent.

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

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

Senate Amendment No. 3 to Senate Bill 1288

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 **Senate Bill No. 2310**, reported the same back with the recommendation that the bill do pass.

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

Senator Stadelman, Chair of the Committee on Energy and Public Utilities, to which was referred **Senate Bill No. 2258**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Stadelman, Chair of the Committee on Energy and Public Utilities, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 1380
Senate Amendment No. 1 to Senate Bill 2424

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

INTRODUCTION OF BILL

SENATE BILL NO. 2643. Introduced by Senator Villivalam, a bill for AN ACT concerning appropriations.

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

SENATE BILLS RECALLED

On motion of Senator Glowiak Hilton, **Senate Bill No. 2494** was recalled from the order of third reading to the order of second reading.

Senator Glowiak Hilton offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2494

AMENDMENT NO. 1 . Amend Senate Bill 2494 by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Section 4.36 and by adding Section 4.41 as follows:

(5 ILCS 80/4.36)

Sec. 4.36. Acts repealed on January 1, 2026. The following Acts are repealed on January 1, 2026:

The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985.

The Collection Agency Act.

The Hearing Instrument Consumer Protection Act.

~~The Illinois Athletic Trainers Practice Act.~~

The Illinois Dental Practice Act.

The Illinois Roofing Industry Licensing Act.

The Illinois Physical Therapy Act.

The Professional Geologist Licensing Act.

~~The Respiratory Care Practice Act.~~

(Source: P.A. 99-26, eff. 7-10-15; 99-204, eff. 7-30-15; 99-227, eff. 8-3-15; 99-229, eff. 8-3-15; 99-230, eff. 8-3-15; 99-427, eff. 8-21-15; 99-469, eff. 8-26-15; 99-492, eff. 12-31-15; 99-642, eff. 7-28-16.)

(5 ILCS 80/4.41 new)

Sec. 4.41. Acts repealed on January 1, 2031. The following Acts are repealed on January 1, 2031:

The Illinois Athletic Trainers Practice Act.
The Respiratory Care Practice Act.

Section 10. The Illinois Athletic Trainers Practice Act is amended by changing Sections 3, 4, 5, 8, 9, 11, 12, 13, 14, 16, 17, 18, 19, 19.5, 22, 24, 27, 28, and 30 and by adding Section 3.5 as follows:

(225 ILCS 5/3) (from Ch. 111, par. 7603)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3. Definitions. As used in this Act:

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

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

(3) (Blank). ~~"Board" means the Illinois Board of Athletic Trainers appointed by the Secretary.~~

(4) "Licensed athletic trainer" means a person licensed to practice athletic training as defined in this Act and with the specific qualifications set forth in Section 9 of this Act who, upon the direction or consultation of a physician, carries out the practice of evaluation, prevention or emergency care, or physical reconditioning of injuries incurred by athletes conducted by an educational institution, professional athletic organization, sanctioned amateur athletic organization, performing arts setting, clinical setting, or employment setting employing the athletic trainer; or a person who, under the direction of a physician, carries out comparable functions for a health organization-based extramural program of athletic training services for athletes. Specific duties of the athletic trainer include, but are not limited to:

A. Supervision of the selection, fitting, and maintenance of protective equipment;

B. Provision of assistance to the coaching staff in the development and implementation of conditioning programs;

C. Counseling of athletes on nutrition and hygiene;

D. Supervision of athletic training facility and inspection of playing facilities;

E. Selection and maintenance of athletic training equipment and supplies;

F. (Blank);

G. Coordination with a physician to provide:

(i) pre-competition physical exam and health history updates,

(ii) game coverage or phone access to a physician or paramedic,

(iii) follow-up injury care,

(iv) reconditioning programs, and

(v) assistance on all matters pertaining to the health and well-being of athletes;

H. Provision of on-site injury care and evaluation as well as appropriate transportation, follow-up treatment and reconditioning as necessary for all injuries sustained by athletes in the program;

I. With a physician, determination of when an athlete may safely return to full participation post-injury;

J. Maintenance of complete and accurate records of all athlete injuries and treatments rendered; and

K. Written reports to a referring individual every 30 days services are provided.

To carry out these functions the athletic trainer is authorized to utilize modalities, including, but not limited to, heat, light, sound, cold, electricity, exercise, or mechanical devices related to care and reconditioning. An athletic trainer may also carry out these functions upon receiving a referral. A licensed athletic trainer shall use "LAT" or "L.A.T." in connection with the athletic trainer's name to denote licensure under this Act.

(5) "Referral" means the written authorization for athletic trainer services as provided in paragraph (4) given by a physician, physician assistant, advanced practice registered nurse, podiatric physician, or dentist, who shall maintain medical supervision of the athlete and makes a diagnosis or verifies that the patient's condition is such that it may be treated by an athletic trainer.

(6) "Aide" means a person who has received on-the-job training specific to the facility in which that person ~~he or she~~ is employed, on either a paid or volunteer basis, but is not enrolled in an accredited curriculum.

(7) "Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. ~~It is the duty of the applicant or licensee to inform the Department of any change of address, and those changes must be made either through the Department's website or by contacting the Department.~~

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

(9) ~~(8)~~ "Board of Certification" means the Board of Certification for the Athletic Trainer.

(10) ~~(9)~~ "Athlete" means a person participating in an activity that requires a level of strength, endurance, flexibility, range of motion, speed, or agility which may include exercise, sports, recreation, wellness, or employment activity.

(11) ~~(10)~~ "Physician assistant" means a physician assistant licensed to practice under the Physician Assistant Practice Act of 1987 in accordance with a written collaborative agreement with a physician licensed to practice medicine in all of its branches.

(12) ~~(11)~~ "Advanced practice registered nurse" means an advanced practice registered nurse licensed to practice under the Nurse Practice Act.

(Source: P.A. 102-940, eff. 1-1-23.)

(225 ILCS 5/3.5 new)

Sec. 3.5. Address of record; email address of record. All applicants and licensees shall:

(1) provide a valid address and email address to the Department, which shall serve as the address of record and email address of record, respectively, at the time of application for licensure or renewal of a license; and

(2) inform the Department of any change of address of record or email address of record within 14 days after such change either through the Department's website or by contacting the Department's licensure maintenance unit.

(225 ILCS 5/4) (from Ch. 111, par. 7604)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4. Licensure; exempt activities. No person shall provide any of the services set forth in subsection (4) of Section 3 of this Act, or use the title "athletic trainer", "certified athletic trainer", "athletic trainer certified", or "licensed athletic trainer" or the letters "LAT", "L.A.T.", "A.T.", "C.A.T.", "A.T.C.", "A.C.T.", or "I.A.T.L." after the athletic trainer's name, unless licensed under this Act.

Nothing in this Act shall be construed as preventing or restricting the practice, services, or activities of:

(1) Any person licensed or registered in this State by any other law from engaging in the profession or occupation for which the person ~~he or she~~ is licensed or registered.

(2) Any person employed as an athletic trainer by the Government of the United States, if such person provides athletic training solely under the direction or control of the organization by which the person ~~he or she~~ is employed.

(3) Any person pursuing a course of study leading to a degree in athletic training at an accredited educational program if such activities and services constitute a part of a supervised course of study involving daily personal or verbal contact at the site of supervision between the athletic training student and the licensed athletic trainer who plans, directs, advises, and evaluates the student's athletic training clinical education. The supervising licensed athletic trainer must be on-site where the athletic training clinical education is being obtained. A person meeting the criteria under this paragraph (3) must be designated by a title which clearly indicates the person's ~~his or her~~ status as a student.

(4) (Blank).

(5) The practice of athletic training under the supervision of a licensed athletic trainer by one who has applied in writing to the Department for licensure and has complied with all the provisions of Section 9 except the passing of the examination to be eligible to receive such license. This temporary right to act as an athletic trainer shall expire 3 months after the filing of a person's ~~his or her~~ written application to the Department; when the applicant has been notified of the applicant's ~~his or her~~ failure to pass the examination authorized by the Department; when the applicant has withdrawn the applicant's ~~his or her~~ application; when the applicant has received a license from the Department after successfully passing the examination authorized by the Department; or when the applicant has been notified by the Department to cease and desist from practicing, whichever occurs first. This provision shall not apply to an applicant who has previously failed the examination.

(6) Any person in a coaching position from rendering emergency care on an as needed basis to the athletes under the person's ~~his or her~~ supervision when a licensed athletic trainer is not available.

(7) Any person who is an athletic trainer from another state or territory of the United States or another nation, state, or territory acting as an athletic trainer while performing the person's ~~his or her~~ duties for the ~~his or her~~ respective non-Illinois based team or organization, so long as the person's duties are restricted to the respective ~~he or she restricts his or her duties to his or her~~ team or organization during the course of the ~~his or her~~ team's or organization's stay in this State. For the purposes of this Act, a team shall be considered based in Illinois if its home contests are held in Illinois, regardless of the location of the team's administrative offices.

(8) The practice of athletic training by persons licensed in another state who have applied in writing to the Department for licensure by endorsement. This temporary right to act as an athletic trainer shall expire 6 months after the filing of such person's ~~his or her~~ written application to the Department; upon the withdrawal of the application for licensure under this Act; upon delivery of a notice of intent to deny the application from the Department; or upon the denial of the application by the Department, whichever occurs first.

(9) The practice of athletic training by one who has applied in writing to the Department for licensure and has complied with all the provisions of Section 9. This temporary right to act as an athletic trainer shall expire 6 months after the filing of that individual's ~~his or her~~ written application to the Department; upon the withdrawal of the application for licensure under this Act; upon delivery of a notice of intent to deny the application from the Department; or upon the denial of the application by the Department, whichever occurs first.

(10) The practice of athletic training by persons actively licensed as an athletic trainer in another state or territory of the United States or another country, or currently certified by the Board of Certification, or its successor entity, at a special athletic tournament or event conducted by a sanctioned amateur athletic organization for no more than 14 days. This shall not include contests or events that are part of a scheduled series of regular season events.

(11) Aides from performing patient care activities under the on-site supervision of a licensed athletic trainer. These patient care activities shall not include interpretation of referrals or evaluation procedures, planning or major modifications of patient programs, administration of medication, or solo practice or event coverage without immediate access to a licensed athletic trainer.

(12) (Blank).

(Source: P.A. 102-940, eff. 1-1-23; 103-154, eff. 6-30-23.)

(225 ILCS 5/5) (from Ch. 111, par. 7605)

(Section scheduled to be repealed on January 1, 2026)

Sec. 5. Administration of Act; rules and forms.

(a) The Department shall exercise the powers and duties prescribed by the Civil Administrative Code of Illinois for the administration of Licensure Acts and shall exercise such other powers and duties necessary for effectuating the purposes of this Act.

(b) The Department ~~Secretary~~ may adopt ~~promulgate~~ rules consistent with the provisions of this Act for the administration and enforcement thereof, and for the payment of fees connected therewith, and may prescribe forms which shall be issued in connection therewith. The rules may include standards and criteria for licensure, certification, and professional conduct and discipline. ~~The Department may consult with the Board in promulgating rules.~~

(c) (Blank). ~~The Department may at any time seek the advice and the expert knowledge of the Board on any matter relating to the administration of this Act.~~

(d) (Blank).

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/8) (from Ch. 111, par. 7608)

(Section scheduled to be repealed on January 1, 2026)

Sec. 8. Examinations. If an applicant neglects, fails, or refuses to take an examination or fails to pass an examination for licensure under this Act within 3 years after filing an ~~his or her~~ application, the application shall be denied. The applicant may thereafter make a new application accompanied by the required fee; however, the applicant shall meet all requirements in effect at the time of subsequent application before obtaining licensure.

The Department may employ consultants for the purposes of preparing and conducting examinations.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/9) (from Ch. 111, par. 7609)

(Section scheduled to be repealed on January 1, 2026)

Sec. 9. Qualifications for licensure. A person shall be qualified for licensure as an athletic trainer if the person fulfills the following ~~he or she fulfills all of the following~~:

(a) Has graduated from a curriculum in athletic training accredited by the Commission on Accreditation of Athletic Training Education (CAATE), its successor entity, or its equivalent, as approved by the Department.

(b) Gives proof of current certification, on the date of application, in cardiopulmonary resuscitation (CPR) and automated external defibrillators (AED) for Healthcare Providers and Professional Rescuers or its equivalent based on American Red Cross or American Heart Association standards.

(b-5) Has graduated from a 4-year ~~4 year~~ accredited college or university.

(c) Has passed an examination approved by the Department to determine the person's ~~his or her~~ fitness for practice as an athletic trainer, or is entitled to be licensed without examination as provided in Section 13 ~~Sections 7 and 8~~ of this Act.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/11) (from Ch. 111, par. 7611)

(Section scheduled to be repealed on January 1, 2026)

Sec. 11. Inactive licenses; restoration. Any athletic trainer who notifies the Department in writing on forms prescribed by the Department, may elect to place the athletic trainer's ~~his or her~~ license on ~~an~~ inactive status and shall, subject to the rules of the Department, be excused from payment of renewal fees until ~~he or she notifies~~ the Department is notified in writing of the athletic trainer's ~~his or her~~ desire to resume active status.

Any athletic trainer requesting restoration from inactive status shall be required to pay the current renewal fee, shall demonstrate compliance with continuing education requirements, if any, and shall be required to restore the athletic trainer's ~~his or her~~ license as provided in Section 12.

Any athletic trainer whose license is in expired or inactive status shall not practice athletic training in the State of Illinois.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/12) (from Ch. 111, par. 7612)

(Section scheduled to be repealed on January 1, 2026)

Sec. 12. Restoration of expired licenses. An athletic trainer who has permitted the athletic trainer's ~~his or her~~ license to expire or who has had a ~~his or her~~ license on inactive status may have the ~~his or her~~ license restored by making application to the Department and filing proof acceptable to the Department of the athletic trainer's ~~his or her~~ fitness to have the ~~his or her~~ license restored, and by paying the required fees. Proof of fitness may include sworn evidence certifying active lawful practice in another jurisdiction.

If the athletic trainer has not maintained an active practice in another jurisdiction satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, the athletic trainer's ~~his or her~~ fitness for restoration of the license and shall establish procedures and requirements for restoration.

Any athletic trainer whose license has been expired for more than 5 years may have the ~~his or her~~ license restored by making application to the Department and filing proof acceptable to the Department of the athletic trainer's ~~his or her~~ fitness to have the ~~his or her~~ license restored, including sworn evidence certifying to active practice in another jurisdiction and by paying the required restoration fee. However, any athletic trainer whose license has expired while ~~he or she has been~~ engaged (1) in the federal service in active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have the ~~his or her~~ license restored without paying any lapsed renewal fees or restoration fee, if within 2 years after termination of such service, training, or education, other than by dishonorable discharge, the Department is furnished with satisfactory evidence to the effect that the licensee has been so engaged and that the service, training, or education has been terminated ~~he or she furnished the Department with an affidavit to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated~~.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/13) (from Ch. 111, par. 7613)

(Section scheduled to be repealed on January 1, 2026)

Sec. 13. Endorsement. The Department may, at its discretion, license as an athletic trainer, without examination, upon ~~on~~ payment of the required fee, an applicant for licensure who is an athletic trainer registered or licensed under the laws of another jurisdiction if the requirements pertaining to athletic trainers in such jurisdiction were, at the date of the applicant's ~~his or her~~ registration or licensure, substantially equal to the requirements in force in Illinois on that date or equivalent to the requirements of this Act.

An applicant for endorsement who has practiced for 10 consecutive years in another jurisdiction shall meet the requirements for licensure by endorsement upon filing an application on forms provided by the Department, paying the required fee, and showing proof of licensure in another jurisdiction for at least 10 consecutive years without discipline by certified verification of licensure from the jurisdiction in which the applicant practiced.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee forfeited and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 102-940, eff. 1-1-23.)

(225 ILCS 5/14) (from Ch. 111, par. 7614)

(Section scheduled to be repealed on January 1, 2026)

Sec. 14. Fees; returned checks. The fees for administration and enforcement of this Act, including but not limited to original licensure, renewal, and restoration shall be set by rule. The fees shall be non-refundable.

Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50.

The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certificate or deny the application, without hearing. If, after termination or denial, the person seeks a license or certificate, the person ~~he or she~~ shall apply to the Department for restoration or issuance of the license or certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license or certificate to pay all expenses of processing this application. The Secretary may waive the fines due under this Section in individual cases where the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/16) (from Ch. 111, par. 7616)

(Section scheduled to be repealed on January 1, 2026)

Sec. 16. Grounds for discipline.

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

(A) Material misstatement in furnishing information to the Department;

(B) Violations of this Act, or of the rules or regulations promulgated hereunder;

(C) Conviction of or plea of guilty to any crime under the Criminal Code of 2012 or the laws of any jurisdiction of the United States that is (i) a felony, (ii) a misdemeanor, an essential element of which is dishonesty, or (iii) of any crime that is directly related to the practice of the profession;

(D) Fraud or any misrepresentation in applying for or procuring a license under this Act, or in connection with applying for renewal of a license under this Act;

(E) Professional incompetence or gross negligence;

(F) Malpractice;

(G) Aiding or assisting another person, firm, partnership, or corporation in violating any provision of this Act or rules;

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

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

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

(K) Discipline by another state, unit of government, government agency, the District of Columbia, territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein;

(L) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered. Nothing in this subparagraph (L) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this subparagraph (L) shall be construed to require an employment arrangement to receive professional fees for services rendered;

(M) A finding by the Department that the licensee after having the licensee's ~~his or her~~ license disciplined has violated the terms of probation;

(N) Abandonment of an athlete;

(O) Willfully making or filing false records or reports in the person's ~~his or her~~ practice, including but not limited to false records filed with State agencies or departments;

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

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

(R) Solicitation of professional services other than by permitted institutional policy;

(S) The use of any words, abbreviations, figures or letters with the intention of indicating practice as an athletic trainer without a valid license as an athletic trainer under this Act;

(T) The evaluation or treatment of ailments of human beings other than by the practice of athletic training as defined in this Act or the treatment of injuries of athletes by a licensed athletic trainer except by the referral of a physician, physician assistant, advanced practice registered nurse, podiatric physician, or dentist;

(U) Willfully violating or knowingly assisting in the violation of any law of this State relating to the use of habit-forming drugs;

(V) Willfully violating or knowingly assisting in the violation of any law of this State relating to the practice of abortion;

(W) Continued practice by a person knowingly having an infectious communicable or contagious disease;

(X) Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act;

(X-5) Failure to provide a monthly report on the patient's progress to the referring physician, physician assistant, advanced practice registered nurse, podiatric physician, or dentist;

(Y) (Blank);

(Z) Failure to fulfill continuing education requirements;

(AA) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act;

(BB) Practicing under a false or, except as provided by law, assumed name;

(CC) Promotion of the sale of drugs, devices, appliances, or goods provided in any manner to exploit the client for the financial gain of the licensee;

(DD) Gross, willful, or continued overcharging for professional services;

(EE) Mental illness or disability that results in the inability to practice under this Act with reasonable judgment, skill, or safety;

(FF) Cheating on or attempting to subvert the licensing examination administered under this Act;

(GG) Violation of the Health Care Worker Self-Referral Act; or

(HH) Failure by a supervising athletic trainer of an aide to maintain contact, including personal supervision and instruction, to ensure the safety and welfare of an athlete.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(2) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. Such suspension will end only upon a finding by a court that the licensee is no longer subject to involuntary admission or judicial admission and issuance of an order so finding and discharging the licensee.

(3) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(4) In enforcing this Section, the Department, upon a showing of a possible violation, may compel any individual who is licensed under this Act or any individual who has applied for licensure to submit to a mental or physical examination or evaluation, or both, which may include a substance abuse or sexual offender evaluation, at the expense of the Department. The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the licensee or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may choose to have, at the individual's ~~his or her~~ own expense, another physician ~~of his or her choice~~ present during all aspects of the examination.

Failure of any individual to submit to a mental or physical examination or evaluation, or both, when directed, shall result in an automatic suspension without hearing, until such time as the individual submits to the examination. If the Department finds a licensee unable to practice because of the reasons set forth in this Section, the Department shall require the licensee to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition for continued, reinstated, or renewed licensure.

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

If the Department finds an individual unable to practice or unfit for duty because of the reasons set forth in this Section, the Department may require the individual to submit to a substance abuse evaluation or treatment by individuals or programs approved or designated by the Department, as a condition, term, or restriction for continued, restored, or renewed licensure to practice; or, in lieu of evaluation or treatment, the

Department may file a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. An individual whose license was granted, continued, restored, renewed, disciplined, or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have the registration suspended immediately, pending a hearing by the Department.

When the Secretary immediately suspends a license under this Section, a hearing upon such person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the licensee's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

Individuals licensed under this Act who are affected under this Section shall be afforded an opportunity to demonstrate to the Department that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their license.

(5) (Blank).

(6) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with paragraph (5) of subsection (a) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(Source: P.A. 102-940, eff. 1-1-23.)

(225 ILCS 5/17) (from Ch. 111, par. 7617)

(Section scheduled to be repealed on January 1, 2026)

Sec. 17. Violations; injunction; cease and desist order.

(a) If any person violates a provision of this Act, the Secretary may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois or the State's Attorney of the county in which the violation is alleged to have occurred, petition for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in such court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin such violation, and if it is established that such person has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) If any person holds oneself ~~shall hold himself or herself~~ out in a manner prohibited by this Act, any interested party or any person injured thereby may, in addition to the Secretary, petition for relief as provided in subsection (a) of this Section.

(c) Whenever in the opinion of the Department any person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against the person ~~him or her~~. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued forthwith.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/18) (from Ch. 111, par. 7618)

(Section scheduled to be repealed on January 1, 2026)

Sec. 18. Investigations; notice and hearing. The Department may investigate the actions of any applicant or of any person or persons holding or claiming to hold a license. The Department shall, before refusing to issue or to renew a license or disciplining a registrant, at least 30 days prior to the date set for the hearing, notify in writing the applicant or licensee of the nature of the charges and the time and place that a hearing will be held on the charges. The Department shall direct the applicant or licensee to file a written answer under oath within 20 days after the service of the notice. In case the person fails to file an answer after receiving notice, the person's ~~his or her~~ license or certificate may, in the discretion of the Department, be suspended, revoked, or placed on probationary status, or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act. At the time and place fixed in the notice, the Department shall proceed to hear the charges,

and the parties or their counsel shall be accorded ample opportunity to present such statements, testimony, evidence, and argument as may be pertinent to the charges or to their defense. The Department may continue a hearing from time to time. ~~The written notice and any notice in the subsequent proceeding may be served by registered or certified mail to the licensee's address of record.~~

(Source: P.A. 99-469, eff. 8-26-15; 99-642, eff. 7-28-16.)

(225 ILCS 5/19) (from Ch. 111, par. 7619)

(Section scheduled to be repealed on January 1, 2026)

Sec. 19. Record of proceedings. The Department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case. The notice of hearing, complaint, and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report ~~of the Board~~ and order of the Department shall be the record of such proceeding. Any licensee who is found to have violated this Act or who fails to appear for a hearing to refuse to issue, restore, or renew a license or to discipline a licensee may be required by the Department to pay for the costs of the proceeding. These costs are limited to costs for court reporters, transcripts, and witness attendance and mileage fees. All costs imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/19.5)

(Section scheduled to be repealed on January 1, 2026)

Sec. 19.5. Subpoenas; oaths. The Department may subpoena and bring before it any person and may take the oral or written testimony of any person or compel the production of any books, papers, records, or any other documents that the Secretary or the Secretary's ~~his or her~~ designee deems relevant or material to an investigation or hearing conducted by the Department with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Secretary, the designated hearing officer, ~~any member of the Board,~~ or a certified shorthand court reporter may administer oaths at any hearing which the Department conducts. Notwithstanding any other statute or Department rule to the contrary, all requests for testimony or production of documents or records shall be in accordance with this Act.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/22) (from Ch. 111, par. 7622)

(Section scheduled to be repealed on January 1, 2026)

Sec. 22. Motion for rehearing ~~Report of Board; motion for rehearing~~. In any case involving the refusal to issue or renew a license or the discipline of a licensee, a copy of the hearing officer's ~~Board's~~ report shall be served upon the respondent by the Department as provided under Section 18 of ~~in~~ this Act for the service of the notice of hearing. Within 20 days after such service, the respondent may present to the Department a motion in writing for a rehearing, which motion shall specify the particular grounds therefor. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion for rehearing is denied, then upon such denial the Secretary may enter an order in accordance with recommendations of the Department, ~~Board~~ except as provided in Section 23 of this Act. If the respondent shall order from the reporting service, and pay for a transcript of the record within the time for filing a motion for rehearing, the 20 day period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/24) (from Ch. 111, par. 7624)

(Section scheduled to be repealed on January 1, 2026)

Sec. 24. Hearing officer appointment. The Secretary shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue or renew a license, or for the taking of disciplinary action against a license. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report any ~~his or her~~ findings of fact, conclusions of law, and recommendations to ~~the Board and~~ the Secretary. In the report, the hearing officer shall make a finding of whether or not the charged licensee or applicant violated a provision of this Act or any rules adopted under this Act. Upon presenting the report to the Secretary, the Secretary may issue an order based on the report of the hearing officer. If the Secretary disagrees with the report of the hearing officer, the Secretary may issue an order in contravention of the hearing officer's report. The finding by the hearing officer shall not be admissible in evidence against the person in a criminal prosecution brought for a violation of this Act nor shall a finding by the hearing officer be a bar to a criminal prosecution brought for

a violation of this Act. ~~The Board shall have 90 days from receipt of the report to review the report of the hearing officer and present its findings of fact, conclusions of law and recommendation to the Secretary. If the Board fails to present its report within the 90 day period, the Secretary may issue an order based on the report of the hearing officer. If the Secretary determines that the Board's report is contrary to the manifest weight of the evidence, he or she may issue an order in contravention of the Board's report.~~

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/27) (from Ch. 111, par. 7627)

(Section scheduled to be repealed on January 1, 2026)

Sec. 27. Surrender of license. Upon the revocation or suspension of any license, the licensee shall forthwith surrender the license or licenses to the Department, and if the licensee ~~he or she~~ fails to do so, the Department shall have the right to seize the license.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/28) (from Ch. 111, par. 7628)

(Section scheduled to be repealed on January 1, 2026)

Sec. 28. Summary suspension of a license. The Secretary may summarily suspend the license of an athletic trainer without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 20 of this Act, if the Secretary finds that evidence indicates that an athletic trainer's continuation in practice would constitute an imminent danger to the public. In the event that the Secretary summarily suspends~~, summarily,~~ the license of an athletic trainer without a hearing, a hearing shall be commenced within 30 days after such suspension has occurred and shall be concluded as expeditiously as possible.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/30) (from Ch. 111, par. 7630)

(Section scheduled to be repealed on January 1, 2026)

Sec. 30. Certifications of record; costs. The Department shall not be required to certify any record to the Court or file any answer in court or otherwise appear in any court in a judicial review proceeding, unless and until the Department has received from the plaintiff payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. ~~Exhibits shall be certified without cost.~~ Failure on the part of the plaintiff to file a receipt in court shall be grounds for dismissal of the action.

(Source: P.A. 99-469, eff. 8-26-15.)

(225 ILCS 5/6 rep.)

(225 ILCS 5/15 rep.)

(225 ILCS 5/21 rep.)

(225 ILCS 5/34 rep.)

Section 15. The Illinois Athletic Trainers Practice Act is amended by repealing Sections 6, 15, 21, and 34.

Section 20. The Respiratory Care Practice Act is amended by changing Sections 10, 15, 20, 22, 30, 35, 42, 50, 60, 65, 70, 80, 85, 90, 95, 100, 105, 110, 135, 155, 160, 170, and 180 and by adding Section 12 as follows:

(225 ILCS 106/10)

(Section scheduled to be repealed on January 1, 2026)

Sec. 10. Definitions. In this Act:

"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. ~~It is the duty of the applicant or licensee to inform the Department of any change of address and those changes must be made either through the Department's website or by contacting the Department.~~

"Advanced practice registered nurse" means an advanced practice registered nurse licensed under the Nurse Practice Act.

"Board" means the Respiratory Care Board appointed by the Secretary.

"Basic respiratory care activities" means and includes all of the following activities:

(1) Cleaning, disinfecting, and sterilizing equipment used in the practice of respiratory care as delegated by a licensed health care professional or other authorized licensed personnel.

(2) Assembling equipment used in the practice of respiratory care as delegated by a licensed health care professional or other authorized licensed personnel.

(3) Collecting and reviewing patient data through non-invasive means, provided that the collection and review does not include the individual's interpretation of the clinical significance of the data. Collecting and reviewing patient data includes the performance of pulse oximetry and non-invasive monitoring procedures in order to obtain vital signs and notification to licensed health care professionals and other authorized licensed personnel in a timely manner.

(4) Maintaining a nasal cannula or face mask for oxygen therapy in the proper position on the patient's face.

(5) Assembling a nasal cannula or face mask for oxygen therapy at patient bedside in preparation for use.

(6) Maintaining a patient's natural airway by physically manipulating the jaw and neck, suctioning the oral cavity, or suctioning the mouth or nose with a bulb syringe.

(7) Performing assisted ventilation during emergency resuscitation using a manual resuscitator.

(8) Using a manual resuscitator at the direction of a licensed health care professional or other authorized licensed personnel who is present and performing routine airway suctioning. These activities do not include care of a patient's artificial airway or the adjustment of mechanical ventilator settings while a patient is connected to the ventilator.

"Basic respiratory care activities" does not mean activities that involve any of the following:

(1) Specialized knowledge that results from a course of education or training in respiratory care.

(2) An unreasonable risk of a negative outcome for the patient.

(3) The assessment or making of a decision concerning patient care.

(4) The administration of aerosol medication or medical gas.

(5) The insertion and maintenance of an artificial airway.

(6) Mechanical ventilatory support.

(7) Patient assessment.

(8) Patient education.

(9) The transferring of oxygen devices, for purposes of patient transport, with a liter flow greater than 6 liters per minute, and the transferring of oxygen devices at any liter flow being delivered to patients less than 12 years of age.

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

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

"Licensed" means that which is required to hold oneself out as a respiratory care practitioner as defined in this Act.

"Licensed health care professional" means a physician licensed to practice medicine in all its branches, a licensed advanced practice registered nurse, or a licensed physician assistant.

"Order" means a written, oral, or telecommunicated authorization for respiratory care services for a patient by (i) a licensed health care professional who maintains medical supervision of the patient and makes a diagnosis or verifies that the patient's condition is such that it may be treated by a respiratory care practitioner or (ii) a certified registered nurse anesthetist in a licensed hospital or ambulatory surgical treatment center.

"Other authorized licensed personnel" means a licensed respiratory care practitioner, a licensed registered nurse, or a licensed practical nurse whose scope of practice authorizes the professional to supervise an individual who is not licensed, certified, or registered as a health professional.

"Proximate supervision" means a situation in which an individual is responsible for directing the actions of another individual in the facility and is physically close enough to be readily available, if needed, by the supervised individual.

"Respiratory care" and "cardiorespiratory care" mean preventative services, evaluation and assessment services, therapeutic services, cardiopulmonary disease management, and rehabilitative services under the order of a licensed health care professional for an individual with a disorder, disease, or abnormality of the cardiopulmonary system. These terms include, but are not limited to, measuring, observing, assessing, and monitoring signs and symptoms, reactions, general behavior, and general physical response of individuals to respiratory care services, including the determination of whether those signs, symptoms, reactions, behaviors, or general physical responses exhibit abnormal characteristics; the administration of pharmacological and therapeutic agents and procedures related to respiratory care services; the administration of vaccinations for the prevention of respiratory illness upon completion of

training set forth by rule, limited to patients 18 years of age and older pursuant to a valid prescription or standing order by a physician licensed to practice medicine in all its branches who, in the course of professional practice, administers vaccines to patients; the collection of blood specimens and other bodily fluids and tissues for, and the performance of, cardiopulmonary diagnostic testing procedures, including, but not limited to, blood gas analysis; development, implementation, and modification of respiratory care treatment plans and provision of education and skill training to patients and caregivers based on assessed abnormalities of the cardiopulmonary system, respiratory care guidelines, referrals, and orders of a licensed health care professional; application, operation, and management of mechanical ventilatory support and other means of life support, including, but not limited to, hemodynamic cardiovascular support; and the initiation of emergency procedures under the rules promulgated by the Department. The Department shall adopt any rules necessary to implement this Section, including training and education requirements regarding vaccinations, which includes, but is not limited to, how to address contraindications and adverse reactions, appropriate vaccine storage, proper administration, the provision of written notice to the patient's physician, and record retention requirements. A respiratory care practitioner shall refer to a licensed health care professional ~~physician licensed to practice medicine in all its branches~~ any patient whose condition, at the time of evaluation or treatment, is determined to be beyond the scope of practice of the respiratory care practitioner.

"Respiratory care education program" means a course of academic study leading to eligibility for registry or certification in respiratory care. The training is to be approved by an accrediting agency recognized by the Board and shall include an evaluation of competence through a standardized testing mechanism that is determined by the Board to be both valid and reliable.

"Respiratory care practitioner" means a person who is licensed by the Department of Professional Regulation and meets all of the following criteria:

(1) The person is engaged in the practice of cardiorespiratory care and has the knowledge and skill necessary to administer respiratory care.

(2) The person is capable of serving as a resource to the licensed health care professional in relation to the technical aspects of cardiorespiratory care and the safe and effective methods for administering cardiorespiratory care modalities.

(3) The person is able to function in situations of unsupervised patient contact requiring great individual judgment.

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

(Source: P.A. 99-173, eff. 7-29-15; 99-230, eff. 8-3-15; 99-642, eff. 7-28-16; 100-513, eff. 1-1-18.)

(225 ILCS 106/12 new)

Sec. 12. Address of record; email address of record. All applicants and licensees shall:

(1) provide a valid address and email address to the Department, which shall serve as the address of record and email address of record, respectively, at the time of application for licensure or renewal of a license; and

(2) inform the Department of any change of address of record or email address of record within 14 days after the change either through the Department's website or by contacting the Department's licensure maintenance unit.

(225 ILCS 106/15)

(Section scheduled to be repealed on January 1, 2026)

Sec. 15. Exemptions.

(a) This Act does not prohibit a person legally regulated in this State by any other Act from engaging in any practice for which that person ~~he or she~~ is authorized.

(b) Nothing in this Act shall prohibit the practice of respiratory care by a person who is employed by the United States government or any bureau, division, or agency thereof while in the discharge of the employee's official duties.

(c) Nothing in this Act shall be construed to limit the activities and services of a person enrolled in an approved course of study leading to a degree or certificate of registry or certification eligibility in respiratory care if these activities and services constitute a part of a supervised course of study and if the person is designated by a title which clearly indicates the person's ~~his or her~~ status as a student or trainee. Status as a student or trainee shall not exceed 3 years from the date of enrollment in an approved course for an approved associate's degree program or 5 years for an approved bachelor's degree program.

(d) Nothing in this Act shall prohibit a person from treating ailments by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination.

(e) Nothing in this Act shall be construed to prevent a person who is a registered nurse, an advanced practice registered nurse, a licensed practical nurse, a physician assistant, or a physician licensed to practice medicine in all its branches from providing respiratory care.

(f) Nothing in this Act shall limit a person who is credentialed by the National Society for Cardiopulmonary Technology or the National Board for Respiratory Care from performing pulmonary function tests and respiratory care procedures related to the pulmonary function test. Individuals who do not possess a license to practice respiratory care or a license in another health care field may perform basic screening spirometry limited to peak flow, forced vital capacity, slow vital capacity, and maximum voluntary ventilation if they possess spirometry certification from the National Institute for Occupational Safety and Health, an Office Spirometry Certificate from the American Association for Respiratory Care, or other similarly accepted certification training.

(g) Nothing in this Act shall prohibit the collection and analysis of blood by clinical laboratory personnel meeting the personnel standards of the Illinois Clinical Laboratory Act.

(h) Nothing in this Act shall prohibit a polysomnographic technologist, technician, or trainee, as defined in the job descriptions jointly accepted by the American Academy of Sleep Medicine, the Association of Polysomnographic Technologists, the Board of Registered Polysomnographic Technologists, and the American Society of Electroneurodiagnostic Technologists, from performing activities within the scope of practice of polysomnographic technology while under the direction of a physician licensed in this State.

(i) Nothing in this Act shall prohibit a family member from providing respiratory care services to an ill person.

(j) Nothing in this Act shall be construed to limit an unlicensed practitioner in a licensed hospital who is working under the proximate supervision of a licensed health care professional or other authorized licensed personnel and providing direct patient care services from performing basic respiratory care activities if the unlicensed practitioner (i) has been trained to perform the basic respiratory care activities at the facility that employs or contracts with the individual and (ii) at a minimum, has annually received an evaluation of the unlicensed practitioner's performance of basic respiratory care activities documented by the facility.

(k) Nothing in this Act shall be construed to prohibit a person enrolled in a respiratory care education program or an approved course of study leading to a degree or certification in a health care-related discipline that provides respiratory care activities within the person's ~~his or her~~ scope of practice and employed in a licensed hospital in order to provide direct patient care services under the proximate supervision ~~direction~~ of other authorized licensed personnel from providing respiratory care activities.

(l) Nothing in this Act prohibits a person licensed as a respiratory care practitioner in another jurisdiction from providing respiratory care: (i) in a declared emergency in this State; (ii) as a member of an organ procurement team; or (iii) as part of a medical transport team that is transporting a patient into or out of this State.

(Source: P.A. 99-230, eff. 8-3-15; 100-513, eff. 1-1-18.)

(225 ILCS 106/20)

(Section scheduled to be repealed on January 1, 2026)

Sec. 20. Restrictions and limitations.

(a) No person shall, without a valid license as a respiratory care practitioner (i) hold oneself ~~himself or herself~~ out to the public as a respiratory care practitioner; (ii) use the title "respiratory care practitioner"; or (iii) perform or offer to perform the duties of a respiratory care practitioner, except as provided in Section 15 of this Act.

(b) Nothing in the Act shall be construed to permit a person licensed as a respiratory care practitioner to engage in any manner in the practice of medicine in all its branches as defined by State law.

(Source: P.A. 99-230, eff. 8-3-15.)

(225 ILCS 106/22)

(Section scheduled to be repealed on January 1, 2026)

Sec. 22. Durable medical equipment use and training.

(a) Notwithstanding any other provision of this Act, unlicensed or non-credentialed individuals who deliver prescribed respiratory care equipment, including, but not limited to, oxygen, oxygen concentrators, pulmonary hygiene devices, aerosol compressors and generators, suction machines, and positive airway pressure devices, may deliver, set up, calibrate, and demonstrate the mechanical operation of a specific piece of equipment to the patient, family, and caregivers, with the exception of mechanical ventilators, which only

a licensed respiratory care practitioner or other authorized licensed personnel operating within the licensed respiratory care practitioner's or other authorized licensed personnel's ~~the~~ scope ~~of his or her scope~~ of practice may deliver and set up. Demonstration of the mechanical operation of a specific piece of equipment includes demonstration of the on-off switches, emergency buttons, and alarm silence and reset buttons, as appropriate. In order for unlicensed or non-credentialed personnel to deliver, set up, calibrate, and demonstrate a specific piece of equipment as allowed in this subsection (a), the employer must document that the employee has both received training and demonstrated competency using the specific piece of equipment under the supervision of a respiratory care practitioner licensed by this State or some other licensed practitioner operating within the licensed practitioner's ~~his or her~~ scope of practice.

Equipment demonstration is not to be interpreted as teaching, administration, or performance of respiratory care. Unlicensed or non-credentialed individuals may not attach the equipment to the patient or instruct the patient, family, or caregiver on the use of the equipment beyond the mechanical functions of the device.

(b) Patients, family, and caregivers must be taught to use the equipment for the intended clinical application by a licensed respiratory care practitioner or other licensed health care professional operating within the licensed practitioner's ~~his or her~~ scope of practice. This instruction may occur through follow-up after delivery, with an identical model in the health care facility prior to discharge or with an identical model at the medical supply office. Instructions to the patient regarding the clinical use of equipment, patient monitoring, patient assessment, or any other procedure used with the intent of evaluating the effectiveness of the treatment must be performed by a respiratory care practitioner licensed by this State or any other licensed practitioner operating within the licensed practitioner's ~~his or her~~ scope of practice.

(Source: P.A. 99-230, eff. 8-3-15.)

(225 ILCS 106/30)

(Section scheduled to be repealed on January 1, 2026)

Sec. 30. Powers and duties of the Department. Subject to the provision of this Act, the Department may:

(a) Authorize examinations to ascertain the qualifications and fitness of an applicant for licensure as a respiratory care practitioner.

(b) Pass upon the qualifications of an applicant for licensure by endorsement.

(c) Conduct hearings on proceedings to refuse to issue, renew, or revoke a license or to suspend, place on probation, or reprimand a license issued or applied for under this Act.

(d) Formulate rules required for the administration of this Act. Notice of proposed rulemaking shall be transmitted to the Board, and the Department shall review the Board's response and any recommendations made in the response.

(e) Solicit the advice and expert knowledge of the Board on any matter relating to the administration and enforcement of this Act.

(f) (Blank).

(g) (Blank). ~~Maintain a roster of the names and addresses of all licenses and all persons whose licenses have been suspended, revoked, or denied renewal for cause within the previous calendar year. The roster shall be available upon written request and payment of the required fee.~~

(Source: P.A. 99-230, eff. 8-3-15.)

(225 ILCS 106/35)

(Section scheduled to be repealed on January 1, 2026)

Sec. 35. Respiratory Care Board.

(a) The Secretary shall appoint a Respiratory Care Board which shall serve in an advisory capacity to the Secretary. The Board shall consist of 5 ~~7~~ persons of which 3 ~~4~~ members shall be currently engaged in the practice of respiratory care with a minimum of 3 years practice in the State of Illinois, one member shall be a qualified medical director, and one member ~~2 members~~ shall be a hospital administrator ~~administrators~~.

(b) Members shall be appointed to a 4-year term. A member whose term has expired shall continue to serve until his or her successor is appointed and qualified. No member shall be reappointed to the Board for a term that would cause his or her continuous service on the Board to be longer than 10 years. Appointments to fill vacancies shall be made in the same manner as original appointments for the unexpired portion of the vacated term.

(c) The membership of the Board shall reasonably represent all the geographic areas in this State. The Secretary shall consider the recommendations of the organization representing the largest number of respiratory care practitioners for appointment of the respiratory care practitioner members of the Board and

the organization representing the largest number of physicians licensed to practice medicine in all its branches for the appointment of the medical director to the Board.

(d) The Secretary has the authority to remove any member of the Board for cause at any time before the expiration of his or her term. The Secretary shall be the sole arbiter of cause.

(e) The Secretary shall consider the recommendations of the Board on questions involving standards of professional conduct, discipline, and qualifications of candidates for licensure under this Act.

(f) The members of the Board shall be reimbursed for all legitimate and necessary expenses incurred in attending meetings of the Board.

(g) A majority of the current members of ~~Four members of~~ the Board shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to exercise all of the rights and perform all of the duties of the Board.

(h) Members of the Board shall be immune from suit in any action based upon any disciplinary proceedings or other activities performed as members of the Board, except for willful and wanton misconduct.

(Source: P.A. 99-230, eff. 8-3-15.)

(225 ILCS 106/42)

(Section scheduled to be repealed on January 1, 2026)

Sec. 42. Social Security Number or Individual Taxpayer Identification Number on license application. In addition to any other information required to be contained in the application, every application for an original license under this Act shall include the applicant's Social Security Number or Individual Taxpayer Identification Number, which shall be retained in the agency's records pertaining to the license. As soon as practical, the Department shall assign a customer's identification number to each applicant for a license.

Every application for a renewal or restored license shall require the applicant's customer identification number.

(Source: P.A. 97-400, eff. 1-1-12.)

(225 ILCS 106/50)

(Section scheduled to be repealed on January 1, 2026)

Sec. 50. Qualifications for a license.

(a) A person is qualified to be licensed as a licensed respiratory care practitioner, and the Department may issue a license authorizing the practice of respiratory care to an applicant who:

(1) has applied in writing or electronically on the prescribed form and has paid the required fee;

(2) has successfully completed a respiratory care training program approved by the Department;

(3) has successfully passed an examination for the practice of respiratory care authorized by the Department, within 5 years of making application; and

(4) has paid the fees required by this Act.

Any person who has received certification by any state or national organization whose standards are accepted by the Department as being substantially similar to the standards in this Act may apply for a respiratory care practitioner license without examination.

(b) Beginning 6 months after December 31, 2005, all individuals who provide satisfactory evidence to the Department of 3 years of experience, with a minimum of 400 hours per year, in the practice of respiratory care during the 5 years immediately preceding December 31, 2005 shall be issued a license, unless the license may be denied under Section 95 of this Act. This experience must have been obtained while under the supervision of a certified respiratory therapist, a registered respiratory therapist, or a licensed registered nurse or under the supervision or direction of a licensed health care professional. All applications for a license under this subsection (b) shall be postmarked within 12 months after December 31, 2005.

(c) A person may practice as a respiratory care practitioner if he or she has applied in writing to the Department in form and substance satisfactory to the Department for a license as a licensed respiratory care practitioner and has complied with all the provisions under this Section except for the passing of an examination to be eligible to receive such license, until the Department has made the decision that the applicant has failed to pass the next available examination authorized by the Department or has failed, without an approved excuse, to take the next available examination authorized by the Department or until the withdrawal of the application, but not to exceed 6 months. An applicant practicing professional ~~registered~~ respiratory care under this subsection (c) who passes the examination, however, may continue to practice under this subsection (c) until such time as he or she receives his or her license to practice or until the Department notifies him or her that the license has been denied. No applicant for licensure practicing

under the provisions of this subsection (c) shall practice professional respiratory care except under the proximate ~~direct~~ supervision of a licensed health care professional or authorized licensed personnel. In no instance shall any such applicant practice or be employed in any supervisory capacity.
(Source: P.A. 94-523, eff. 1-1-06.)

(225 ILCS 106/60)

(Section scheduled to be repealed on January 1, 2026)

Sec. 60. Professional identification; advertising.

(a) A person who is licensed pursuant to this Act with the Department ~~of Professional Regulation in this State~~ may use the title "respiratory care practitioner" and the abbreviation "RCP".

(b) A licensee shall include in every advertisement for services regulated under this Act the licensee's ~~his or her~~ title as it appears on the license or the initials authorized under this Act.
(Source: P.A. 91-310, eff. 1-1-00; 91-357, eff. 7-29-99.)

(225 ILCS 106/65)

(Section scheduled to be repealed on January 1, 2026)

Sec. 65. Licenses; renewal; restoration; inactive status.

(a) The expiration date and renewal period for each license issued under this Act shall be set by rule. The licensee may renew a license during the 30 day period preceding its expiration date by paying the required fee and demonstrating compliance with any continuing education requirements.

(b) A person who has permitted a license to expire or who has a license on inactive status may have it restored by submitting an application to the Department and filing proof of fitness, as defined by rule, to have the license restored, including, if appropriate, evidence that is satisfactory to the Department certifying the active practice of respiratory care in another jurisdiction and by paying the required fee.

A person practicing on an expired license is considered to be practicing without a license.

(c) If the person has not maintained an active practice that is satisfactory to the Department in another jurisdiction, the Department shall determine the person's fitness to resume active status. The Department may require the person to complete a specified period of evaluated respiratory care and may require successful completion of an examination.

(d) A person whose license expired while that person ~~he or she~~ was (1) in federal service on active duty with the Armed Forces of the United States or called into service or training with the State Militia, or (2) in training or education under the supervision of the United States government preliminary to induction into military service may have the ~~his or her~~ license restored without paying any lapsed renewal fees if, within 2 years after the termination of the person's ~~his or her~~ service, training, or education, except under conditions other than honorable, the Department is furnished with satisfactory evidence that the person has been so engaged and that the service, training, or education has been terminated.

(e) A license to practice shall not be denied any applicant because of the applicant's race, religion, creed, national origin, political beliefs, or activities, age, sex, sexual orientation, or physical impairment.
(Source: P.A. 99-230, eff. 8-3-15.)

(225 ILCS 106/70)

(Section scheduled to be repealed on January 1, 2026)

Sec. 70. Inactive status. A person who notifies the Department in writing on forms prescribed by the Department may elect to place the person's ~~his or her~~ license on an inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until that person ~~he or she~~ notifies the Department in writing of a desire to resume active status.

A person requesting restoration from inactive status shall be required to pay the current renewal fee and shall be required to restore the ~~his or her~~ license as provided in Section 65 of this Act.

Practice by a respiratory care practitioner whose license is in an inactive status shall be considered to be the unlicensed practice of respiratory care and shall be grounds for discipline under this Act.
(Source: P.A. 89-33, eff. 1-1-96.)

(225 ILCS 106/80)

(Section scheduled to be repealed on January 1, 2026)

Sec. 80. Returned checks; fines. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of $50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If,

after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certificate or deny the application, without hearing. If, after termination or denial, the person seeks a license or certificate, that person ~~he or she~~ shall apply to the Department for restoration or issuance of the license or certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license or certificate to pay all expenses of processing this application. The Secretary may waive the fines due under this Section in individual cases where the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 99-230, eff. 8-3-15.)

(225 ILCS 106/85)

(Section scheduled to be repealed on January 1, 2026)

Sec. 85. Endorsement.

(a) The Department may issue a license as a respiratory care practitioner without the required examination, to an applicant licensed under the laws of another state or United States jurisdiction whose standards in the opinion of the Department, are substantially equivalent at the date of the ~~his or her~~ licensure in the other jurisdiction to the requirements of this Act or the applicant, at the time of licensure, possessed individual qualifications which were substantially equivalent to the requirements of this Act. The applicant shall pay all of the required fees.

(b) An applicant shall have 3 years from the date of application to complete the application process. If the process has not been completed within 3 years, the application shall be denied, the fee forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 89-33, eff. 1-1-96.)

(225 ILCS 106/90)

(Section scheduled to be repealed on January 1, 2026)

Sec. 90. Continuing education. Proof or certification of having met the minimum requirement of continuing education as determined by the Department shall be required of all license and certificate renewals. Pursuant to rule, the continuing education requirement may upon petition be waived in whole or in part if the respiratory care practitioner can demonstrate that the practitioner ~~he or she~~ had served in the Coast Guard or Armed Forces, had an extreme hardship as defined by rule, or obtained the license or certification by examination or endorsement within the preceding renewal period.

The Department shall establish by rule a means for the verification of completion of the continuing education required by this Section. This verification may be accomplished through audits of records maintained by licensees; by requiring the filing of continuing education certificates with the Department; or by other means established by the Department.

(Source: P.A. 89-33, eff. 1-1-96.)

(225 ILCS 106/95)

(Section scheduled to be repealed on January 1, 2026)

Sec. 95. Grounds for discipline.

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

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

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

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States or any state or territory thereof: (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

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

(5) Professional incompetence or negligence in the rendering of respiratory care services.

(6) Malpractice.

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

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

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

(10) Violating the rules of professional conduct adopted by the Department.

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

(12) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional services not actually rendered. Nothing in this paragraph (12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered.

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

(14) Abandonment of a patient.

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

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

(17) Providing respiratory care, other than pursuant to an order.

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

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

(20) Failure to file a tax return, or to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue or any successor agency or the Internal Revenue Service or any successor agency.

(21) Irregularities in billing a third party for services rendered or in reporting charges for services not rendered.

(22) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(23) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in an inability to practice with reasonable skill, judgment, or safety.

(24) Being named as a perpetrator in an indicated report by the Department on Aging under the Adult Protective Services Act, and upon proof by clear and convincing evidence that the licensee has caused an adult with disabilities or an older adult to be abused or neglected as defined in the Adult Protective Services Act.

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

(26) Willful omission to file or record, or willfully impeding the filing or recording, or inducing another person to omit to file or record medical reports as required by law or willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

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

(28) Willfully or negligently violating the confidentiality between licensee and patient, except as required by law.

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

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

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(Source: P.A. 98-49, eff. 7-1-13; 99-230, eff. 8-3-15.)

(225 ILCS 106/100)

(Section scheduled to be repealed on January 1, 2026)

Sec. 100. Violations; injunctions; cease and desist order.

(a) If a person violates any provision of this Act, the Secretary may, in the name of the People of the State of Illinois, through the Attorney General, petition for an order enjoining the violation or an order enforcing compliance with this Act. Upon the filling of a verified petition, the court with appropriate jurisdiction may issue a temporary restraining order without notice or bond and may preliminarily and permanently enjoin the violation. If it is established that the person has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this Section are in addition to all other remedies and penalties provided by this Act.

(b) If a person holds oneself ~~himself or herself~~ out as being a respiratory care practitioner under this Act and is not licensed to do so, then any licensed respiratory care practitioner, interested party, or injured person may petition for relief as provided in subsection (a) of this Section.

(c) Whenever, in the opinion of the Department, a person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person. The rule shall clearly set forth the grounds relied upon by the Department and shall allow at least 7 days from the date of the rule to file an answer satisfactory to the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued.

(Source: P.A. 99-230, eff. 8-3-15.)

(225 ILCS 106/105)

(Section scheduled to be repealed on January 1, 2026)

Sec. 105. Investigations; notice; hearing. The Department may investigate the actions of an applicant, a licensee, or a person claiming to hold a license. The Department shall, before revoking, suspending, placing on probation, reprimanding, or taking any other disciplinary action under Section 95 of this Act, at least 30 days before the date set for the hearing (i) notify the accused, in writing, of any charges made and the time and place for the hearing on the charges, (ii) direct the accused ~~him or her~~ to file a written answer to the charges with the Board under oath within 20 days after the service upon the accused ~~him or her~~ of the notice, and (iii) inform the accused that, if the accused fails ~~he or she fails~~ to answer, default will be taken against the accused ~~him or her~~ and the accused's ~~his or her~~ license may be suspended, revoked, placed on probationary status, or other disciplinary action taken with regard to the license, including limiting the scope, nature, or extent of the accused's ~~his or her~~ practice, without a hearing, as the Department may consider proper. In case the person, after receiving notice, fails to file an answer, the person's ~~his or her~~ license may, in the discretion of the Department, be suspended, revoked, placed on probationary status, or the Department may take whatever disciplinary action is considered proper, including, limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for an action under this Act. The written notice may be served by ~~personal delivery or certified~~ mail to the address of record or by email to the email address of record.

(Source: P.A. 99-230, eff. 8-3-15.)

(225 ILCS 106/110)

(Section scheduled to be repealed on January 1, 2026)

Sec. 110. Record of proceedings; transcript. The Department, at its expense, shall provide a certified shorthand reporter to take down the testimony and preserve the record of all proceedings at a formal hearing of any case. The notice of hearing, complaint, all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board and orders of the Department shall be in the record of the proceedings. The record may be made available to any person interested in the hearing upon payment of the fee required by Section 2105-115 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(Source: P.A. 99-230, eff. 8-3-15.)

(225 ILCS 106/135)

(Section scheduled to be repealed on January 1, 2026)

Sec. 135. Secretary; rehearing. Whenever the Secretary believes that substantial justice has not been done in the revocation, suspension, refusal to issue or renew a license, or any other discipline of an applicant or licensee, the Secretary ~~he or she~~ may order a rehearing by the same or other hearing officers.

(Source: P.A. 99-230, eff. 8-3-15.)

(225 ILCS 106/155)

(Section scheduled to be repealed on January 1, 2026)

Sec. 155. Surrender of license. Upon the revocation or suspension of a license, the licensee shall immediately surrender the ~~his or her~~ license to the Department. If the licensee fails to do so, the Department has the right to seize the license.

(Source: P.A. 89-33, eff. 1-1-96.)

(225 ILCS 106/160)

(Section scheduled to be repealed on January 1, 2026)

Sec. 160. Summary suspension of license. The Secretary may summarily suspend the license of a respiratory care practitioner without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 105 of this Act, if the Secretary finds that evidence in the Secretary's ~~his or her~~ possession indicates that the continuation of practice by the respiratory care practitioner would constitute an imminent danger to the public. In the event that the Secretary summarily suspends the license of respiratory care practitioner without a hearing, a hearing must be commenced within 30 calendar days after the suspension has occurred and concluded as expeditiously as practical.

(Source: P.A. 99-230, eff. 8-3-15.)

(225 ILCS 106/170)

(Section scheduled to be repealed on January 1, 2026)

Sec. 170. Administrative review; certification of record; costs.

All final administrative decisions of the Department are subject to judicial review pursuant to the Administrative Review Law and its rules. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

Proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides, but if the party is not a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record to the court, or file an answer in court, or otherwise appear in any court in a judicial review proceeding, unless and until the Department has received from the plaintiff payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. ~~Exhibits shall be certified without cost.~~ Failure on the part of the plaintiff to file a receipt is grounds for dismissal of the action. During the pendency and hearing of any and all judicial proceedings incident to the disciplinary action, the sanctions imposed upon the accused by the Department specified in the Department's final administrative decision shall, as a matter of public policy, remain in full force and effect in order to protect the public pending final resolution of any of the proceedings.

(Source: P.A. 99-230, eff. 8-3-15.)

(225 ILCS 106/180)

(Section scheduled to be repealed on January 1, 2026)

Sec. 180. Illinois Administrative Procedure Act; application. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated in this Act as if all of the provisions of the Act were included in this Act, except that the provision of paragraph (d) of Section 10-65 of the Illinois Administrative Procedure Act, which provides that at hearings the registrant or licensee has the right to show compliance with all lawful requirements for retention or continuation or renewal of the license, is specifically excluded. For the purpose of this Act, the notice required under Section 10-25 of the Illinois Administrative Procedure Act is considered sufficient when mailed to address of record or emailed to the email address of record of the licensee or applicant.

(Source: P.A. 99-230, eff. 8-3-15.)

Section 99. Effective date. This Section and Section 5 take effect upon becoming law.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Glowiak Hilton, **Senate Bill No. 2503** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 2 was postponed in the Committee on Licensed Activities.

Senator Glowiak Hilton offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2503

AMENDMENT NO. 3 . Amend Senate Bill 2503, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 6, line 13, by replacing "alternation" with "alteration"; and

on page 16, line 14, by replacing "corporation ," with "corporation,"; and

on page 25, line 12, by deleting "license"; and

on page 40, by replacing line 22 with the following:

"Sec. 9.7. Final administrative decisions. All final"; and

on page 45, immediately below line 25, by inserting the following:

"(13) Nothing in this Act shall be construed to prevent or limit the practice of professional engineering as defined in the Professional Engineering Practice Act of 1989 or the practice of structural engineering as defined in the Structural Engineering Practice Act of 1989.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Ellman, **Senate Bill No. 8** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 8

AMENDMENT NO. 1 . Amend Senate Bill 8 on page 3, by inserting immediately below line 16 the following:

"Section 85. The Gun Trafficking Information Act is amended by changing Section 10-5 as follows:

(5 ILCS 830/10-5)

Sec. 10-5. Gun trafficking information.

(a) The Illinois State Police shall use all reasonable efforts, as allowed by State law and regulations, federal law and regulations, and executed Memoranda of Understanding between Illinois law enforcement agencies and the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives, in making publicly available, on a regular and ongoing basis, key information related to firearms used in the commission of crimes in this State, including, but not limited to: reports on crimes committed with firearms, locations where the crimes occurred, the number of persons killed or injured in the commission of the crimes, whether or not a stolen firearm was used in the commission of the crimes, the state where the firearms used originated, the Federal Firearms Licensee that sold the firearm, the type of firearms used, if known, annual statistical information concerning Firearm Owner's Identification Card and concealed carry license applications, revocations, and compliance with Section 9.5 of the Firearm Owners Identification Card Act, the information required in the report or on the Illinois State Police's website under Section 85 of the Firearms Restraining Order Act, and

firearm dealer license certification inspections. The Illinois State Police shall make the information available on its website, which may be presented in a dashboard format, in addition to electronically filing a report with the Governor and the General Assembly. The report to the General Assembly shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct.

(b) The Illinois State Police shall study, on a regular and ongoing basis, and compile reports on the number of Firearm Owner's Identification Card checks to determine firearms trafficking or straw purchase patterns. The Illinois State Police shall, to the extent not inconsistent with law, share such reports and underlying data with academic centers, foundations, and law enforcement agencies studying firearms trafficking, provided that personally identifying information is protected. For purposes of this subsection (b), a Firearm Owner's Identification Card number is not personally identifying information, provided that no other personal information of the card holder is attached to the record. The Illinois State Police may create and attach an alternate unique identifying number to each Firearm Owner's Identification Card number, instead of releasing the Firearm Owner's Identification Card number itself.

(c) Each department, office, division, and agency of this State shall, to the extent not inconsistent with law, cooperate fully with the Illinois State Police and furnish the Illinois State Police with all relevant information and assistance on a timely basis as is necessary to accomplish the purpose of this Act. The Illinois Criminal Justice Information Authority shall submit the information required in subsection (a) of this Section to the Illinois State Police, and any other information as the Illinois State Police may request, to assist the Illinois State Police in carrying out its duties under this Act.
(Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 103-34, eff. 6-9-23.)"; and

on page 4, line 9, by replacing "2026" with "2027"; and

on page 4, by replacing line 23 with the following:
"1, 2027, the person who is not a federally licensed firearm dealer shall check the Illinois"; and

on page 8, line 5, by replacing "The" with "On or before January 1, 2027, the"; and

on page 8, line 19, by replacing "2026" with "2027"; and

on page 9, line 2, by replacing "The" with "On or before January 1, 2027, the"; and

on page 12, line 11, by replacing "2026" with "2027"; and

on page 27, line 18, by deleting "24-3.8, 24-3.9,"; and

by deleting line 20 on page 27 through line 17 on page 30; and

on page 31, line 2, by replacing "or" with "~~or~~"; and

on page 31, line 7, by replacing "." with "; or~~.~~

(3) brings, or causes to be brought, into this State, in a vehicle on an expressway in this State, more than one firearm prohibited from possession by Section 24-1.9, per occupants of the vehicle."; and

on page 31, by deleting lines 19 through 22; and

on page 32, line 22, by deleting "and"; and

on page 32, line 24, by replacing "." with "; and

(5) the Firearm Owner's Identification Card number of the person making the report, if applicable."; and

on page 34, lines 11 and 12, by replacing "reasonably should know ~~has reason to believe~~" with "has reason to believe"; and

on page 35, by inserting immediately below line 14 the following:

"Section 110. The Unified Code of Corrections is amended by changing Section 5-4-1 as follows:
(730 ILCS 5/5-4-1) (from Ch. 38, par. 1005-4-1)
Sec. 5-4-1. Sentencing hearing.

(a) After a determination of guilt, a hearing shall be held to impose the sentence. However, prior to the imposition of sentence on an individual being sentenced for an offense based upon a charge for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance, the individual must undergo a professional evaluation to determine if an alcohol or other drug abuse problem exists and the extent of such a problem. Programs conducting these evaluations shall be licensed by the Department of Human Services. However, if the individual is not a resident of Illinois, the court may, in its discretion, accept an evaluation from a program in the state of such individual's residence. The court shall make a specific finding about whether the defendant is eligible for participation in a Department impact incarceration program as provided in Section 5-8-1.1 or 5-8-1.3, and if not, provide an explanation as to why a sentence to impact incarceration is not an appropriate sentence. The court may in its sentencing order recommend a defendant for placement in a Department of Corrections substance abuse treatment program as provided in paragraph (a) of subsection (1) of Section 3-2-2 conditioned upon the defendant being accepted in a program by the Department of Corrections. At the hearing the court shall:

(1) consider the evidence, if any, received upon the trial;

(2) consider any presentence reports;

(3) consider the financial impact of incarceration based on the financial impact statement filed with the clerk of the court by the Department of Corrections;

(4) consider evidence and information offered by the parties in aggravation and mitigation;

(4.5) consider substance abuse treatment, eligibility screening, and an assessment, if any, of the defendant by an agent designated by the State of Illinois to provide assessment services for the Illinois courts;

(5) hear arguments as to sentencing alternatives;

(6) afford the defendant the opportunity to make a statement in his own behalf;

(7) afford the victim of a violent crime or a violation of Section 11-501 of the Illinois Vehicle Code, or a similar provision of a local ordinance, the opportunity to present an oral or written statement, as guaranteed by Article I, Section 8.1 of the Illinois Constitution and provided in Section 6 of the Rights of Crime Victims and Witnesses Act. The court shall allow a victim to make an oral statement if the victim is present in the courtroom and requests to make an oral or written statement. An oral or written statement includes the victim or a representative of the victim reading the written statement. The court may allow persons impacted by the crime who are not victims under subsection (a) of Section 3 of the Rights of Crime Victims and Witnesses Act to present an oral or written statement. A victim and any person making an oral statement shall not be put under oath or subject to cross-examination. All statements offered under this paragraph (7) shall become part of the record of the court. In this paragraph (7), "victim of a violent crime" means a person who is a victim of a violent crime for which the defendant has been convicted after a bench or jury trial or a person who is the victim of a violent crime with which the defendant was charged and the defendant has been convicted under a plea agreement of a crime that is not a violent crime as defined in subsection (c) of 3 of the Rights of Crime Victims and Witnesses Act;

(7.5) afford a qualified person affected by: (i) a violation of Section 405, 405.1, 405.2, or 407 of the Illinois Controlled Substances Act or a violation of Section 55 or Section 65 of the Methamphetamine Control and Community Protection Act; or (ii) a Class 4 felony violation of Section 11-14, 11-14.3 except as described in subdivisions (a)(2)(A) and (a)(2)(B), 11-15, 11-17, 11-18, 11-18.1, or 11-19 of the Criminal Code of 1961 or the Criminal Code of 2012, committed by the defendant the opportunity to make a statement concerning the impact on the qualified person and to offer evidence in aggravation or mitigation; provided that the statement and evidence offered in aggravation or mitigation shall first be prepared in writing in conjunction with the State's Attorney before it may be presented orally at the hearing. Sworn testimony offered by the qualified person is subject to the defendant's right to cross-examine. All statements and evidence offered under this paragraph (7.5) shall become part of the record of the court. In this paragraph (7.5), "qualified person" means any person who: (i) lived or worked within the territorial jurisdiction where the offense took

place when the offense took place; or (ii) is familiar with various public places within the territorial jurisdiction where the offense took place when the offense took place. "Qualified person" includes any peace officer or any member of any duly organized State, county, or municipal peace officer unit assigned to the territorial jurisdiction where the offense took place when the offense took place;

(8) in cases of reckless homicide afford the victim's spouse, guardians, parents or other immediate family members an opportunity to make oral statements;

(9) in cases involving a felony sex offense as defined under the Sex Offender Management Board Act, consider the results of the sex offender evaluation conducted pursuant to Section 5-3-2 of this Act; ~~and~~

(10) make a finding of whether a motor vehicle was used in the commission of the offense for which the defendant is being sentenced; and ~~.~~

(11) make a finding of whether a firearm with a serial number reported as stolen on the Illinois State Police publicly accessible stolen firearms database was used in the commission of the offense for which the defendant is being sentenced.

(b) All sentences shall be imposed by the judge based upon his independent assessment of the elements specified above and any agreement as to sentence reached by the parties. The judge who presided at the trial or the judge who accepted the plea of guilty shall impose the sentence unless he is no longer sitting as a judge in that court. Where the judge does not impose sentence at the same time on all defendants who are convicted as a result of being involved in the same offense, the defendant or the State's Attorney may advise the sentencing court of the disposition of any other defendants who have been sentenced.

(b-1) In imposing a sentence of imprisonment or periodic imprisonment for a Class 3 or Class 4 felony for which a sentence of probation or conditional discharge is an available sentence, if the defendant has no prior sentence of probation or conditional discharge and no prior conviction for a violent crime, the defendant shall not be sentenced to imprisonment before review and consideration of a presentence report and determination and explanation of why the particular evidence, information, factor in aggravation, factual finding, or other reasons support a sentencing determination that one or more of the factors under subsection (a) of Section 5-6-1 of this Code apply and that probation or conditional discharge is not an appropriate sentence.

(c) In imposing a sentence for a violent crime or for an offense of operating or being in physical control of a vehicle while under the influence of alcohol, any other drug or any combination thereof, or a similar provision of a local ordinance, when such offense resulted in the personal injury to someone other than the defendant, the trial judge shall specify on the record the particular evidence, information, factors in mitigation and aggravation or other reasons that led to his sentencing determination. The full verbatim record of the sentencing hearing shall be filed with the clerk of the court and shall be a public record.

(c-1) In imposing a sentence for the offense of aggravated kidnapping for ransom, home invasion, armed robbery, aggravated vehicular hijacking, aggravated discharge of a firearm, or armed violence with a category I weapon or category II weapon, the trial judge shall make a finding as to whether the conduct leading to conviction for the offense resulted in great bodily harm to a victim, and shall enter that finding and the basis for that finding in the record.

(c-1.5) Notwithstanding any other provision of law to the contrary, in imposing a sentence for an offense that requires a mandatory minimum sentence of imprisonment, the court may instead sentence the offender to probation, conditional discharge, or a lesser term of imprisonment it deems appropriate if: (1) the offense involves the use or possession of drugs, retail theft, or driving on a revoked license due to unpaid financial obligations; (2) the court finds that the defendant does not pose a risk to public safety; and (3) the interest of justice requires imposing a term of probation, conditional discharge, or a lesser term of imprisonment. The court must state on the record its reasons for imposing probation, conditional discharge, or a lesser term of imprisonment.

(c-2) If the defendant is sentenced to prison, other than when a sentence of natural life imprisonment is imposed, at the time the sentence is imposed the judge shall state on the record in open court the approximate period of time the defendant will serve in custody according to the then current statutory rules and regulations for sentence credit found in Section 3-6-3 and other related provisions of this Code. This statement is intended solely to inform the public, has no legal effect on the defendant's actual release, and may not be relied on by the defendant on appeal.

The judge's statement, to be given after pronouncing the sentence, other than when the sentence is imposed for one of the offenses enumerated in paragraph (a)(4) of Section 3-6-3, shall include the following:

"The purpose of this statement is to inform the public of the actual period of time this defendant is likely to spend in prison as a result of this sentence. The actual period of prison time served is determined by the statutes of Illinois as applied to this sentence by the Illinois Department of Corrections and the Illinois Prisoner Review Board. In this case, assuming the defendant receives all of his or her sentence credit, the period of estimated actual custody is ... years and ... months, less up to 180 days additional earned sentence credit. If the defendant, because of his or her own misconduct or failure to comply with the institutional regulations, does not receive those credits, the actual time served in prison will be longer. The defendant may also receive an additional one-half day sentence credit for each day of participation in vocational, industry, substance abuse, and educational programs as provided for by Illinois statute."

When the sentence is imposed for one of the offenses enumerated in paragraph (a)(2) of Section 3-6-3, other than first degree murder, and the offense was committed on or after June 19, 1998, and when the sentence is imposed for reckless homicide as defined in subsection (e) of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 if the offense was committed on or after January 1, 1999, and when the sentence is imposed 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, and when the sentence is imposed for aggravated arson if the offense was committed on or after July 27, 2001 (the effective date of Public Act 92-176), and when the sentence is imposed 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), the judge's statement, to be given after pronouncing the sentence, shall include the following:

"The purpose of this statement is to inform the public of the actual period of time this defendant is likely to spend in prison as a result of this sentence. The actual period of prison time served is determined by the statutes of Illinois as applied to this sentence by the Illinois Department of Corrections and the Illinois Prisoner Review Board. In this case, the defendant is entitled to no more than 4 1/2 days of sentence credit for each month of his or her sentence of imprisonment. Therefore, this defendant will serve at least 85% of his or her sentence. Assuming the defendant receives 4 1/2 days credit for each month of his or her sentence, the period of estimated actual custody is ... years and ... months. If the defendant, because of his or her own misconduct or failure to comply with the institutional regulations receives lesser credit, the actual time served in prison will be longer."

When a sentence of imprisonment is imposed for first degree murder and the offense was committed on or after June 19, 1998, the judge's statement, to be given after pronouncing the sentence, shall include the following:

"The purpose of this statement is to inform the public of the actual period of time this defendant is likely to spend in prison as a result of this sentence. The actual period of prison time served is determined by the statutes of Illinois as applied to this sentence by the Illinois Department of Corrections and the Illinois Prisoner Review Board. In this case, the defendant is not entitled to sentence credit. Therefore, this defendant will serve 100% of his or her sentence."

When the sentencing order recommends placement in a substance abuse program for any offense that results in incarceration in a Department of Corrections facility and the crime was committed on or after September 1, 2003 (the effective date of Public Act 93-354), the judge's statement, in addition to any other judge's statement required under this Section, to be given after pronouncing the sentence, shall include the following:

"The purpose of this statement is to inform the public of the actual period of time this defendant is likely to spend in prison as a result of this sentence. The actual period of prison time served is determined by the statutes of Illinois as applied to this sentence by the Illinois Department of Corrections and the Illinois Prisoner Review Board. In this case, the defendant shall receive no earned sentence credit under clause (3) of subsection (a) of Section 3-6-3 until he or she participates in and completes a substance abuse treatment program or receives a waiver from the Director of Corrections pursuant to clause (4.5) of subsection (a) of Section 3-6-3."

(c-4) Before the sentencing hearing and as part of the presentence investigation under Section 5-3-1, the court shall inquire of the defendant whether the defendant is currently serving in or is a veteran of the Armed Forces of the United States. If the defendant is currently serving in the Armed Forces of the United States or is a veteran of the Armed Forces of the United States and has been diagnosed as having a mental illness by a qualified psychiatrist or clinical psychologist or physician, the court may:

(1) order that the officer preparing the presentence report consult with the United States Department of Veterans Affairs, Illinois Department of Veterans' Affairs, or another agency or person with suitable knowledge or experience for the purpose of providing the court with information regarding treatment options available to the defendant, including federal, State, and local programming; and

(2) consider the treatment recommendations of any diagnosing or treating mental health professionals together with the treatment options available to the defendant in imposing sentence.

For the purposes of this subsection (c-4), "qualified psychiatrist" means a reputable physician licensed in Illinois to practice medicine in all its branches, who has specialized in the diagnosis and treatment of mental and nervous disorders for a period of not less than 5 years.

(c-6) In imposing a sentence, the trial judge shall specify, on the record, the particular evidence and other reasons which led to his or her determination that a motor vehicle was used in the commission of the offense.

(c-7) In imposing a sentence for a Class 3 or 4 felony, other than a violent crime as defined in Section 3 of the Rights of Crime Victims and Witnesses Act, the court shall determine and indicate in the sentencing order whether the defendant has 4 or more or fewer than 4 months remaining on his or her sentence accounting for time served.

(d) When the defendant is committed to the Department of Corrections, the State's Attorney shall and counsel for the defendant may file a statement with the clerk of the court to be transmitted to the department, agency or institution to which the defendant is committed to furnish such department, agency or institution with the facts and circumstances of the offense for which the person was committed together with all other factual information accessible to them in regard to the person prior to his commitment relative to his habits, associates, disposition and reputation and any other facts and circumstances which may aid such department, agency or institution during its custody of such person. The clerk shall within 10 days after receiving any such statements transmit a copy to such department, agency or institution and a copy to the other party, provided, however, that this shall not be cause for delay in conveying the person to the department, agency or institution to which he has been committed.

(e) The clerk of the court shall transmit to the department, agency or institution, if any, to which the defendant is committed, the following:

(1) the sentence imposed;

(2) any statement by the court of the basis for imposing the sentence;

(3) any presentence reports;

(3.3) the person's last known complete street address prior to incarceration or legal residence, the person's race, whether the person is of Hispanic or Latino origin, and whether the person is 18 years of age or older;

(3.5) any sex offender evaluations;

(3.6) any substance abuse treatment eligibility screening and assessment of the defendant by an agent designated by the State of Illinois to provide assessment services for the Illinois courts;

(4) the number of days, if any, which the defendant has been in custody and for which he is entitled to credit against the sentence, which information shall be provided to the clerk by the sheriff;

(4.1) any finding of great bodily harm made by the court with respect to an offense enumerated in subsection (c-1);

(5) all statements filed under subsection (d) of this Section;

(6) any medical or mental health records or summaries of the defendant;

(7) the municipality where the arrest of the offender or the commission of the offense has occurred, where such municipality has a population of more than 25,000 persons;

(8) all statements made and evidence offered under paragraph (7) of subsection (a) of this Section; and

(9) all additional matters which the court directs the clerk to transmit.

(f) In cases in which the court finds that a motor vehicle was used in the commission of the offense for which the defendant is being sentenced, the clerk of the court shall, within 5 days thereafter, forward a report of such conviction to the Secretary of State.

(g) In cases in which the court finds that a firearm with a serial number reported as stolen on the Illinois State Police publicly accessible database was used in the commission of the offense for which the defendant is being sentenced, the clerk of the court shall, within 5 days thereafter, forward a report of such conviction to the Illinois State Police Division of Justice Services.

(Source: P.A. 102-813, eff. 5-13-22; 103-18, eff. 1-1-24; 103-51, eff. 1-1-24; 103-605, eff. 7-1-24.)".

Floor Amendment No. 2 was referred to the Committee on Assignments earlier today.

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

On motion of Senator Harmon, **Senate Bill No. 19** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 19

AMENDMENT NO. 1 . Amend Senate Bill 19 by replacing everything after the enacting clause with the following:

"Section 3. The Illinois Pension Code is amended by changing Section 18-127 as follows:

(40 ILCS 5/18-127) (from Ch. 108 1/2, par. 18-127)

Sec. 18-127. Retirement annuity - suspension on reemployment.

(a) A participant receiving a retirement annuity who is regularly employed for compensation by an employer other than a county, in any capacity, shall have his or her retirement annuity payments suspended during such employment. Upon termination of such employment, retirement annuity payments at the previous rate shall be resumed.

If such a participant resumes service as a judge, he or she shall receive credit for any additional service. Upon subsequent retirement, his or her retirement annuity shall be the amount previously granted, plus the amount earned by the additional judicial service under the provisions in effect during the period of such additional service. However, if the participant was receiving the maximum rate of annuity at the time of re-employment, he or she may elect, in a written direction filed with the board, not to receive any additional service credit during the period of re-employment. In such case, contributions shall not be required during the period of re-employment. Any such election shall be irrevocable.

(b) Beginning January 1, 1991, any participant receiving a retirement annuity who accepts temporary employment from an employer other than a county for a period not exceeding 75 working days in any calendar year shall not be deemed to be regularly employed for compensation or to have resumed service as a judge for the purposes of this Article. A day shall be considered a working day if the annuitant performs on it any of his duties under the temporary employment agreement.

(c) Except as provided in subsection (a), beginning January 1, 1993, retirement annuities shall not be subject to suspension upon resumption of employment for an employer, and any retirement annuity that is then so suspended shall be reinstated on that date.

(d) The changes made in this Section by this amendatory Act of 1993 shall apply to judges no longer in service on its effective date, as well as to judges serving on or after that date.

(e) A participant receiving a retirement annuity under this Article who serves as a part-time employee in any of the following positions: Legislative Inspector General, Special Legislative Inspector General, employee of the Office of the Legislative Inspector General, Executive Director of the Legislative Ethics Commission, ~~or~~ staff of the Legislative Ethics Commission, or as a full-time member of the Prisoner Review Board, but has not elected to participate in the Article 14 System with respect to that service, shall not be deemed to be regularly employed for compensation by an employer other than a county, nor to have resumed service as a judge, on the basis of that service, and the retirement annuity payments and other benefits of that person under this Code shall not be suspended, diminished, or otherwise impaired solely as a consequence of that service. This subsection (e) applies without regard to whether the person is in service as a judge under this Article on or after the effective date of this amendatory Act of the 93rd General Assembly. In this subsection, a "part-time employee" is a person who is not required to work at least 35 hours per week.

(f) A participant receiving a retirement annuity under this Article who has made an election under Section 1-123 and who is serving either as legal counsel in the Office of the Governor or as Chief Deputy Attorney General shall not be deemed to be regularly employed for compensation by an employer other than a county, nor to have resumed service as a judge, on the basis of that service, and the retirement annuity payments and other benefits of that person under this Code shall not be suspended, diminished, or otherwise impaired solely as a consequence of that service. This subsection (f) applies without regard to whether the

person is in service as a judge under this Article on or after the effective date of this amendatory Act of the 93rd General Assembly.

(g) Notwithstanding any other provision of this Article, if a person who first becomes a participant under this System on or after January 1, 2011 (the effective date of this amendatory Act of the 96th General Assembly) is receiving a retirement annuity under this Article and becomes a member or participant under this Article or any other Article of this Code and is employed on a full-time basis, then the person's retirement annuity under this System shall be suspended during that employment. Upon termination of that employment, the person's retirement annuity shall resume and, if appropriate, be recalculated under the applicable provisions of this Article.

(Source: P.A. 96-889, eff. 1-1-11; 96-1490, eff. 1-1-11.)

Section 5. The Rights of Crime Victims and Witnesses Act is amended by changing Sections 4.5, 5, and 8.5 as follows:

(725 ILCS 120/4.5)

Sec. 4.5. Procedures to implement the rights of crime victims. To afford crime victims their rights, law enforcement, prosecutors, judges, and corrections will provide information, as appropriate, of the following procedures:

(a) At the request of the crime victim, law enforcement authorities investigating the case shall provide notice of the status of the investigation, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation, until such time as the alleged assailant is apprehended or the investigation is closed.

(a-5) When law enforcement authorities reopen a closed case to resume investigating, they shall provide notice of the reopening of the case, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation.

(a-6) The Prisoner Review Board shall publish on its official public website and provide to registered victims information regarding how to submit a victim impact statement. The Prisoner Review Board shall consider victim impact statements from any registered victims. Any registered victim, including a person who has had a final, plenary, non-emergency, or emergency protective order granted against the petitioner or parole candidate under Article 112A of the Code of Criminal Procedure of 1963, the Illinois Domestic Violence Act of 1986, the Stalking No Contact Order Act, or the Civil No Contact Order Act, may present victim statements that the Prisoner Review Board shall consider in its deliberations.

(b) The office of the State's Attorney:

(1) shall provide notice of the filing of an information, the return of an indictment, or the filing of a petition to adjudicate a minor as a delinquent for a violent crime;

(2) shall provide timely notice of the date, time, and place of court proceedings; of any change in the date, time, and place of court proceedings; and of any cancellation of court proceedings. Notice shall be provided in sufficient time, wherever possible, for the victim to make arrangements to attend or to prevent an unnecessary appearance at court proceedings;

(3) or victim advocate personnel shall provide information of social services and financial assistance available for victims of crime, including information of how to apply for these services and assistance;

(3.5) or victim advocate personnel shall provide information about available victim services, including referrals to programs, counselors, and agencies that assist a victim to deal with trauma, loss, and grief;

(4) shall assist in having any stolen or other personal property held by law enforcement authorities for evidentiary or other purposes returned as expeditiously as possible, pursuant to the procedures set out in Section 115-9 of the Code of Criminal Procedure of 1963;

(5) or victim advocate personnel shall provide appropriate employer intercession services to ensure that employers of victims will cooperate with the criminal justice system in order to minimize an employee's loss of pay and other benefits resulting from court appearances;

(6) shall provide, whenever possible, a secure waiting area during court proceedings that does not require victims to be in close proximity to defendants or juveniles accused of a violent crime, and their families and friends;

(7) shall provide notice to the crime victim of the right to have a translator present at all court proceedings and, in compliance with the federal Americans with Disabilities Act of 1990, the right to communications access through a sign language interpreter or by other means;

(8) (blank);

(8.5) shall inform the victim of the right to be present at all court proceedings, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at trial;

(9) shall inform the victim of the right to have present at all court proceedings, subject to the rules of evidence and confidentiality, an advocate and other support person of the victim's choice;

(9.3) shall inform the victim of the right to retain an attorney, at the victim's own expense, who, upon written notice filed with the clerk of the court and State's Attorney, is to receive copies of all notices, motions, and court orders filed thereafter in the case, in the same manner as if the victim were a named party in the case;

(9.5) shall inform the victim of (A) the victim's right under Section 6 of this Act to make a statement at the sentencing hearing; (B) the right of the victim's spouse, guardian, parent, grandparent, and other immediate family and household members under Section 6 of this Act to present a statement at sentencing; and (C) if a presentence report is to be prepared, the right of the victim's spouse, guardian, parent, grandparent, and other immediate family and household members to submit information to the preparer of the presentence report about the effect the offense has had on the victim and the person;

(10) at the sentencing shall make a good faith attempt to explain the minimum amount of time during which the defendant may actually be physically imprisoned. The Office of the State's Attorney shall further notify the crime victim of the right to request from the Prisoner Review Board or Department of Juvenile Justice information concerning the release of the defendant;

(11) shall request restitution at sentencing and as part of a plea agreement if the victim requests restitution;

(12) shall, upon the court entering a verdict of not guilty by reason of insanity, inform the victim of the notification services available from the Department of Human Services, including the statewide telephone number, under subparagraph (d)(2) of this Section;

(13) shall provide notice within a reasonable time after receipt of notice from the custodian, of the release of the defendant on pretrial release or personal recognizance or the release from detention of a minor who has been detained;

(14) shall explain in nontechnical language the details of any plea or verdict of a defendant, or any adjudication of a juvenile as a delinquent;

(15) shall make all reasonable efforts to consult with the crime victim before the Office of the State's Attorney makes an offer of a plea bargain to the defendant or enters into negotiations with the defendant concerning a possible plea agreement, and shall consider the written statement, if prepared prior to entering into a plea agreement. The right to consult with the prosecutor does not include the right to veto a plea agreement or to insist the case go to trial. If the State's Attorney has not consulted with the victim prior to making an offer or entering into plea negotiations with the defendant, the Office of the State's Attorney shall notify the victim of the offer or the negotiations within 2 business days and confer with the victim;

(16) shall provide notice of the ultimate disposition of the cases arising from an indictment or an information, or a petition to have a juvenile adjudicated as a delinquent for a violent crime;

(17) shall provide notice of any appeal taken by the defendant and information on how to contact the appropriate agency handling the appeal, and how to request notice of any hearing, oral argument, or decision of an appellate court;

(18) shall provide timely notice of any request for post-conviction review filed by the defendant under Article 122 of the Code of Criminal Procedure of 1963, and of the date, time and place of any hearing concerning the petition. Whenever possible, notice of the hearing shall be given within 48 hours of the court's scheduling of the hearing;

(19) shall forward a copy of any statement presented under Section 6 to the Prisoner Review Board or Department of Juvenile Justice to be considered in making a determination under Section 3-2.5-85 or subsection (b) of Section 3-3-8 of the Unified Code of Corrections;

(20) shall, within a reasonable time, offer to meet with the crime victim regarding the decision of the State's Attorney not to charge an offense, and shall meet with the victim, if the victim agrees. The victim has a right to have an attorney, advocate, and other support person of the victim's choice attend this meeting with the victim; and

(21) shall give the crime victim timely notice of any decision not to pursue charges and consider the safety of the victim when deciding how to give such notice.

(c) The court shall ensure that the rights of the victim are afforded.

(c-5) The following procedures shall be followed to afford victims the rights guaranteed by Article I, Section 8.1 of the Illinois Constitution:

(1) Written notice. A victim may complete a written notice of intent to assert rights on a form prepared by the Office of the Attorney General and provided to the victim by the State's Attorney. The victim may at any time provide a revised written notice to the State's Attorney. The State's Attorney shall file the written notice with the court. At the beginning of any court proceeding in which the right of a victim may be at issue, the court and prosecutor shall review the written notice to determine whether the victim has asserted the right that may be at issue.

(2) Victim's retained attorney. A victim's attorney shall file an entry of appearance limited to assertion of the victim's rights. Upon the filing of the entry of appearance and service on the State's Attorney and the defendant, the attorney is to receive copies of all notices, motions and court orders filed thereafter in the case.

(3) Standing. The victim has standing to assert the rights enumerated in subsection (a) of Article I, Section 8.1 of the Illinois Constitution and the statutory rights under Section 4 of this Act in any court exercising jurisdiction over the criminal case. The prosecuting attorney, a victim, or the victim's retained attorney may assert the victim's rights. The defendant in the criminal case has no standing to assert a right of the victim in any court proceeding, including on appeal.

(4) Assertion of and enforcement of rights.

(A) The prosecuting attorney shall assert a victim's right or request enforcement of a right by filing a motion or by orally asserting the right or requesting enforcement in open court in the criminal case outside the presence of the jury. The prosecuting attorney shall consult with the victim and the victim's attorney regarding the assertion or enforcement of a right. If the prosecuting attorney decides not to assert or enforce a victim's right, the prosecuting attorney shall notify the victim or the victim's attorney in sufficient time to allow the victim or the victim's attorney to assert the right or to seek enforcement of a right.

(B) If the prosecuting attorney elects not to assert a victim's right or to seek enforcement of a right, the victim or the victim's attorney may assert the victim's right or request enforcement of a right by filing a motion or by orally asserting the right or requesting enforcement in open court in the criminal case outside the presence of the jury.

(C) If the prosecuting attorney asserts a victim's right or seeks enforcement of a right, unless the prosecuting attorney objects or the trial court does not allow it, the victim or the victim's attorney may be heard regarding the prosecuting attorney's motion or may file a simultaneous motion to assert or request enforcement of the victim's right. If the victim or the victim's attorney was not allowed to be heard at the hearing regarding the prosecuting attorney's motion, and the court denies the prosecuting attorney's assertion of the right or denies the request for enforcement of a right, the victim or victim's attorney may file a motion to assert the victim's right or to request enforcement of the right within 10 days of the court's ruling. The motion need not demonstrate the grounds for a motion for reconsideration. The court shall rule on the merits of the motion.

(D) The court shall take up and decide any motion or request asserting or seeking enforcement of a victim's right without delay, unless a specific time period is specified by law or court rule. The reasons for any decision denying the motion or request shall be clearly stated on the record.

(E) No later than January 1, 2023, the Office of the Attorney General shall:

(i) designate an administrative authority within the Office of the Attorney General to receive and investigate complaints relating to the provision or violation of the rights of a crime victim as described in Article I, Section 8.1 of the Illinois Constitution and in this Act;

(ii) create and administer a course of training for employees and offices of the State of Illinois that fail to comply with provisions of Illinois law pertaining to the treatment of crime victims as described in Article I, Section 8.1 of the Illinois Constitution and in this Act as required by the court under Section 5 of this Act; and

(iii) have the authority to make recommendations to employees and offices of the State of Illinois to respond more effectively to the needs of crime victims, including regarding the violation of the rights of a crime victim.

(F) Crime victims' rights may also be asserted by filing a complaint for mandamus, injunctive, or declaratory relief in the jurisdiction in which the victim's right is being violated or where the crime is being prosecuted. For complaints or motions filed by or on behalf of the victim, the clerk of court shall waive filing fees that would otherwise be owed by the victim for any court filing with the purpose of enforcing crime victims' rights. If the court denies the relief sought by the victim, the reasons for the denial shall be clearly stated on the record in the transcript of the proceedings, in a written opinion, or in the docket entry, and the victim may appeal the circuit court's decision to the appellate court. The court shall issue prompt rulings regarding victims' rights. Proceedings seeking to enforce victims' rights shall not be stayed or subject to unreasonable delay via continuances.

(5) Violation of rights and remedies.

(A) If the court determines that a victim's right has been violated, the court shall determine the appropriate remedy for the violation of the victim's right by hearing from the victim and the parties, considering all factors relevant to the issue, and then awarding appropriate relief to the victim.

(A-5) Consideration of an issue of a substantive nature or an issue that implicates the constitutional or statutory right of a victim at a court proceeding labeled as a status hearing shall constitute a per se violation of a victim's right.

(B) The appropriate remedy shall include only actions necessary to provide the victim the right to which the victim was entitled. Remedies may include, but are not limited to: injunctive relief requiring the victim's right to be afforded; declaratory judgment recognizing or clarifying the victim's rights; a writ of mandamus; and may include reopening previously held proceedings; however, in no event shall the court vacate a conviction. Any remedy shall be tailored to provide the victim an appropriate remedy without violating any constitutional right of the defendant. In no event shall the appropriate remedy to the victim be a new trial or damages.

The court shall impose a mandatory training course provided by the Attorney General for the employee under item (ii) of subparagraph (E) of paragraph (4), which must be successfully completed within 6 months of the entry of the court order.

This paragraph (5) takes effect January 2, 2023.

(6) Right to be heard. Whenever a victim has the right to be heard, the court shall allow the victim to exercise the right in any reasonable manner the victim chooses.

(7) Right to attend trial. A party must file a written motion to exclude a victim from trial at least 60 days prior to the date set for trial. The motion must state with specificity the reason exclusion is necessary to protect a constitutional right of the party, and must contain an offer of proof. The court shall rule on the motion within 30 days. If the motion is granted, the court shall set forth on the record the facts that support its finding that the victim's testimony will be materially affected if the victim hears other testimony at trial.

(8) Right to have advocate and support person present at court proceedings.

(A) A party who intends to call an advocate as a witness at trial must seek permission of the court before the subpoena is issued. The party must file a written motion at least 90 days before trial that sets forth specifically the issues on which the advocate's testimony is sought and an offer of proof regarding (i) the content of the anticipated testimony of the advocate; and (ii) the relevance, admissibility, and materiality of the anticipated testimony. The court shall consider the motion and make findings within 30 days of the filing of the motion. If the court finds by a preponderance of the evidence that: (i) the anticipated testimony is not protected by an absolute privilege; and (ii) the anticipated testimony contains relevant, admissible, and material evidence that is not available through other witnesses or evidence, the court shall issue a subpoena requiring the advocate to appear to testify at an in camera hearing. The prosecuting attorney and the victim shall have 15 days to seek appellate review before the advocate is required to testify at an ex parte in camera proceeding.

The prosecuting attorney, the victim, and the advocate's attorney shall be allowed to be present at the ex parte in camera proceeding. If, after conducting the ex parte in camera hearing,

the court determines that due process requires any testimony regarding confidential or privileged information or communications, the court shall provide to the prosecuting attorney, the victim, and the advocate's attorney a written memorandum on the substance of the advocate's testimony. The prosecuting attorney, the victim, and the advocate's attorney shall have 15 days to seek appellate review before a subpoena may be issued for the advocate to testify at trial. The presence of the prosecuting attorney at the ex parte in camera proceeding does not make the substance of the advocate's testimony that the court has ruled inadmissible subject to discovery.

(B) If a victim has asserted the right to have a support person present at the court proceedings, the victim shall provide the name of the person the victim has chosen to be the victim's support person to the prosecuting attorney, within 60 days of trial. The prosecuting attorney shall provide the name to the defendant. If the defendant intends to call the support person as a witness at trial, the defendant must seek permission of the court before a subpoena is issued. The defendant must file a written motion at least 45 days prior to trial that sets forth specifically the issues on which the support person will testify and an offer of proof regarding: (i) the content of the anticipated testimony of the support person; and (ii) the relevance, admissibility, and materiality of the anticipated testimony.

If the prosecuting attorney intends to call the support person as a witness during the State's case-in-chief, the prosecuting attorney shall inform the court of this intent in the response to the defendant's written motion. The victim may choose a different person to be the victim's support person. The court may allow the defendant to inquire about matters outside the scope of the direct examination during cross-examination. If the court allows the defendant to do so, the support person shall be allowed to remain in the courtroom after the support person has testified. A defendant who fails to question the support person about matters outside the scope of direct examination during the State's case-in-chief waives the right to challenge the presence of the support person on appeal. The court shall allow the support person to testify if called as a witness in the defendant's case-in-chief or the State's rebuttal.

If the court does not allow the defendant to inquire about matters outside the scope of the direct examination, the support person shall be allowed to remain in the courtroom after the support person has been called by the defendant or the defendant has rested. The court shall allow the support person to testify in the State's rebuttal.

If the prosecuting attorney does not intend to call the support person in the State's case-in-chief, the court shall verify with the support person whether the support person, if called as a witness, would testify as set forth in the offer of proof. If the court finds that the support person would testify as set forth in the offer of proof, the court shall rule on the relevance, materiality, and admissibility of the anticipated testimony. If the court rules the anticipated testimony is admissible, the court shall issue the subpoena. The support person may remain in the courtroom after the support person testifies and shall be allowed to testify in rebuttal.

If the court excludes the victim's support person during the State's case-in-chief, the victim shall be allowed to choose another support person to be present in court.

If the victim fails to designate a support person within 60 days of trial and the defendant has subpoenaed the support person to testify at trial, the court may exclude the support person from the trial until the support person testifies. If the court excludes the support person the victim may choose another person as a support person.

(9) Right to notice and hearing before disclosure of confidential or privileged information or records.

(A) A defendant who seeks to subpoena testimony or records of or concerning the victim that are confidential or privileged by law must seek permission of the court before the subpoena is issued. The defendant must file a written motion and an offer of proof regarding the relevance, admissibility and materiality of the testimony or records. If the court finds by a preponderance of the evidence that:

(i) the testimony or records are not protected by an absolute privilege and

(ii) the testimony or records contain relevant, admissible, and material evidence that is not available through other witnesses or evidence, the court shall issue a subpoena requiring the witness to appear in camera or a sealed copy of the records be delivered to the court to be reviewed in camera. If, after conducting an in camera review of the

witness statement or records, the court determines that due process requires disclosure of any potential testimony or any portion of the records, the court shall provide copies of the records that it intends to disclose to the prosecuting attorney and the victim. The prosecuting attorney and the victim shall have 30 days to seek appellate review before the records are disclosed to the defendant, used in any court proceeding, or disclosed to anyone or in any way that would subject the testimony or records to public review. The disclosure of copies of any portion of the testimony or records to the prosecuting attorney under this Section does not make the records subject to discovery or required to be provided to the defendant.

(B) A prosecuting attorney who seeks to subpoena information or records concerning the victim that are confidential or privileged by law must first request the written consent of the crime victim. If the victim does not provide such written consent, including where necessary the appropriate signed document required for waiving privilege, the prosecuting attorney must serve the subpoena at least 21 days prior to the date a response or appearance is required to allow the subject of the subpoena time to file a motion to quash or request a hearing. The prosecuting attorney must also send a written notice to the victim at least 21 days prior to the response date to allow the victim to file a motion or request a hearing. The notice to the victim shall inform the victim (i) that a subpoena has been issued for confidential information or records concerning the victim, (ii) that the victim has the right to request a hearing prior to the response date of the subpoena, and (iii) how to request the hearing. The notice to the victim shall also include a copy of the subpoena. If requested, a hearing regarding the subpoena shall occur before information or records are provided to the prosecuting attorney.

(10) Right to notice of court proceedings. If the victim is not present at a court proceeding in which a right of the victim is at issue, the court shall ask the prosecuting attorney whether the victim was notified of the time, place, and purpose of the court proceeding and that the victim had a right to be heard at the court proceeding. If the court determines that timely notice was not given or that the victim was not adequately informed of the nature of the court proceeding, the court shall not rule on any substantive issues, accept a plea, or impose a sentence and shall continue the hearing for the time necessary to notify the victim of the time, place and nature of the court proceeding. The time between court proceedings shall not be attributable to the State under Section 103-5 of the Code of Criminal Procedure of 1963.

(11) Right to timely disposition of the case. A victim has the right to timely disposition of the case so as to minimize the stress, cost, and inconvenience resulting from the victim's involvement in the case. Before ruling on a motion to continue trial or other court proceeding, the court shall inquire into the circumstances for the request for the delay and, if the victim has provided written notice of the assertion of the right to a timely disposition, and whether the victim objects to the delay. If the victim objects, the prosecutor shall inform the court of the victim's objections. If the prosecutor has not conferred with the victim about the continuance, the prosecutor shall inform the court of the attempts to confer. If the court finds the attempts of the prosecutor to confer with the victim were inadequate to protect the victim's right to be heard, the court shall give the prosecutor at least 3 but not more than 5 business days to confer with the victim. In ruling on a motion to continue, the court shall consider the reasons for the requested continuance, the number and length of continuances that have been granted, the victim's objections and procedures to avoid further delays. If a continuance is granted over the victim's objection, the court shall specify on the record the reasons for the continuance and the procedures that have been or will be taken to avoid further delays.

(12) Right to Restitution.

(A) If the victim has asserted the right to restitution and the amount of restitution is known at the time of sentencing, the court shall enter the judgment of restitution at the time of sentencing.

(B) If the victim has asserted the right to restitution and the amount of restitution is not known at the time of sentencing, the prosecutor shall, within 5 days after sentencing, notify the victim what information and documentation related to restitution is needed and that the information and documentation must be provided to the prosecutor within 45 days after sentencing. Failure to timely provide information and documentation related to restitution shall be deemed a waiver of the right to restitution. The prosecutor shall file and serve within 60 days after sentencing a proposed judgment for restitution and a notice that includes information

concerning the identity of any victims or other persons seeking restitution, whether any victim or other person expressly declines restitution, the nature and amount of any damages together with any supporting documentation, a restitution amount recommendation, and the names of any co-defendants and their case numbers. Within 30 days after receipt of the proposed judgment for restitution, the defendant shall file any objection to the proposed judgment, a statement of grounds for the objection, and a financial statement. If the defendant does not file an objection, the court may enter the judgment for restitution without further proceedings. If the defendant files an objection and either party requests a hearing, the court shall schedule a hearing.

(13) Access to presentence reports.

(A) The victim may request a copy of the presentence report prepared under the Unified Code of Corrections from the State's Attorney. The State's Attorney shall redact the following information before providing a copy of the report:

(i) the defendant's mental history and condition;

(ii) any evaluation prepared under subsection (b) or (b-5) of Section 5-3-2; and

(iii) the name, address, phone number, and other personal information about any other victim.

(B) The State's Attorney or the defendant may request the court redact other information in the report that may endanger the safety of any person.

(C) The State's Attorney may orally disclose to the victim any of the information that has been redacted if there is a reasonable likelihood that the information will be stated in court at the sentencing.

(D) The State's Attorney must advise the victim that the victim must maintain the confidentiality of the report and other information. Any dissemination of the report or information that was not stated at a court proceeding constitutes indirect criminal contempt of court.

(14) Appellate relief. If the trial court denies the relief requested, the victim, the victim's attorney, or the prosecuting attorney may file an appeal within 30 days of the trial court's ruling. The trial or appellate court may stay the court proceedings if the court finds that a stay would not violate a constitutional right of the defendant. If the appellate court denies the relief sought, the reasons for the denial shall be clearly stated in a written opinion. In any appeal in a criminal case, the State may assert as error the court's denial of any crime victim's right in the proceeding to which the appeal relates.

(15) Limitation on appellate relief. In no case shall an appellate court provide a new trial to remedy the violation of a victim's right.

(16) The right to be reasonably protected from the accused throughout the criminal justice process and the right to have the safety of the victim and the victim's family considered in determining whether to release the defendant, and setting conditions of release after arrest and conviction. A victim of domestic violence, a sexual offense, or stalking may request the entry of a protective order under Article 112A of the Code of Criminal Procedure of 1963.

(d) Procedures after the imposition of sentence.

(1) The Prisoner Review Board shall inform a victim or any other concerned citizen, upon written request, of the prisoner's release on parole, mandatory supervised release, electronic detention, work release, international transfer or exchange, or by the custodian, other than the Department of Juvenile Justice, of the discharge of any individual who was adjudicated a delinquent for a crime from State custody and by the sheriff of the appropriate county of any such person's final discharge from county custody. The Prisoner Review Board, upon written request, shall provide to a victim or any other concerned citizen a recent photograph of any person convicted of a felony, upon his or her release from custody. The Prisoner Review Board, upon written request, shall inform a victim or any other concerned citizen when feasible at least 7 days prior to the prisoner's release on furlough of the times and dates of such furlough. Upon written request by the victim or any other concerned citizen, the State's Attorney shall notify the person once of the times and dates of release of a prisoner sentenced to periodic imprisonment. Notification shall be based on the most recent information as to the victim's or other concerned citizen's residence or other location available to the notifying authority.

(1.5) The Prisoner Review Board shall notify a victim of a prisoner's pardon, commutation of sentence, release on furlough, or early release from State custody, if the victim has previously

requested that notification. The notification shall be based upon the most recent information available to the Board as to the victim's residence or other location. The notification requirement under this paragraph (1.5) is in addition to any notification requirements under any other statewide victim notification systems. The Board shall document its efforts to provide the required notification if a victim alleges lack of notification under this paragraph (1.5).

(2) When the defendant has been committed to the Department of Human Services pursuant to Section 5-2-4 or any other provision of the Unified Code of Corrections, the victim may request to be notified by the releasing authority of the approval by the court of an on-grounds pass, a supervised off-grounds pass, an unsupervised off-grounds pass, or conditional release; the release on an off-grounds pass; the return from an off-grounds pass; transfer to another facility; conditional release; escape; death; or final discharge from State custody. The Department of Human Services shall establish and maintain a statewide telephone number to be used by victims to make notification requests under these provisions and shall publicize this telephone number on its website and to the State's Attorney of each county.

(3) In the event of an escape from State custody, the Department of Corrections or the Department of Juvenile Justice immediately shall notify the Prisoner Review Board of the escape and the Prisoner Review Board shall notify the victim. The notification shall be based upon the most recent information as to the victim's residence or other location available to the Board. When no such information is available, the Board shall make all reasonable efforts to obtain the information and make the notification. When the escapee is apprehended, the Department of Corrections or the Department of Juvenile Justice immediately shall notify the Prisoner Review Board and the Board shall notify the victim. The notification requirement under this paragraph (3) is in addition to any notification requirements under any other statewide victim notification systems. The Board shall document its efforts to provide the required notification if a victim alleges lack of notification under this paragraph (3).

(4) The victim of the crime for which the prisoner has been sentenced has the right to register with the Prisoner Review Board's victim registry. Victims registered with the Board shall receive reasonable written notice not less than 30 days prior to the parole hearing or target aftercare release date. The victim has the right to submit a victim statement for consideration by the Prisoner Review Board or the Department of Juvenile Justice in writing, on film, videotape, or other electronic means, or in the form of a recording prior to the parole hearing or target aftercare release date, or in person at the parole hearing or aftercare release protest hearing, or by calling the toll-free number established in subsection (f) of this Section. The victim shall be notified within 7 days after the prisoner has been granted parole or aftercare release and shall be informed of the right to inspect the registry of parole decisions, established under subsection (g) of Section 3-3-5 of the Unified Code of Corrections. The provisions of this paragraph (4) are subject to the Open Parole Hearings Act. Victim statements provided to the Board shall be confidential and privileged, including any statements received prior to January 1, 2020 (the effective date of Public Act 101-288), except if the statement was an oral statement made by the victim at a hearing open to the public.

(4-1) The crime victim, including any person who has had a final, plenary, non-emergency, or emergency protective order granted against the petitioner or parole candidate under Article 112A of the Code of Criminal Procedure of 1963, the Illinois Domestic Violence Act of 1986, the Stalking No Contact Order Act, or the Civil No Contact Order Act, has the right to submit a victim statement, in support or opposition, for consideration by the Prisoner Review Board or the Department of Juvenile Justice prior to or at a hearing to determine the conditions of mandatory supervised release of a person sentenced to a determinate sentence or at a hearing on revocation of mandatory supervised release of a person sentenced to a determinate sentence. A victim statement may be submitted in writing, on film, videotape, or other electronic means, or in the form of a recording, or orally at a hearing, or by calling the toll-free number established in subsection (f) of this Section. Victim statements provided to the Board shall be confidential and privileged, including any statements received prior to January 1, 2020 (the effective date of Public Act 101-288), except if the statement was an oral statement made by the victim at a hearing open to the public.

(4-2) The crime victim, including any person who has had a final, plenary, non-emergency, or emergency protective order granted against the petitioner or parole candidate under Article 112A of the Code of Criminal Procedure of 1963, the Illinois Domestic Violence Act of 1986, the Stalking No Contact Order Act, or the Civil No Contact Order Act, has the right to submit a victim statement, in

support or opposition, to the Prisoner Review Board for consideration at an executive clemency hearing as provided in Section 3-3-13 of the Unified Code of Corrections. A victim statement may be submitted in writing, on film, videotape, or other electronic means, or in the form of a recording prior to a hearing, or orally at a hearing, or by calling the toll-free number established in subsection (f) of this Section. Victim statements provided to the Board shall be confidential and privileged, including any statements received prior to January 1, 2020 (the effective date of Public Act 101-288), except if the statement was an oral statement made by the victim at a hearing open to the public.

(5) If a statement is presented under Section 6, the Prisoner Review Board or Department of Juvenile Justice shall inform the victim of any order of discharge pursuant to Section 3-2.5-85 or 3-3-8 of the Unified Code of Corrections.

(6) At the written or oral request of the victim of the crime for which the prisoner was sentenced or the State's Attorney of the county where the person seeking parole or aftercare release was prosecuted, the Prisoner Review Board or Department of Juvenile Justice shall notify the victim and the State's Attorney of the county where the person seeking parole or aftercare release was prosecuted of the death of the prisoner if the prisoner died while on parole or aftercare release or mandatory supervised release.

(7) When a defendant who has been committed to the Department of Corrections, the Department of Juvenile Justice, or the Department of Human Services is released or discharged and subsequently committed to the Department of Human Services as a sexually violent person and the victim had requested to be notified by the releasing authority of the defendant's discharge, conditional release, death, or escape from State custody, the releasing authority shall provide to the Department of Human Services such information that would allow the Department of Human Services to contact the victim.

(8) When a defendant has been convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act and has been sentenced to the Department of Corrections or the Department of Juvenile Justice, the Prisoner Review Board or the Department of Juvenile Justice shall notify the victim of the sex offense of the prisoner's eligibility for release on parole, aftercare release, mandatory supervised release, electronic detention, work release, international transfer or exchange, or by the custodian of the discharge of any individual who was adjudicated a delinquent for a sex offense from State custody and by the sheriff of the appropriate county of any such person's final discharge from county custody. The notification shall be made to the victim at least 30 days, whenever possible, before release of the sex offender.

(e) The officials named in this Section may satisfy some or all of their obligations to provide notices and other information through participation in a statewide victim and witness notification system established by the Attorney General under Section 8.5 of this Act.

(f) The Prisoner Review Board shall establish a toll-free number that may be accessed by the crime victim to present a victim statement to the Board in accordance with paragraphs (4), (4-1), and (4-2) of subsection (d). The Prisoner Review Board shall provide registered and identified victims with the contact information for the State victim assistance hotline as part of its process to obtain a victim witness statement and as part of its notification.

(g) The Prisoner Review Board shall publish on its official website, and provide to registered victims, procedural information on how to submit victim statements.

(Source: P.A. 101-81, eff. 7-12-19; 101-288, eff. 1-1-20; 101-652, eff. 1-1-23; 102-22, eff. 6-25-21; 102-558, eff. 8-20-21; 102-813, eff. 5-13-22.)

(725 ILCS 120/5) (from Ch. 38, par. 1405)

Sec. 5. Rights of witnesses.

(a) Witnesses as defined in subsection (b) of Section 3 of this Act shall have the following rights:

(1) to be notified by the Office of the State's Attorney of all court proceedings at which the witness' presence is required in a reasonable amount of time prior to the proceeding, and to be notified of the cancellation of any scheduled court proceeding in sufficient time to prevent an unnecessary appearance in court, where possible;

(2) to be provided with appropriate employer intercession services by the Office of the State's Attorney or the victim advocate personnel to ensure that employers of witnesses will cooperate with the criminal justice system in order to minimize an employee's loss of pay and other benefits resulting from court appearances;

(3) to be provided, whenever possible, a secure waiting area during court proceedings that does not require witnesses to be in close proximity to defendants and their families and friends;

(4) to be provided with notice by the Office of the State's Attorney, where necessary, of the right to have a translator present whenever the witness' presence is required and, in compliance with the federal Americans with Disabilities Act of 1990, to be provided with notice of the right to communications access through a sign language interpreter or by other means.

(b) At the written request of the witness, the witness shall:

(1) receive notice from the office of the State's Attorney of any request for post-conviction review filed by the defendant under Article 122 of the Code of Criminal Procedure of 1963, and of the date, time, and place of any hearing concerning the petition for post-conviction review; whenever possible, notice of the hearing on the petition shall be given in advance;

(2) receive notice by the releasing authority of the defendant's discharge from State custody if the defendant was committed to the Department of Human Services under Section 5-2-4 or any other provision of the Unified Code of Corrections;

(3) receive notice from the Prisoner Review Board of the prisoner's escape from State custody, after the Board has been notified of the escape by the Department of Corrections or the Department of Juvenile Justice; when the escapee is apprehended, the Department of Corrections or the Department of Juvenile Justice shall immediately notify the Prisoner Review Board and the Board shall notify the witness;

(4) receive notice from the Prisoner Review Board or the Department of Juvenile Justice of the prisoner's release on parole, aftercare release, electronic detention, work release or mandatory supervised release and of the prisoner's final discharge from parole, aftercare release, electronic detention, work release, or mandatory supervised release.

(c) The crime victim, including any person who has had a final, plenary, non-emergency, or emergency protective order granted against the petitioner or parole candidate under Article 112A of the Code of Criminal Procedure of 1963, the Illinois Domestic Violence Act of 1986, the Stalking No Contact Order Act, or the Civil No Contact Order Act, has the right to submit a victim statement, in support or opposition, to the Prisoner Review Board for consideration at a medical release hearing as provided in Section 3-3-14 of the Unified Code of Corrections. A victim statement may be submitted in writing, on film, videotape, or other electronic means, or in the form of a recording prior to a hearing, or orally at a hearing, or by calling the toll-free number established in subsection (f) of Section 4.5. Victim statements provided to the Board shall be confidential and privileged, including any statements received prior to the effective date of this amendatory Act of the 102nd General Assembly, except if the statement was an oral statement made by the victim at a hearing open to the public.

(Source: P.A. 102-494, eff. 1-1-22.)

(725 ILCS 120/8.5)

Sec. 8.5. Statewide victim and witness notification system.

(a) The Attorney General may establish a crime victim and witness notification system to assist public officials in carrying out their duties to notify and inform crime victims and witnesses under Section 4.5 of this Act or under subsections (a), (a-2), and (a-3) of Section 120 of the Sex Offender Community Notification Law. The system shall download necessary information from participating officials into its computers, where it shall be maintained, updated, and automatically transmitted to victims and witnesses by telephone, computer, written notice, SMS text message, or other electronic means.

(b) The Illinois Department of Corrections, the Department of Juvenile Justice, the Department of Human Services, and the Prisoner Review Board shall cooperate with the Attorney General in the implementation of this Section and shall provide information as necessary to the effective operation of the system.

(c) State's attorneys, circuit court clerks, and local law enforcement and correctional authorities may enter into agreements with the Attorney General for participation in the system. The Attorney General may provide those who elect to participate with the equipment, software, or training necessary to bring their offices into the system.

(d) The provision of information to crime victims and witnesses through the Attorney General's notification system satisfies a given State or local official's corresponding obligation to provide the information.

(e) The Attorney General may provide for telephonic, electronic, or other public access to the database established under this Section.

(f) (Blank).

(g) There is established in the Office of the Attorney General a Crime Victim and Witness Notification Advisory Committee consisting of those victims advocates, sheriffs, State's Attorneys, circuit court clerks, Illinois Department of Corrections, the Department of Juvenile Justice, and Prisoner Review Board employees that the Attorney General chooses to appoint. The Attorney General shall designate one member to chair the Committee.

(1) The Committee shall consult with and advise the Attorney General as to the exercise of the Attorney General's authority under this Section, including, but not limited to:

(i) the design, scope, and operation of the notification system;

(ii) the content of any rules adopted to implement this Section;

(iii) the procurement of hardware, software, and support for the system, including choice of supplier or operator; and

(iv) the acceptance of agreements with and the award of equipment, software, or training to officials that seek to participate in the system.

(2) The Committee shall review the status and operation of the system and report any findings and recommendations for changes to the Attorney General and the General Assembly by November 1 of each year.

(3) The members of the Committee shall receive no compensation for their services as members of the Committee, but may be reimbursed for their actual expenses incurred in serving on the Committee.

(h) The Attorney General shall not release the names, addresses, phone numbers, personal identification numbers, or email addresses of any person registered to receive notifications to any other person except State or local officials using the notification system to satisfy the official's obligation to provide the information. The Attorney General may grant limited access to the Automated Victim Notification system (AVN) to law enforcement, prosecution, and other agencies that provide service to victims of violent crime to assist victims in enrolling and utilizing the AVN system.

(i) The Attorney General shall conduct an internal review of the witness notification system to review timely notice to victims and witnesses throughout the State and shall make recommendations to the General Assembly for improvements in the procedures and technologies used in the system. The Attorney General shall submit the recommendations to the General Assembly on or before July 1, 2026.

(Source: P.A. 98-717, eff. 1-1-15; 99-413, eff. 8-20-15.)

Section 10. The Unified Code of Corrections is amended by changing Sections 3-3-1, 3-3-2, 3-3-5, 3-3-8, 3-3-9, 3-3-13, 3-3-14, 3-5-1, 3-14-1, 5-4.5-115 and by adding Section 3-3-1.5 as follows:

(730 ILCS 5/3-3-1) (from Ch. 38, par. 1003-3-1)

Sec. 3-3-1. Establishment and appointment of Prisoner Review Board.

(a) There shall be a Prisoner Review Board independent of the Department which shall be:

(1) the paroling authority for persons sentenced under the law in effect prior to the effective date of this amendatory Act of 1977;

(1.2) the paroling authority for persons eligible for parole review under Section 5-4.5-115;

(1.5) (blank);

(2) the board of review for cases involving the revocation of sentence credits or a suspension or reduction in the rate of accumulating the credit;

(3) the board of review and recommendation for the exercise of executive clemency by the Governor;

(4) the authority for establishing release dates for certain prisoners sentenced under the law in existence prior to the effective date of this amendatory Act of 1977, in accordance with Section 3-3-2.1 of this Code;

(5) the authority for setting conditions for parole and mandatory supervised release under Section 5-8-1(a) of this Code, and determining whether a violation of those conditions warrant revocation of parole or mandatory supervised release or the imposition of other sanctions;

(6) the authority for determining whether a violation of aftercare release conditions warrant revocation of aftercare release; and

(7) the authority to release medically infirm or disabled prisoners under Section 3-3-14.

(b) The Board shall consist of 15 persons appointed by the Governor by and with the advice and consent of the Senate. One member of the Board shall be designated by the Governor to be Chairman and

shall serve as Chairman at the pleasure of the Governor. The members of the Board shall have had at least 5 years of actual experience in the fields of penology, corrections work, advocacy for victims of crime and their families, advocacy for survivors of domestic violence, sexual violence, or intimate partner violence, law enforcement, sociology, law, education, social work, medicine, psychology, other behavioral sciences, or a combination thereof. At least 3 ~~6~~ members so appointed must have at least 3 years experience in ~~the field of~~ juvenile matters. A total of 7 members must have at least 5 years' experience as a law enforcement officer, parole officer, prosecutor, criminal defense attorney, or judge. No more than 8 Board members may be members of the same political party.

Each member of the Board shall serve on a full-time basis and shall not hold any other salaried public office, whether elective or appointive, nor any other office or position of profit, nor engage in any other business, employment, or vocation. The Chairman of the Board shall receive the same salary as the Chairperson of the Illinois Human Rights Commission ~~$35,000 a year, or an amount set by the Compensation Review Board, whichever is greater~~, and each other member shall receive the same salary as members of the Illinois Human Rights Commission ~~$30,000, or an amount set by the Compensation Review Board, whichever is greater~~. The changes made to the salary of the Chairman of the Board and to the salaries of other members of the Board by this amendatory Act of the 104th General Assembly apply only to persons who are appointed or reappointed to those positions on or after the effective date of this amendatory Act of the 104th General Assembly.

(c) Notwithstanding any other provision of this Section, the term of each member of the Board who was appointed by the Governor and is in office on June 30, 2003 shall terminate at the close of business on that date or when all of the successor members to be appointed pursuant to this amendatory Act of the 93rd General Assembly have been appointed by the Governor, whichever occurs later. As soon as possible, the Governor shall appoint persons to fill the vacancies created by this amendatory Act.

Of the initial members appointed under this amendatory Act of the 93rd General Assembly, the Governor shall appoint 5 members whose terms shall expire on the third Monday in January 2005, 5 members whose terms shall expire on the third Monday in January 2007, and 5 members whose terms shall expire on the third Monday in January 2009. Their respective successors shall be appointed for terms of 6 years from the third Monday in January of the year of appointment. Each member shall serve until his or her successor is appointed and qualified.

Notwithstanding any other provision of this Section, any member appointed after January 1, 2026 shall be appointed for an 8-year term that begins upon the date of appointment or reappointment. Each member shall serve until the member's successor is appointed and qualified.

Any member may be removed by the Governor for incompetence, neglect of duty, malfeasance or inability to serve.

(d) The Chairman of the Board shall be its chief executive and administrative officer. The Board may have an Executive Director; if so, the Executive Director shall be appointed by the Governor with the advice and consent of the Senate. The salary and duties of the Executive Director shall be fixed by the Board.

(e) Each member and commissioner of the Prisoner Review Board shall be required to complete a training course developed and administered in consultation with the Department of Corrections. The training shall be provided to new members and commissioners of the Prisoner Review Board within 30 days of the start of their service and before they take part in any hearings. The training shall cover topics, including, but not limited to:

(1) the prison and incarceration system, including a tour of a correctional institution or facility and a meeting with the facility administration;

(2) the nature and benefits of rehabilitative corrections;

(3) rehabilitative programming provided by the Department of Corrections available to incarcerated individuals; and

(4) the impact of rehabilitative corrections and programming on rates of recidivism.

In addition to the training course, each member and commissioner of the Board shall also be required to participate in 20 hours of continuing education or training per year. Training shall cover, but shall not be limited to, the following topics: domestic violence, restorative justice, racial bias, risk assessment bias, law enforcement bias, prevalence of wrongful convictions, prosecutorial misconduct, police misconduct, mental health, cognitive behavioral therapy, trauma, the age-crime curve, recidivism, and the benefits of rehabilitative, educational, vocational, and health, programming in correctional facilities. Documentation of completion shall be submitted to and recorded by the Department of Corrections and made available to the public upon request.

The 20 hours of continuing education or training per year required in this subsection shall include a training course developed and administered by the entity administering the Illinois Domestic Violence Hotline. The training shall be provided to new members and commissioners of the Prisoner Review Board within 30 days of the start of their service and before they take part in any hearings.

This training shall be tailored specifically to the members of the Board and shall cover topics, including, but not limited to:

(1) the nature, extent, causes, and lethality of domestic violence and gender-based violence;

(2) implicit and explicit biases toward parties involved in domestic violence and gender-based violence;

(3) criminalization of survivors of domestic violence and gender-based violence;

(4) behavioral patterns and relationship dynamics within the cycle of violence;

(5) safety planning and procedures designed to promote the safety of victims of domestic violence and gender-based violence and their household members;

(6) resources available to victims of domestic violence and gender-based violence and their household members; and

(7) the Illinois Domestic Violence Act of 1986, the Stalking No Contact Order Act, the Civil No Contact Order Act, and the legal process regarding protective orders.

(f) The Board may appoint commissioners to assist it in such manner as it directs and may discharge them at will. Commissioners shall not be subject to the Personnel Code. Any commissioner appointed shall be an attorney licensed to practice law in the State of Illinois. The Board in its discretion may assign any hearing to a commissioner, except that, in hearings requiring a quorum of the Board, only members shall participate, and in hearings requiring at least 3 members, at least 2 members shall participate. No commissioner may act as the lead member or point of contact for any institutional hearing.

(Source: P.A. 101-288, eff. 1-1-20; 102-494, eff. 1-1-22.)

(730 ILCS 5/3-3-1.5 new)

Sec. 3-3-1.5. Director of Victim and Witness Services.

(a) There is established a Director of Victim and Witness Services under the jurisdiction of the Prisoner Review Board. The Victim and Witness Services Director shall be hired by the Prisoner Review Board. The Victim and Witness Services Director shall be responsible for ensuring that victims receive appropriate notice and the opportunity to provide a victim impact statement in accordance with this Act. The Victim and Witness Services Director shall also be responsible for coordinating with other agencies to improve victim notification processes, and identifying ways to better serve victims.

(730 ILCS 5/3-3-2) (from Ch. 38, par. 1003-3-2)

Sec. 3-3-2. Powers and duties.

(a) The Parole and Pardon Board is abolished and the term "Parole and Pardon Board" as used in any law of Illinois, shall read "Prisoner Review Board." After February 1, 1978 (the effective date of Public Act 81-1099), the Prisoner Review Board shall provide by rule for the orderly transition of all files, records, and documents of the Parole and Pardon Board and for such other steps as may be necessary to effect an orderly transition and shall:

(1) hear by at least one member and through a panel of at least 3 members decide, cases of prisoners who were sentenced under the law in effect prior to February 1, 1978 (the effective date of Public Act 81-1099), and who are eligible for parole;

(2) hear by at least one member and through a panel of at least 3 members decide, the conditions of parole and the time of discharge from parole, impose sanctions for violations of parole, and revoke parole for those sentenced under the law in effect prior to February 1, 1978 (the effective date of Public Act 81-1099); provided that the decision to parole and the conditions of parole for all prisoners who were sentenced for first degree murder or who received a minimum sentence of 20 years or more under the law in effect prior to February 1, 1978 shall be determined by a majority vote of the Prisoner Review Board. One representative supporting parole and one representative opposing parole will be allowed to speak. Their comments shall be limited to making corrections and filling in omissions to the Board's presentation and discussion;

(3) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, impose sanctions for violations of mandatory supervised release, and revoke mandatory supervised release for those sentenced under the law in effect after February 1, 1978 (the effective date of Public Act 81-1099);

(3.5) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, to impose sanctions for violations of mandatory supervised release and revoke mandatory supervised release for those serving extended supervised release terms pursuant to paragraph (4) of subsection (d) of Section 5-8-1;

(3.6) hear by at least one member and through a panel of at least 3 members decide whether to revoke aftercare release for those committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987;

(4) hear by at least one member and through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for alleged violation of Department rules with respect to sentence credits under Section 3-6-3 of this Code in which the Department seeks to revoke sentence credits, if the amount of time at issue exceeds 30 days 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 such 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 for any prisoner or to increase any penalty beyond the length requested by the Department;

(5) hear by at least one member and through a panel of at least 3 members decide, the release dates for certain prisoners sentenced under the law in existence prior to February 1, 1978 (the effective date of Public Act 81-1099), in accordance with Section 3-3-2.1 of this Code;

(6) hear by at least one member and through a panel of at least 3 members decide, all requests for pardon, reprieve or commutation, and make confidential recommendations to the Governor;

(6.5) hear by at least one member who is qualified in the field of juvenile matters and through a panel of at least 3 members, 2 of whom are qualified in the field of juvenile matters, decide parole review cases in accordance with Section 5-4.5-115 of this Code and make release determinations of persons under the age of 21 at the time of the commission of an offense or offenses, other than those persons serving sentences for first degree murder or aggravated criminal sexual assault;

(6.6) hear by at least a quorum of the Prisoner Review Board and decide by a majority of members present at the hearing, in accordance with Section 5-4.5-115 of this Code, release determinations of persons under the age of 21 at the time of the commission of an offense or offenses of those persons serving sentences for first degree murder or aggravated criminal sexual assault;

(7) comply with the requirements of the Open Parole Hearings Act;

(8) hear by at least one member and, through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for court dismissal of a frivolous lawsuit pursuant to Section 3-6-3(d) of this Code in which the Department seeks to revoke up to 180 days of sentence credit, and if the prisoner has not accumulated 180 days of sentence credit at the time of the dismissal, then all sentence credit accumulated by the prisoner shall be revoked;

(9) hear by at least 3 members, and, through a panel of at least 3 members, decide whether to grant certificates of relief from disabilities or certificates of good conduct as provided in Article 5.5 of Chapter V;

(10) upon a petition by a person who has been convicted of a Class 3 or Class 4 felony and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for sealing recommending that the court order the sealing of all official records of the arresting authority, the circuit court clerk, and the Illinois State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for sealing:

(A) until 5 years have elapsed since the expiration of his or her sentence;

(B) until 5 years have elapsed since any arrests or detentions by a law enforcement officer for an alleged violation of law, other than a petty offense, traffic offense, conservation offense, or local ordinance offense;

(C) if convicted of a violation of the Cannabis Control Act, Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, the Methamphetamine Precursor Control Act, or the Methamphetamine Precursor Tracking Act unless the petitioner

has completed a drug abuse program for the offense on which sealing is sought and provides proof that he or she has completed the program successfully;

(D) if convicted of:

(i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012;

(ii) aggravated assault;

(iii) aggravated battery;

(iv) domestic battery;

(v) aggravated domestic battery;

(vi) violation of an order of protection;

(vii) an offense under the Criminal Code of 1961 or the Criminal Code of 2012 involving a firearm;

(viii) driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof;

(ix) aggravated driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof; or

(x) any crime defined as a crime of violence under Section 2 of the Crime Victims Compensation Act.

If a person has applied to the Board for a certificate of eligibility for sealing and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for pardon from the Governor unless the Chairman of the Prisoner Review Board grants a waiver.

The decision to issue or refrain from issuing a certificate of eligibility for sealing shall be at the Board's sole discretion, and shall not give rise to any cause of action against either the Board or its members.

The Board may only authorize the sealing of Class 3 and 4 felony convictions of the petitioner from one information or indictment under this paragraph (10). A petitioner may only receive one certificate of eligibility for sealing under this provision for life; and

(11) upon a petition by a person who after having been convicted of a Class 3 or Class 4 felony thereafter served in the United States Armed Forces or National Guard of this or any other state and had received an honorable discharge from the United States Armed Forces or National Guard or who at the time of filing the petition is enlisted in the United States Armed Forces or National Guard of this or any other state and served one tour of duty and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for expungement recommending that the court order the expungement of all official records of the arresting authority, the circuit court clerk, and the Illinois State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for expungement:

(A) if convicted of:

(i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or Criminal Code of 2012;

(ii) an offense under the Criminal Code of 1961 or Criminal Code of 2012 involving a firearm; or

(iii) a crime of violence as defined in Section 2 of the Crime Victims Compensation Act; or

(B) if the person has not served in the United States Armed Forces or National Guard of this or any other state or has not received an honorable discharge from the United States Armed Forces or National Guard of this or any other state or who at the time of the filing of the petition is serving in the United States Armed Forces or National Guard of this or any other state and has not completed one tour of duty.

If a person has applied to the Board for a certificate of eligibility for expungement and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for a pardon with authorization for expungement from the Governor unless the Governor or Chairman of the Prisoner Review Board grants a waiver.

(a-5) The Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall provide ~~implement a pilot project in 3 correctional institutions providing~~ for the conduct of hearings under paragraphs (1) and (4) of subsection

(a) of this Section through interactive video conferences. The ~~The project shall be implemented within 6 months after January 1, 1997 (the effective date of Public Act 89-490). Within 6 months after the implementation of the pilot project, the~~ Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall report annually to the Governor and the General Assembly regarding the use, costs, effectiveness, and future viability of interactive video conferences for Prisoner Review Board hearings.

(b) Upon recommendation of the Department the Board may restore sentence credit previously revoked.

(c) The Board shall cooperate with the Department in promoting an effective system of parole and mandatory supervised release.

(d) The Board shall promulgate rules for the conduct of its work, and the Chairman shall file a copy of such rules and any amendments thereto with the Director and with the Secretary of State.

(e) The Board shall keep records of all of its official actions and shall make them accessible in accordance with law and the rules of the Board.

(f) The Board or one who has allegedly violated the conditions of his or her parole, aftercare release, or mandatory supervised release may require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under investigation or hearing. The Chairman of the Board may sign subpoenas which shall be served by any agent or public official authorized by the Chairman of the Board, or by any person lawfully authorized to serve a subpoena under the laws of the State of Illinois. The attendance of witnesses, and the production of documentary evidence, may be required from any place in the State to a hearing location in the State before the Chairman of the Board or his or her designated agent or agents or any duly constituted Committee or Subcommittee of the Board. Witnesses so summoned shall be paid the same fees and mileage that are paid witnesses in the circuit courts of the State, and witnesses whose depositions are taken and the persons taking those depositions are each entitled to the same fees as are paid for like services in actions in the circuit courts of the State. Fees and mileage shall be vouchered for payment when the witness is discharged from further attendance.

In case of disobedience to a subpoena, the Board may petition any circuit court of the State for an order requiring the attendance and testimony of witnesses or the production of documentary evidence or both. A copy of such petition shall be served by personal service or by registered or certified mail upon the person who has failed to obey the subpoena, and such person shall be advised in writing that a hearing upon the petition will be requested in a court room to be designated in such notice before the judge hearing motions or extraordinary remedies at a specified time, on a specified date, not less than 10 nor more than 15 days after the deposit of the copy of the written notice and petition in the U.S. mail addressed to the person at his or her last known address or after the personal service of the copy of the notice and petition upon such person. The court upon the filing of such a petition, may order the person refusing to obey the subpoena to appear at an investigation or hearing, or to there produce documentary evidence, if so ordered, or to give evidence relative to the subject matter of that investigation or hearing. Any failure to obey such order of the circuit court may be punished by that court as a contempt of court.

Each member of the Board and any hearing officer designated by the Board shall have the power to administer oaths and to take the testimony of persons under oath.

(g) Except under subsection (a) of this Section, a majority of the members then appointed to the Prisoner Review Board shall constitute a quorum for the transaction of all business of the Board.

(h) The Prisoner Review Board shall annually transmit to the Director a detailed report of its work for the preceding calendar year, including votes cast by each member. The annual report shall also be transmitted to the Governor for submission to the Legislature.

(Source: P.A. 101-288, eff. 1-1-20; 102-538, eff. 8-20-21; 102-558, eff. 8-20-21.)

(730 ILCS 5/3-3-5) (from Ch. 38, par. 1003-3-5)

Sec. 3-3-5. Hearing and determination.

(a) The Prisoner Review Board shall meet as often as need requires to consider the cases of persons eligible for parole. Except as otherwise provided in paragraph (2) of subsection (a) of Section 3-3-2 of this Act, the Prisoner Review Board may meet and order its actions in panels of 3 or more members. The action of a majority of the panel shall be the action of the Board.

(b) If the person under consideration for parole is in the custody of the Department, at least one member of the Board shall interview him or her, and a report of that interview shall be available for the Board's consideration. However, in the discretion of the Board, the interview need not be conducted if a psychiatric examination determines that the person could not meaningfully contribute to the Board's

consideration. The Board may in its discretion parole a person who is then outside the jurisdiction on his or her record without an interview. The Board need not hold a hearing or interview a person who is paroled under paragraphs (d) or (e) of this Section or released on Mandatory release under Section 3-3-10.

(c) (Blank). ~~The Board shall not parole a person eligible for parole if it determines that:~~

~~(1) there is a substantial risk that he or she will not conform to reasonable conditions of parole or aftercare release; or~~

~~(2) his or her release at that time would deprecate the seriousness of his or her offense or promote disrespect for the law; or~~

~~(3) his or her release would have a substantially adverse effect on institutional discipline.~~

(c-1) In deciding whether to grant or deny parole, the Board shall consider the following factors:

(1) participation in rehabilitative programming available to the petitioner, including, but not limited to, educational courses, vocational courses, life skills courses, individual or group counseling courses, civics education courses, peer education courses, independent studies courses, substance abuse counseling courses, and behavior modification courses;

(2) participation in professional licensing courses or on-the-job training courses;

(3) letters from correctional staff, educational faculty, community members, friends, and other incarcerated persons;

(4) the petitioner's potential for rehabilitation or the evidence of rehabilitation in the petitioner;

(5) the applicant's age at the time of the offense;

(6) the circumstances of the offense and the petitioner's role and degree of participation in the offense;

(7) the presence of a cognitive or developmental disability in the petitioner at the time of the offense;

(8) the petitioner's family, home environment, and educational and social background at the time of the offense;

(9) evidence that the petitioner has suffered from gender-based violence as defined by Section 5 of the Gender Violence Act, postpartum psychosis or postpartum depression as defined by Section 2-1401 of the Code of Civil Procedure, post-traumatic stress disorder, adverse childhood experiences, or other traumas that could have been a contributing factor to a person's criminal behavior and participation in the offense;

(10) the presence or expression by the petitioner of remorse, compassion, or insight of harm and collateral effects experienced by the victims;

(11) the commission of a serious disciplinary infraction within the previous 5 years;

(12) a pattern of fewer serious institutional disciplinary infractions within the previous 2 years;

(13) evidence that the petitioner has any serious medical conditions;

(14) evidence that the Department is unable to meet the petitioner's medical needs; and

(15) the petitioner's reentry plan, including, but not limited to, residence plans, employment plans, continued education plans, rehabilitation plans, and counseling plans.

No one factor listed in this subsection (c-1) shall be dispositive.

(d) (Blank).

(d-1) The Board shall, upon due notice, give a hearing to all petitioners for medical release and all candidates for parole, allowing representation by counsel, if desired, or the assistance of advocates and supporters, if desired.

(d-2) All petitioners for medical release and all candidates for parole appearing before the Prisoner Review Board shall be afforded the opportunity to appear in person or via interactive video teleconference.

(d-3) Clemency petitioners who are currently incarcerated and their legal counsel, if retained, shall be afforded the opportunity to a pre-hearing conference in person or via interactive video teleconference with at least one Board member.

(e) A person who has served the maximum term of imprisonment imposed at the time of sentencing less time credit for good behavior shall be released on parole to serve a period of parole under Section 5-8-1.

(f) The Board shall render its decision within a reasonable time after hearing and shall state the basis therefor both in the records of the Board and in written notice to the person on whose application it has acted. In its decision, the Board shall set the person's time for parole, or if it denies parole it shall provide for a rehearing not less frequently than once every year, except that the Board may, after denying parole, schedule a rehearing no later than 5 years from the date of the parole denial, if the Board finds that it is not reasonable to expect that parole would be granted at a hearing prior to the scheduled rehearing date. If the

Board shall parole a person, and, if he or she is not released within 90 days from the effective date of the order granting parole, the matter shall be returned to the Board for review. If the Board denies parole, the written notice must include an explanation of each factor the Board relied on in making its decision to deny parole and what factors and goals the applicant should focus on and try to meet to be granted parole at a subsequent hearing.

(f-1) If the Board paroles a person who is eligible for commitment as a sexually violent person, the effective date of the Board's order shall be stayed for 90 days for the purpose of evaluation and proceedings under the Sexually Violent Persons Commitment Act.

(g) The Board shall maintain a registry of decisions in which parole has been granted, which shall include the name and case number of the prisoner, the highest charge for which the prisoner was sentenced, the length of sentence imposed, the date of the sentence, the date of the parole, and the basis for the decision of the Board to grant parole and the vote of the Board on any such decisions. The registry shall be made available for public inspection and copying during business hours and shall be a public record pursuant to the provisions of the Freedom of Information Act.

(h) The Board shall promulgate rules regarding the exercise of its discretion under this Section.

(Source: P.A. 98-558, eff. 1-1-14; 99-268, eff. 1-1-16; 99-628, eff. 1-1-17.)

(730 ILCS 5/3-3-8) (from Ch. 38, par. 1003-3-8)

Sec. 3-3-8. Length of parole and mandatory supervised release; discharge.

(a) The length of parole for a person sentenced under the law in effect prior to the effective date of this amendatory Act of 1977 and the length of mandatory supervised release for those sentenced under the law in effect on and after such effective date shall be as set out in Section 5-8-1 unless sooner terminated under paragraph (b) of this Section.

(b) The Prisoner Review Board may enter an order releasing and discharging one from parole or mandatory supervised release, and his or her commitment to the Department, when it determines that he or she is likely to remain at liberty without committing another offense. Before entering such an order, the Prisoner Review Board shall provide notice and a 30-day opportunity to comment to any registered victim.

(b-1) Provided that the subject is in compliance with the terms and conditions of his or her parole or mandatory supervised release, the Prisoner Review Board shall reduce the period of a parolee or releasee's parole or mandatory supervised release by 90 days upon the parolee or releasee receiving a high school diploma, associate's degree, bachelor's degree, career certificate, or vocational technical certification or upon passage of high school equivalency testing during the period of his or her parole or mandatory supervised release. A parolee or releasee shall provide documentation from the educational institution or the source of the qualifying educational or vocational credential to their supervising officer for verification. Each reduction in the period of a subject's term of parole or mandatory supervised release shall be available only to subjects who have not previously earned the relevant credential for which they are receiving the reduction. As used in this Section, "career certificate" means a certificate awarded by an institution for satisfactory completion of a prescribed curriculum that is intended to prepare an individual for employment in a specific field.

(b-2) The Prisoner Review Board may release a low-risk and need subject person from mandatory supervised release as determined by an appropriate evidence-based risk and need assessment.

(b-3) After the completion of at least 6 months for offenses set forth in paragraphs (1.5) through (7) of subsection (a) of Section 110-6.1 of the Code of Criminal Procedure of 1963 and 3 months for all other offenses, and upon completion of all mandatory conditions of parole or mandatory supervised release set forth in paragraph (7.5) of subsection (a) of Section 3-3-7 and subsection (b) of Section 3-3-7, the Department of Corrections shall complete a report describing whether the subject has completed the mandatory conditions of parole or mandatory supervised release. The report shall include whether the subject has complied with any mandatory conditions of parole or mandatory supervised release relating to orders of protection, civil no contact orders, or stalking no contact orders. The report shall also indicate whether a LEADS report reflects a conviction for a domestic violence offense within the prior 5 years.

(c) The order of discharge shall become effective upon entry of the order of the Board. The Board shall notify the clerk of the committing court of the order. Upon receipt of such copy, the clerk shall make an entry on the record judgment that the sentence or commitment has been satisfied pursuant to the order.

(d) Rights of the person discharged under this Section shall be restored under Section 5-5-5.

(e) Upon a denial of early discharge under this Section, the Prisoner Review Board shall provide the person on parole or mandatory supervised release a list of steps or requirements that the person must complete or meet to be granted an early discharge at a subsequent review and share the process for seeking a

subsequent early discharge review under this subsection. Upon the completion of such steps or requirements, the person on parole or mandatory supervised release may petition the Prisoner Review Board to grant them an early discharge review. Within no more than 30 days of a petition under this subsection, the Prisoner Review Board shall review the petition and make a determination.
(Source: P.A. 103-271, eff. 1-1-24.)

(730 ILCS 5/3-3-9) (from Ch. 38, par. 1003-3-9)

Sec. 3-3-9. Violations; changes of conditions; preliminary hearing; revocation of parole or mandatory supervised release; revocation hearing.

(a) If prior to expiration or termination of the term of parole or mandatory supervised release, a person violates a condition set by the Prisoner Review Board or a condition of parole or mandatory supervised release under Section 3-3-7 of this Code to govern that term, the Board may:

(1) continue the existing term, with or without modifying or enlarging the conditions; or

(1.5) for those released as a result of youthful offender parole as set forth in Section 5-4.5-115 of this Code, order that the inmate be subsequently rereleased to serve a specified mandatory supervised release term not to exceed the full term permitted under the provisions of Section 5-4.5-115 and subsection (d) of Section 5-8-1 of this Code and may modify or enlarge the conditions of the release as the Board deems proper; or

(2) parole or release the person to a half-way house; or

(3) revoke the parole or mandatory supervised release and reconfine the person for a term computed in the following manner:

(i) (A) For those sentenced under the law in effect prior to this amendatory Act of 1977, the recommitment shall be for any portion of the imposed maximum term of imprisonment or confinement which had not been served at the time of parole and the parole term, less the time elapsed between the parole of the person and the commission of the violation for which parole was revoked;

(B) Except as set forth in paragraphs (C) and (D), for those subject to mandatory supervised release under paragraph (d) of Section 5-8-1 of this Code, the recommitment shall be for the total mandatory supervised release term, less the time elapsed between the release of the person and the commission of the violation for which mandatory supervised release is revoked. The Board may also order that a prisoner serve up to one year of the sentence imposed by the court which was not served due to the accumulation of sentence credit;

(C) For those subject to sex offender supervision under clause (d)(4) of Section 5-8-1 of this Code, the reconfinement period for violations of clauses (a)(3) through (b-1)(15) of Section 3-3-7 shall not exceed 2 years from the date of reconfinement;

(D) For those released as a result of youthful offender parole as set forth in Section 5-4.5-115 of this Code, the reconfinement period shall be for the total mandatory supervised release term, less the time elapsed between the release of the person and the commission of the violation for which mandatory supervised release is revoked. The Board may also order that a prisoner serve up to one year of the mandatory supervised release term previously earned. The Board may also order that the inmate be subsequently rereleased to serve a specified mandatory supervised release term not to exceed the full term permitted under the provisions of Section 5-4.5-115 and subsection (d) of Section 5-8-1 of this Code and may modify or enlarge the conditions of the release as the Board deems proper;

(ii) the person shall be given credit against the term of reimprisonment or reconfinement for time spent in custody since he or she was paroled or released which has not been credited against another sentence or period of confinement;

(iii) (blank);

(iv) this Section is subject to the release under supervision and the reparole and rerelease provisions of Section 3-3-10.

(b) The Board may revoke parole or mandatory supervised release for violation of a condition for the duration of the term and for any further period which is reasonably necessary for the adjudication of matters arising before its expiration. The issuance of a warrant of arrest for an alleged violation of the conditions of parole or mandatory supervised release shall toll the running of the term until the final determination of the charge. When parole or mandatory supervised release is not revoked that period shall be credited to the term, unless a community-based sanction is imposed as an alternative to revocation and reincarceration, including a diversion established by the Illinois Department of Corrections Parole Services Unit prior to the

holding of a preliminary parole revocation hearing. Parolees who are diverted to a community-based sanction shall serve the entire term of parole or mandatory supervised release, if otherwise appropriate.

(b-5) The Board shall revoke parole or mandatory supervised release for violation of the conditions prescribed in paragraph (7.6) of subsection (a) of Section 3-3-7.

(c) A person charged with violating a condition of parole or mandatory supervised release shall have a preliminary hearing before a hearing officer designated by the Board to determine if there is cause to hold the person for a revocation hearing. However, no preliminary hearing need be held when revocation is based upon new criminal charges and a court finds probable cause on the new criminal charges or when the revocation is based upon a new criminal conviction and a certified copy of that conviction is available.

(d) Parole or mandatory supervised release shall not be revoked without written notice to the offender setting forth the violation of parole or mandatory supervised release charged against him or her. Before the Board makes a decision on whether to revoke an offender's parole or mandatory supervised release, the Prisoner Review Board must run a LEADS report. The Board shall publish on the Board's publicly accessible website the name and identification number of offenders who are alleged to have violated terms of parole or mandatory supervised release and the Board's decision as to whether to revoke parole or mandatory supervised release. This information shall be accessible for a period of 60 days after the information is posted.

(e) A hearing on revocation shall be conducted before at least one member of the Prisoner Review Board. The Board may meet and order its actions in panels of 3 or more members. The action of a majority of the panel shall be the action of the Board. A record of the hearing shall be made. At the hearing the offender shall be permitted to:

(1) appear and answer the charge; and

(2) bring witnesses on his or her behalf.

(f) The Board shall either revoke parole or mandatory supervised release or order the person's term continued with or without modification or enlargement of the conditions.

(g) Parole or mandatory supervised release shall not be revoked for failure to make payments under the conditions of parole or release unless the Board determines that such failure is due to the offender's willful refusal to pay.

(Source: P.A. 100-1182, eff. 6-1-19; 101-288, eff. 1-1-20.)

(730 ILCS 5/3-3-13) (from Ch. 38, par. 1003-3-13)

Sec. 3-3-13. Procedure for executive clemency.

(a) Petitions seeking pardon, commutation, or reprieve shall be addressed to the Governor and filed with the Prisoner Review Board. The petition shall be in writing and signed by the person under conviction or by a person on his behalf. It shall contain a brief history of the case, the reasons for seeking executive clemency, and other relevant information the Board may require.

(a-5) After a petition has been denied by the Governor, the Board may not accept a repeat petition for executive clemency for the same person until one full year has elapsed from the date of the denial. The Chairman of the Board may waive the one-year requirement if the petitioner offers in writing new information that was unavailable to the petitioner at the time of the filing of the prior petition and which the Chairman determines to be significant. The Chairman also may waive the one-year waiting period if the petitioner can show that a change in circumstances of a compelling humanitarian nature has arisen since the denial of the prior petition.

(b) Notice of the proposed application shall be given by the Board to the committing court and the state's attorney of the county where the conviction was had.

(b-5) Victims registered with the Board shall receive reasonable written notice not less than 30 days prior to the executive clemency hearing date. The victim has the right to submit a victim statement, in support or opposition, to the Prisoner Review Board for consideration at an executive clemency hearing as provided in subsection (c) of this Section. Victim statements provided to the Board shall be confidential and privileged, including any statements received prior to the effective date of this amendatory Act of the 101st General Assembly, except if the statement was an oral statement made by the victim at a hearing open to the public.

(c) The Board shall, upon due notice, give a hearing to each application, allowing representation by counsel, if desired, after which it shall confidentially advise the Governor by a written report of its recommendations which shall be determined by majority vote. The written report to the Governor shall be confidential and privileged, including any reports made prior to the effective date of this amendatory Act of the 101st General Assembly. The Board shall meet to consider such petitions no less than 4 times each year.

(d) The Governor shall decide each application and communicate his decision to the Board which shall notify the petitioner.

In the event a petitioner who has been convicted of a Class X felony is granted a release, after the Governor has communicated such decision to the Board, the Board shall give written notice to the Sheriff of the county from which the offender was sentenced if such sheriff has requested that such notice be given on a continuing basis. In cases where arrest of the offender or the commission of the offense took place in any municipality with a population of more than 10,000 persons, the Board shall also give written notice to the proper law enforcement agency for said municipality which has requested notice on a continuing basis.

(e) Nothing in this Section shall be construed to limit the power of the Governor under the constitution to grant a reprieve, commutation of sentence, or pardon.

(Source: P.A. 103-51, eff. 1-1-24.)

(730 ILCS 5/3-3-14)

Sec. 3-3-14. Procedure for medical release.

(a) Definitions.

(1) As used in this Section, "medically incapacitated" means that a petitioner ~~an inmate~~ has any diagnosable medical condition, including dementia and severe, permanent medical or cognitive disability, that prevents the petitioner ~~inmate~~ from completing more than one activity of daily living without assistance or that incapacitates the petitioner ~~inmate~~ to the extent that institutional confinement does not offer additional restrictions, and that the condition is unlikely to improve noticeably in the future.

(2) As used in this Section, "terminal illness" means a condition that satisfies all of the following criteria:

(i) the condition is irreversible and incurable; and

(ii) in accordance with medical standards and a reasonable degree of medical certainty, based on an individual assessment of the petitioner ~~inmate~~, the condition is likely to cause death to the petitioner ~~inmate~~ within 18 months.

(b) The Prisoner Review Board shall consider an application for compassionate release on behalf of any petitioner ~~inmate~~ who meets any of the following:

(1) is suffering from a terminal illness; or

(2) has been diagnosed with a condition that will result in medical incapacity within the next 6 months; or

(3) has become medically incapacitated subsequent to sentencing due to illness or injury.

(c) Initial application.

(1) An initial application for medical release may be filed with the Prisoner Review Board by the petitioner ~~an inmate~~, a prison official, a medical professional who has treated or diagnosed the petitioner ~~inmate~~, or the petitioner's ~~an inmate's~~ spouse, parent, guardian, grandparent, aunt or uncle, sibling, child over the age of eighteen years, or attorney. If the initial application is made by someone other than the petitioner ~~inmate~~, the petitioner ~~inmate~~, or if the petitioner ~~inmate~~ is medically unable to consent, the guardian or family member designated to represent the petitioner's ~~inmate's~~ interests must consent to the application at the time of the institutional hearing.

(2) Application materials shall be maintained on the Prisoner Review Board's website and the Department of Corrections' website and maintained in a clearly visible place within the law library and the infirmary of every penal institution and facility operated by the Department of Corrections.

(3) The initial application need not be notarized, can be sent via email or facsimile, and must contain the following information:

(i) the petitioner's ~~inmate's~~ name and Illinois Department of Corrections number;

(ii) the petitioner's ~~inmate's~~ diagnosis;

(iii) a statement that the petitioner ~~inmate~~ meets one of the following diagnostic criteria:

(A) the petitioner ~~inmate~~ is suffering from a terminal illness;

(B) the petitioner ~~inmate~~ has been diagnosed with a condition that will result in medical incapacity within the next 6 months; or

(C) the petitioner ~~inmate~~ has become medically incapacitated subsequent to sentencing due to illness or injury.

(3.5) The Prisoner Review Board shall place no additional restrictions, limitations, or requirements on applications from petitioners.

(4) Upon receiving the petitioner's ~~inmate's~~ initial application, the Board shall order the Department of Corrections to have a physician or nurse practitioner evaluate the petitioner ~~inmate~~ and create a written evaluation within ten days of the Board's order. The evaluation shall include but need not be limited to:

(i) a concise statement of the petitioner ~~inmate's~~ medical diagnosis, including prognosis, likelihood of recovery, and primary symptoms, to include incapacitation; and

(ii) a statement confirming or denying that the petitioner ~~inmate~~ meets one of the criteria stated in subsection (b) of this Section.

(5) Upon a determination that the petitioner is eligible for a hearing, the Prisoner Review Board shall:

(i) provide public notice of the petitioner's name, docket number, counsel, and hearing date; and

(ii) provide a copy of the evaluation and any medical records provided by the Department of Corrections to the petitioner or the petitioner's attorney upon scheduling the institutional hearing.

(d) Institutional hearing. ~~No public institutional hearing is required for consideration of a petition, but shall be granted at the request of the petitioner.~~ Hearings are public unless the petitioner requests a non-public hearing. The petitioner has a right to attend the hearing and to speak on the petitioner's own behalf. The petitioner ~~inmate~~ may be represented by counsel and may present witnesses to the Board members. Hearings shall be governed by the Open Parole Hearings Act. Members of the public shall be permitted to freely attend public hearings without restriction.

(e) Voting procedure. Petitions shall be considered by three-member panels, and decisions shall be made by simple majority. Voting shall take place during the public hearing.

(f) Consideration. In considering a petition for release under the statute, the Prisoner Review Board may consider the following factors:

(i) the petitioner's ~~inmate's~~ diagnosis and likelihood of recovery;

(ii) the approximate cost of health care to the State should the petitioner ~~inmate~~ remain in custody;

(iii) the impact that the petitioner's ~~inmate's~~ continued incarceration may have on the provision of medical care within the Department;

(iv) the present likelihood of and ability to pose a substantial danger to the physical safety of a specifically identifiable person or persons;

(v) any statements by the victim regarding release; and

(vi) whether the petitioner's ~~inmate's~~ condition was explicitly disclosed to the original sentencing judge and taken into account at the time of sentencing.

(f-1) Upon denying an eligible petitioner's application for medical release, the Prisoner Review Board shall publish a decision letter outlining the reason for denial. The decision letter must include an explanation of each statutory factor and the estimated annual cost of the petitioner's continued incarceration, including the petitioner's medical care.

(g) Petitioners ~~Inmates~~ granted medical release shall be released on mandatory supervised release for a period of 5 years subject to Section 3-3-8, which shall operate to discharge any remaining term of years imposed upon him or her. However, in no event shall the eligible person serve a period of mandatory supervised release greater than the aggregate of the discharged underlying sentence and the mandatory supervised release period as set forth in Section 5-4.5-20.

(h) Within 90 days of the receipt of the initial application, the Prisoner Review Board shall conduct a hearing if a hearing is requested and render a decision granting or denying the petitioner's request for release.

(i) Nothing in this statute shall preclude a petitioner from seeking alternative forms of release, including clemency, relief from the sentencing court, post-conviction relief, or any other legal remedy.

(j) This act applies retroactively, and shall be applicable to all currently incarcerated people in Illinois.

(k) Data report. The Department of Corrections and the Prisoner Review Board shall release a report annually published on their websites that reports the following information about the Medical Release Program:

(1) The number of applications for medical release received by the Board in the preceding year, and information about those applications, including:

(i) demographic data about the petitioner ~~individual~~, including race or ethnicity, gender, age, and institution;

(ii) the highest class of offense for which the petitioner ~~individual~~ is incarcerated;

(iii) the relationship of the petitioner ~~applicant~~ to the person completing the application;

(iv) whether the petitioner ~~applicant~~ had applied for medical release before and been denied, and, if so, when;

(v) whether the petitioner ~~person~~ applied as a person who is medically incapacitated or a person who is terminally ill; ~~and~~

(vi) a basic description of the underlying medical condition that led to the application ; ~~and~~.

(vii) the institution in which the petitioner was confined at the time of the application.

(2) The number of medical statements from the Department of Corrections received by the Board.

(3) The number of institutional hearings on medical release applications conducted by the Board including: ~~.~~

(i) whether the petitioner was represented by an attorney; and

(ii) whether the application was considered in a public or non-public hearing.

(4) The number of people approved for medical release, and information about them, including:

(i) demographic data about the individual including race or ethnicity, gender, age, and zip code to which they were released;

(ii) whether the person applied as a person who is medically incapacitated or a person who is terminally ill;

(iii) a basic description of the underlying medical condition that led to the application; ~~and~~

(iv) a basic description of the medical setting the person was released to; ~~.~~

(v) whether the petitioner was represented by an attorney; and

(vi) whether the application was considered in a public or non-public hearing.

(5) The number of people released on the medical release program.

(6) The number of people approved for medical release who experienced more than a one-month delay between release decision and ultimate release, including:

(i) demographic data about the individuals including race or ethnicity, gender and age;

(ii) the reason for the delay;

(iii) whether the person remains incarcerated; and

(iv) a basic description of the underlying medical condition of the applying person.

(7) For those individuals released on mandatory supervised release due to a granted application for medical release:

(i) the number of individuals who were serving terms of mandatory supervised release because of medical release applications during the previous year;

(ii) the number of individuals who had their mandatory supervised release revoked; and

(iii) the number of individuals who died during the previous year.

(8) Information on seriously ill individuals incarcerated at the Department of Corrections, including:

(i) the number of people currently receiving full-time one-on-one medical care or assistance with activities of daily living within Department of Corrections facilities and whether that care is provided by a medical practitioner or an incarcerated person ~~inmate~~, along with the institutions at which they are incarcerated; and

(ii) the number of people who spent more than one month in outside hospital care during the previous year and their home institutions.

All the information provided in this report shall be provided in aggregate, and nothing shall be construed to require the public dissemination of any personal medical information.

(Source: P.A. 102-494, eff. 1-1-22; 102-813, eff. 5-13-22.)

(730 ILCS 5/3-5-1)

Sec. 3-5-1. Master record file.

(a) The Department of Corrections and the Department of Juvenile Justice shall maintain a master record file on each person committed to it, which shall contain the following information:

(1) all information from the committing court;

(1.5) ethnic and racial background data collected in accordance with Section 4.5 of the Criminal Identification Act and Section 2-5 of the No Representation Without Population Act;

(1.6) the committed person's last known complete street address prior to incarceration or legal residence collected in accordance with Section 2-5 of the No Representation Without Population Act;

(2) reception summary;

(3) evaluation and assignment reports and recommendations;

(4) reports as to program assignment and progress;

(5) reports of disciplinary infractions and disposition, including tickets and Administrative Review Board action;

(6) any parole or aftercare release plan;

(7) any parole or aftercare release reports;

(8) the date and circumstances of final discharge;

(9) criminal history;

(10) current and past gang affiliations and ranks;

(11) information regarding associations and family relationships;

(12) any grievances filed and responses to those grievances;

(13) other information that the respective Department determines is relevant to the secure confinement and rehabilitation of the committed person;

(14) the last known address provided by the person committed; and

(15) all medical and dental records.

(b) Except as provided in subsections (f) and (f-5), all ~~All~~ files shall be confidential and access shall be limited to authorized personnel of the respective Department or by disclosure in accordance with a court order or subpoena. Personnel of other correctional, welfare or law enforcement agencies may have access to files under rules and regulations of the respective Department. The respective Department shall keep a record of all outside personnel who have access to files, the files reviewed, any file material copied, and the purpose of access. If the respective Department or the Prisoner Review Board makes a determination under this Code which affects the length of the period of confinement or commitment, the committed person and his counsel shall be advised of factual information relied upon by the respective Department or Board to make the determination, provided that the Department or Board shall not be required to advise a person committed to the Department of Juvenile Justice any such information which in the opinion of the Department of Juvenile Justice or Board would be detrimental to his treatment or rehabilitation.

(c) The master file shall be maintained at a place convenient to its use by personnel of the respective Department in charge of the person. When custody of a person is transferred from the Department to another department or agency, a summary of the file shall be forwarded to the receiving agency with such other information required by law or requested by the agency under rules and regulations of the respective Department.

(d) The master file of a person no longer in the custody of the respective Department shall be placed on inactive status and its use shall be restricted subject to rules and regulations of the Department.

(e) All public agencies may make available to the respective Department on request any factual data not otherwise privileged as a matter of law in their possession in respect to individuals committed to the respective Department.

(f) A committed person may request a summary of the committed person's master record file once per year and the committed person's attorney may request one summary of the committed person's master record file once per year. The Department shall create a form for requesting this summary, and shall make that form available to committed persons and to the public on its website. Upon receipt of the request form, the Department shall provide the summary within 15 days. The summary must contain, unless otherwise prohibited by law:

(1) the person's name, ethnic, racial, last known street address prior to incarceration or legal residence, and other identifying information;

(2) all digitally available information from the committing court;

(3) all information in the Offender 360 system on the person's criminal history;

(4) the person's complete assignment history in the Department of Corrections;

(5) the person's disciplinary card;

(6) additional records about up to 3 specific disciplinary incidents as identified by the requester;

(7) any available records about up to 5 specific grievances filed by the person, as identified by the requester; and

(8) the records of all grievances filed on or after January 1, 2023.

Notwithstanding any provision of this subsection (f) to the contrary, a committed person's master record file is not subject to disclosure and copying under the Freedom of Information Act.

(f-5) At least 60 days before a person's executive clemency, medical release, or parole hearing, if requested, the Department of Corrections shall provide the person and their legal counsel, if retained, a copy of (i) the person's disciplinary card and (ii) any available records of the person's participation in programming and education.

(g) Subject to appropriation, on or before July 1, 2025, the Department of Corrections shall digitalize all newly committed persons' master record files who become incarcerated and all other new information that the Department maintains concerning its correctional institutions, facilities, and individuals incarcerated.

(h) Subject to appropriation, on or before July 1, 2027, the Department of Corrections shall digitalize all medical and dental records in the master record files and all other information that the Department maintains concerning its correctional institutions and facilities in relation to medical records, dental records, and medical and dental needs of committed persons.

(i) Subject to appropriation, on or before July 1, 2029, the Department of Corrections shall digitalize all information in the master record files and all other information that the Department maintains concerning its correctional institutions and facilities.

(j) The Department of Corrections shall adopt rules to implement subsections (g), (h), and (i) if appropriations are available to implement these provisions.

(k) Subject to appropriation, the Department of Corrections, in consultation with the Department of Innovation and Technology, shall conduct a study on the best way to digitize all Department of Corrections records and the impact of that digitizing on State agencies, including the impact on the Department of Innovation and Technology. The study shall be completed on or before January 1, 2024.

(Source: P.A. 102-776, eff. 1-1-23; 102-784, eff. 5-13-22; 103-18, eff. 1-1-24; 103-71, eff. 6-9-23; 103-154, eff. 6-30-23; 103-605, eff. 7-1-24.)

(730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

Sec. 3-14-1. Release from the institution.

(a) Upon release of a person on parole, mandatory release, final discharge, or pardon, the Department shall return all property held for him, provide him with suitable clothing and procure necessary transportation for him to his designated place of residence and employment. It may provide such person with a grant of money for travel and expenses which may be paid in installments. The amount of the money grant shall be determined by the Department.

(a-1) The Department shall, before a wrongfully imprisoned person, as defined in Section 3-1-2 of this Code, is discharged from the Department, provide him or her with any documents necessary after discharge.

(a-2) The Department of Corrections may establish and maintain, in any institution it administers, revolving funds to be known as "Travel and Allowances Revolving Funds". These revolving funds shall be used for advancing travel and expense allowances to committed, paroled, and discharged prisoners. The moneys paid into such revolving funds shall be from appropriations to the Department for Committed, Paroled, and Discharged Prisoners.

(a-3) Upon release of a person who is eligible to vote on parole, mandatory release, final discharge, or pardon, the Department shall provide the person with a form that informs him or her that his or her voting rights have been restored and a voter registration application. The Department shall have available voter registration applications in the languages provided by the Illinois State Board of Elections. The form that informs the person that his or her rights have been restored shall include the following information:

(1) All voting rights are restored upon release from the Department's custody.

(2) A person who is eligible to vote must register in order to be able to vote.

The Department of Corrections shall confirm that the person received the voter registration application and has been informed that his or her voting rights have been restored.

(a-4) Prior to release of a person on parole, mandatory supervised release, final discharge, or pardon, the Department shall screen every person for Medicaid eligibility. Officials of the correctional institution or facility where the committed person is assigned shall assist an eligible person to complete a Medicaid application to ensure that the person begins receiving benefits as soon as possible after his or her release. The application must include the eligible person's address associated with his or her residence upon release from the facility. If the residence is temporary, the eligible person must notify the Department of Human Services of his or her change in address upon transition to permanent housing.

(a-5) Upon release of a person from its custody to parole, upon mandatory supervised release, or upon final discharge, the Department shall run a LEADS report and shall notify the person of all in-effect protective orders issued against the person under Article 112A of the Code of Criminal Procedure of 1963 or under the Illinois Domestic Violence Act of 1986, the Civil No Contact Order Act, or the Stalking No Contact Order Act, that are identified in the LEADS report.

(b) (Blank).

(c) Except as otherwise provided in this Code, the Department shall establish procedures to provide written notification of any release of any person who has been convicted of a felony to the State's Attorney and sheriff of the county from which the offender was committed, and the State's Attorney and sheriff of the county into which the offender is to be paroled or released. Except as otherwise provided in this Code, the Department shall establish procedures to provide written notification to the proper law enforcement agency for any municipality of any release of any person who has been convicted of a felony if the arrest of the offender or the commission of the offense took place in the municipality, if the offender is to be paroled or released into the municipality, or if the offender resided in the municipality at the time of the commission of the offense. If a person convicted of a felony who is in the custody of the Department of Corrections or on parole or mandatory supervised release informs the Department that he or she has resided, resides, or will reside at an address that is a housing facility owned, managed, operated, or leased by a public housing agency, the Department must send written notification of that information to the public housing agency that owns, manages, operates, or leases the housing facility. The written notification shall, when possible, be given at least 14 days before release of the person from custody, or as soon thereafter as possible. The written notification shall be provided electronically if the State's Attorney, sheriff, proper law enforcement agency, or public housing agency has provided the Department with an accurate and up to date email address.

(c-1) (Blank).

(c-2) The Department shall establish procedures to provide notice to the Illinois State Police of the release or discharge of persons convicted of violations of the Methamphetamine Control and Community Protection Act or a violation of the Methamphetamine Precursor Control Act. The Illinois State Police shall make this information available to local, State, or federal law enforcement agencies upon request.

(c-5) If a person on parole or mandatory supervised release becomes a resident of a facility licensed or regulated by the Department of Public Health, the Illinois Department of Public Aid, or the Illinois Department of Human Services, the Department of Corrections shall provide copies of the following information to the appropriate licensing or regulating Department and the licensed or regulated facility where the person becomes a resident:

(1) The mittimus and any pre-sentence investigation reports.

(2) The social evaluation prepared pursuant to Section 3-8-2.

(3) Any pre-release evaluation conducted pursuant to subsection (j) of Section 3-6-2.

(4) Reports of disciplinary infractions and dispositions.

(5) Any parole plan, including orders issued by the Prisoner Review Board, and any violation reports and dispositions.

(6) The name and contact information for the assigned parole agent and parole supervisor.

This information shall be provided within 3 days of the person becoming a resident of the facility.

(c-10) If a person on parole or mandatory supervised release becomes a resident of a facility licensed or regulated by the Department of Public Health, the Illinois Department of Public Aid, or the Illinois Department of Human Services, the Department of Corrections shall provide written notification of such residence to the following:

(1) The Prisoner Review Board.

(2) The chief of police and sheriff in the municipality and county in which the licensed facility is located.

The notification shall be provided within 3 days of the person becoming a resident of the facility.

(d) Upon the release of a committed person on parole, mandatory supervised release, final discharge, or pardon, the Department shall provide such person with information concerning programs and services of the Illinois Department of Public Health to ascertain whether such person has been exposed to the human immunodeficiency virus (HIV) or any identified causative agent of Acquired Immunodeficiency Syndrome (AIDS).

(e) Upon the release of a committed person on parole, mandatory supervised release, final discharge, pardon, or who has been wrongfully imprisoned, the Department shall verify the released person's full name,

date of birth, and social security number. If verification is made by the Department by obtaining a certified copy of the released person's birth certificate and the released person's social security card or other documents authorized by the Secretary, the Department shall provide the birth certificate and social security card or other documents authorized by the Secretary to the released person. If verification by the Department is done by means other than obtaining a certified copy of the released person's birth certificate and the released person's social security card or other documents authorized by the Secretary, the Department shall complete a verification form, prescribed by the Secretary of State, and shall provide that verification form to the released person.

(f) Forty-five days prior to the scheduled discharge of a person committed to the custody of the Department of Corrections, the Department shall give the person:

(1) who is otherwise uninsured an opportunity to apply for health care coverage including medical assistance under Article V of the Illinois Public Aid Code in accordance with subsection (b) of Section 1-8.5 of the Illinois Public Aid Code, and the Department of Corrections shall provide assistance with completion of the application for health care coverage including medical assistance;

(2) information about obtaining a standard Illinois Identification Card or a limited-term Illinois Identification Card under Section 4 of the Illinois Identification Card Act if the person has not been issued an Illinois Identification Card under subsection (a-20) of Section 4 of the Illinois Identification Card Act;

(3) information about voter registration and may distribute information prepared by the State Board of Elections. The Department of Corrections may enter into an interagency contract with the State Board of Elections to participate in the automatic voter registration program and be a designated automatic voter registration agency under Section 1A-16.2 of the Election Code;

(4) information about job listings upon discharge from the correctional institution or facility;

(5) information about available housing upon discharge from the correctional institution or facility;

(6) a directory of elected State officials and of officials elected in the county and municipality, if any, in which the committed person intends to reside upon discharge from the correctional institution or facility; and

(7) any other information that the Department of Corrections deems necessary to provide the committed person in order for the committed person to reenter the community and avoid recidivism.

(g) Sixty days before the scheduled discharge of a person committed to the custody of the Department or upon receipt of the person's certified birth certificate and social security card as set forth in subsection (d) of Section 3-8-1 of this Act, whichever occurs later, the Department shall transmit an application for an Identification Card to the Secretary of State, in accordance with subsection (a-20) of Section 4 of the Illinois Identification Card Act.

The Department may adopt rules to implement this Section.

(Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21; 102-606, eff. 1-1-22; 102-813, eff. 5-13-22; 103-345, eff. 1-1-24.)

(730 ILCS 5/5-4.5-115)

Sec. 5-4.5-115. Parole review of persons under the age of 21 at the time of the commission of an offense.

(a) For purposes of this Section, "victim" means a victim of a violent crime as defined in subsection (a) of Section 3 of the Rights of Crime Victims and Witnesses Act including a witness as defined in subsection (b) of Section 3 of the Rights of Crime Victims and Witnesses Act; any person legally related to the victim by blood, marriage, adoption, or guardianship; any friend of the victim; or any concerned citizen.

(b) A person under 21 years of age at the time of the commission of an offense or offenses, other than first degree murder, and who is not serving a sentence for first degree murder and who is sentenced on or after June 1, 2019 (the effective date of Public Act 100-1182) shall be eligible for parole review by the Prisoner Review Board after serving 10 years or more of his or her sentence or sentences, except for those serving a sentence or sentences for: (1) aggravated criminal sexual assault who shall be eligible for parole review by the Prisoner Review Board after serving 20 years or more of his or her sentence or sentences or (2) predatory criminal sexual assault of a child who shall not be eligible for parole review by the Prisoner Review Board under this Section. A person under 21 years of age at the time of the commission of first degree murder who is sentenced on or after June 1, 2019 (the effective date of Public Act 100-1182) shall be eligible for parole review by the Prisoner Review Board after serving 20 years or more of his or her sentence or sentences, except for those subject to a term of natural life imprisonment under Section 5-8-1 of this Code

or any person subject to sentencing under subsection (c) of Section 5-4.5-105 of this Code, who shall be eligible for parole review by the Prisoner Review Board after serving 40 years or more of his or her sentence or sentences.

(c) Three years prior to becoming eligible for parole review, the eligible person may file his or her petition for parole review with the Prisoner Review Board. The petition shall include a copy of the order of commitment and sentence to the Department of Corrections for the offense or offenses for which review is sought. Within 30 days of receipt of this petition, the Prisoner Review Board shall determine whether the petition is appropriately filed, and if so, shall set a date for parole review 3 years from receipt of the petition and notify the Department of Corrections within 10 business days. If the Prisoner Review Board determines that the petition is not appropriately filed, it shall notify the petitioner in writing, including a basis for its determination.

(d) Within 6 months of the Prisoner Review Board's determination that the petition was appropriately filed, a representative from the Department of Corrections shall meet with the eligible person and provide the inmate information about the parole hearing process and personalized recommendations for the inmate regarding his or her work assignments, rehabilitative programs, and institutional behavior. Following this meeting, the eligible person has 7 calendar days to file a written request to the representative from the Department of Corrections who met with the eligible person of any additional programs and services which the eligible person believes should be made available to prepare the eligible person for return to the community.

(e) One year prior to the person being eligible for parole, counsel shall be appointed by the Prisoner Review Board upon a finding of indigency. The eligible person may waive appointed counsel or retain his or her own counsel at his or her own expense.

(f) Nine months prior to the hearing, the Prisoner Review Board shall provide the eligible person, and his or her counsel, any written documents or materials it will be considering in making its decision unless the written documents or materials are specifically found to: (1) include information which, if disclosed, would damage the therapeutic relationship between the inmate and a mental health professional; (2) subject any person to the actual risk of physical harm; (3) threaten the safety or security of the Department or an institution. In accordance with Section 4.5(d)(4) of the Rights of Crime Victims and Witnesses Act and Section 10 of the Open Parole Hearings Act, victim statements provided to the Board shall be confidential and privileged, including any statements received prior to the effective date of this amendatory Act of the 101st General Assembly, except if the statement was an oral statement made by the victim at a hearing open to the public. Victim statements shall not be considered public documents under the provisions of the Freedom of Information Act. The inmate or his or her attorney shall not be given a copy of the statement, but shall be informed of the existence of a victim statement and the position taken by the victim on the inmate's request for parole. This shall not be construed to permit disclosure to an inmate of any information which might result in the risk of threats or physical harm to a victim. The Prisoner Review Board shall have an ongoing duty to provide the eligible person, and his or her counsel, with any further documents or materials that come into its possession prior to the hearing subject to the limitations contained in this subsection.

(g) Not less than 12 months prior to the hearing, the Prisoner Review Board shall provide notification to the State's Attorney of the county from which the person was committed and written notification to the victim or family of the victim of the scheduled hearing place, date, and approximate time. The written notification shall contain: (1) information about their right to be present, appear in person at the parole hearing, and their right to make an oral statement and submit information in writing, by videotape, tape recording, or other electronic means; (2) a toll-free number to call for further information about the parole review process; and (3) information regarding available resources, including trauma-informed therapy, they may access. If the Board does not have knowledge of the current address of the victim or family of the victim, it shall notify the State's Attorney of the county of commitment and request assistance in locating the victim or family of the victim. Those victims or family of the victims who advise the Board in writing that they no longer wish to be notified shall not receive future notices. A victim shall have the right to submit information by videotape, tape recording, or other electronic means. The victim may submit this material prior to or at the parole hearing. The victim also has the right to be heard at the parole hearing.

(h) The hearing conducted by the Prisoner Review Board shall be governed by Sections 15 and 20, subsection (f) of Section 5, subsections (a), (a-5), (b), (b-5), and (c) of Section 10, and subsection (d) of Section 25 of the Open Parole Hearings Act and Part 1610 of Title 20 of the Illinois Administrative Code. The eligible person has a right to be present at the Prisoner Review Board hearing, unless the Prisoner

Review Board determines the eligible person's presence is unduly burdensome when conducting a hearing under paragraph (6.6) of subsection (a) of Section 3-3-2 of this Code. If a psychological evaluation is submitted for the Prisoner Review Board's consideration, it shall be prepared by a person who has expertise in adolescent brain development and behavior, and shall take into consideration the diminished culpability of youthful offenders, the hallmark features of youth, and any subsequent growth and increased maturity of the person. At the hearing, the eligible person shall have the right to make a statement on his or her own behalf.

(i) Only upon motion for good cause shall the date for the Prisoner Review Board hearing, as set by subsection (b) of this Section, be changed. No less than 15 days prior to the hearing, the Prisoner Review Board shall notify the victim or victim representative, the attorney, and the eligible person of the exact date and time of the hearing. All hearings shall be open to the public.

(j) (Blank). ~~The Prisoner Review Board shall not parole the eligible person if it determines that:~~

~~(1) there is a substantial risk that the eligible person will not conform to reasonable conditions of parole or aftercare release; or~~

~~(2) the eligible person's release at that time would depreciate the seriousness of his or her offense or promote disrespect for the law; or~~

~~(3) the eligible person's release would have a substantially adverse effect on institutional discipline.~~

~~In considering the factors affecting the release determination under 20 Ill. Adm. Code 1610.50(b), the Prisoner Review Board panel shall consider the diminished culpability of youthful offenders, the hallmark features of youth, and any subsequent growth and maturity of the youthful offender during incarceration.~~

(j-5) In deciding whether to grant or deny parole, the Board shall consider the following factors:

(1) participation in rehabilitative programming available to the petitioner, including, but not limited to, educational courses, vocational courses, life skills courses, individual or group counseling courses, civics education courses, peer education courses, independent studies courses, substance abuse counseling courses, and behavior modification courses;

(2) participation in professional licensing courses or on-the-job training courses;

(3) letters from correctional staff, educational faculty, community members, friends, and other incarcerated persons;

(4) the petitioner's potential for rehabilitation or the evidence of rehabilitation in the petitioner;

(5) the applicant's age at the time of the offense;

(6) the circumstances of the offense and the petitioner's role and degree of participation in the offense;

(7) the presence of a cognitive or developmental disability in the petitioner at the time of the offense;

(8) the petitioner's family, home environment, educational and social background at the time of the offense;

(9) evidence that the petitioner has suffered from post-traumatic stress disorder, adverse childhood experiences, or other traumas that could have been a contributing factor to a person's criminal behavior and participation in the offense;

(10) the presence or expression by the petitioner of remorse, compassion, or insight of harm and collateral effects experienced by the victims;

(11) the commission of a serious disciplinary infraction within the previous 5 years;

(12) a pattern of fewer serious institutional disciplinary infractions within the previous 2 years;

(13) evidence that the petitioner has any serious medical conditions;

(14) evidence that the Department is unable to meet the petitioner's medical needs; and

(15) the petitioner's reentry plan, including, but not limited to, residence plans, employment plans, continued education plans, rehabilitation plans, and counseling plans.

No one factor in this subsection (j-5) shall be dispositive. In considering the factors affecting the release determination under 20 Ill. Adm. Code 1610.50(b), the Prisoner Review Board panel shall consider the diminished culpability of youthful offenders, the hallmark features of youth, and any subsequent growth and maturity of the youthful offender during incarceration.

(k) Unless denied parole under subsection (j) of this Section and subject to the provisions of Section 3-3-9 of this Code: (1) the eligible person serving a sentence for any non-first degree murder offense or offenses, shall be released on parole which shall operate to discharge any remaining term of years sentence imposed upon him or her, notwithstanding any required mandatory supervised release period the eligible

person is required to serve; and (2) the eligible person serving a sentence for any first degree murder offense, shall be released on mandatory supervised release for a period of 10 years subject to Section 3-3-8, which shall operate to discharge any remaining term of years sentence imposed upon him or her, however in no event shall the eligible person serve a period of mandatory supervised release greater than the aggregate of the discharged underlying sentence and the mandatory supervised release period as sent forth in Section 5-4.5-20.

(l) If the Prisoner Review Board denies parole after conducting the hearing under subsection (j) of this Section, it shall issue a written decision which states the rationale for denial, including the primary factors considered. This decision shall be provided to the eligible person and his or her counsel within 30 days.

(m) A person denied parole under subsection (j) of this Section, who is not serving a sentence for either first degree murder or aggravated criminal sexual assault, shall be eligible for a second parole review by the Prisoner Review Board 5 years after the written decision under subsection (l) of this Section; a person denied parole under subsection (j) of this Section, who is serving a sentence or sentences for first degree murder or aggravated criminal sexual assault shall be eligible for a second and final parole review by the Prisoner Review Board 10 years after the written decision under subsection (k) of this Section. The procedures for a second parole review shall be governed by subsections (c) through (k) of this Section.

(n) A person denied parole under subsection (m) of this Section, who is not serving a sentence for either first degree murder or aggravated criminal sexual assault, shall be eligible for a third and final parole review by the Prisoner Review Board 5 years after the written decision under subsection (l) of this Section. The procedures for the third and final parole review shall be governed by subsections (c) through (k) of this Section.

(o) Notwithstanding anything else to the contrary in this Section, nothing in this Section shall be construed to delay parole or mandatory supervised release consideration for petitioners who are or will be eligible for release earlier than this Section provides. Nothing in this Section shall be construed as a limit, substitution, or bar on a person's right to sentencing relief, or any other manner of relief, obtained by order of a court in proceedings other than as provided in this Section.

(Source: P.A. 101-288, eff. 1-1-20; 102-1128, eff. 1-1-24.)

Section 25. The Illinois Domestic Violence Act of 1986 is amended by changing Section 201 as follows:

(750 ILCS 60/201) (from Ch. 40, par. 2312-1)

Sec. 201. Persons protected by this Act.

(a) The following persons are protected by this Act:

(i) any person abused by a family or household member;

(ii) any high-risk adult with disabilities who is abused, neglected, or exploited by a family or household member;

(iii) any minor child or dependent adult in the care of such person;

(iv) any person residing or employed at a private home or public shelter which is housing an abused family or household member; and

(v) any of the following persons if the person is abused by a family or household member of a child:

(A) a foster parent of that child if the child has been placed in the foster parent's home by the Department of Children and Family Services or by another state's public child welfare agency;

(B) a legally appointed guardian or legally appointed custodian of that child;

(C) an adoptive parent of that child; or

(D) a prospective adoptive parent of that child if the child has been placed in the prospective adoptive parent's home pursuant to the Adoption Act or pursuant to another state's law.

For purposes of this paragraph (a)(v), individuals who would have been considered "family or household members" of the child under subsection (6) of Section 103 of this Act before a termination of the parental rights with respect to the child continue to meet the definition of "family or household members" of the child.

(b) A petition for an order of protection may be filed only:

(i) by a person who has been abused by a family or household member or by any person on behalf of a minor child or an adult who has been abused by a family or household member and who, because of age, health, disability, or inaccessibility, cannot file the petition;

(ii) by any person on behalf of a high-risk adult with disabilities who has been abused, neglected, or exploited by a family or household member; ~~or~~

(iii) by any of the following persons if the person is abused by a family or household member of a child:

(A) a foster parent of that child if the child has been placed in the foster parent's home by the Department of Children and Family Services or by another state's public child welfare agency;

(B) a legally appointed guardian or legally appointed custodian of that child;

(C) an adoptive parent of that child;

(D) a prospective adoptive parent of that child if the child has been placed in the prospective adoptive parent's home pursuant to the Adoption Act or pursuant to another state's law.

For purposes of this paragraph (b)(iii), individuals who would have been considered "family or household members" of the child under subsection (6) of Section 103 of this Act before a termination of the parental rights with respect to the child continue to meet the definition of "family or household members" of the child;~~.~~

(iv) by a crime victim who was abused by an offender prior to the incarceration of the offender in a penal institution and such offender is incarcerated in a penal institution at the time of the filing of the petition; or

(v) by any person who has previously suffered abuse by a person convicted of (1) domestic battery, aggravated domestic battery, aggravated battery, or any other offense that would constitute domestic violence or (2) a violent crime, as defined in Section 3 of the Rights of Crime Victims and Witnesses Act, committed against another person.

A petition for an order of protection may not be denied solely upon the basis that the respondent or petitioner is incarcerated in a penal institution at the time of the filing of the petition.

(c) Any petition properly filed under this Act may seek protection for any additional persons protected by this Act.

(Source: P.A. 100-639, eff. 1-1-19.)

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

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

On motion of Senator Curran, **Senate Bill No. 267** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cunningham, **Senate Bill No. 1180** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Edly-Allen, **Senate Bill No. 1195** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Criminal Law.

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

AMENDMENT NO. 2 TO SENATE BILL 1195

AMENDMENT NO. 2 . Amend Senate Bill 1195 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Police Training Act is amended by changing Sections 7 and 10.21 as follows:

(50 ILCS 705/7)

Sec. 7. Rules and standards for schools. The Board shall adopt rules and minimum standards for such schools which shall include, but not be limited to, the following:

a. The curriculum for probationary law enforcement officers which shall be offered by all certified schools shall include, but not be limited to, courses of procedural justice, arrest and use and control tactics, search and seizure, including temporary questioning, civil rights, human rights, human relations, cultural competency, including implicit bias and racial and ethnic sensitivity, criminal law, law of criminal procedure, constitutional and proper use of law enforcement authority, crisis intervention training, vehicle and traffic law including uniform and non-discriminatory enforcement of the Illinois Vehicle Code, traffic control and crash investigation, techniques of obtaining physical evidence, court testimonies, statements, reports, firearms training, training in the use of electronic control devices, including the psychological and physiological effects of the use of those devices on humans, first aid (including cardiopulmonary resuscitation), training in the administration of opioid antagonists as defined in paragraph (1) of subsection (e) of Section 5-23 of the Substance Use Disorder Act, handling of juvenile offenders, recognition of mental conditions and crises, including, but not limited to, the disease of addiction, which require immediate assistance and response and methods to safeguard and provide assistance to a person in need of mental treatment, recognition of abuse, neglect, financial exploitation, and self-neglect of adults with disabilities and older adults, as defined in Section 2 of the Adult Protective Services Act, crimes against the elderly, law of evidence, the hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed chase, and physical training. The curriculum shall include a block of instruction addressing trauma-informed programs, procedures, and practices meant to minimize traumatization of the victim. The curriculum shall include specific training in techniques for immediate response to and investigation of cases of domestic violence and of sexual assault of adults and children, including cultural perceptions and common myths of sexual assault and sexual abuse as well as interview techniques that are age sensitive and are trauma informed, victim centered, and victim sensitive. The curriculum shall include training in techniques designed to promote effective communication at the initial contact with crime victims and ways to comprehensively explain to victims and witnesses their rights under the Rights of Crime Victims and Witnesses Act and the Crime Victims Compensation Act. The curriculum shall also include training in effective recognition of and responses to stress, trauma, and post-traumatic stress experienced by law enforcement officers that is consistent with Section 25 of the Illinois Mental Health First Aid Training Act in a peer setting, including recognizing signs and symptoms of work-related cumulative stress, issues that may lead to suicide, and solutions for intervention with peer support resources. The curriculum shall include a block of instruction addressing the mandatory reporting requirements under the Abused and Neglected Child Reporting Act. The curriculum shall also include a block of instruction aimed at identifying and interacting with persons with autism and other developmental or physical disabilities, reducing barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities. The curriculum shall include training in the detection and investigation of all forms of human trafficking. The curriculum shall also include instruction in trauma-informed responses designed to ensure the physical safety and well-being of a child of an arrested parent or immediate family member; this instruction must include, but is not limited to: (1) understanding the trauma experienced by the child while maintaining the integrity of the arrest and safety of officers, suspects, and other involved individuals; (2) de-escalation tactics that would include the use of force when reasonably necessary; and (3) inquiring whether a child will require supervision and care. The curriculum for probationary law enforcement officers shall include: (1) at least 12 hours of hands-on, scenario-based role-playing; (2) at least 6 hours of instruction on use of force techniques, including the use of de-escalation techniques to prevent or reduce the need for force whenever safe and feasible; (3) specific training on officer safety techniques, including cover, concealment, and time; and (4) at least 6 hours of training focused on high-risk traffic stops. The curriculum for permanent law enforcement officers shall include, but not be limited to: (1) refresher and in-service training in any of the courses listed above in this subparagraph, (2) advanced courses in any of the subjects listed above in this subparagraph, (3) training for supervisory personnel, and (4) specialized training in subjects and fields to be selected by the board. The training in the use of electronic control devices shall be conducted for probationary law enforcement officers, including University police officers. The curriculum shall also include training on the use of a firearms

restraining order by providing instruction on the process used to file a firearms restraining order and how to identify situations in which a firearms restraining order is appropriate.

b. Minimum courses of study, attendance requirements and equipment requirements.

c. Minimum requirements for instructors.

d. Minimum basic training requirements, which a probationary law enforcement officer must satisfactorily complete before being eligible for permanent employment as a local law enforcement officer for a participating local governmental or State governmental agency. Those requirements shall include training in first aid (including cardiopulmonary resuscitation).

e. Minimum basic training requirements, which a probationary county corrections officer must satisfactorily complete before being eligible for permanent employment as a county corrections officer for a participating local governmental agency.

f. Minimum basic training requirements which a probationary court security officer must satisfactorily complete before being eligible for permanent employment as a court security officer for a participating local governmental agency. The Board shall establish those training requirements which it considers appropriate for court security officers and shall certify schools to conduct that training.

A person hired to serve as a court security officer must obtain from the Board a certificate (i) attesting to the officer's successful completion of the training course; (ii) attesting to the officer's satisfactory completion of a training program of similar content and number of hours that has been found acceptable by the Board under the provisions of this Act; or (iii) attesting to the Board's determination that the training course is unnecessary because of the person's extensive prior law enforcement experience.

Individuals who currently serve as court security officers shall be deemed qualified to continue to serve in that capacity so long as they are certified as provided by this Act within 24 months of June 1, 1997 (the effective date of Public Act 89-685). Failure to be so certified, absent a waiver from the Board, shall cause the officer to forfeit his or her position.

All individuals hired as court security officers on or after June 1, 1997 (the effective date of Public Act 89-685) shall be certified within 12 months of the date of their hire, unless a waiver has been obtained by the Board, or they shall forfeit their positions.

The Sheriff's Merit Commission, if one exists, or the Sheriff's Office if there is no Sheriff's Merit Commission, shall maintain a list of all individuals who have filed applications to become court security officers and who meet the eligibility requirements established under this Act. Either the Sheriff's Merit Commission, or the Sheriff's Office if no Sheriff's Merit Commission exists, shall establish a schedule of reasonable intervals for verification of the applicants' qualifications under this Act and as established by the Board.

g. Minimum in-service training requirements, which a law enforcement officer must satisfactorily complete every 3 years. Those requirements shall include constitutional and proper use of law enforcement authority; procedural justice; civil rights; human rights; reporting child abuse and neglect; autism-informed law enforcement responses, techniques, and procedures; trauma-informed programs, procedures, and practices meant to minimize traumatization of the victim; and cultural competency, including implicit bias and racial and ethnic sensitivity. These trainings shall consist of at least 30 hours of training every 3 years.

h. Minimum in-service training requirements, which a law enforcement officer must satisfactorily complete at least annually. Those requirements shall include law updates, emergency medical response training and certification, crisis intervention training, and officer wellness and mental health.

i. Minimum in-service training requirements as set forth in Section 10.6.

Notwithstanding any provision of law to the contrary, the changes made to this Section by Public Act 101-652, Public Act 102-28, and Public Act 102-694 take effect July 1, 2022.

(Source: P.A. 102-28, eff. 6-25-21; 102-345, eff. 6-1-22; 102-558, eff. 8-20-21; 102-694, eff. 1-7-22; 102-982, eff. 7-1-23; 103-154, eff. 6-30-23; 103-949, eff. 1-1-25.)

(50 ILCS 705/10.21)

Sec. 10.21. Training; sexual assault and sexual abuse.

(a) The Illinois Law Enforcement Training Standards Board shall conduct or approve training programs in trauma-informed responses and investigations of sexual assault and sexual abuse, which include, but is not limited to, the following:

(1) recognizing the symptoms of trauma;

(2) understanding the role trauma has played in a victim's life;

(3) responding to the needs and concerns of a victim;

(4) delivering services in a compassionate, sensitive, and nonjudgmental manner;

(5) interviewing techniques in accordance with the curriculum standards in subsection (f) of this Section;

(6) understanding cultural perceptions and common myths of sexual assault and sexual abuse;

(7) report writing techniques in accordance with the curriculum standards in subsection (f) of this Section; ~~and~~

(8) recognizing special sensitivities of victims due to: age, including those under the age of 13; gender; or other qualifications; and ~~.~~

(9) identifying conflicts of interest and options to address those conflicts when a responding or investigating officer is familiar with the victim or accused.

(b) This training must be presented in all full and part-time basic law enforcement academies on or before July 1, 2018.

(c) Agencies employing law enforcement officers must present this training to all law enforcement officers within 3 years after January 1, 2017 (the effective date of Public Act 99-801) and must present in-service training on sexual assault and sexual abuse response and report writing training requirements every 3 years.

(d) Agencies employing law enforcement officers who conduct sexual assault and sexual abuse investigations must provide specialized training to these officers on sexual assault and sexual abuse investigations within 2 years after January 1, 2017 (the effective date of Public Act 99-801) and must present in-service training on sexual assault and sexual abuse investigations to these officers every 3 years.

(e) Instructors providing this training shall have successfully completed training on evidence-based, trauma-informed, victim-centered response to cases of sexual assault and sexual abuse and have experience responding to sexual assault and sexual abuse cases.

(f) The Board shall adopt rules, in consultation with the Office of the Illinois Attorney General and the Illinois State Police, to determine the specific training requirements for these courses, including, but not limited to, the following:

(1) evidence-based curriculum standards for report writing and immediate response to sexual assault and sexual abuse, including trauma-informed, victim-centered, age sensitive, interview techniques, which have been demonstrated to minimize retraumatization, for probationary police officers and all law enforcement officers; and

(2) evidence-based curriculum standards for trauma-informed, victim-centered, age sensitive investigation and interviewing techniques, which have been demonstrated to minimize retraumatization, for cases of sexual assault and sexual abuse for law enforcement officers who conduct sexual assault and sexual abuse investigations.

(Source: P.A. 102-538, eff. 8-20-21.)".

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

On motion of Senator McClure, **Senate Bill No. 1256** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1256

AMENDMENT NO. 1 . Amend Senate Bill 1256 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 3-616 as follows:

(625 ILCS 5/3-616) (from Ch. 95 1/2, par. 3-616)

Sec. 3-616. Disability license plates.

(a) Upon receiving an application for a certificate of registration for a motor vehicle of the first division, a motorcycle, an autocycle, or for a motor vehicle of the second division weighing no more than

8,000 pounds, accompanied with payment of the registration fees required under this Code from a person with disabilities or a person who is deaf or hard of hearing, the Secretary of State, if so requested, shall issue to such person registration plates as provided for in Section 3-611, provided that the person with disabilities or person who is deaf or hard of hearing must not be disqualified from obtaining a driver's license under subsection 8 of Section 6-103 of this Code, and further provided that any person making such a request must submit a statement, certified by a licensed physician, by a licensed physician assistant, or by a licensed advanced practice registered nurse, to the effect that such person is a person with disabilities as defined by Section 1-159.1 of this Code, or alternatively provide adequate documentation that such person has a Class 1A, Class 2A or Type Four disability under the provisions of Section 4A of the Illinois Identification Card Act. For purposes of this Section, an Illinois Person with a Disability Identification Card issued pursuant to the Illinois Identification Card Act indicating that the person thereon named has a disability shall be adequate documentation of such a disability.

(b) The Secretary shall issue plates under this Section to a parent or legal guardian of a person with disabilities if the person with disabilities has a Class 1A or Class 2A disability as defined in Section 4A of the Illinois Identification Card Act or is a person with disabilities as defined by Section 1-159.1 of this Code, and does not possess a vehicle registered in his or her name, provided that the person with disabilities relies frequently on the parent or legal guardian for transportation. Only one vehicle per family may be registered under this subsection, unless the applicant can justify in writing the need for one additional set of plates. Any person requesting special plates under this subsection shall submit such documentation or such physician's, physician assistant's, or advanced practice registered nurse's statement as is required in subsection (a) and a statement describing the circumstances qualifying for issuance of special plates under this subsection. An optometrist may certify a Class 2A Visual Disability, as defined in Section 4A of the Illinois Identification Card Act, for the purpose of qualifying a person with disabilities for special plates under this subsection.

(c) The Secretary may issue a parking decal or device to a person with disabilities as defined by Section 1-159.1 without regard to qualification of such person with disabilities for a driver's license or registration of a vehicle by such person with disabilities or such person's immediate family, provided such person with disabilities making such a request has been issued an Illinois Person with a Disability Identification Card indicating that the person named thereon has a Class 1A or Class 2A disability, or alternatively, submits a statement certified by a licensed physician, or by a licensed physician assistant or a licensed advanced practice registered nurse as provided in subsection (a), to the effect that such person is a person with disabilities as defined by Section 1-159.1. An optometrist may certify a Class 2A Visual Disability as defined in Section 4A of the Illinois Identification Card Act for the purpose of qualifying a person with disabilities for a parking decal or device under this subsection.

(d) The Secretary shall prescribe by rules and regulations procedures to certify or re-certify as necessary the eligibility of persons whose disabilities are other than permanent for special plates or parking decals or devices issued under subsections (a), (b) and (c). Except as provided under subsection (f) of this Section, no such special plates, decals or devices shall be issued by the Secretary of State to or on behalf of any person with disabilities unless such person is certified as meeting the definition of a person with disabilities pursuant to Section 1-159.1 or meeting the requirement of a Type Four disability as provided under Section 4A of the Illinois Identification Card Act for the period of time that the physician, or the physician assistant or advanced practice registered nurse as provided in subsection (a), determines the applicant will have the disability, but not to exceed 6 months from the date of certification or recertification.

(e) Any person requesting special plates under this Section may also apply to have the special plates personalized, as provided under Section 3-405.1.

(f) The Secretary of State, upon application, shall issue disability registration plates or a parking decal to corporations, school districts, State or municipal agencies, limited liability companies, nursing homes, convalescent homes, or special education cooperatives which will transport persons with disabilities. The Secretary shall prescribe by rule a means to certify or re-certify the eligibility of organizations to receive disability plates or decals and to designate which of the 2 person with disabilities emblems shall be placed on qualifying vehicles.

(g) The Secretary of State, or his designee, may enter into agreements with other jurisdictions, including foreign jurisdictions, on behalf of this State relating to the extension of parking privileges by such jurisdictions to residents of this State with disabilities who display a special license plate or parking device that contains the International symbol of access on his or her motor vehicle, and to recognize such plates or devices issued by such other jurisdictions. This State shall grant the same parking privileges which are

granted to residents of this State with disabilities to any non-resident whose motor vehicle is licensed in another state, district, territory or foreign country if such vehicle displays the international symbol of access or a distinguishing insignia on license plates or parking device issued in accordance with the laws of the non-resident's state, district, territory or foreign country.

(h) Any registration plate or parking decal or device issued under this Section to a person with a permanent disability, or the parent or guardian thereof, shall require certification of that permanent disability every 5 years by submitting to the Secretary a statement, certified by a licensed medical professional, declaring that such person is a person with a disability as provided under Section 1-159.1 of this Code.
(Source: P.A. 103-843, eff. 1-1-25.)".

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

On motion of Senator Curran, **Senate Bill No. 1380** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Energy and Public Utilities, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 1380

AMENDMENT NO. 1 . Amend Senate Bill 1380 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-1192 as follows:
(55 ILCS 5/5-1192 new)
Sec. 5-1192. County use of utility pole for county public safety.
(a) As used in this Section:
"Communications space" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.
"Communication worker safety zone" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.
"Electric supply zone" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.
"Public utility" has the meaning given to that term in Section 3-105 of the Public Utilities Act.
(b) A county may use a utility pole that is owned by the State or a unit of local government. A county may use a public right-of-way that is owned by the State or a unit of local government for county public safety purposes, including, but not limited to, the placement of equipment associated with public safety. The equipment may not be located within or interfere with part of an electric distribution or transmission system within the communication worker safety zone of the pole or the electric supply zone of the pole. The use of the equipment must comply with the applicable codes and local code provisions or regulations that concern public safety.
(c) Any fee charged by the owner of a utility pole or right-of-way for use by a county under this Section shall be at the lowest rate charged by the owner and shall not exceed the owner's costs.
(d) Nothing in this Section authorizes a county to use property or infrastructure that is owned by a public utility.

Section 10. The Illinois Municipal Code is amended by adding Section 11-80-25 as follows:
(65 ILCS 5/11-80-25 new)
Sec. 11-80-25. Municipal use of utility pole for municipal public safety.
(a) As used in this Section:
"Communications space" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.
"Communication worker safety zone" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.
"Electric supply zone" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.
"Public utility" has the meaning given to that term in Section 3-105 of the Public Utilities Act.

(b) A municipality may use a utility pole that is owned by the State or a unit of local government. A municipality may use a public right-of-way that is owned by the State or a unit of local government for municipal public safety purposes, including, but not limited to, the placement of equipment associated with public safety. The equipment may not be located within or interfere with part of an electric distribution or transmission system within the communication worker safety zone of the pole or the electric supply zone of the pole. The use of the equipment must comply with the applicable codes and local code provisions or regulations that concern public safety.

(c) Any fee charged by the owner of a utility pole or right-of-way for use by a municipality under this Section shall be at the lowest rate charged by the owner and shall not exceed the owner's costs.

(d) Nothing in this Section authorizes a municipality to use property or infrastructure that is owned by a public utility.".

Senator Curran offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1380

AMENDMENT NO. 2 . Amend Senate Bill 1380, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-1192 as follows:

(55 ILCS 5/5-1192 new)

Sec. 5-1192. County use of utility pole for county public safety.

(a) As used in this Section:

"Communications space" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

"Communication worker safety zone" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

"Electric supply zone" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

"Public utility" has the meaning given to that term in Section 3-105 of the Public Utilities Act.

(b) Subject to the provisions of subsection (c), a county may use a utility pole that is owned by the State or a unit of local government or a public right-of-way that is owned by the State or a unit of local government for county public safety purposes, including, but not limited to, the placement of equipment associated with public safety. The equipment may not be located within or interfere with part of an electric distribution or transmission system within the communication worker safety zone of the pole or the electric supply zone of the pole. The use of the equipment must comply with the applicable codes and local code provisions or regulations that concern public safety.

(c) A State agency may, by rule, or a unit of local government may, by ordinance or resolution, create a permitting process to allow a utility pole or a public right-of-way that it owns to be used by a county for public safety purposes.

(d) Any fee charged by the owner of a utility pole or right-of-way for use by a county under this Section shall be at the lowest rate charged by the owner and shall not exceed the owner's costs.

(e) Nothing in this Section authorizes a county to use property or infrastructure that is owned by a public utility.

Section 10. The Illinois Municipal Code is amended by adding Section 11-80-25 as follows:

(65 ILCS 5/11-80-25 new)

Sec. 11-80-25. Municipal use of utility pole for municipal public safety.

(a) As used in this Section:

"Communications space" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

"Communication worker safety zone" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

"Electric supply zone" has the meaning given to that term in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

"Public utility" has the meaning given to that term in Section 3-105 of the Public Utilities Act.

(b) Subject to the provisions of subsection (c), a municipality may use a utility pole that is owned by the State or a unit of local government or a public right-of-way that is owned by the State or a unit of local government for municipal public safety purposes, including, but not limited to, the placement of equipment associated with public safety. The equipment may not be located within or interfere with part of an electric distribution or transmission system within the communication worker safety zone of the pole or the electric supply zone of the pole. The use of the equipment must comply with the applicable codes and local code provisions or regulations that concern public safety.

(c) A State agency may, by rule, or a unit of local government may, by ordinance or resolution, create a permitting process to allow a utility pole or a public right-of-way that it owns to be used by a municipality for public safety purposes.

(d) Any fee charged by the owner of a utility pole or right-of-way for use by a municipality under this Section shall be at the lowest rate charged by the owner and shall not exceed the owner's costs.

(e) Nothing in this Section authorizes a municipality to use property or infrastructure that is owned by a public utility.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Feigenholtz, **Senate Bill No. 1507** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1507

AMENDMENT NO. 1 . Amend Senate Bill 1507 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 11-208.8 as follows:

(625 ILCS 5/11-208.8)

Sec. 11-208.8. Automated speed enforcement systems in safety zones.

(a) As used in this Section:

"Automated speed enforcement system" means a photographic device, radar device, laser device, or other electrical or mechanical device or devices installed or utilized in a safety zone and designed to record the speed of a vehicle and obtain a clear photograph or other recorded image of the vehicle and the vehicle's registration plate or digital registration plate while the driver is violating Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.

An automated speed enforcement system is a system, located in a safety zone which is under the jurisdiction of a municipality, that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance and is designed to obtain a clear recorded image of the vehicle and the vehicle's license plate. The recorded image must also display the time, date, and location of the violation.

"Owner" means the person or entity to whom the vehicle is registered.

"Recorded image" means images recorded by an automated speed enforcement system on:

(1) 2 or more photographs;

(2) 2 or more microphotographs;

(3) 2 or more electronic images; or

(4) a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate or digital registration plate number of the motor vehicle.

"Safety zone" means an area that is within one-eighth of a mile from the nearest property line of any public or private elementary or secondary school, or from the nearest property line of any facility, area, or land owned by a school district that is used for educational purposes approved by the Illinois State Board of Education, not including school district headquarters or administrative buildings. A safety zone also includes an area that is within one-eighth of a mile from the nearest property line of any facility, area, or land owned by a park district used for recreational purposes. However, if any portion of a roadway is within either one-eighth mile radius, the safety zone also shall include the roadway extended to the furthest portion

of the next furthest intersection. The term "safety zone" does not include any portion of the roadway known as Lake Shore Drive or any controlled access highway with 8 or more lanes of traffic.

(a-5) The automated speed enforcement system shall be operational and violations shall be recorded only at the following times:

(i) if the safety zone is based upon the property line of any facility, area, or land owned by a school district, only on school days and no earlier than 6 a.m. and no later than 8:30 p.m. if the school day is during the period of Monday through Thursday, or 9 p.m. if the school day is a Friday; and

(ii) if the safety zone is based upon the property line of any facility, area, or land owned by a park district, no earlier than one hour prior to the time that the facility, area, or land is open to the public or other patrons, and no later than one hour after the facility, area, or land is closed to the public or other patrons.

(b) A municipality that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance must make the recorded images of a violation accessible to the alleged violator by providing the alleged violator with a website address, accessible through the Internet.

(c) Notwithstanding any penalties for any other violations of this Code, the owner of a motor vehicle used in a traffic violation recorded by an automated speed enforcement system shall be subject to the following penalties:

(1) if the recorded speed is no less than 6 miles per hour and no more than 10 miles per hour over the legal speed limit, a civil penalty not exceeding $50, plus an additional penalty of not more than $50 for failure to pay the original penalty in a timely manner; or

(2) if the recorded speed is more than 10 miles per hour over the legal speed limit, a civil penalty not exceeding $100, plus an additional penalty of not more than $100 for failure to pay the original penalty in a timely manner.

A penalty may not be imposed under this Section if the driver of the motor vehicle received a Uniform Traffic Citation from a police officer for a speeding violation occurring within one-eighth of a mile and 15 minutes of the violation that was recorded by the system. A violation for which a civil penalty is imposed under this Section is not a violation of a traffic regulation governing the movement of vehicles and may not be recorded on the driving record of the owner of the vehicle. A law enforcement officer is not required to be present or to witness the violation. No penalty may be imposed under this Section if the recorded speed of a vehicle is 5 miles per hour or less over the legal speed limit. The municipality may send, in the same manner that notices are sent under this Section, a speed violation warning notice where the violation involves a speed of 5 miles per hour or less above the legal speed limit.

(d) The net proceeds that a municipality receives from civil penalties imposed under an automated speed enforcement system, after deducting all non-personnel and personnel costs associated with the operation and maintenance of such system, shall be expended or obligated by the municipality for the following purposes:

(i) public safety initiatives to ensure safe passage around schools, and to provide police protection and surveillance around schools and parks, including but not limited to: (1) personnel costs; and (2) non-personnel costs such as construction and maintenance of public safety infrastructure and equipment;

(ii) initiatives to improve pedestrian and traffic safety;

(iii) construction and maintenance of infrastructure within the municipality, including but not limited to roads and bridges; and

(iv) after school programs.

(e) For each violation of a provision of this Code or a local ordinance recorded by an automated speed enforcement system, the municipality having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days after the Secretary of State notifies the municipality of the identity of the owner of the vehicle, but in no event later than 90 days after the violation.

(f) The notice required under subsection (e) of this Section shall include:

(1) the name and address of the registered owner of the vehicle;

(2) the registration number of the motor vehicle involved in the violation;

(3) the violation charged;

(4) the date, time, and location where the violation occurred;

(5) a copy of the recorded image or images;

(6) the amount of the civil penalty imposed and the date by which the civil penalty should be paid;

(7) a statement that recorded images are evidence of a violation of a speed restriction;

(8) a warning that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability;

(9) a statement that the person may elect to proceed by:

(A) paying the fine; or

(B) challenging the charge in court, by mail, or by administrative hearing; and

(10) a website address, accessible through the Internet, where the person may view the recorded images of the violation.

(g) (Blank).

(h) Based on inspection of recorded images produced by an automated speed enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section.

(i) Recorded images made by an automated speed enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any recorded image evidencing a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(j) The court or hearing officer may consider in defense of a violation:

(1) that the motor vehicle or registration plates or digital registration plates of the motor vehicle were stolen before the violation occurred and not under the control or in the possession of the owner or lessee at the time of the violation;

(1.5) that the motor vehicle was hijacked before the violation occurred and not under the control of or in the possession of the owner or lessee at the time of the violation;

(2) that the driver of the motor vehicle received a Uniform Traffic Citation from a police officer for a speeding violation occurring within one-eighth of a mile and 15 minutes of the violation that was recorded by the system; and

(3) any other evidence or issues provided by municipal ordinance.

(k) To demonstrate that the motor vehicle was hijacked or the motor vehicle or registration plates or digital registration plates were stolen before the violation occurred and were not under the control or possession of the owner or lessee at the time of the violation, the owner or lessee must submit proof that a report concerning the motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

(l) A roadway equipped with an automated speed enforcement system shall be posted with a sign conforming to the national Manual on Uniform Traffic Control Devices that is visible to approaching traffic stating that vehicle speeds are being photo-enforced and indicating the speed limit. The municipality shall install such additional signage as it determines is necessary to give reasonable notice to drivers as to where automated speed enforcement systems are installed.

(m) A roadway where a new automated speed enforcement system is installed shall be posted with signs providing 30 days notice of the use of a new automated speed enforcement system prior to the issuance of any citations through the automated speed enforcement system.

(n) The compensation paid for an automated speed enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system.

(n-1) No member of the General Assembly and no officer or employee of a municipality or county shall knowingly accept employment or receive compensation or fees for services from a vendor that provides automated speed enforcement system equipment or services to municipalities or counties. No former member of the General Assembly shall, within a period of 2 years immediately after the termination of service as a member of the General Assembly, knowingly accept employment or receive compensation or fees for services from a vendor that provides automated speed enforcement system equipment or services to municipalities or counties. No former officer or employee of a municipality or county shall, within a period of 2 years immediately after the termination of municipal or county employment, knowingly accept employment or receive compensation or fees for services from a vendor that provides automated speed enforcement system equipment or services to municipalities or counties.

(o) (Blank).

(p) No person who is the lessor of a motor vehicle pursuant to a written lease agreement shall be liable for an automated speed or traffic law enforcement system violation involving such motor vehicle during the period of the lease; provided that upon the request of the appropriate authority received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee. The drivers license number of a lessee may be subsequently individually requested by the appropriate authority if needed for enforcement of this Section.

Upon the provision of information by the lessor pursuant to this subsection, the municipality may issue the violation to the lessee of the vehicle in the same manner as it would issue a violation to a registered owner of a vehicle pursuant to this Section, and the lessee may be held liable for the violation.

(q) A municipality using an automated speed enforcement system must provide notice to drivers by publishing the locations of all safety zones where system equipment is installed on the website of the municipality.

(r) A municipality operating an automated speed enforcement system shall conduct a statistical analysis to assess the safety impact of the system following installation of the system and every 2 years thereafter. A municipality operating an automated speed enforcement system before the effective date of this amendatory Act of the 103rd General Assembly shall conduct a statistical analysis to assess the safety impact of the system by no later than one year after the effective date of this amendatory Act of the 103rd General Assembly and every 2 years thereafter. Each statistical analysis shall be based upon the best available crash, traffic, and other data, and shall cover a period of time before and after installation of the system sufficient to provide a statistically valid comparison of safety impact. Each statistical analysis shall be consistent with professional judgment and acceptable industry practice. Each statistical analysis also shall be consistent with the data required for valid comparisons of before and after conditions and shall be conducted within a reasonable period following the installation of the automated traffic law enforcement system. Each statistical analysis required by this subsection shall be made available to the public and shall be published on the website of the municipality.

(s) This Section applies only to municipalities with a population of 1,000,000 or more inhabitants.

(t) If a county or municipality selects a new vendor for its automated speed enforcement system and must, as a consequence, apply for a permit, approval, or other authorization from the Department for reinstallation of one or more malfunctioning components of that system and if, at the time of the application for the permit, approval, or other authorization, the new vendor operates an automated speed enforcement system for any other county or municipality in the State, then the Department shall approve or deny the county or municipality's application for the permit, approval, or other authorization within 90 days after its receipt.

(u) The Department may revoke any permit, approval, or other authorization granted to a county or municipality for the placement, installation, or operation of an automated speed enforcement system if any official or employee who serves that county or municipality is charged with bribery, official misconduct, or a similar crime related to the placement, installation, or operation of the automated speed enforcement system in the county or municipality.

The Department shall adopt any rules necessary to implement and administer this subsection. The rules adopted by the Department shall describe the revocation process, shall ensure that notice of the revocation is provided, and shall provide an opportunity to appeal the revocation. Any county or municipality that has a permit, approval, or other authorization revoked under this subsection may not reapply for such a permit, approval, or other authorization for a period of 1 year after the revocation.

(v) The University of Illinois Chicago Urban Transportation Center shall conduct a study that includes the following:

(1) a comprehensive review of the City of Chicago's website multi-year crash data on North and South DuSable Lake Shore Drive;

(2) the available research on potential effectiveness of cameras powered by artificial intelligence in improving compliance and reducing crashes and road fatalities on North and South DuSable Lake Shore Drive;

(3) an analysis of driving behavior to detect risky driving patterns and to address the DuSable Lake Shore Drive crash corridors;

(4) an assessment of the effectiveness of psychological deterrence in reducing habitual speeding; and

(5) an assessment of how fatalities can be reduced using these cameras powered by artificial intelligence and other technical options that may be available in place of cameras powered by artificial intelligence.

The Department shall adopt any rules necessary to implement this subsection (v).

(Source: P.A. 102-905, eff. 1-1-23; 103-364, eff. 7-28-23.)".

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

On motion of Senator Ellman, **Senate Bill No. 1793** having been printed, was taken up, read by title a second time.

The following amendments were offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 1793

AMENDMENT NO. 1 . Amend Senate Bill 1793 by replacing everything after the enacting clause with the following:

"Section 5. The Crematory Regulation Act is amended by changing Sections 5 and 40 as follows:

(410 ILCS 18/5)

(Section scheduled to be repealed on January 1, 2029)

Sec. 5. Definitions. As used in this Act:

"Address of record" means the designated address recorded by the Comptroller in the applicant's or licensee's application file or license file. It is the duty of the applicant or licensee to inform the Comptroller of any change of address within 14 days, and such changes must be made either through the Comptroller's website or by contacting the Comptroller. The address of record shall be the permanent street address of the crematory.

"Alternative container" means a receptacle, other than a casket, in which human remains are transported to the crematory and placed in the cremation chamber for cremation. An alternative container shall be (i) composed of readily combustible or consumable materials suitable for cremation, (ii) able to be closed in order to provide a complete covering for the human remains, (iii) resistant to leakage or spillage, (iv) rigid enough for handling with ease, and (v) able to provide protection for the health, safety, and personal integrity of crematory personnel.

"Authorizing agent" means a person legally entitled to order the cremation and final disposition of specific human remains. "Authorizing agent" includes an institution of medical, mortuary, or other sciences as provided in Section 20 of the Disposition of Remains of the Indigent Act.

"Body parts" means limbs or other portions of the anatomy that are removed from a person or human remains for medical purposes during treatment, surgery, biopsy, autopsy, or medical research; or human bodies or any portion of bodies that have been donated to science for medical research purposes.

"Burial transit permit" means a permit for disposition of a dead human body as required by Illinois law.

"Casket" means a rigid container that is designed for the encasement of human remains, is usually constructed of wood, metal, or like material and ornamented and lined with fabric, and may or may not be combustible.

"Chain of custody record" means a record that establishes the continuous control of the deceased's body, body parts, or human remains.

"Comptroller" means the Comptroller of the State of Illinois.

"Cremated remains" means all human remains recovered after the completion of the cremation, which may possibly include the residue of any foreign matter including casket material, bridgework, or eyeglasses, that was cremated with the human remains.

"Cremation" means the technical process, using heat and flame, or alkaline hydrolysis that reduces human remains to bone fragments. The reduction takes place through heat and evaporation or through hydrolysis. Cremation shall include the processing, and may include the pulverization, of the bone fragments.

"Cremation chamber" means the enclosed space within which the cremation takes place.

"Cremation interment container" means a rigid outer container that, subject to a cemetery's rules and regulations, is composed of concrete, steel, fiberglass, or some similar material in which an urn is placed

prior to being interred in the ground, and which is designed to withstand prolonged exposure to the elements and to support the earth above the urn.

"Cremation room" means the room in which the cremation chamber is located.

"Crematory" means the building or portion of a building that houses the cremation room and the holding facility.

"Crematory authority" means the legal entity which is licensed by the Comptroller to operate a crematory and to perform cremations.

"Final disposition" means the burial, cremation, or other disposition of a dead human body or parts of a dead human body.

"Funeral director" means a person known by the title of "funeral director", "funeral director and embalmer", or other similar words or titles, licensed by the State to practice funeral directing or funeral directing and embalming.

"Funeral establishment" means a building or separate portion of a building having a specific street address and location and devoted to activities relating to the shelter, care, custody, and preparation of a deceased human body and may contain facilities for funeral or wake services.

"Holding facility" means an area that (i) is designated for the retention of human remains prior to cremation, (ii) complies with all applicable public health law, (iii) preserves the health and safety of the crematory authority personnel, and (iv) is secure from access by anyone other than authorized persons. A holding facility may be located in a cremation room.

"Human remains" means the body of a deceased person, including any form of body prosthesis that has been permanently attached or implanted in the body.

"Licensee" means an entity licensed under this Act. An entity that holds itself as a licensee or that is accused of unlicensed practice is considered a licensee for purposes of enforcement, investigation, hearings, and the Illinois Administrative Procedure Act.

"Niche" means a compartment or cubicle for the memorialization and permanent placement of an urn containing cremated remains.

"Person" means any person, partnership, association, corporation, limited liability company, or other entity, and in the case of any such business organization, its officers, partners, members, or shareholders possessing 25% or more of ownership of the entity.

"Processing" means the reduction of identifiable bone fragments after the completion of the cremation process to unidentifiable bone fragments by manual or mechanical means.

"Pulverization" means the reduction of identifiable bone fragments after the completion of the cremation process to granulated particles by manual or mechanical means.

"Scattering area" means an area which may be designated by a cemetery and located on dedicated cemetery property or property used for outdoor recreation or natural resource conservation owned by the Department of Natural Resources and designated as a scattering area, where cremated remains, which have been removed from their container, can be mixed with, or placed on top of, the soil, ~~or~~ ground cover, or, in limited scenarios that comply with the requirements under subsection (b) of Section 40, water.

"Temporary container" means a receptacle for cremated remains, usually composed of cardboard, plastic or similar material, that can be closed in a manner that prevents the leakage or spillage of the cremated remains or the entrance of foreign material, and is a single container of sufficient size to hold the cremated remains until an urn is acquired or the cremated remains are scattered.

"Uniquely identified" means providing the deceased with individualized identification.

"Urn" means a receptacle designed to encase the cremated remains.

(Source: P.A. 103-907, eff. 1-1-25.)

(410 ILCS 18/40)

(Section scheduled to be repealed on January 1, 2029)

Sec. 40. Disposition of cremated remains.

(a) The authorizing agent shall be responsible for the final disposition of the cremated remains.

(b) Cremated remains may be disposed of by placing them in a grave, crypt, or niche, by scattering them in a scattering area as defined in this Act, or in any manner whatever on the private property of a consenting owner. When a deceased individual is a member of a religion where the tenets of their faith require the scattering of that individual's cremated remains in water, the deceased individual's cremated remains may be scattered in an Illinois river without approval through the Department of Natural Resources' permit process as long as the scattering of the cremated remains is: (1) limited to one deceased individual; (2) spread over an area large enough to avoid leaving an identifiable accumulation of remains; (3) out of

sight of any public use areas, including, but not limited to, roads, walkways, trails, picnic areas, campgrounds, and parking lots; and (4) conducted in a manner where the cremation identification disc is not left on site.

(c) Upon the completion of the cremation process, and except as provided for in item (I) of paragraph (1) of subsection (a) of Section 20, if the crematory authority has not been instructed to arrange for the interment, entombment, inurnment, or scattering of the cremated remains, the crematory authority shall deliver the cremated remains to the individual specified on the cremation authorization form, or if no individual is specified then to the authorizing agent. The delivery may be made in person or by registered mail. Upon receipt of the cremated remains, the individual receiving them may transport them in any manner in this State without a permit, and may dispose of them in accordance with this Section. After delivery, the crematory authority shall be discharged from any legal obligation or liability concerning the cremated remains.

(d) If, after a period of 60 days from the date of the cremation, the authorizing agent or the agent's designee has not instructed the crematory authority to arrange for the final disposition of the cremated remains or claimed the cremated remains, the crematory authority may dispose of the cremated remains in any manner permitted by this Section. The crematory authority, however, shall keep a permanent record identifying the site of final disposition. The authorizing agent shall be responsible for reimbursing the crematory authority for all reasonable expenses incurred in disposing of the cremated remains. Upon disposing of the cremated remains, the crematory authority shall be discharged from any legal obligation or liability concerning the cremated remains. Any person who was in possession of cremated remains prior to the effective date of this Act may dispose of them in accordance with this Section.

(e) Except with the express written permission of the authorizing agent, no person shall:

(1) Dispose of cremated remains in a manner or in a location so that the cremated remains are commingled with those of another person. This prohibition shall not apply to the scattering of cremated remains at sea, by air, or in an area located in a dedicated cemetery and used exclusively for those purposes.

(2) Place cremated remains of more than one person in the same temporary container or urn.

(Source: P.A. 96-863, eff. 3-1-12; 97-679, eff. 2-6-12.)".

AMENDMENT NO. 2 TO SENATE BILL 1793

AMENDMENT NO. 2 . Amend Senate Bill 1793, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 7, by replacing lines 11 and 12 with "parking lots; and (4) conducted in a manner in which no other objects, including, but not limited to, any cremation identification disc, body prosthesis, or artificial organ, other than pulverized cremated remains, are scattered into a river. Nothing in this subsection (b) grants an individual authority to trespass on private property.".

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Porfirio, **Senate Bill No. 1827** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1827

AMENDMENT NO. 1 . Amend Senate Bill 1827 on page 15, by replacing lines 14 through 18 with the following:

"procedures of subsection (b).

(e) Nothing in this Section prohibits a fire protection district from entering into design-build contracts. Fire protection districts are authorized to use a design-build contracting method for construction if a competitive process consistent with the purpose of this Section is used in connection with the selection of the design-builder.

(Source: P.A. 102-138, eff. 1-1-22; 102-558, eff 8-20-21; 103-634, eff. 1-1-25.)

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

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

On motion of Senator Sims, **Senate Bill No. 1899** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 1899

AMENDMENT NO. 2 . Amend Senate Bill 1899 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 5-6-3.6 and by adding Section 5-6-3.7 as follows:

(730 ILCS 5/5-6-3.6)

Sec. 5-6-3.6. First Time Weapon Offense Program.

(a) The General Assembly has sought to promote public safety, reduce recidivism, and conserve valuable resources of the criminal justice system through the creation of diversion programs for non-violent offenders. Public Act 103-370 ~~This amendatory Act of the 103rd General Assembly~~ establishes a program for first-time, non-violent offenders charged with certain weapons possession offenses. The General Assembly recognizes some persons, particularly in areas of high crime or poverty, may have experienced trauma that contributes to poor decision making skills, and the creation of a diversionary program poses a greater benefit to the community and the person than incarceration. Under this program, a court, with the consent of the defendant and the State's Attorney, may sentence a defendant charged with an unlawful possession of weapons offense under Section 24-1 of the Criminal Code of 2012 or aggravated unlawful possession of a weapon offense under Section 24-1.6 of the Criminal Code of 2012, if punishable as a Class 4 felony or lower, to a First Time Weapon Offense Program.

(b) A defendant is not eligible for this Program if:

(1) the offense was committed during the commission of a violent offense as defined in subsection (h) of this Section;

(2) he or she has previously been convicted or placed on probation or conditional discharge for any violent offense under the laws of this State, the laws of any other state, or the laws of the United States;

(3) he or she had a prior successful completion of the First Time Weapon Offense Program under this Section;

(4) he or she has previously been adjudicated a delinquent minor for the commission of a violent offense;

(5) (blank); or

(6) he or she has an existing order of protection issued against him or her.

(b-5) In considering whether a defendant shall be sentenced to the First Time Weapon Offense Program, the court shall consider the following:

(1) the age, immaturity, or limited mental capacity of the defendant;

(2) the nature and circumstances of the offense;

(3) whether participation in the Program is in the interest of the defendant's rehabilitation, including any employment or involvement in community, educational, training, or vocational programs;

(4) whether the defendant suffers from trauma, as supported by documentation or evaluation by a licensed professional; and

(5) the potential risk to public safety.

(c) For an offense committed on or after January 1, 2018 (the effective date of Public Act 100-3) whenever an eligible person pleads guilty to an unlawful possession of weapons offense under Section 24-1 of the Criminal Code of 2012 or aggravated unlawful possession of a weapon offense under Section 24-1.6 of the Criminal Code of 2012, which is punishable as a Class 4 felony or lower, the court, with the consent of the defendant and the State's Attorney, may, without entering a judgment, sentence the defendant to complete the First Time Weapon Offense Program. When a defendant is placed in the Program, the court

shall defer further proceedings in the case until the conclusion of the period or until the filing of a petition alleging violation of a term or condition of the Program. A disposition of probation is considered to be a conviction for the purposes of imposing the conditions of probation and for appeal; however, a sentence under this Section is not a conviction for purposes of this Act or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime unless and until judgment is entered. Upon violation of a term or condition of the Program, the court may enter a judgment on its original finding of guilt and proceed as otherwise provided by law. Upon fulfillment of the terms and conditions of the Program, the court shall discharge the person and dismiss the proceedings against the person.

(d) The Program shall be at least 6 months and not to exceed 24 months, as determined by the court at the recommendation of the Program administrator and the State's Attorney. The Program administrator may be appointed by the Chief Judge of each Judicial Circuit.

(e) The conditions of the Program shall be that the defendant:

(1) not violate any criminal statute of this State or any other jurisdiction;

(2) refrain from possessing a firearm or other dangerous weapon;

(3) (blank);

(4) (blank);

(5) (blank);

(6) (blank);

(7) attend and participate in any Program activities deemed required by the Program administrator, such as: counseling sessions, in-person and over the phone check-ins, and educational classes; and

(8) (blank).

(f) The Program may, in addition to other conditions, require that the defendant:

(1) obtain or attempt to obtain employment;

(2) attend educational courses designed to prepare the defendant for obtaining a high school diploma or to work toward passing high school equivalency testing or to work toward completing a vocational training program;

(3) refrain from having in his or her body the presence of any illicit drug prohibited by the Methamphetamine Control and Community Protection Act or the Illinois Controlled Substances Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

(4) perform community service;

(5) pay all fines, assessments, fees, and costs; and

(6) comply with such other reasonable conditions as the court may impose.

(f-1) Upon the successful completion of the Program, a defendant may submit an application for a Firearm Owner's Identification Card upon receiving a court order demonstrating completion of the Program. The Illinois State Police shall issue a Firearm Owner's Identification Card to such person upon receiving a court order demonstrating completion of the Program if the person is otherwise eligible to receive a Firearm Owner's Identification Card. Nothing in this Section shall prohibit the Illinois State Police from denying an application for or revoking a Firearm Owner's Identification Card as provided by law.

(g) There may be only one discharge and dismissal under this Section. If a person is convicted of any offense which occurred within 5 years subsequent to a discharge and dismissal under this Section, the discharge and dismissal under this Section shall be admissible in the sentencing proceeding for that conviction as evidence in aggravation.

(h) For purposes of this Section, "violent offense" means any offense in which bodily harm was inflicted or force was used against any person or threatened against any person; any offense involving the possession of a firearm or dangerous weapon; any offense involving sexual conduct, sexual penetration, or sexual exploitation; violation of an order of protection, stalking, hate crime, domestic battery, or any offense of domestic violence.

(i) (Blank).

(Source: P.A. 102-245, eff. 8-3-21; 102-1109, eff. 12-21-22; 103-370, eff. 7-28-23; 103-702, eff. 1-1-25; 103-822, eff. 1-1-25; revised 11-26-24.)

(730 ILCS 5/5-6-3.7 new)

Sec. 5-6-3.7. Unlawful possession of weapons offense diversion programs; Firearm Owner's Identification Card eligibility.

(a) A State's Attorney, at his or her discretion, may request that a defendant charged with an unlawful possession of weapons offense under Section 24-1 of the Criminal Code of 2012 or aggravated unlawful possession of a weapon offense under Section 24-1.6 of the Criminal Code of 2012, if punishable as a Class 4 felony or lower, be sentenced to a First Time Weapon Offense Program.

(b) Upon the successful completion of the diversion program, a defendant may submit an application for a Firearm Owner's Identification Card upon receiving a court order demonstrating completion of the program. The Illinois State Police shall issue a Firearm Owner's Identification Card to such person upon receiving a court order demonstrating completion of the program if the person is otherwise eligible to receive a Firearm Owner's Identification Card. Nothing in this Section shall prohibit the Illinois State Police from denying an application for or revoking a Firearm Owner's Identification Card as provided by law.".

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

On motion of Senator D. Turner, **Senate Bill No. 1953** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1953

AMENDMENT NO. 1 . Amend Senate Bill 1953 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Police Training Act is amended by adding Section 6.5 as follows:

(50 ILCS 705/6.5 new)

Sec. 6.5. Hiring decisions; inspection of employment records.

(a) No law enforcement agency shall make a final offer of employment for the position of probationary police officer, probationary part-time police officer, full-time law enforcement officer, or part-time law enforcement officer without requiring the execution of a signed release from the applicant, presented in accordance with this Section, directing any and all entities that previously employed the individual to produce or make available for inspection all employment records, including background investigation materials collected in connection with making a final offer of employment; duty-related physical and psychological fitness-for-duty examinations; work performance records; records of criminal, civil, or administrative investigations of conduct; arrests; convictions; findings of guilt; pleas of guilty; or pleas of nolo contendere.

(b) Any law enforcement agency or other previous employer that receives a signed request for the employment records of any current or former employee, as described in subsection (a), shall produce those records to the requesting law enforcement agency within 14 days after receipt of that request. If additional time is required for production of the requested records, the producing law enforcement agency or other previous employer may advise the requesting law enforcement agency that an extension of up to 14 days is required. The producing law enforcement agency shall also execute and provide a signed verification that indicates all responsive records have been provided and that no known records have been intentionally withheld. The producing law enforcement agency or other previous employer shall also certify in writing that it is not aware of any other credible, verifiable, relevant, and material information regarding the applicant that would reflect negatively on the applicant's fitness for employment as an officer and that is not contained in the records produced.

(c) The requesting law enforcement agency or the Board may be required to pay the reasonable costs and expenses of the agency that is collecting and producing responsive records.

(d) With the exception of social security numbers, individual taxpayer identification numbers, driver's license and state identification card numbers, financial account numbers, and debit and credit card numbers, all records referenced in paragraph (1) shall be produced without any redaction, and no nondisclosure, separation, or settlement agreement shall prevent the production of these records. If some records have been sealed or otherwise protected by a court order, then the requesting agency shall be advised in writing so it can seek appropriate relief from the court that entered the sealing or nondisclosure order.

(e) If an entity required to produce records in accordance with this Section fails to produce the requested records, the requesting law enforcement agency may seek a court order to compel the production

of those records. In addition to granting equitable relief, the circuit court may also award the requesting agency fees and costs, including reasonable attorney's fees incurred in seeking a court order.

(f) The requesting law enforcement agency shall receive and review all materials before making a final offer of employment.

(g) The requirements of this Section are in addition to and not in lieu of the other investigations required under the Act.

(h) The provisions of this Section do not apply to the extent that they are inconsistent with provisions otherwise agreed to in collective bargaining agreements in effect on the effective date of this amendatory Act of the 104th General Assembly. A collective bargaining agreement that conflicts with this Section may not be entered into, modified, or extended on or after the effective date of this amendatory Act of the 104th General Assembly. These provisions also do not apply if the previous law enforcement employer has been provided with a directive and explanation, in writing, from the State's Attorney of the county in which the previous law enforcement employer is located that the previous law enforcement employer is not legally authorized to provide the requested information.

(i) The written release to be signed and executed by an applicant, directing any agency that previously employed the applicant to produce or make available for inspection all of the applicant's employment records, as required by this Section, may take the following form:

CONSENT AND RELEASE FOR BACKGROUND INVESTIGATION

Acknowledgment of Consent

I, [Applicant's Name], acknowledge that I am seeking employment in a safety-sensitive field and that establishing my employment eligibility requires a thorough investigation into my background and character.

Furthermore, I acknowledge and agree that as a condition of being considered for employment with [Prospective Employer's Name] ("Employer"), or for maintaining my continued employment with the employer, it is required that I consent to a complete and thorough investigation of my background to determine whether I am a suitable candidate for the position of [Name of Job Title] with the employer.

Mandatory Background Investigation

I authorize the employer to conduct a background investigation of me, which shall include, but shall not be limited to, a:

(1) a review of my complete employment history;

(2) a review of my complete criminal history;

(3) a review of driving records;

(4) a background check with the Department of Children and Family Services;

(5) interviews with my personal references;

(6) a review of all internal investigation files from any previous employers;

(7) a verification of academic credentials and licenses;

(8) a review of my military service history, if any; and

(9) a review of the Illinois Law Enforcement Training Standards Board's records and officer misconduct database.

Credit Check

I hereby consent to the employer obtaining and reviewing any credit and consumer reports, as permitted under the federal Fair Credit Reporting Act and local or state credit privacy laws, if applicable. I understand that the Fair Credit Reporting Act, 15 U.S.C. 1681, et seq., authorizes me to request a copy of any consumer credit report from the consumer reporting agency that compiled the report.

Consent to Release of Information

I hereby consent to the release of all employment records from my current and former employers, including, but not limited to:

(1) job applications;

(2) personnel files;

(3) internal investigations;

(4) separation agreements;

(5) pre-employment evaluations;

(6) tests;

(7) questionnaires;

(8) fitness-for-duty examinations; and

(9) any other information obtained about me by the entity to whom this Consent is presented.

Consent to Required Interviews and Evaluations

I further agree to participate in a personal interview, testing process, polygraph examination, post-offer psychological evaluation and medical evaluation, or any combination of those examinations or tests, as determined by the employer.

Confidentiality

All information obtained by the employer under this background investigation shall be confidential and safeguarded against disclosure to all unauthorized persons as required by law. However, nothing prevents the employer from using the information obtained to evaluate my suitability for employment.

I specifically consent to the disclosure of information that may be covered by a settlement agreement or other confidentiality provision entered into with my former employers, and I waive any rights to enforce any prior confidentiality agreement against my former employer about this disclosure.

Waiver of Privacy

I waive any right or claim to privacy in such information and consent to the disclosure of information that may be exempt from disclosure by law.

I waive any right I may have to be notified by any individuals and organizations named in my application for employment before the release of any information to the employer, including the release of information concerning any disciplinary action taken against me by former employers.

Indemnification

In exchange for this release of all of my personnel information, I, agree to release, discharge, and hold harmless any person, firm, or entity and their employees and agents that disclose information in response to receipt of this consent, from any liability for all claims, liabilities, causes of action, known or unknown, fixed or contingent, that arise from or that are in any manner connected to the disclosure of any personal information as described above. I further release and hold harmless the employer and the employer's respective personnel, employees, and agents from any liability resulting from or in connection with, the results of this background investigation concerning my fitness for employment or continued employment at the employer or the decision to hire me, not to hire me, or retain me in my position.

Signature

I agree to electronically sign this document and certify that I have read, understand, and agree to the terms and conditions set forth in this document and that this is a complete waiver under Section 10 of Employment Record Disclosure Act.

Signature .....

Printed Name .....

Social Security No. .....

(j) The Board and any local or State agency, sheriff, police chief, county, municipality, private business or corporation, or other person is immune from suit or liability for submitting, disclosing, or releasing information of employment records, including background investigation materials collected in connection with making a final offer of employment; duty-related physical and psychological fitness-for-duty examinations; work performance records; records of criminal, civil, or administrative investigations of conduct; arrests; convictions; findings of guilt; pleas of guilty; or pleas of nolo contendere under this Section upon receiving a written release for those records executed and presented in accordance with this Section, as long as the information is submitted, disclosed, or released in good faith and without malice. The Board, all previous employers, and the agents and employees of all previous employers have immunity for the release of the information.

Section 10. The Counties Code is amended by changing Section 3-8002 as follows:

(55 ILCS 5/3-8002) (from Ch. 34, par. 3-8002)

Sec. 3-8002. Applicability and adoption. The county board of every county having a county police department merit board established under the County Police Department Act (repealed) or a merit commission for sheriff's personnel established under Section 58.1 of "An Act to revise the law in relation to counties", approved March 31, 1874, as amended (repealed), shall adopt and implement the merit system provided by this Division and shall modify the merit system now in effect in that county as may be necessary to comply with this Division.

The county board of any county having a population of at least 75,000 ~~less than 1,000,000~~ which does not have a merit board or merit commission for sheriff's personnel shall ~~may~~ adopt and implement by ordinance the merit system provided by this Division. For counties with a population of less than 75,000, if ~~If~~ the county board does not adopt such a merit system by an ordinance and if a petition signed by not fewer than 5% or 1000, whichever is less, of the registered electors of any such county is filed with the county

clerk requesting a referendum on the adoption of a merit system for deputies in the office of the Sheriff, the county board shall, by appropriate ordinance, cause the question to be submitted to the electors of the county, at a special or general election specified in such ordinance, in accordance with the provisions of Section 28-3 of the Election Code. Notice of the election shall be given as provided in Article 12 of that Code. If a majority of those voting on the proposition at such election vote in favor thereof, the county board shall adopt and implement a merit system provided in this Division. When a merit board or merit commission for sheriff's personnel has been established in a county, it may be abolished by the same procedure in which it was established.

This Division does not apply to any county having a population of more than 1,000,000 ~~nor to any county which has not elected to adopt the merit system provided by this Division and which is not required to do so under this Section~~.

(Source: P.A. 103-605, eff. 7-1-24.)

Section 15. The Personnel Record Review Act is amended by changing Sections 1 and 8 and by adding Section 8.5 as follows:

(820 ILCS 40/1) (from Ch. 48, par. 2001)

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

(a) "Employee" means a person currently employed or subject to recall after layoff or leave of absence with a right to return at a position with an employer or a former employee who has terminated service within the preceding year.

(b) "Employer" means an individual, corporation, partnership, labor organization, unincorporated association, the State, an agency or a political subdivision of the State, or any other legal, business, or commercial entity which has 5 employees or more than 5 employees exclusive of the employer's parent, spouse or child or other members of his immediate family and includes an agent of the employer.

(c) "Law enforcement agency" means any entity with statutory police powers and the ability to employ individuals authorized to make arrests.

(d) "Law enforcement personnel file" means all records related to a law enforcement officer's performance, discipline, training, employment history, and any investigation of the law enforcement officer for the duration of the law enforcement officer's employment with the law enforcement agency, including, but not limited to, background investigation materials collected in connection with making a final offer of employment, duty-related physical and psychological fitness-for-duty examinations, work performance records, criminal, civil, or administrative investigations of conduct, arrests, convictions, findings of guilt, pleas of guilty, or pleas of nolo contendere.

(Source: P.A. 83-1339.)

(820 ILCS 40/8) (from Ch. 48, par. 2008)

Sec. 8. An employer shall review a personnel record before releasing information to a third party and, except when the release is required under Section 8.5 or ordered to a party in a legal action or arbitration, delete disciplinary reports, letters of reprimand, or other records of disciplinary action which are more than 4 years old. This Section does not apply to a school district or an authorized employee or agent of a school district who is sharing information related to an incident or an attempted incident of sexual abuse, severe physical abuse, or sexual misconduct as defined in subsection (c) of Section 22-85.5 of this Code.

(Source: P.A. 101-531, eff. 8-23-19; 102-702, eff. 7-1-23.)

(820 ILCS 40/8.5 new)

Sec. 8.5. Release of law enforcement personnel files.

(a) A law enforcement agency shall release a complete law enforcement personnel file upon receipt of a written request from a law enforcement agency for the purpose of making an employment determination by the law enforcement agency or a hiring board, such as the Illinois State Police Merit Board or an equivalent board. A written request made under this subsection shall be on the law enforcement agency's official letterhead, signed by the agency head or the agency head's designee, and shall include a written release or waiver for the personnel file and records signed by the law enforcement applicant applying for employment with the law enforcement agency.

Except for a social security number, individual taxpayer identification number, driver's license and state identification card number, financial account number, and debit and credit card number, the law enforcement applicant's personnel file shall be produced without any redaction. Any provision in a nondisclosure, separation, or settlement agreement that prohibits the production of a law enforcement personnel file is null and void. If a record has been sealed or otherwise protected by a court order, the

producing law enforcement agency shall notify the requesting law enforcement agency and the requesting law enforcement agency may seek appropriate relief from the court that entered the sealing or nondisclosure order.

(b) If a request is made for release of a law enforcement personnel file that satisfies the requirements described in subsection (a), the producing law enforcement agency shall release a copy of the law enforcement personnel file to the requesting law enforcement agency no later than 14 days after receipt of the request. If additional time is required for production of the law enforcement personnel file, the producing law enforcement agency may inform the requesting law enforcement agency that an extension of up to 14 days is required.

Upon producing a law enforcement personnel file, the producing law enforcement agency shall execute and provide a signed verification form that indicates all responsive records have been provided and that no known records have been intentionally withheld. The producing law enforcement agency shall also certify in writing that it is not aware of any other credible, verifiable, relevant, and material information regarding the applicant that would reflect negatively on the applicant's fitness for employment as an officer and that is not contained in the law enforcement personnel file.

(c) The provisions of this Section do not apply to the extent that they are inconsistent with provisions otherwise agreed to in collective bargaining agreements in effect on the effective date of this amendatory Act of the 104th General Assembly. A collective bargaining agreement that conflicts with this Section may not be entered into, modified, or extended on or after the effective date of this amendatory Act of the 104th General Assembly.

(d) A law enforcement agency and a law enforcement agency's agents and employees are immune from suit and liability for producing, disclosing, or releasing a law enforcement applicant's personnel file in accordance with this Section.".

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

On motion of Senator D. Turner, **Senate Bill No. 1954** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1954

AMENDMENT NO. 1 . Amend Senate Bill 1954 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Division 3-16 as follows:

(55 ILCS 5/Div. 3-16 heading new)

Division 3-16. Recall of Countywide Elected Officials

(55 ILCS 5/3-16001 new)

Sec. 3-16001. Recall of a countywide elected official.

(a) Any county may establish a process by which countywide elected officials may be recalled by the electors of the county, by submitting the proposition to the electors of the county and obtaining their approval of the proposition at a referendum held at the general election of 2026 as provided in Section 3-16002. A referendum to adopt a process by which countywide elected officials may be recalled by the electors may be called for by a resolution adopted before the general election of 2026 by the county board of the county.

(b) As used in this Division, "countywide elected official" means any elected official who is elected by the entire county, but it does not include either: (i) a county treasurer who is subject to removal under Section 3-10020 or (ii) a regional superintendent of schools.

(55 ILCS 5/3-16002 new)

Sec. 3-16002. Referendum on resolution of county board.

(a) If the county board adopts a resolution calling for a referendum at the general election of 2026 on the proposal to adopt a process by which countywide elected officials may be recalled by the electors of that county, within the time provided in the general election law, the county clerk and the county board shall provide for the submission of such proposition to the electors of the county in accordance with this Section at the general election of 2026.

(b) The referendum shall be conducted in such a manner as is prescribed in the general election law. The proposition shall be in substantially the following form:

Shall the County of ..... adopt a process by which countywide elected officials may be recalled by the electors of the county as provided for by Section 3-16003 of the Counties Code?	YES NO

(55 ILCS 5/3-16003 new)

Sec. 3-16003. Recall of countywide elected officials.

(a) If the referendum described in Section 3-16002 is approved by a majority of the voters voting on the proposition, then the recall of countywide elected officials in that county may thereafter be proposed by a petition signed by a number of electors equal in number to at least 15% of the total votes cast for Governor in that county in the preceding gubernatorial election. A petition under this Section shall have been signed by the petitioning electors not more than 50 days after an affidavit has been filed with the State Board of Elections providing notice of intent to circulate a petition to recall the countywide elected official. The affidavit may be filed no sooner than 6 months after the beginning of the countywide elected official's term of office and may not be filed in the last 6 months of the countywide elected official's term of office.

(b) The form of the petition, circulation, and procedure for determining the validity and sufficiency of a petition shall be as provided by law. If the petition is valid and sufficient, the State Board of Elections shall certify the petition not more than 50 days after the date the petition was filed, and the question "Shall (name) be recalled from the office of (name of office)?" must be submitted to the electors at a special election called by the State Board of Elections, to occur not more than 100 days after certification of the petition. A recall petition certified by the State Board of Elections under this Section may not be withdrawn and another recall petition under this Section may not be initiated against the countywide elected official during the remainder of the official's current term of office. Any recall petition or recall election pending on the date of the next general election at which a candidate for the same countywide office is elected is moot.

(c) The countywide elected official is immediately removed upon certification of the recall election results if a majority of the electors voting on the question vote to recall the countywide elected official. If the countywide elected official is removed, the vacancy shall be filled as provided in the Election Code or this Code.

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

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

On motion of Senator Koehler, **Senate Bill No. 1988** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Balkema, **Senate Bill No. 2044** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2044

AMENDMENT NO. 1 . Amend Senate Bill 2044 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-1192 as follows:

(55 ILCS 5/5-1192 new)

Sec. 5-1192. Web-based signature. A county may allow a person to sign any document with a web-based signature if the county uses a secure web-based platform.

Section 10. The Township Code is amended by adding Section 85-70 as follows:

(60 ILCS 1/85-70 new)

Sec. 85-70. Web-based signature. A township may allow a person to sign any document with a web-based signature if the township uses a secure web-based platform.

Section 15. The Illinois Municipal Code is amended by adding Section 1-1-13 as follows:

(65 ILCS 5/1-1-13 new)

Sec. 1-1-13. Web-based signature. A municipality may allow a person to sign any document with a web-based signature if the municipality uses a secure web-based platform.".

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

On motion of Senator Castro, **Senate Bill No. 2154** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2154

AMENDMENT NO. 1 . Amend Senate Bill 2154 by replacing everything after the enacting clause with the following:

"Section 5. The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 is amended by changing Sections 1-11, 3-1, 3A-1, 4-7, and 4-20 as follows:

(225 ILCS 410/1-11) (from Ch. 111, par. 1701-11)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1-11. Exceptions to Act.

(a) Nothing in this Act shall be construed to apply to the educational activities conducted in connection with any monthly, annual or other special educational program of any bona fide association of licensed cosmetologists, estheticians, nail technicians, hair braiders, or barbers, or licensed cosmetology, esthetics, nail technology, hair braiding, or barber schools from which the general public is excluded.

(b) Nothing in this Act shall be construed to apply to the activities and services of registered nurses or licensed practical nurses, as defined in the Nurse Practice Act, or to personal care or health care services provided by individuals in the performance of their duties as employed or authorized by facilities or programs licensed or certified by State agencies. As used in this subsection (b), "personal care" means assistance with meals, dressing, movement, bathing, or other personal needs or maintenance or general supervision and oversight of the physical and mental well-being of an individual who is incapable of maintaining a private, independent residence or who is incapable of managing his or her person whether or not a guardian has been appointed for that individual. The definition of "personal care" as used in this subsection (b) shall not otherwise be construed to negate the requirements of this Act or its rules.

(c) Nothing in this Act shall be deemed to require licensure of individuals employed by the motion picture, film, television, stage play or related industry for the purpose of providing cosmetology or esthetics services to actors of that industry while engaged in the practice of cosmetology or esthetics as a part of that person's employment.

(d) Nothing in this Act shall be deemed to require licensure of an inmate of the Department of Corrections who performs barbering or cosmetology with the approval of the Department of Corrections during the person's incarceration.

(e) Nothing in this Act shall be construed to limit the ability of a licensed physician to practice medicine in all of its branches.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/3-1) (from Ch. 111, par. 1703-1)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3-1. Cosmetology defined. Any one or any combination of the following practices constitutes the practice of cosmetology when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder: arranging, braiding, dressing, cutting, trimming, curling, waving, chemical restructuring, shaping, singeing, bleaching, coloring or similar work, upon the hair of the head or

any cranial prosthesis; cutting or trimming facial hair of any person; any practice of manicuring, pedicuring, decorating nails, applying sculptured nails or otherwise artificial nails by hand or with mechanical or electrical apparatus or appliances, or in any way caring for the nails or the skin of the hands or feet including massaging the hands, arms, elbows, feet, lower legs, and knees of another person for other than the treatment of medical disorders; any practice of epilation or depilation of any person; any practice for the purpose of cleansing, massaging or toning the skin of the scalp; beautifying, massaging, cleansing, exfoliating, or stimulating the stratum corneum of the epidermis by the use of cosmetic preparations, including superficial exfoliants, body treatments, body wraps, the use of hydrotherapy, or any device, electrical, mechanical, or otherwise, including microdermabrasion, hydrodermabrasion, and dermaplaning; applying make-up or eyelashes to any person or lightening or coloring hair on the body and removing superfluous hair from the body of any person by the use of depilatories, waxing, threading, or tweezers. The term "cosmetology" does not include the services provided by an electrologist. Nail technology is the practice and the study of cosmetology only to the extent of manicuring, pedicuring, decorating, and applying sculptured or otherwise artificial nails, or in any way caring for the nail or the skin of the hands or feet including massaging the hands, arms, elbows, feet, lower legs, and knees. Cosmetologists are prohibited from using any technique, product, or practice intended to affect the living layers of the skin. The term cosmetology includes rendering advice on what is cosmetically appealing, but no person licensed under this Act shall render advice on what is appropriate medical treatment for diseases of the skin. Purveyors of cosmetics may demonstrate such cosmetic products in conjunction with any sales promotion and shall not be required to hold a license under this Act. Nothing in this Act shall be construed to prohibit the shampooing of hair by persons employed for that purpose and who perform that task under the direct supervision of a licensed cosmetologist or licensed cosmetology teacher.

(Source: P.A. 98-911, eff. 1-1-15.)

(225 ILCS 410/3A-1) (from Ch. 111, par. 1703A-1)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3A-1. Esthetics defined.

(A) Any one or combination of the following practices, when done for cosmetic or beautifying purposes and not for the treatment of disease or of a muscular or nervous disorder, constitutes the practice of esthetics:

1. Beautifying, massaging, cleansing, exfoliating, or stimulating the stratum corneum of the epidermis by the use of cosmetic preparations, including superficial exfoliants, body treatments, body wraps, hydrotherapy, or any device, electrical, mechanical, or otherwise, for the care of the skin, including microdermabrasion, hydrodermabrasion, and dermaplaning;

2. Applying make-up or eyelashes to any person or lightening or coloring hair on the body except the scalp; and

3. Removing superfluous hair from the body of any person.

However, esthetics does not include the services provided by a cosmetologist or electrologist. Estheticians are prohibited from using techniques, products, and practices intended to affect the living layers of the skin. The term esthetics includes rendering advice on what is cosmetically appealing, but no person licensed under this Act shall render advice on what is appropriate medical treatment for diseases of the skin.

(B) "Esthetician" means any person who, with hands or mechanical or electrical apparatus or appliances, engages only in the use of cosmetic preparations, body treatments, body wraps, hydrotherapy, makeups, antiseptics, tonics, lotions, creams or other preparations or in the practice of massaging, cleansing, exfoliating the stratum corneum of the epidermis, stimulating, manipulating, beautifying, grooming, threading, or similar work on the face, neck, arms and hands or body in a superficial mode, and not for the treatment of medical disorders.

(Source: P.A. 98-911, eff. 1-1-15.)

(225 ILCS 410/4-7) (from Ch. 111, par. 1704-7)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-7. Refusal, suspension and revocation of licenses; causes; disciplinary action.

(1) The Department may refuse to issue or renew, and may suspend, revoke, place on probation, reprimand or take any other disciplinary or non-disciplinary action as the Department may deem proper, including civil penalties not to exceed $500 for each violation, with regard to any license for any one, or any combination, of the following causes:

a. For licensees, conviction of any crime under the laws of the United States or any state or territory thereof that is (i) a felony, (ii) a misdemeanor, an essential element of which is dishonesty, or

(iii) a crime which is related to the practice of the profession and, for initial applicants, convictions set forth in Section 4-6.1 of this Act.

b. Conviction of any of the violations listed in Section 4-20.

c. Material misstatement in furnishing information to the Department.

d. Making any misrepresentation for the purpose of obtaining a license or violating any provision of this Act or its rules.

e. Aiding or assisting another person in violating any provision of this Act or its rules.

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

g. Discipline by another state, territory, or country if at least one of the grounds for the discipline is the same as or substantially equivalent to those set forth in this Act.

h. Practice in the barber, nail technology, esthetics, hair braiding, or cosmetology profession, or an attempt to practice in those professions, by fraudulent misrepresentation.

i. Gross malpractice or gross incompetency.

j. Continued practice by a person knowingly having an infectious or contagious disease.

k. Solicitation of professional services by using false or misleading advertising.

l. A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

m. Directly or indirectly giving to or receiving from any person, firm, corporation, partnership or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered.

n. Violating any of the provisions of this Act or rules adopted pursuant to this Act.

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

p. Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in the inability to practice with reasonable judgment, skill or safety.

q. Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, or harm the public as may be defined by rules of the Department, or violating the rules of professional conduct which may be adopted by the Department.

r. Permitting any person to use for any unlawful or fraudulent purpose one's diploma or license or certificate of registration as a cosmetologist, nail technician, esthetician, hair braider, or barber or cosmetology, nail technology, esthetics, hair braiding, or barber teacher or salon or shop or cosmetology clinic teacher.

s. Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

t. Operating a salon or shop without a valid registration.

u. Failure to complete required continuing education hours.

v. Using any technique, product, or practice intended to affect the living layers of the skin.

(2) In rendering an order, the Secretary shall take into consideration the facts and circumstances involving the type of acts or omissions in paragraph (1) of this Section including, but not limited to:

(a) the extent to which public confidence in the cosmetology, nail technology, esthetics, hair braiding, or barbering profession was, might have been, or may be, injured;

(b) the degree of trust and dependence among the involved parties;

(c) the character and degree of harm which did result or might have resulted;

(d) the intent or mental state of the licensee at the time of the acts or omissions.

(3) The Department may reissue the license or registration upon certification by the Board that the disciplined licensee or registrant has complied with all of the terms and conditions set forth in the final order or has been sufficiently rehabilitated to warrant the public trust.

(4) The Department shall refuse to issue or renew or suspend without hearing the license or certificate of registration of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied as determined by the Department of Revenue.

(5) (Blank).

(6) All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.
(Source: P.A. 99-427, eff. 8-21-15; 99-876, eff. 1-1-17; 100-872, eff. 8-14-18.)

(225 ILCS 410/4-20) (from Ch. 111, par. 1704-20)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-20. Violations; penalties. Whoever violates any of the following shall, for the first offense, be guilty of a Class B misdemeanor; for the second offense, shall be guilty of a Class A misdemeanor; and for all subsequent offenses, shall be guilty of a Class 4 felony and be fined not less than $1,000 or more than $5,000.

(1) The practice of cosmetology, nail technology, esthetics, hair braiding, or barbering or an attempt to practice cosmetology, nail technology, esthetics, hair braiding, or barbering without a license as a cosmetologist, nail technician, esthetician, hair braider, or barber; or the practice or attempt to practice as a cosmetology, nail technology, esthetics, hair braiding, or barber teacher without a license as a cosmetology, nail technology, esthetics, hair braiding, or barber teacher; or the practice or attempt to practice as a cosmetology clinic teacher without a proper license.

(2) The obtaining of or an attempt to obtain a license or money or any other thing of value by fraudulent misrepresentation.

(3) Practice in the barber, nail technology, cosmetology, hair braiding, or esthetic profession, or an attempt to practice in those professions, by fraudulent misrepresentation.

(4) Wilfully making any false oath or affirmation whenever an oath or affirmation is required by this Act.

(5) The use of any technique, product, or practice intended to affect the living layers of the skin in the practice of cosmetology, nail technology, esthetics, hair braiding, or barbering.

(6) ~~(5)~~ The violation of any of the provisions of this Act.
(Source: P.A. 98-911, eff. 1-1-15.)".

Senator Castro offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2154

AMENDMENT NO. 2 . Amend Senate Bill 2154, AS AMENDED, immediately below Section 5, by inserting the following:

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Koehler, **Senate Bill No. 2466** having been printed, was taken up, read by title a second time and ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Preston, **Senate Bill No. 40** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Lightford	Stadelman
Arellano, L.	Feigenholtz	Loughran Cappel	Syverson
Balkema	Fine	Martwick	Tracy

Bryant	Fowler	McClure	Turner, D.
Castro	Glowiak Hilton	Murphy	Turner, S.
Cervantes	Harris, N.	Peters	Ventura
Chesney	Harriss, E.	Plummer	Villa
Collins	Hills	Porfirio	Villanueva
Cunningham	Holmes	Preston	Villivalam
Curran	Johnson	Rezin	Walker
DeWitte	Joyce	Rose	Wilcox
Edly-Allen	Koehler	Simmons	Mr. President
Ellman	Lewis	Sims	

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

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

Senator Guzmán asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 40**.

On motion of Senator Fine, **Senate Bill No. 73** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Loughran Cappel	Tracy
Arellano, L.	Fine	Martwick	Turner, D.
Balkema	Fowler	McClure	Turner, S.
Bryant	Glowiak Hilton	Murphy	Ventura
Castro	Guzmán	Peters	Villa
Cervantes	Harris, N.	Plummer	Villanueva
Chesney	Harriss, E.	Porfirio	Villivalam
Collins	Hills	Preston	Walker
Cunningham	Holmes	Rezin	Wilcox
Curran	Johnson	Rose	Mr. President
DeWitte	Joyce	Simmons	
Edly-Allen	Koehler	Sims	
Ellman	Lewis	Stadelman	
Faraci	Lightford	Syverson	

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

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

On motion of Senator Feigenholtz, **Senate Bill No. 103** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Loughran Cappel	Tracy
Arellano, L.	Fine	Martwick	Turner, D.

Balkema	Fowler	McClure	Turner, S.
Bryant	Glowiak Hilton	Murphy	Ventura
Castro	Guzmán	Peters	Villa
Cervantes	Harris, N.	Plummer	Villanueva
Chesney	Harriss, E.	Porfirio	Villivalam
Collins	Hills	Preston	Walker
Cunningham	Holmes	Rezin	Wilcox
Curran	Johnson	Rose	Mr. President
DeWitte	Joyce	Simmons	
Edly-Allen	Koehler	Sims	
Ellman	Lewis	Stadelman	
Faraci	Lightford	Syverson	

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

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

On motion of Senator Cervantes, **Senate Bill No. 106** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 32; NAYS 19.

The following voted in the affirmative:

Castro	Guzmán	Murphy	Villa
Cervantes	Harris, N.	Peters	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Edly-Allen	Johnson	Preston	Walker
Ellman	Joyce	Simmons	Mr. President
Faraci	Koehler	Sims	
Feigenholtz	Lightford	Stadelman	
Fine	Loughran Cappel	Turner, D.	
Glowiak Hilton	Martwick	Ventura	

The following voted in the negative:

Anderson	Curran	Lewis	Syverson
Arellano, L.	DeWitte	McClure	Tracy
Balkema	Fowler	Plummer	Turner, S.
Bryant	Harriss, E.	Rezin	Wilcox
Chesney	Hills	Rose	

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

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

On motion of Senator Johnson, **Senate Bill No. 246** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 33; NAYS 17.

The following voted in the affirmative:

Arellano, L.	Fine	Loughran Cappel	Turner, D.
Castro	Glowiak Hilton	Martwick	Ventura
Cervantes	Guzmán	Murphy	Villa
Collins	Harris, N.	Peters	Villanueva
Cunningham	Holmes	Porfirio	Villivalam
Edly-Allen	Johnson	Preston	Mr. President
Ellman	Joyce	Simmons	
Faraci	Koehler	Sims	
Feigenholtz	Lightford	Stadelman	

The following voted in the negative:

Anderson	Fowler	Rezin	Walker
Balkema	Harriss, E.	Rose	Wilcox
Bryant	Lewis	Syverson	
Chesney	McClure	Tracy	
DeWitte	Plummer	Turner, S.	

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

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

On motion of Senator Cervantes, **Senate Bill No. 1392** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Lightford	Syverson
Arellano, L.	Feigenholtz	Loughran Cappel	Tracy
Balkema	Fine	Martwick	Turner, D.
Bryant	Fowler	McClure	Turner, S.
Castro	Glowiak Hilton	Murphy	Ventura
Cervantes	Guzmán	Peters	Villa
Chesney	Harris, N.	Plummer	Villanueva
Collins	Harriss, E.	Porfirio	Villivalam
Cunningham	Hills	Preston	Walker
Curran	Holmes	Rezin	Wilcox
DeWitte	Johnson	Rose	Mr. President
Edly-Allen	Joyce	Sims	
Ellman	Koehler	Stadelman	

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

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

Senator Simmons asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 1392**.

SENATE BILLS RECALLED

On motion of Senator Sims, **Senate Bill No. 1537** was recalled from the order of third reading to the order of second reading.

Senator Sims offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1537

AMENDMENT NO. 2 . Amend Senate Bill 1537 on page 17, immediately below line 17, by inserting the following:

"The requirements for repayment options in subsection (k) of Section 5-30 apply to this Section."; and

on page 22, line 7, by replacing "paragraph (7)" with "subsection (b)"; and

on page 22, immediately below line 12, by inserting the following:

"(110 ILCS 992/7-41 new)

Sec. 7-41. Refinancing. Before offering a person an EISA that is being used to refinance an existing loan, an EISA provider shall provide the person with a disclosure explaining that the benefits and protections applicable to the existing loan may be lost due to the refinancing. The disclosure must be provided on a one-page information sheet in at least 12-point type and must be written in simple, clear, understandable, and easily readable language."; and

on page 22, immediately below line 19, by inserting the following:

"(c) The requirements for total and permanent disability of a borrower or cosigner in subsections (b) through (e) of Section 5-85 that apply to borrowers apply to this Section."; and

on page 27, line 2, by replacing "submit." with "submit;"; and

on page 32, line 2, by deleting "or cosigner".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Koehler, **Senate Bill No. 1607** was recalled from the order of third reading to the order of second reading.

Senator Koehler offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1607

AMENDMENT NO. 1 . Amend Senate Bill 1607 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois Freedom Trails Commission Act.

Section 5. Definitions. As used in this Act:

"Commission" means the Illinois Freedom Trails Commission.

"Department" means the Department of Natural Resources.

Section 10. Establishment of Commission.

(a) The Illinois Freedom Trails Commission is established. The purposes of the Commission are to explore, research, and commemorate the journeys of freedom seekers and the sites and landmarks in this State that became the networks of the Underground Railroad.

(b) The Commission shall consist of a chairperson and 10 additional members appointed by the Governor. The membership may include, but is not limited to, persons who are public officials, scholars, and community-based activists who have knowledge and interest in promoting the work of the Commission.

Members shall be broadly representative of the State and the variety of groups interested in promoting the work of the Commission.

(c) The terms of the members shall be 4 years. Members shall serve until their successors are appointed and qualified. Any vacancy in the membership of the Commission shall be filled by the Governor for the unexpired term. Members shall serve without compensation, but may be reimbursed for reasonable expenses.

(d) Subject to appropriation, the Department shall provide administrative and other support to the Commission.

(e) Subject to appropriation, the Commission shall hire a full-time professional staff to implement Commission projects.

(f) At its first meeting and annually thereafter, the Commission shall elect from among its members a chairperson and other officers it considers necessary or appropriate. After its first meeting, the Commission shall meet at the call of the chairperson or if requested by 7 or more members.

(g) A majority of the members of the Commission constitute a quorum for the transaction of business at a meeting of the Commission. A majority of the members present and serving is required for official action of the Commission.

(h) All business that the Commission is authorized to perform shall be conducted at a public meeting of the Commission, held in compliance with the Open Meetings Act.

(i) A writing prepared, owned, used, in the possession of, or retained by the Commission in the performance of an official function is subject to the Freedom of Information Act.

Section 15. Duties of Commission. The Commission shall have the following duties:

(1) to provide resources for individuals and local entities seeking to learn more about the Underground Railroad in Illinois, including:

(A) an online resource website, including, but not limited to maps of journeys, historical sites, and conductor cemetery markers;

(B) a calendar of related events in this State;

(C) research sources and bibliographies;

(D) videos and links to videos; and

(E) pictures, brief histories, and other materials developed locally and at the State level;

(2) collaborate with organizations focusing on the Underground Railroad, including:

(A) local and regional Underground Railroad groups;

(B) county and regional historical societies;

(C) museums, especially museums that focus on slavery and the African American experience;

(D) academic programs, especially African American Studies at the college level and history departments; and

(E) organizations in African American communities;

(3) to create a grant funding program;

(4) to work with the National Park Service's Network to Freedom program and serve as a liaison between the National Park Service and local entities;

(5) to explore heritage tourism opportunities connecting the locations of freedom seeker journeys and Underground Railroad sites, working with the Illinois Office of Tourism and regional tourism agencies; and

(6) to connect freedom seekers and Underground Railroad stories to the range of freedom stories across and throughout the history of Illinois.

Section 20. Online database and educational programs.

(a) The Commission shall create a publicly available website that includes educational material concerning freedom seekers' journeys on the portions of the Underground Railroad in this State, including:

(1) an updated database of freedom seekers and their journeys to and through Illinois;

(2) an updated map of the geography of the Underground Railroad in Illinois; and

(3) a biographical dictionary of key persons identified with the Underground Railroad in Illinois, including freedom seekers, abolitionist allies, and pro-slavery antagonists.

(b) The Commission, in collaboration with the State Board of Education, shall develop and implement an educational program to be made available to every public school in this State. The educational program shall include instruction on:

(1) events of African American history, including the African slave trade, slavery in the United States, and the vestiges of slavery in this country;

(2) the journeys of freedom seekers and the Underground Railroad in Illinois; and

(3) additional resources and activities to be used in February as part of Black History Month.

(c) The Commission shall identify scholars in higher education and community-based organizations to engage in research and to be recruited into a speakers' bureau on the Underground Railroad and anti-slavery activity in Illinois.

(d) The Commission shall support and publicize local activities in this State that focus on the Underground Railroad, including offering exhibits at meetings of organizations open to spreading knowledge about abolitionism and the Underground Railroad. The Commission shall focus on supporting organizations in African American communities, including assisting members of those communities undertake research related to the history of their communities.

Section 25. Historic site and landmark recognition and preservation.

(a) The Commission shall develop statewide guidelines for the evaluation of freedom seeker journeys and Underground Railroad sites and landmarks in the State. The Commission shall use the guidelines to determine and maintain a list of freedom seeker journeys and Underground Railroad sites and landmarks and make the list available to the public. The Commission shall include a contact person who represents the site or landmark for each site or landmark included on the list.

(b) The Commission shall develop standards and guidelines for historic markers, signage, and other commemorative tools and activities for sites and landmarks listed under subsection (a). The Commission shall also assist sites and landmarks listed under subsection (a) that are threatened with demolition or deterioration.

(c) The Commission shall assist individuals and historic preservation organizations in assessing freedom seeker journeys and Underground Railroad sites and landmarks and shall collaborate with the University of Illinois Extension Master Gardener program, the Department, and other partners concerning opportunities for the development of freedom seeker journeys and Underground Railroad sites and landmarks.

Section 30. Grant program. Subject to appropriation, the Commission may award grants for the following purposes:

(1) to research and identify freedom seeker journeys and Underground Railroad sites and landmarks;

(2) to develop heritage tourism and promotional activities on the Underground Railroad, including exhibits, lectures, symposiums, and online materials; and

(3) to support an Underground Railroad cemetery marker program.

Section 35. Annual report. The Commission shall submit a report to the Governor and the General Assembly by July 1, 2026, and each year thereafter. The report shall include, at a minimum, a description of the programs administered by the Commission.

Section 40. Rulemaking. After consultation with and written approval by the Department, the Commission may adopt administrative rules as may be necessary to carry out the provisions of this Act in accordance with the Illinois Administrative Procedure Act.

Section 45. Repeal. This Act is repealed on January 1, 2037.

(20 ILCS 3405/22 rep.)

Section 90. The Historic Preservation Act is amended by repealing Section 22.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Villivalam, **Senate Bill No. 1616** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Lewis	Stadelman
Arellano, L.	Feigenholtz	Lightford	Syverson
Balkema	Fine	Loughran Cappel	Tracy
Bryant	Fowler	Martwick	Turner, D.
Castro	Glowiak Hilton	McClure	Turner, S.
Cervantes	Guzmán	Murphy	Ventura
Chesney	Harris, N.	Peters	Villa
Collins	Harriss, E.	Porfirio	Villanueva
Cunningham	Hills	Preston	Villivalam
Curran	Holmes	Rezin	Walker
DeWitte	Johnson	Rose	Wilcox
Edly-Allen	Joyce	Simmons	Mr. President
Ellman	Koehler	Sims	

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

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

On motion of Senator Stadelman, **Senate Bill No. 1884** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Loughran Cappel	Tracy
Arellano, L.	Fine	Martwick	Turner, D.
Balkema	Fowler	McClure	Turner, S.
Bryant	Glowiak Hilton	Murphy	Ventura
Castro	Guzmán	Peters	Villa
Cervantes	Harris, N.	Plummer	Villanueva
Chesney	Harriss, E.	Porfirio	Villivalam
Collins	Hills	Preston	Walker
Cunningham	Holmes	Rezin	Wilcox
Curran	Johnson	Rose	Mr. President
DeWitte	Joyce	Simmons	
Edly-Allen	Koehler	Sims	
Ellman	Lewis	Stadelman	
Faraci	Lightford	Syverson	

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

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

On motion of Senator Glowiak Hilton, **Senate Bill No. 1932** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 41; NAYS 7.

The following voted in the affirmative:

Castro	Glowiak Hilton	Loughran Cappel	Turner, D.
Cervantes	Guzmán	Martwick	Turner, S.
Collins	Harris, N.	Murphy	Ventura
Cunningham	Harriss, E.	Peters	Villa
Curran	Hills	Porfirio	Villanueva
DeWitte	Holmes	Preston	Villivalam
Edly-Allen	Johnson	Simmons	Walker
Ellman	Joyce	Sims	Mr. President
Faraci	Koehler	Stadelman	
Feigenholtz	Lewis	Syverson	
Fine	Lightford	Tracy	

The following voted in the negative:

Arellano, L.	Bryant	Plummer	Wilcox
Balkema	Chesney	Rose	

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

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

MOTION IN WRITING

April 4, 2025

Motion

I move that the attached list of Senate Bills be placed on the Order of Third Reading - Agreed Bills so that they can be acted on by one roll call by the Senate: (see attached Agreed Bills List)

Sincerely,
s/Don Harmon
Don Harmon
President of the Senate

Bill	Sponsor	Status
SB 0026	Hastings, M	3rd Reading
SB 0027	Hastings, M	3rd Reading
SB 0031	Morrison, J	3rd Reading

SB 0090	Porfirio, M	3rd Reading
SB 0104	Feigenholtz, S	3rd Reading
SB 0119	Villa, K	3rd Reading
SB 0128	Morrison, J	3rd Reading
SB 0224	DeWitte, D	3rd Reading
SB 0243	Porfirio, M	3rd Reading
SB 1176	Halpin, M	3rd Reading
SB 1230	Joyce, P	3rd Reading
SB 1249	DeWitte, D	3rd Reading
SB 1289	Hastings, M	3rd Reading
SB 1301	Hunter, M	3rd Reading
SB 1344	Halpin, M	3rd Reading
SB 1376	Rose, C	3rd Reading
SB 1383	Feigenholtz, S	3rd Reading
SB 1418	Harris, III, N	3rd Reading
SB 1443	Hastings, M	3rd Reading
SB 1446	Castro, C	3rd Reading
SB 1491	Edly-Allen, M	3rd Reading
SB 1524	Johnson, A	3rd Reading
SB 1548	Faraci, P	3rd Reading
SB 1550	Murphy, L	3rd Reading
SB 1563	Collins, L	3rd Reading
SB 1583	Halpin, M	3rd Reading
SB 1584	Feigenholtz, S	3rd Reading
SB 1594	Johnson, A	3rd Reading
SB 1605	Turner, D	3rd Reading
SB 1614	Villivalam, R	3rd Reading
SB 1672	Belt, C	3rd Reading
SB 1675	Belt, C	3rd Reading
SB 1738	Martwick, R	3rd Reading
SB 1742	Pofirio, M	3rd Reading
SB 1752	Cervantes, J	3rd Reading
SB 1764	Morrison, J	3rd Reading
SB 1774	Fine, L	3rd Reading
SB 1777	Walker, M	3rd Reading
SB 1883	Stadleman, S	3rd Reading
SB 1941	Murphy, L	3rd Reading
SB 1983	Edly-Allen, M	3rd Reading
SB 1989	Koehler, D	3rd Reading
SB 1994	Koehler, D	3rd Reading
SB 1999	Pofirio, M	3rd Reading
SB 2102	Harriss, E	3rd Reading
SB 2105	Morrison, J	3rd Reading
SB 2129	Morrison, J	3rd Reading
SB 2179	Morrison, J	3rd Reading
SB 2201	Guzmán, G	3rd Reading
SB 2220	Martwick, R	3rd Reading
SB 2280	Peters, R	3rd Reading
SB 2323	Morrison, J	3rd Reading
SB 2351	Halpin, M	3rd Reading
SB 2394	Cunningham, B	3rd Reading
SB 2408	Villivalam, R	3rd Reading
SB 2426	Murphy, L	3rd Reading
SB 2455	Halpin, M	3rd Reading
SB 2457	Walker, M	3rd Reading
SB 2459	Cervantes, J	3rd Reading

SB 2492	Glowiak Hilton, S	3rd Reading
SB 2493	Glowiak Hilton, S	3rd Reading
SB 2494	Glowiak Hilton, S	3rd Reading
SB 2495	Glowiak Hilton, S	3rd Reading
SB 2496	Glowiak Hilton, S	3rd Reading
SB 2503	Glowiak Hilton, S	3rd Reading
SB 2506	Morrison, J	3rd Reading

President Harmon moved for the adoption of the foregoing motion.

The motion prevailed, and the Chair directed that the Order of Third Reading - Agreed Senate Bills List shall be created and printed on the Senate Calendar.

President Harmon stated for the record that the Secretary of the Senate will have vote intention sheets available where Senators can mark whether they wish to vote No, Present, or Not Vote on a particular bill on the list. If you fail to do so, then the roll call for each bill on the Agreed Bill List will reflect the vote you cast on the Agreed Bill List. Each Senator must file their vote intention sheets no later than 10:00 o'clock a.m., on Wednesday, April 9, 2025, with the Secretary of the Senate.

With leave of the Body, President Harmon moved to adopt the process just described.

There being no objection, the motion was adopted.

CELEBRATION OF LIFE RESOLUTION CONSENT CALENDAR

SENATE RESOLUTION NO. 182

Offered by Senator McClure and all Senators:
Mourns the death of Sharon Rose Anne (Smith) Johnson of Springfield.

SENATE RESOLUTION NO. 183

Offered by Senator McClure and all Senators:
Mourns the death of Patricia Ann "Patty" Stremsterfer of Pleasant Plains.

SENATE RESOLUTION NO. 184

Offered by Senator McClure and all Senators:
Mourns the death of Arthur E. Spiegel of Springfield.

SENATE RESOLUTION NO. 185

Offered by Senator McClure and all Senators:
Mourns the death of Stephen A. "Steve" Pellegrini of Springfield.

SENATE RESOLUTION NO. 186

Offered by Senator McClure and all Senators:
Mourns the passing of Less Boucher of Springfield.

SENATE RESOLUTION NO. 187

Offered by Senator McClure and all Senators:
Mourns the death of Margaret Ann Timoney of Springfield.

SENATE RESOLUTION NO. 188

Offered by Senator McClure and all Senators:
Mourns the death of John H. "Jack" Long of Springfield.

SENATE RESOLUTION NO. 189

Offered by Senator Hunter and all Senators:
Mourns the passing of Margaret Lucille Collins.

SENATE RESOLUTION NO. 190
Offered by Senator Koehler and all Senators:
Mourns the death of Charles Thomas Weldy II of Peoria.

SENATE RESOLUTION NO. 192
Offered by Senator Faraci and all Senators:
Mourns the passing of award-winning actor Gene Hackman, formerly of Danville.

SENATE RESOLUTION NO. 195
Offered by Senators Murphy - Hastings and all Senators:
Mourns the death of Chief Robert McKay of Tinley Park.

SENATE RESOLUTION NO. 197
Offered by Senator Anderson and all Senators:
Mourns the death of Donald E. Bennett of Canton.

SENATE RESOLUTION NO. 198
Offered by Senator Anderson and all Senators:
Mourns the passing of Donald Edward "Don" Beetler of Altona.

SENATE RESOLUTION NO. 199
Offered by Senator Anderson and all Senators:
Mourns the passing of John Francis "Jack" Leuck of Pekin.

SENATE RESOLUTION NO. 200
Offered by Senator Anderson and all Senators:
Mourns the death of Mark "Duke" Lane.

SENATE RESOLUTION NO. 202
Offered by Senator Anderson and all Senators:
Mourns the death of Steven L. Mullens of Hanna City.

SENATE RESOLUTION NO. 204
Offered by Senator DeWitte and all Senators:
Mourns the death of Barbara Ann Madsen of Peoria, formerly of Jacksonville.

SENATE RESOLUTION NO. 206
Offered by Senator Hills and all Senators:
Mourns the death of Adela (Salas) Korecki of Algonquin.

SENATE RESOLUTION NO. 207
Offered by Senator Collins and all Senators:
Mourns the death of Keywan Cordell Glenn Sr.

The Chair moved the adoption of the Resolutions Consent Calendar.
The motion prevailed, and the resolutions were adopted.

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT
DON HARMON
STATE OF ILLINOIS

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

217-782-2728

April 4, 2025

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

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the committee deadline to April 11, 2025 for the following bills:

SB0005	SB0186	SB0283	SB1390	SB1569	SB1768	SB2062	SB2297	SB2497
SB0009	SB0187	SB0285	SB1409	SB1590	SB1796	SB2107	SB2299	SB2504
SB0041	SB0197	SB0296	SB1424	SB1603	SB1800	SB2125	SB2319	
SB0043	SB0209	SB1174	SB1442	SB1625	SB1816	SB2144	SB2330	
SB0075	SB0251	SB1177	SB1447	SB1632	SB1820	SB2146	SB2347	
SB0088	SB0262	SB1179	SB1458	SB1655	SB1850	SB2152	SB2348	
SB0105	SB0264	SB1217	SB1480	SB1669	SB1913	SB2157	SB2385	
SB0127	SB0268	SB1247	SB1485	SB1680	SB1938	SB2184	SB2395	
SB0144	SB0271	SB1258	SB1500	SB1686	SB1948	SB2249	SB2422	
SB0155	SB0272	SB1259	SB1527	SB1697	SB1964	SB2260	SB2446	
SB0159	SB0273	SB1263	SB1538	SB1698	SB1982	SB2265	SB2451	
SB0179	SB0275	SB1307	SB1553	SB1743	SB1986	SB2269	SB2469	
SB0182	SB0276	SB1326	SB1554	SB1746	SB1992	SB2283	SB2473	
SB0184	SB0278	SB1361	SB1558	SB1756	SB2000	SB2284	SB2478	
SB0185	SB0280	SB1389	SB1560	SB1767	SB2056	SB2289	SB2491	

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

LEGISLATIVE MEASURES FILED

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 191
Amendment No. 2 to Senate Bill 213
Amendment No. 1 to Senate Bill 314
Amendment No. 1 to Senate Bill 404
Amendment No. 1 to Senate Bill 405
Amendment No. 2 to Senate Bill 406
Amendment No. 1 to Senate Bill 407
Amendment No. 1 to Senate Bill 408
Amendment No. 1 to Senate Bill 633
Amendment No. 1 to Senate Bill 634
Amendment No. 1 to Senate Bill 705
Amendment No. 1 to Senate Bill 708
Amendment No. 1 to Senate Bill 709

Amendment No. 1 to Senate Bill 783
Amendment No. 1 to Senate Bill 784
Amendment No. 1 to Senate Bill 851
Amendment No. 1 to Senate Bill 908
Amendment No. 1 to Senate Bill 1120
Amendment No. 1 to Senate Bill 1121
Amendment No. 2 to Senate Bill 1256
Amendment No. 1 to Senate Bill 1261
Amendment No. 2 to Senate Bill 1298
Amendment No. 2 to Senate Bill 1551
Amendment No. 2 to Senate Bill 1701
Amendment No. 2 to Senate Bill 1797
Amendment No. 1 to Senate Bill 1799
Amendment No. 2 to Senate Bill 1859
Amendment No. 1 to Senate Bill 1939
Amendment No. 2 to Senate Bill 2111
Amendment No. 1 to Senate Bill 2153
Amendment No. 2 to Senate Bill 2201
Amendment No. 1 to Senate Bill 2325
Amendment No. 2 to Senate Bill 2339
Amendment No. 2 to Senate Bill 2381
Amendment No. 3 to Senate Bill 2381
Amendment No. 1 to Senate Bill 2415
Amendment No. 1 to Senate Bill 2434
Amendment No. 1 to Senate Bill 2438
Amendment No. 1 to Senate Bill 2459
Amendment No. 1 to Senate Bill 2463

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. 1 to Senate Bill 47
Amendment No. 1 to Senate Bill 1225
Amendment No. 1 to Senate Bill 1625
Amendment No. 1 to Senate Bill 1796
Amendment No. 2 to Senate Bill 2185
Amendment No. 2 to Senate Bill 2187
Amendment No. 1 to Senate Bill 2284
Amendment No. 1 to Senate Bill 2393

At the hour of 2:18 o'clock p.m., pursuant to **Senate Joint Resolution No. 26**, the Chair announced that the Senate stands adjourned until Tuesday, April 8, 2025, at 12:00 o'clock p.m., or until the call of the President.