SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDRED FOURTH GENERAL ASSEMBLY

47TH LEGISLATIVE DAY

THURSDAY, MAY 15, 2025

12:49 O'CLOCK P.M.

NO. 47
[May 15, 2025]

SENATE
Daily Journal Index
47th Legislative Day

The Senate met pursuant to adjournment.
Senator Laura M. Murphy, Des Plaines, Illinois, presiding.
Prayer by Reverend Jeremy Wood, Salem United Church of Christ, Alhambra, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

The Journal of Thursday, February 6, 2025, was being read when on motion of Senator Glowiak Hilton, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Friday, February 7, 2025, was being read when on motion of Senator Glowiak Hilton, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Glowiak Hilton moved that reading and approval of the Journal of Wednesday, May 14, 2025, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

GOMB Operating Report Q3 FY25, submitted by the Governor's Office of Management and Budget.

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

PRESENTATION OF CELEBRATION OF LIFE RESOLUTIONS

SENATE RESOLUTION NO. 314

Offered by Senator E. Harriss and all Senators:
Mourns the passing of Steven Terry "Steve" Slemer of Glen Carbon.

SENATE RESOLUTION NO. 316

Offered by Senator McClure and all Senators:
Mourns the death of Catherine "Katie" Kronmiller Huther, formerly of Springfield.

SENATE RESOLUTION NO. 317

Offered by Senator McClure and all Senators:
Mourns the passing of Jane Elisabeth (Shears) Emerson of Divernon.

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

PRESENTATION OF CONGRATULATORY RESOLUTION

SENATE RESOLUTION NO. 315

Offered by Senator McClure:
Congratulates HSHS St. Anthony's Memorial Hospital in Effingham on the occasion of its 150th anniversary. Thanks its staff for continuing to serve with courage, commitment, and faith.

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

REPORTS FROM STANDING COMMITTEES

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

Senate Amendment No. 1 to Senate Bill 2264

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

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bills Numbered 742, 1367, 2978 and 3489**, reported the same back with the recommendation that the bills do pass.

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

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bills Numbered 1075, 1312, 1437, 1697, 1700, 1806, 1823, 1832, 1859, 1863, 1927, 1928, 2335, 2371, 2423, 2568, 2755, 2771, 2785, 2949, 2967, 2977, 3019, 3065, 3193, 3374, 3438, 3508, 3637, 3654, 3657, 3662, 3790 and 3851**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Hastings, Chair of the Committee on Judiciary, to which was referred **House Bill No. 2849**, reported the same back with the recommendation that the bill do pass.

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

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

Senate Amendment No. 1 to House Bill 3281

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

Senator Johnson, Chair of the Committee on Local Government, to which was referred **Senate Bill No. 1424**, 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 Faraci, Chair of the Committee on Commerce, to which was referred **Senate Joint Resolution No. 31**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 31** was placed on the Secretary's Desk.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred **Appointment Messages Numbered 1040009, 1040067, 1040070, 1040071, 1040072, 1040073, 1040074, 1040075, 1040076, 1040077, 1040078, 1040079, 1040080, 1040081, 1040082, 1040083, 1040090, 1040091, 1040095, 1040096, 1040098, 1040099, 1040100, 1040101, 1040102, 1040103, 1040107, 1040108, 1040109, 1040135, 1040146, 1040149, 1040150, 1040151, 1040152, 1040182, 1040206, 1040207 and 1040208**, 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 Ventura, Chair of the Committee on Human Rights, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 613
Senate Amendment No. 2 to Senate Bill 613

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

Senator Stadelman, Chair of the Committee on Energy and Public Utilities, to which was referred **Senate Bill No. 1697**, 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 **House Bill No. 2863**, 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 Ellman, Chair of the Committee on Environment and Conservation, to which was referred **House Bill No. 2726**, reported the same back with the recommendation that the bill do pass.

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

Senator Sims, Chair of the Committee on Appropriations, to which was referred **Senate Bills Numbered 2508, 2509, 2510, 2511 and 2512**, reported the same back with the recommendation that the bills do pass.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Glowiak Hilton, **House Bill No. 871** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 871

AMENDMENT NO. 1 . Amend House Bill 871 by replacing everything after the enacting clause with the following:

"Section 5. The Children and Family Services Act is amended by changing Section 5 as follows:

(20 ILCS 505/5)

(Text of Section before amendment by P.A. 103-1061)

Sec. 5. Direct child welfare services; Department of Children and Family Services. To provide direct child welfare services when not available through other public or private child care or program facilities.

(a) For purposes of this Section:

(1) "Children" means persons found within the State who are under the age of 18 years. The term also includes persons under age 21 who:

(A) were committed to the Department pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987 and who continue under the jurisdiction of the court; or

(B) were accepted for care, service and training by the Department prior to the age of 18 and whose best interest in the discretion of the Department would be served by continuing that care, service and training because of severe emotional disturbances, physical disability, social adjustment or any combination thereof, or because of the need to complete an educational or vocational training program.

(2) "Homeless youth" means persons found within the State who are under the age of 19, are not in a safe and stable living situation and cannot be reunited with their families.

(3) "Child welfare services" means public social services which are directed toward the accomplishment of the following purposes:

(A) protecting and promoting the health, safety and welfare of children, including homeless, dependent, or neglected children;

(B) remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation, or delinquency of children;

(C) preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety;

(D) restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

(E) placing children in suitable permanent family arrangements, through guardianship or adoption, in cases where restoration to the birth family is not safe, possible, or appropriate;

(F) at the time of placement, conducting concurrent planning, as described in subsection (l-1) of this Section, so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;

(G) (blank);

(H) (blank); and

(I) placing and maintaining children in facilities that provide separate living quarters for children under the age of 18 and for children 18 years of age and older, unless a child 18 years of age is in the last year of high school education or vocational training, in an approved individual or group treatment program, in a licensed shelter facility, or secure child care facility. The Department is not required to place or maintain children:

(i) who are in a foster home, or

(ii) who are persons with a developmental disability, as defined in the Mental Health and Developmental Disabilities Code, or

(iii) who are female children who are pregnant, pregnant and parenting, or parenting, or

(iv) who are siblings, in facilities that provide separate living quarters for children 18 years of age and older and for children under 18 years of age.

(b) (Blank).

(b-5) The Department shall adopt rules to establish a process for all licensed residential providers in Illinois to submit data as required by the Department if they contract or receive reimbursement for children's mental health, substance use, and developmental disability services from the Department of Human Services, the Department of Juvenile Justice, or the Department of Healthcare and Family Services. The requested data must include, but is not limited to, capacity, staffing, and occupancy data for the purpose of establishing State need and placement availability.

All information collected, shared, or stored pursuant to this subsection shall be handled in accordance with all State and federal privacy laws and accompanying regulations and rules, including without limitation the federal Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191) and the Mental Health and Developmental Disabilities Confidentiality Act.

(c) The Department shall establish and maintain tax-supported child welfare services and extend and seek to improve voluntary services throughout the State, to the end that services and care shall be available on an equal basis throughout the State to children requiring such services.

(d) The Director may authorize advance disbursements for any new program initiative to any agency contracting with the Department. As a prerequisite for an advance disbursement, the contractor must post a surety bond in the amount of the advance disbursement and have a purchase of service contract approved by the Department. The Department may pay up to 2 months operational expenses in advance. The amount of the advance disbursement shall be prorated over the life of the contract or the remaining months of the fiscal year, whichever is less, and the installment amount shall then be deducted from future bills. Advance disbursement authorizations for new initiatives shall not be made to any agency after that agency has

operated during 2 consecutive fiscal years. The requirements of this Section concerning advance disbursements shall not apply with respect to the following: payments to local public agencies for child day care services as authorized by Section 5a of this Act; and youth service programs receiving grant funds under Section 17a-4.

(e) (Blank).

(f) (Blank).

(g) The Department shall establish rules and regulations concerning its operation of programs designed to meet the goals of child safety and protection, family preservation, family reunification, and adoption, including, but not limited to:

(1) adoption;

(2) foster care;

(3) family counseling;

(4) protective services;

(5) (blank);

(6) homemaker service;

(7) return of runaway children;

(8) (blank);

(9) placement under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25, or 5-740 of the Juvenile Court Act of 1987 in accordance with the federal Adoption Assistance and Child Welfare Act of 1980; and

(10) interstate services.

Rules and regulations established by the Department shall include provisions for training Department staff and the staff of Department grantees, through contracts with other agencies or resources, in screening techniques to identify substance use disorders, as defined in the Substance Use Disorder Act, approved by the Department of Human Services, as a successor to the Department of Alcoholism and Substance Abuse, for the purpose of identifying children and adults who should be referred for an assessment at an organization appropriately licensed by the Department of Human Services for substance use disorder treatment.

(h) If the Department finds that there is no appropriate program or facility within or available to the Department for a youth in care and that no licensed private facility has an adequate and appropriate program or none agrees to accept the youth in care, the Department shall create an appropriate individualized, program-oriented plan for such youth in care. The plan may be developed within the Department or through purchase of services by the Department to the extent that it is within its statutory authority to do.

(i) Service programs shall be available throughout the State and shall include but not be limited to the following services:

(1) case management;

(2) homemakers;

(3) counseling;

(4) parent education;

(5) day care; and

(6) emergency assistance and advocacy.

In addition, the following services may be made available to assess and meet the needs of children and families:

(1) comprehensive family-based services;

(2) assessments;

(3) respite care; and

(4) in-home health services.

The Department shall provide transportation for any of the services it makes available to children or families or for which it refers children or families.

(j) The Department may provide categories of financial assistance and education assistance grants, and shall establish rules and regulations concerning the assistance and grants, to persons who adopt children with physical or mental disabilities, children who are older, or other hard-to-place children who (i) immediately prior to their adoption were youth in care or (ii) were determined eligible for financial assistance with respect to a prior adoption and who become available for adoption because the prior adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive parents have died. The Department may continue to provide financial assistance and

education assistance grants for a child who was determined eligible for financial assistance under this subsection (j) in the interim period beginning when the child's adoptive parents died and ending with the finalization of the new adoption of the child by another adoptive parent or parents. The Department may also provide categories of financial assistance and education assistance grants, and shall establish rules and regulations for the assistance and grants, to persons appointed guardian of the person under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25, or 5-740 of the Juvenile Court Act of 1987 for children who were youth in care for 12 months immediately prior to the appointment of the guardian.

The amount of assistance may vary, depending upon the needs of the child and the adoptive parents, as set forth in the annual assistance agreement. Special purpose grants are allowed where the child requires special service but such costs may not exceed the amounts which similar services would cost the Department if it were to provide or secure them as guardian of the child.

Any financial assistance provided under this subsection is inalienable by assignment, sale, execution, attachment, garnishment, or any other remedy for recovery or collection of a judgment or debt.

(j-5) The Department shall not deny or delay the placement of a child for adoption if an approved family is available either outside of the Department region handling the case, or outside of the State of Illinois.

(k) The Department shall accept for care and training any child who has been adjudicated neglected or abused, or dependent committed to it pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987.

(l) The Department shall offer family preservation services, as defined in Section 8.2 of the Abused and Neglected Child Reporting Act, to help families, including adoptive and extended families. Family preservation services shall be offered (i) to prevent the placement of children in substitute care when the children can be cared for at home or in the custody of the person responsible for the children's welfare, (ii) to reunite children with their families, or (iii) to maintain an adoptive placement. Family preservation services shall only be offered when doing so will not endanger the children's health or safety. With respect to children who are in substitute care pursuant to the Juvenile Court Act of 1987, family preservation services shall not be offered if a goal other than those of subdivisions (A), (B), or (B-1) of subsection (2) of Section 2-28 of that Act has been set, except that reunification services may be offered as provided in paragraph (F) of subsection (2) of Section 2-28 of that Act. Nothing in this paragraph shall be construed to create a private right of action or claim on the part of any individual or child welfare agency, except that when a child is the subject of an action under Article II of the Juvenile Court Act of 1987 and the child's service plan calls for services to facilitate achievement of the permanency goal, the court hearing the action under Article II of the Juvenile Court Act of 1987 may order the Department to provide the services set out in the plan, if those services are not provided with reasonable promptness and if those services are available.

The Department shall notify the child and the child's family of the Department's responsibility to offer and provide family preservation services as identified in the service plan. The child and the child's family shall be eligible for services as soon as the report is determined to be "indicated". The Department may offer services to any child or family with respect to whom a report of suspected child abuse or neglect has been filed, prior to concluding its investigation under Section 7.12 of the Abused and Neglected Child Reporting Act. However, the child's or family's willingness to accept services shall not be considered in the investigation. The Department may also provide services to any child or family who is the subject of any report of suspected child abuse or neglect or may refer such child or family to services available from other agencies in the community, even if the report is determined to be unfounded, if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of such services shall be voluntary. The Department may also provide services to any child or family after completion of a family assessment, as an alternative to an investigation, as provided under the "differential response program" provided for in subsection (a-5) of Section 7.4 of the Abused and Neglected Child Reporting Act.

The Department may, at its discretion except for those children also adjudicated neglected or dependent, accept for care and training any child who has been adjudicated addicted, as a truant minor in need of supervision or as a minor requiring authoritative intervention, under the Juvenile Court Act or the Juvenile Court Act of 1987, but no such child shall be committed to the Department by any court without the approval of the Department. On and after January 1, 2015 (the effective date of Public Act 98-803) and before January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 16 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse,

neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. On and after January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 15 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency. The Department shall assign a caseworker to attend any hearing involving a youth in the care and custody of the Department who is placed on aftercare release, including hearings involving sanctions for violation of aftercare release conditions and aftercare release revocation hearings.

As soon as is possible after August 7, 2009 (the effective date of Public Act 96-134), the Department shall develop and implement a special program of family preservation services to support intact, foster, and adoptive families who are experiencing extreme hardships due to the difficulty and stress of caring for a child who has been diagnosed with a pervasive developmental disorder if the Department determines that those services are necessary to ensure the health and safety of the child. The Department may offer services to any family whether or not a report has been filed under the Abused and Neglected Child Reporting Act. The Department may refer the child or family to services available from other agencies in the community if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of these services shall be voluntary. The Department shall develop and implement a public information campaign to alert health and social service providers and the general public about these special family preservation services. The nature and scope of the services offered and the number of families served under the special program implemented under this paragraph shall be determined by the level of funding that the Department annually allocates for this purpose. The term "pervasive developmental disorder" under this paragraph means a neurological condition, including, but not limited to, Asperger's Syndrome and autism, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(l-1) The General Assembly recognizes that the best interests of the child require that the child be placed in the most permanent living arrangement as soon as is practically possible. To achieve this goal, the General Assembly directs the Department of Children and Family Services to conduct concurrent planning so that permanency may occur at the earliest opportunity. Permanent living arrangements may include prevention of placement of a child outside the home of the family when the child can be cared for at home without endangering the child's health or safety; reunification with the family, when safe and appropriate, if temporary placement is necessary; or movement of the child toward the most permanent living arrangement and permanent legal status.

When determining reasonable efforts to be made with respect to a child, as described in this subsection, and in making such reasonable efforts, the child's health and safety shall be the paramount concern.

When a child is placed in foster care, the Department shall ensure and document that reasonable efforts were made to prevent or eliminate the need to remove the child from the child's home. The Department must make reasonable efforts to reunify the family when temporary placement of the child occurs unless otherwise required, pursuant to the Juvenile Court Act of 1987. At any time after the dispositional hearing where the Department believes that further reunification services would be ineffective, it may request a finding from the court that reasonable efforts are no longer appropriate. The Department is not required to provide further reunification services after such a finding.

A decision to place a child in substitute care shall be made with considerations of the child's health, safety, and best interests. At the time of placement, consideration should also be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child.

The Department shall adopt rules addressing concurrent planning for reunification and permanency. The Department shall consider the following factors when determining appropriateness of concurrent planning:

(1) the likelihood of prompt reunification;

(2) the past history of the family;

(3) the barriers to reunification being addressed by the family;

(4) the level of cooperation of the family;

(5) the foster parents' willingness to work with the family to reunite;

(6) the willingness and ability of the foster family to provide an adoptive home or long-term placement;

(7) the age of the child;

(8) placement of siblings.

(m) The Department may assume temporary custody of any child if:

(1) it has received a written consent to such temporary custody signed by the parents of the child or by the parent having custody of the child if the parents are not living together or by the guardian or custodian of the child if the child is not in the custody of either parent, or

(2) the child is found in the State and neither a parent, guardian nor custodian of the child can be located.

If the child is found in the child's residence without a parent, guardian, custodian, or responsible caretaker, the Department may, instead of removing the child and assuming temporary custody, place an authorized representative of the Department in that residence until such time as a parent, guardian, or custodian enters the home and expresses a willingness and apparent ability to ensure the child's health and safety and resume permanent charge of the child, or until a relative enters the home and is willing and able to ensure the child's health and safety and assume charge of the child until a parent, guardian, or custodian enters the home and expresses such willingness and ability to ensure the child's safety and resume permanent charge. After a caretaker has remained in the home for a period not to exceed 12 hours, the Department must follow those procedures outlined in Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987.

The Department shall have the authority, responsibilities and duties that a legal custodian of the child would have pursuant to subsection (9) of Section 1-3 of the Juvenile Court Act of 1987. Whenever a child is taken into temporary custody pursuant to an investigation under the Abused and Neglected Child Reporting Act, or pursuant to a referral and acceptance under the Juvenile Court Act of 1987 of a minor in limited custody, the Department, during the period of temporary custody and before the child is brought before a judicial officer as required by Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987, shall have the authority, responsibilities and duties that a legal custodian of the child would have under subsection (9) of Section 1-3 of the Juvenile Court Act of 1987.

The Department shall ensure that any child taken into custody is scheduled for an appointment for a medical examination.

A parent, guardian, or custodian of a child in the temporary custody of the Department who would have custody of the child if the child were not in the temporary custody of the Department may deliver to the Department a signed request that the Department surrender the temporary custody of the child. The Department may retain temporary custody of the child for 10 days after the receipt of the request, during which period the Department may cause to be filed a petition pursuant to the Juvenile Court Act of 1987. If a petition is so filed, the Department shall retain temporary custody of the child until the court orders otherwise. If a petition is not filed within the 10-day period, the child shall be surrendered to the custody of the requesting parent, guardian, or custodian not later than the expiration of the 10-day period, at which time the authority and duties of the Department with respect to the temporary custody of the child shall terminate.

(m-1) The Department may place children under 18 years of age in a secure child care facility licensed by the Department that cares for children who are in need of secure living arrangements for their health, safety, and well-being after a determination is made by the facility director and the Director or the Director's designate prior to admission to the facility subject to Section 2-27.1 of the Juvenile Court Act of 1987. This subsection (m-1) does not apply to a child who is subject to placement in a correctional facility operated pursuant to Section 3-15-2 of the Unified Code of Corrections, unless the child is a youth in care who was placed in the care of the Department before being subject to placement in a correctional facility and a court of competent jurisdiction has ordered placement of the child in a secure care facility.

(n) The Department may place children under 18 years of age in licensed child care facilities when in the opinion of the Department, appropriate services aimed at family preservation have been unsuccessful and cannot ensure the child's health and safety or are unavailable and such placement would be for their best interest. Payment for board, clothing, care, training and supervision of any child placed in a licensed child care facility may be made by the Department, by the parents or guardians of the estates of those children, or by both the Department and the parents or guardians, except that no payments shall be made by the

Department for any child placed in a licensed child care facility for board, clothing, care, training, and supervision of such a child that exceed the average per capita cost of maintaining and of caring for a child in institutions for dependent or neglected children operated by the Department. However, such restriction on payments does not apply in cases where children require specialized care and treatment for problems of severe emotional disturbance, physical disability, social adjustment, or any combination thereof and suitable facilities for the placement of such children are not available at payment rates within the limitations set forth in this Section. All reimbursements for services delivered shall be absolutely inalienable by assignment, sale, attachment, or garnishment or otherwise.

(n-1) The Department shall provide or authorize child welfare services, aimed at assisting minors to achieve sustainable self-sufficiency as independent adults, for any minor eligible for the reinstatement of wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987, whether or not such reinstatement is sought or allowed, provided that the minor consents to such services and has not yet attained the age of 21. The Department shall have responsibility for the development and delivery of services under this Section. An eligible youth may access services under this Section through the Department of Children and Family Services or by referral from the Department of Human Services. Youth participating in services under this Section shall cooperate with the assigned case manager in developing an agreement identifying the services to be provided and how the youth will increase skills to achieve self-sufficiency. A homeless shelter is not considered appropriate housing for any youth receiving child welfare services under this Section. The Department shall continue child welfare services under this Section to any eligible minor until the minor becomes 21 years of age, no longer consents to participate, or achieves self-sufficiency as identified in the minor's service plan. The Department of Children and Family Services shall create clear, readable notice of the rights of former foster youth to child welfare services under this Section and how such services may be obtained. The Department of Children and Family Services and the Department of Human Services shall disseminate this information statewide. The Department shall adopt regulations describing services intended to assist minors in achieving sustainable self-sufficiency as independent adults.

(o) The Department shall establish an administrative review and appeal process for children and families who request or receive child welfare services from the Department. Youth in care who are placed by private child welfare agencies, and foster families with whom those youth are placed, shall be afforded the same procedural and appeal rights as children and families in the case of placement by the Department, including the right to an initial review of a private agency decision by that agency. The Department shall ensure that any private child welfare agency, which accepts youth in care for placement, affords those rights to children and foster families. The Department shall accept for administrative review and an appeal hearing a complaint made by (i) a child or foster family concerning a decision following an initial review by a private child welfare agency or (ii) a prospective adoptive parent who alleges a violation of subsection (j-5) of this Section. An appeal of a decision concerning a change in the placement of a child shall be conducted in an expedited manner. A court determination that a current foster home placement is necessary and appropriate under Section 2-28 of the Juvenile Court Act of 1987 does not constitute a judicial determination on the merits of an administrative appeal, filed by a former foster parent, involving a change of placement decision.

(p) (Blank).

(q) The Department may receive and use, in their entirety, for the benefit of children any gift, donation, or bequest of money or other property which is received on behalf of such children, or any financial benefits to which such children are or may become entitled while under the jurisdiction or care of the Department, except that the benefits described in Section 5.46 must be used and conserved consistent with the provisions under Section 5.46.

The Department shall set up and administer no-cost, interest-bearing accounts in appropriate financial institutions for children for whom the Department is legally responsible and who have been determined eligible for Veterans' Benefits, Social Security benefits, assistance allotments from the armed forces, court ordered payments, parental voluntary payments, Supplemental Security Income, Railroad Retirement payments, Black Lung benefits, or other miscellaneous payments. Interest earned by each account shall be credited to the account, unless disbursed in accordance with this subsection.

In disbursing funds from children's accounts, the Department shall:

(1) Establish standards in accordance with State and federal laws for disbursing money from children's accounts. In all circumstances, the Department's Guardianship Administrator or the Guardianship Administrator's designee must approve disbursements from children's accounts. The

Department shall be responsible for keeping complete records of all disbursements for each account for any purpose.

(2) Calculate on a monthly basis the amounts paid from State funds for the child's board and care, medical care not covered under Medicaid, and social services; and utilize funds from the child's account, as covered by regulation, to reimburse those costs. Monthly, disbursements from all children's accounts, up to 1/12 of $13,000,000, shall be deposited by the Department into the General Revenue Fund and the balance over 1/12 of $13,000,000 into the DCFS Children's Services Fund.

(3) Maintain any balance remaining after reimbursing for the child's costs of care, as specified in item (2). The balance shall accumulate in accordance with relevant State and federal laws and shall be disbursed to the child or the child's guardian or to the issuing agency.

(r) The Department shall promulgate regulations encouraging all adoption agencies to voluntarily forward to the Department or its agent names and addresses of all persons who have applied for and have been approved for adoption of a hard-to-place child or child with a disability and the names of such children who have not been placed for adoption. A list of such names and addresses shall be maintained by the Department or its agent, and coded lists which maintain the confidentiality of the person seeking to adopt the child and of the child shall be made available, without charge, to every adoption agency in the State to assist the agencies in placing such children for adoption. The Department may delegate to an agent its duty to maintain and make available such lists. The Department shall ensure that such agent maintains the confidentiality of the person seeking to adopt the child and of the child.

(s) The Department of Children and Family Services may establish and implement a program to reimburse Department and private child welfare agency foster parents licensed by the Department of Children and Family Services for damages sustained by the foster parents as a result of the malicious or negligent acts of foster children, as well as providing third party coverage for such foster parents with regard to actions of foster children to other individuals. Such coverage will be secondary to the foster parent liability insurance policy, if applicable. The program shall be funded through appropriations from the General Revenue Fund, specifically designated for such purposes.

(t) The Department shall perform home studies and investigations and shall exercise supervision over visitation as ordered by a court pursuant to the Illinois Marriage and Dissolution of Marriage Act or the Adoption Act only if:

(1) an order entered by an Illinois court specifically directs the Department to perform such services; and

(2) the court has ordered one or both of the parties to the proceeding to reimburse the Department for its reasonable costs for providing such services in accordance with Department rules, or has determined that neither party is financially able to pay.

The Department shall provide written notification to the court of the specific arrangements for supervised visitation and projected monthly costs within 60 days of the court order. The Department shall send to the court information related to the costs incurred except in cases where the court has determined the parties are financially unable to pay. The court may order additional periodic reports as appropriate.

(u) In addition to other information that must be provided, whenever the Department places a child with a prospective adoptive parent or parents, in a licensed foster home, group home, or child care institution, or in a relative home, the Department shall provide to the prospective adoptive parent or parents or other caretaker:

(1) available detailed information concerning the child's educational and health history, copies of immunization records (including insurance and medical card information), a history of the child's previous placements, if any, and reasons for placement changes excluding any information that identifies or reveals the location of any previous caretaker;

(2) a copy of the child's portion of the client service plan, including any visitation arrangement, and all amendments or revisions to it as related to the child; and

(3) information containing details of the child's individualized educational plan when the child is receiving special education services.

The caretaker shall be informed of any known social or behavioral information (including, but not limited to, criminal background, fire setting, perpetuation of sexual abuse, destructive behavior, and substance abuse) necessary to care for and safeguard the children to be placed or currently in the home. The Department may prepare a written summary of the information required by this paragraph, which may be provided to the foster or prospective adoptive parent in advance of a placement. The foster or prospective adoptive parent may review the supporting documents in the child's file in the presence of casework staff. In

the case of an emergency placement, casework staff shall at least provide known information verbally, if necessary, and must subsequently provide the information in writing as required by this subsection.

The information described in this subsection shall be provided in writing. In the case of emergency placements when time does not allow prior review, preparation, and collection of written information, the Department shall provide such information as it becomes available. Within 10 business days after placement, the Department shall obtain from the prospective adoptive parent or parents or other caretaker a signed verification of receipt of the information provided. Within 10 business days after placement, the Department shall provide to the child's guardian ad litem a copy of the information provided to the prospective adoptive parent or parents or other caretaker. The information provided to the prospective adoptive parent or parents or other caretaker shall be reviewed and approved regarding accuracy at the supervisory level.

(u-5) Effective July 1, 1995, only foster care placements licensed as foster family homes pursuant to the Child Care Act of 1969 shall be eligible to receive foster care payments from the Department. Relative caregivers who, as of July 1, 1995, were approved pursuant to approved relative placement rules previously promulgated by the Department at 89 Ill. Adm. Code 335 and had submitted an application for licensure as a foster family home may continue to receive foster care payments only until the Department determines that they may be licensed as a foster family home or that their application for licensure is denied or until September 30, 1995, whichever occurs first.

(v) The Department shall access criminal history record information as defined in the Illinois Uniform Conviction Information Act and information maintained in the adjudicatory and dispositional record system as defined in Section 2605-355 of the Illinois State Police Law if the Department determines the information is necessary to perform its duties under the Abused and Neglected Child Reporting Act, the Child Care Act of 1969, and the Children and Family Services Act. The Department shall provide for interactive computerized communication and processing equipment that permits direct on-line communication with the Illinois State Police's central criminal history data repository. The Department shall comply with all certification requirements and provide certified operators who have been trained by personnel from the Illinois State Police. In addition, one Office of the Inspector General investigator shall have training in the use of the criminal history information access system and have access to the terminal. The Department of Children and Family Services and its employees shall abide by rules and regulations established by the Illinois State Police relating to the access and dissemination of this information.

(v-1) Prior to final approval for placement of a child, the Department shall conduct a criminal records background check of the prospective foster or adoptive parent, including fingerprint-based checks of national crime information databases. Final approval for placement shall not be granted if the record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children, or for a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery, or if there is a felony conviction for physical assault, battery, or a drug-related offense committed within the past 5 years.

(v-2) Prior to final approval for placement of a child, the Department shall check its child abuse and neglect registry for information concerning prospective foster and adoptive parents, and any adult living in the home. If any prospective foster or adoptive parent or other adult living in the home has resided in another state in the preceding 5 years, the Department shall request a check of that other state's child abuse and neglect registry.

(w) Within 120 days of August 20, 1995 (the effective date of Public Act 89-392), the Department shall prepare and submit to the Governor and the General Assembly, a written plan for the development of in-state licensed secure child care facilities that care for children who are in need of secure living arrangements for their health, safety, and well-being. For purposes of this subsection, secure care facility shall mean a facility that is designed and operated to ensure that all entrances and exits from the facility, a building or a distinct part of the building, are under the exclusive control of the staff of the facility, whether or not the child has the freedom of movement within the perimeter of the facility, building, or distinct part of the building. The plan shall include descriptions of the types of facilities that are needed in Illinois; the cost of developing these secure care facilities; the estimated number of placements; the potential cost savings resulting from the movement of children currently out-of-state who are projected to be returned to Illinois; the necessary geographic distribution of these facilities in Illinois; and a proposed timetable for development of such facilities.

(x) The Department shall conduct annual credit history checks to determine the financial history of children placed under its guardianship pursuant to the Juvenile Court Act of 1987. The Department shall

conduct such credit checks starting when a youth in care turns 12 years old and each year thereafter for the duration of the guardianship as terminated pursuant to the Juvenile Court Act of 1987. The Department shall determine if financial exploitation of the child's personal information has occurred. If financial exploitation appears to have taken place or is presently ongoing, the Department shall notify the proper law enforcement agency, the proper State's Attorney, or the Attorney General.

(y) Beginning on July 22, 2010 (the effective date of Public Act 96-1189), a child with a disability who receives residential and educational services from the Department shall be eligible to receive transition services in accordance with Article 14 of the School Code from the age of 14.5 through age 21, inclusive, notwithstanding the child's residential services arrangement. For purposes of this subsection, "child with a disability" means a child with a disability as defined by the federal Individuals with Disabilities Education Improvement Act of 2004.

(z) The Department shall access criminal history record information as defined as "background information" in this subsection and criminal history record information as defined in the Illinois Uniform Conviction Information Act for each Department employee or Department applicant. Each Department employee or Department applicant shall submit the employee's or applicant's fingerprints to the Illinois State Police in the form and manner prescribed by the Illinois State Police. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Illinois State Police and the Federal Bureau of Investigation criminal history records databases. The Illinois State Police shall charge a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. The Illinois State Police shall furnish, pursuant to positive identification, all Illinois conviction information to the Department of Children and Family Services.

For purposes of this subsection:

"Background information" means all of the following:

(i) Upon the request of the Department of Children and Family Services, conviction information obtained from the Illinois State Police as a result of a fingerprint-based criminal history records check of the Illinois criminal history records database and the Federal Bureau of Investigation criminal history records database concerning a Department employee or Department applicant.

(ii) Information obtained by the Department of Children and Family Services after performing a check of the Illinois State Police's Sex Offender Database, as authorized by Section 120 of the Sex Offender Community Notification Law, concerning a Department employee or Department applicant.

(iii) Information obtained by the Department of Children and Family Services after performing a check of the Child Abuse and Neglect Tracking System (CANTS) operated and maintained by the Department.

"Department employee" means a full-time or temporary employee coded or certified within the State of Illinois Personnel System.

"Department applicant" means an individual who has conditional Department full-time or part-time work, a contractor, an individual used to replace or supplement staff, an academic intern, a volunteer in Department offices or on Department contracts, a work-study student, an individual or entity licensed by the Department, or an unlicensed service provider who works as a condition of a contract or an agreement and whose work may bring the unlicensed service provider into contact with Department clients or client records.

(Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21; 102-1014, eff. 5-27-22; 103-22, eff. 8-8-23; 103-50, eff. 1-1-24; 103-546, eff. 8-11-23; 103-605, eff. 7-1-24.)

(Text of Section after amendment by P.A. 103-1061)

Sec. 5. Direct child welfare services; Department of Children and Family Services. To provide direct child welfare services when not available through other public or private child care or program facilities.

(a) For purposes of this Section:

(1) "Children" means persons found within the State who are under the age of 18 years. The term also includes persons under age 21 who:

(A) were committed to the Department pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987 and who continue under the jurisdiction of the court; or

(B) were accepted for care, service and training by the Department prior to the age of 18 and whose best interest in the discretion of the Department would be served by continuing that care, service and training because of severe emotional disturbances, physical disability, social

adjustment or any combination thereof, or because of the need to complete an educational or vocational training program.

(2) "Homeless youth" means persons found within the State who are under the age of 19, are not in a safe and stable living situation and cannot be reunited with their families.

(3) "Child welfare services" means public social services which are directed toward the accomplishment of the following purposes:

(A) protecting and promoting the health, safety and welfare of children, including homeless, dependent, or neglected children;

(B) remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation, or delinquency of children;

(C) preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety;

(D) restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

(E) placing children in suitable permanent family arrangements, through guardianship or adoption, in cases where restoration to the birth family is not safe, possible, or appropriate;

(F) at the time of placement, conducting concurrent planning, as described in subsection (l-1) of this Section, so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;

(G) (blank);

(H) (blank); and

(I) placing and maintaining children in facilities that provide separate living quarters for children under the age of 18 and for children 18 years of age and older, unless a child 18 years of age is in the last year of high school education or vocational training, in an approved individual or group treatment program, in a licensed shelter facility, or secure child care facility. The Department is not required to place or maintain children:

(i) who are in a foster home, or

(ii) who are persons with a developmental disability, as defined in the Mental Health and Developmental Disabilities Code, or

(iii) who are female children who are pregnant, pregnant and parenting, or parenting, or

(iv) who are siblings, in facilities that provide separate living quarters for children 18 years of age and older and for children under 18 years of age.

(b) (Blank).

(b-5) The Department shall adopt rules to establish a process for all licensed residential providers in Illinois to submit data as required by the Department if they contract or receive reimbursement for children's mental health, substance use, and developmental disability services from the Department of Human Services, the Department of Juvenile Justice, or the Department of Healthcare and Family Services. The requested data must include, but is not limited to, capacity, staffing, and occupancy data for the purpose of establishing State need and placement availability.

All information collected, shared, or stored pursuant to this subsection shall be handled in accordance with all State and federal privacy laws and accompanying regulations and rules, including without limitation the federal Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191) and the Mental Health and Developmental Disabilities Confidentiality Act.

(c) The Department shall establish and maintain tax-supported child welfare services and extend and seek to improve voluntary services throughout the State, to the end that services and care shall be available on an equal basis throughout the State to children requiring such services.

(d) The Director may authorize advance disbursements for any new program initiative to any agency contracting with the Department. As a prerequisite for an advance disbursement, the contractor must post a surety bond in the amount of the advance disbursement and have a purchase of service contract approved by the Department. The Department may pay up to 2 months operational expenses in advance. The amount of the advance disbursement shall be prorated over the life of the contract or the remaining months of the fiscal

year, whichever is less, and the installment amount shall then be deducted from future bills. Advance disbursement authorizations for new initiatives shall not be made to any agency after that agency has operated during 2 consecutive fiscal years. The requirements of this Section concerning advance disbursements shall not apply with respect to the following: payments to local public agencies for child day care services as authorized by Section 5a of this Act; and youth service programs receiving grant funds under Section 17a-4.

(e) (Blank).

(f) (Blank).

(g) The Department shall establish rules and regulations concerning its operation of programs designed to meet the goals of child safety and protection, family preservation, and permanency, including, but not limited to:

(1) reunification, guardianship, and adoption;

(2) relative and licensed foster care;

(3) family counseling;

(4) protective services;

(5) (blank);

(6) homemaker service;

(7) return of runaway children;

(8) (blank);

(9) placement under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25, or 5-740 of the Juvenile Court Act of 1987 in accordance with the federal Adoption Assistance and Child Welfare Act of 1980; and

(10) interstate services.

Rules and regulations established by the Department shall include provisions for training Department staff and the staff of Department grantees, through contracts with other agencies or resources, in screening techniques to identify substance use disorders, as defined in the Substance Use Disorder Act, approved by the Department of Human Services, as a successor to the Department of Alcoholism and Substance Abuse, for the purpose of identifying children and adults who should be referred for an assessment at an organization appropriately licensed by the Department of Human Services for substance use disorder treatment.

(h) If the Department finds that there is no appropriate program or facility within or available to the Department for a youth in care and that no licensed private facility has an adequate and appropriate program or none agrees to accept the youth in care, the Department shall create an appropriate individualized, program-oriented plan for such youth in care. The plan may be developed within the Department or through purchase of services by the Department to the extent that it is within its statutory authority to do.

(i) Service programs shall be available throughout the State and shall include but not be limited to the following services:

(1) case management;

(2) homemakers;

(3) counseling;

(4) parent education;

(5) day care;

(6) emergency assistance and advocacy; and

(7) kinship navigator and relative caregiver supports.

In addition, the following services may be made available to assess and meet the needs of children and families:

(1) comprehensive family-based services;

(2) assessments;

(3) respite care; and

(4) in-home health services.

The Department shall provide transportation for any of the services it makes available to children or families or for which it refers children or families.

(j) The Department may provide categories of financial assistance and education assistance grants, and shall establish rules and regulations concerning the assistance and grants, to persons who adopt or become subsidized guardians of children with physical or mental disabilities, children who are older, or other hard-to-place children who (i) immediately prior to their adoption or subsidized guardianship were

youth in care or (ii) were determined eligible for financial assistance with respect to a prior adoption and who become available for adoption because the prior adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive parents have died. The Department may continue to provide financial assistance and education assistance grants for a child who was determined eligible for financial assistance under this subsection (j) in the interim period beginning when the child's adoptive parents died and ending with the finalization of the new adoption of the child by another adoptive parent or parents. The Department may also provide categories of financial assistance and education assistance grants, and shall establish rules and regulations for the assistance and grants, to persons appointed guardian of the person under Section 5-7 of the Juvenile Court Act or Section 2-27, 3-28, 4-25, or 5-740 of the Juvenile Court Act of 1987 for children who were youth in care for 12 months immediately prior to the appointment of the guardian.

The amount of assistance may vary, depending upon the needs of the child and the adoptive parents or subsidized guardians, as set forth in the annual assistance agreement. Special purpose grants are allowed where the child requires special service but such costs may not exceed the amounts which similar services would cost the Department if it were to provide or secure them as guardian of the child.

Any financial assistance provided under this subsection is inalienable by assignment, sale, execution, attachment, garnishment, or any other remedy for recovery or collection of a judgment or debt.

(j-5) The Department shall not deny or delay the placement of a child for adoption if an approved family is available either outside of the Department region handling the case, or outside of the State of Illinois.

(k) The Department shall accept for care and training any child who has been adjudicated neglected or abused, or dependent committed to it pursuant to the Juvenile Court Act or the Juvenile Court Act of 1987.

(l) The Department shall offer family preservation services, as defined in Section 8.2 of the Abused and Neglected Child Reporting Act, to help families, including adoptive and extended families. Family preservation services shall be offered (i) to prevent the placement of children in substitute care when the children can be cared for at home or in the custody of the person responsible for the children's welfare, (ii) to reunite children with their families, or (iii) to maintain an adoption or subsidized guardianship. Family preservation services shall only be offered when doing so will not endanger the children's health or safety. With respect to children who are in substitute care pursuant to the Juvenile Court Act of 1987, family preservation services shall not be offered if a goal other than those of subdivisions (A), (B), or (B-1) of subsection (2.3) of Section 2-28 of that Act has been set, except that reunification services may be offered as provided in paragraph (F) of subsection (2.3) of Section 2-28 of that Act. Nothing in this paragraph shall be construed to create a private right of action or claim on the part of any individual or child welfare agency, except that when a child is the subject of an action under Article II of the Juvenile Court Act of 1987 and the child's service plan calls for services to facilitate achievement of the permanency goal, the court hearing the action under Article II of the Juvenile Court Act of 1987 may order the Department to provide the services set out in the plan, if those services are not provided with reasonable promptness and if those services are available.

The Department shall notify the child and the child's family of the Department's responsibility to offer and provide family preservation services as identified in the service plan. The child and the child's family shall be eligible for services as soon as the report is determined to be "indicated". The Department may offer services to any child or family with respect to whom a report of suspected child abuse or neglect has been filed, prior to concluding its investigation under Section 7.12 of the Abused and Neglected Child Reporting Act. However, the child's or family's willingness to accept services shall not be considered in the investigation. The Department may also provide services to any child or family who is the subject of any report of suspected child abuse or neglect or may refer such child or family to services available from other agencies in the community, even if the report is determined to be unfounded, if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of such services shall be voluntary. The Department may also provide services to any child or family after completion of a family assessment, as an alternative to an investigation, as provided under the "differential response program" provided for in subsection (a-5) of Section 7.4 of the Abused and Neglected Child Reporting Act.

The Department may, at its discretion except for those children also adjudicated neglected or dependent, accept for care and training any child who has been adjudicated addicted, as a truant minor in need of supervision or as a minor requiring authoritative intervention, under the Juvenile Court Act or the Juvenile Court Act of 1987, but no such child shall be committed to the Department by any court without

the approval of the Department. On and after January 1, 2015 (the effective date of Public Act 98-803) and before January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 16 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. On and after January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 15 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency. The Department shall assign a caseworker to attend any hearing involving a youth in the care and custody of the Department who is placed on aftercare release, including hearings involving sanctions for violation of aftercare release conditions and aftercare release revocation hearings.

As soon as is possible, the Department shall develop and implement a special program of family preservation services to support intact, relative, foster, and adoptive families who are experiencing extreme hardships due to the difficulty and stress of caring for a child who has been diagnosed with a pervasive developmental disorder if the Department determines that those services are necessary to ensure the health and safety of the child. The Department may offer services to any family whether or not a report has been filed under the Abused and Neglected Child Reporting Act. The Department may refer the child or family to services available from other agencies in the community if the conditions in the child's or family's home are reasonably likely to subject the child or family to future reports of suspected child abuse or neglect. Acceptance of these services shall be voluntary. The Department shall develop and implement a public information campaign to alert health and social service providers and the general public about these special family preservation services. The nature and scope of the services offered and the number of families served under the special program implemented under this paragraph shall be determined by the level of funding that the Department annually allocates for this purpose. The term "pervasive developmental disorder" under this paragraph means a neurological condition, including, but not limited to, Asperger's Syndrome and autism, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(l-1) The General Assembly recognizes that the best interests of the child require that the child be placed in the most permanent living arrangement that is an appropriate option for the child, consistent with the child's best interest, using the factors set forth in subsection (4.05) of Section 1-3 of the Juvenile Court Act of 1987 as soon as is practically possible. To achieve this goal, the General Assembly directs the Department of Children and Family Services to conduct concurrent planning so that permanency may occur at the earliest opportunity. Permanent living arrangements may include prevention of placement of a child outside the home of the family when the child can be cared for at home without endangering the child's health or safety; reunification with the family, when safe and appropriate, if temporary placement is necessary; or movement of the child toward the most appropriate living arrangement and legal status.

When determining reasonable efforts to be made with respect to a child, as described in this subsection, and in making such reasonable efforts, the child's health and safety shall be the paramount concern.

When a child is placed in foster care, the Department shall ensure and document that reasonable efforts were made to prevent or eliminate the need to remove the child from the child's home. The Department must make reasonable efforts to reunify the family when temporary placement of the child occurs unless otherwise required, pursuant to the Juvenile Court Act of 1987. At any time after the dispositional hearing where the Department believes that further reunification services would be ineffective, it may request a finding from the court that reasonable efforts are no longer appropriate. The Department is not required to provide further reunification services after such a finding.

A decision to place a child in substitute care shall be made with considerations of the child's health, safety, and best interests. The Department shall make diligent efforts to place the child with a relative,

document those diligent efforts, and document reasons for any failure or inability to secure such a relative placement. If the primary issue preventing an emergency placement of a child with a relative is a lack of resources, including, but not limited to, concrete goods, safety modifications, and services, the Department shall make diligent efforts to assist the relative in obtaining the necessary resources. No later than July 1, 2025, the Department shall adopt rules defining what is diligent and necessary in providing supports to potential relative placements. At the time of placement, consideration should also be given so that if reunification fails or is delayed, the placement has the potential to be an appropriate permanent placement for the child.

The Department shall adopt rules addressing concurrent planning for reunification and permanency. The Department shall consider the following factors when determining appropriateness of concurrent planning:

(1) the likelihood of prompt reunification;

(2) the past history of the family;

(3) the barriers to reunification being addressed by the family;

(4) the level of cooperation of the family;

(4.5) the child's wishes;

(5) the caregivers' willingness to work with the family to reunite;

(6) the willingness and ability of the caregivers' to provide a permanent placement;

(7) the age of the child;

(8) placement of siblings; and

(9) the wishes of the parent or parents unless the parental preferences are contrary to the best interests of the child.

(m) The Department may assume temporary custody of any child if:

(1) it has received a written consent to such temporary custody signed by the parents of the child or by the parent having custody of the child if the parents are not living together or by the guardian or custodian of the child if the child is not in the custody of either parent, or

(2) the child is found in the State and neither a parent, guardian nor custodian of the child can be located.

If the child is found in the child's residence without a parent, guardian, custodian, or responsible caretaker, the Department may, instead of removing the child and assuming temporary custody, place an authorized representative of the Department in that residence until such time as a parent, guardian, or custodian enters the home and expresses a willingness and apparent ability to ensure the child's health and safety and resume permanent charge of the child, or until a relative enters the home and is willing and able to ensure the child's health and safety and assume charge of the child until a parent, guardian, or custodian enters the home and expresses such willingness and ability to ensure the child's safety and resume permanent charge. After a caretaker has remained in the home for a period not to exceed 12 hours, the Department must follow those procedures outlined in Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987.

The Department shall have the authority, responsibilities and duties that a legal custodian of the child would have pursuant to subsection (9) of Section 1-3 of the Juvenile Court Act of 1987. Whenever a child is taken into temporary custody pursuant to an investigation under the Abused and Neglected Child Reporting Act, or pursuant to a referral and acceptance under the Juvenile Court Act of 1987 of a minor in limited custody, the Department, during the period of temporary custody and before the child is brought before a judicial officer as required by Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987, shall have the authority, responsibilities and duties that a legal custodian of the child would have under subsection (9) of Section 1-3 of the Juvenile Court Act of 1987.

The Department shall ensure that any child taken into custody is scheduled for an appointment for a medical examination.

A parent, guardian, or custodian of a child in the temporary custody of the Department who would have custody of the child if the child were not in the temporary custody of the Department may deliver to the Department a signed request that the Department surrender the temporary custody of the child. The Department may retain temporary custody of the child for 10 days after the receipt of the request, during which period the Department may cause to be filed a petition pursuant to the Juvenile Court Act of 1987. If a petition is so filed, the Department shall retain temporary custody of the child until the court orders otherwise. If a petition is not filed within the 10-day period, the child shall be surrendered to the custody of the requesting parent, guardian, or custodian not later than the expiration of the 10-day period, at which time the authority and duties of the Department with respect to the temporary custody of the child shall terminate.

(m-1) The Department may place children under 18 years of age in a secure child care facility licensed by the Department that cares for children who are in need of secure living arrangements for their health, safety, and well-being after a determination is made by the facility director and the Director or the Director's designate prior to admission to the facility subject to Section 2-27.1 of the Juvenile Court Act of 1987. This subsection (m-1) does not apply to a child who is subject to placement in a correctional facility operated pursuant to Section 3-15-2 of the Unified Code of Corrections, unless the child is a youth in care who was placed in the care of the Department before being subject to placement in a correctional facility and a court of competent jurisdiction has ordered placement of the child in a secure care facility.

(n) The Department may place children under 18 years of age in licensed child care facilities when in the opinion of the Department, appropriate services aimed at family preservation have been unsuccessful and cannot ensure the child's health and safety or are unavailable and such placement would be for their best interest. Payment for board, clothing, care, training and supervision of any child placed in a licensed child care facility may be made by the Department, by the parents or guardians of the estates of those children, or by both the Department and the parents or guardians, except that no payments shall be made by the Department for any child placed in a licensed child care facility for board, clothing, care, training, and supervision of such a child that exceed the average per capita cost of maintaining and of caring for a child in institutions for dependent or neglected children operated by the Department. However, such restriction on payments does not apply in cases where children require specialized care and treatment for problems of severe emotional disturbance, physical disability, social adjustment, or any combination thereof and suitable facilities for the placement of such children are not available at payment rates within the limitations set forth in this Section. All reimbursements for services delivered shall be absolutely inalienable by assignment, sale, attachment, or garnishment or otherwise.

(n-1) The Department shall provide or authorize child welfare services, aimed at assisting minors to achieve sustainable self-sufficiency as independent adults, for any minor eligible for the reinstatement of wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987, whether or not such reinstatement is sought or allowed, provided that the minor consents to such services and has not yet attained the age of 21. The Department shall have responsibility for the development and delivery of services under this Section. An eligible youth may access services under this Section through the Department of Children and Family Services or by referral from the Department of Human Services. Youth participating in services under this Section shall cooperate with the assigned case manager in developing an agreement identifying the services to be provided and how the youth will increase skills to achieve self-sufficiency. A homeless shelter is not considered appropriate housing for any youth receiving child welfare services under this Section. The Department shall continue child welfare services under this Section to any eligible minor until the minor becomes 21 years of age, no longer consents to participate, or achieves self-sufficiency as identified in the minor's service plan. The Department of Children and Family Services shall create clear, readable notice of the rights of former foster youth to child welfare services under this Section and how such services may be obtained. The Department of Children and Family Services and the Department of Human Services shall disseminate this information statewide. The Department shall adopt regulations describing services intended to assist minors in achieving sustainable self-sufficiency as independent adults.

(o) The Department shall establish an administrative review and appeal process for children and families who request or receive child welfare services from the Department. Youth in care who are placed by private child welfare agencies, and caregivers with whom those youth are placed, shall be afforded the same procedural and appeal rights as children and families in the case of placement by the Department, including the right to an initial review of a private agency decision by that agency. The Department shall ensure that any private child welfare agency, which accepts youth in care for placement, affords those rights to children and caregivers with whom those children are placed. The Department shall accept for administrative review and an appeal hearing a complaint made by (i) a child or caregiver with whom the child is placed concerning a decision following an initial review by a private child welfare agency or (ii) a prospective adoptive parent who alleges a violation of subsection (j-5) of this Section. An appeal of a decision concerning a change in the placement of a child shall be conducted in an expedited manner. A court determination that a current placement is necessary and appropriate under Section 2-28 of the Juvenile Court Act of 1987 does not constitute a judicial determination on the merits of an administrative appeal, filed by a former caregiver, involving a change of placement decision. No later than July 1, 2025, the Department shall adopt rules to develop a reconsideration process to review: a denial of certification of a relative, a denial of placement with a relative, and a denial of visitation with an identified relative. Rules shall include standards

and criteria for reconsideration that incorporate the best interests of the child under subsection (4.05) of Section 1-3 of the Juvenile Court Act of 1987, address situations where multiple relatives seek certification, and provide that all rules regarding placement changes shall be followed. The rules shall outline the essential elements of each form used in the implementation and enforcement of the provisions of this amendatory Act of the 103rd General Assembly.

(p) (Blank).

(q) The Department may receive and use, in their entirety, for the benefit of children any gift, donation, or bequest of money or other property which is received on behalf of such children, or any financial benefits to which such children are or may become entitled while under the jurisdiction or care of the Department, except that the benefits described in Section 5.46 must be used and conserved consistent with the provisions under Section 5.46.

The Department shall set up and administer no-cost, interest-bearing accounts in appropriate financial institutions for children for whom the Department is legally responsible and who have been determined eligible for Veterans' Benefits, Social Security benefits, assistance allotments from the armed forces, court ordered payments, parental voluntary payments, Supplemental Security Income, Railroad Retirement payments, Black Lung benefits, or other miscellaneous payments. Interest earned by each account shall be credited to the account, unless disbursed in accordance with this subsection.

In disbursing funds from children's accounts, the Department shall:

(1) Establish standards in accordance with State and federal laws for disbursing money from children's accounts. In all circumstances, the Department's Guardianship Administrator or the Guardianship Administrator's designee must approve disbursements from children's accounts. The Department shall be responsible for keeping complete records of all disbursements for each account for any purpose.

(2) Calculate on a monthly basis the amounts paid from State funds for the child's board and care, medical care not covered under Medicaid, and social services; and utilize funds from the child's account, as covered by regulation, to reimburse those costs. Monthly, disbursements from all children's accounts, up to 1/12 of $13,000,000, shall be deposited by the Department into the General Revenue Fund and the balance over 1/12 of $13,000,000 into the DCFS Children's Services Fund.

(3) Maintain any balance remaining after reimbursing for the child's costs of care, as specified in item (2). The balance shall accumulate in accordance with relevant State and federal laws and shall be disbursed to the child or the child's guardian or to the issuing agency.

(r) The Department shall promulgate regulations encouraging all adoption agencies to voluntarily forward to the Department or its agent names and addresses of all persons who have applied for and have been approved for adoption of a hard-to-place child or child with a disability and the names of such children who have not been placed for adoption. A list of such names and addresses shall be maintained by the Department or its agent, and coded lists which maintain the confidentiality of the person seeking to adopt the child and of the child shall be made available, without charge, to every adoption agency in the State to assist the agencies in placing such children for adoption. The Department may delegate to an agent its duty to maintain and make available such lists. The Department shall ensure that such agent maintains the confidentiality of the person seeking to adopt the child and of the child.

(s) The Department of Children and Family Services may establish and implement a program to reimburse caregivers licensed, certified, or otherwise approved by the Department of Children and Family Services for damages sustained by the caregivers as a result of the malicious or negligent acts of children placed by the Department, as well as providing third party coverage for such caregivers with regard to actions of children placed by the Department to other individuals. Such coverage will be secondary to the caregiver's liability insurance policy, if applicable. The program shall be funded through appropriations from the General Revenue Fund, specifically designated for such purposes.

(t) The Department shall perform home studies and investigations and shall exercise supervision over visitation as ordered by a court pursuant to the Illinois Marriage and Dissolution of Marriage Act or the Adoption Act only if:

(1) an order entered by an Illinois court specifically directs the Department to perform such services; and

(2) the court has ordered one or both of the parties to the proceeding to reimburse the Department for its reasonable costs for providing such services in accordance with Department rules, or has determined that neither party is financially able to pay.

The Department shall provide written notification to the court of the specific arrangements for supervised visitation and projected monthly costs within 60 days of the court order. The Department shall send to the court information related to the costs incurred except in cases where the court has determined the parties are financially unable to pay. The court may order additional periodic reports as appropriate.

(u) In addition to other information that must be provided, whenever the Department places a child with a prospective adoptive parent or parents, in a licensed foster home, group home, or child care institution, in a relative home, or in a certified relative caregiver home, the Department shall provide to the caregiver, appropriate facility staff, or prospective adoptive parent or parents:

(1) available detailed information concerning the child's educational and health history, copies of immunization records (including insurance and medical card information), a history of the child's previous placements, if any, and reasons for placement changes excluding any information that identifies or reveals the location of any previous caregiver or adoptive parents;

(2) a copy of the child's portion of the client service plan, including any visitation arrangement, and all amendments or revisions to it as related to the child; and

(3) information containing details of the child's individualized educational plan when the child is receiving special education services.

The caregiver, appropriate facility staff, or prospective adoptive parent or parents, shall be informed of any known social or behavioral information (including, but not limited to, criminal background, fire setting, perpetuation of sexual abuse, destructive behavior, and substance abuse) necessary to care for and safeguard the children to be placed or currently in the home or setting. The Department may prepare a written summary of the information required by this paragraph, which may be provided to the caregiver, appropriate facility staff, or prospective adoptive parent in advance of a placement. The caregiver, appropriate facility staff, or prospective adoptive parent may review the supporting documents in the child's file in the presence of casework staff. In the case of an emergency placement, casework staff shall at least provide known information verbally, if necessary, and must subsequently provide the information in writing as required by this subsection.

The information described in this subsection shall be provided in writing. In the case of emergency placements when time does not allow prior review, preparation, and collection of written information, the Department shall provide such information as it becomes available. Within 10 business days after placement, the Department shall obtain from the caregiver, appropriate facility staff, or prospective adoptive parent or parents a signed verification of receipt of the information provided. Within 10 business days after placement, the Department shall provide to the child's guardian ad litem a copy of the information provided to the caregiver, appropriate facility staff, or prospective adoptive parent or parents. The information provided to the caregiver, appropriate facility staff, or prospective adoptive parent or parents shall be reviewed and approved regarding accuracy at the supervisory level.

(u-5) Beginning July 1, 2025, certified relative caregiver homes under Section 3.4 of the Child Care Act of 1969 shall be eligible to receive foster care maintenance payments from the Department in an amount no less than payments made to licensed foster family homes. Beginning July 1, 2025, relative homes providing care to a child placed by the Department that are not a certified relative caregiver home under Section 3.4 of the Child Care Act of 1969 or a licensed foster family home shall be eligible to receive payments from the Department in an amount no less 90% of the payments made to licensed foster family homes and certified relative caregiver homes.

(u-6) To assist relative and certified relative caregivers, no later than July 1, 2025, the Department shall adopt rules to implement a relative support program, as follows:

(1) For relative and certified relative caregivers, the Department is authorized to reimburse or prepay reasonable expenditures to remedy home conditions necessary to fulfill the home safety-related requirements of relative caregiver homes.

(2) The Department may provide short-term emergency funds to relative and certified relative caregiver homes experiencing extreme hardships due to the difficulty and stress associated with adding youth in care as new household members.

(3) Consistent with federal law, the Department shall include in any State Plan made in accordance with the Adoption Assistance and Child Welfare Act of 1980, Titles IV-E and XIX of the Social Security Act, and any other applicable federal laws the provision of kinship navigator program services. The Department shall apply for and administer all relevant federal aid in accordance with law. Federal funds acquired for the kinship navigator program shall be used for the development, implementation, and operation of kinship navigator program services. The kinship navigator program

services may provide information, referral services, support, and assistance to relative and certified relative caregivers of youth in care to address their unique needs and challenges. Until the Department is approved to receive federal funds for these purposes, the Department shall publicly post on the Department's website semi-annual updates regarding the Department's progress in pursuing federal funding. Whenever the Department publicly posts these updates on its website, the Department shall notify the General Assembly through the General Assembly's designee.

(u-7) To support finding permanency for children through subsidized guardianship and adoption and to prevent disruption in guardianship and adoptive placements, the Department shall establish and maintain accessible subsidized guardianship and adoption support services for all children under 18 years of age placed in guardianship or adoption who, immediately preceding the guardianship or adoption, were in the custody or guardianship of the Department under Article II of the Juvenile Court Act of 1987.

The Department shall establish and maintain a toll-free number to respond to requests from the public about its subsidized guardianship and adoption support services under this subsection and shall staff the toll-free number so that calls are answered on a timely basis, but in no event more than one business day after the receipt of a request. These requests from the public may be made anonymously. To meet this obligation, the Department may utilize the same toll-free number the Department operates to respond to post-adoption requests under subsection (b-5) of Section 18.9 of the Adoption Act. The Department shall publicize information about the Department's subsidized guardianship support services and toll-free number as follows:

(1) it shall post information on the Department's website;

(2) it shall provide the information to every licensed child welfare agency and any entity providing subsidized guardianship support services in Illinois courts;

(3) it shall reference such information in the materials the Department provides to caregivers pursuing subsidized guardianship to inform them of their rights and responsibilities under the Child Care Act of 1969 and this Act;

(4) it shall provide the information, including the Department's Post Adoption and Guardianship Services booklet, to eligible caregivers as part of its guardianship training and at the time they are presented with the Permanency Commitment form;

(5) it shall include, in each annual notification letter mailed to subsidized guardians, a short, 2-sided flier or news bulletin in plain language that describes access to post-guardianship services, how to access services under the Family Support Program, formerly known as the Individual Care Grant Program, the webpage address to the Post Adoption and Guardianship Services booklet, information on how to request that a copy of the booklet be mailed; and

(6) it shall ensure that kinship navigator programs of this State, when established, have this information to include in materials the programs provide to caregivers.

No later than July 1, 2026, the Department shall provide a mechanism for the public to make information requests by electronic means.

The Department shall review and update annually all information relating to its subsidized guardianship support services, including its Post Adoption and Guardianship Services booklet, to include updated information on Family Support Program services eligibility and subsidized guardianship support services that are available through the medical assistance program established under Article V of the Illinois Public Aid Code or any other State program for mental health services. The Department and the Department of Healthcare and Family Services shall coordinate their efforts in the development of these resources.

Every licensed child welfare agency and any entity providing kinship navigator programs funded by the Department shall provide the Department's website address and link to the Department's subsidized guardianship support services information set forth in subsection (d), including the Department's toll-free number, to every relative who is or will be providing guardianship placement for a child placed by the Department.

(v) The Department shall access criminal history record information as defined in the Illinois Uniform Conviction Information Act and information maintained in the adjudicatory and dispositional record system as defined in Section 2605-355 of the Illinois State Police Law if the Department determines the information is necessary to perform its duties under the Abused and Neglected Child Reporting Act, the Child Care Act of 1969, and the Children and Family Services Act. The Department shall provide for interactive computerized communication and processing equipment that permits direct on-line communication with the Illinois State Police's central criminal history data repository. The Department shall comply with all certification requirements and provide certified operators who have been trained by personnel from the

Illinois State Police. In addition, one Office of the Inspector General investigator shall have training in the use of the criminal history information access system and have access to the terminal. The Department of Children and Family Services and its employees shall abide by rules and regulations established by the Illinois State Police relating to the access and dissemination of this information.

(v-1) Prior to final approval for placement of a child with a foster or adoptive parent, the Department shall conduct a criminal records background check of the prospective foster or adoptive parent, including fingerprint-based checks of national crime information databases. Final approval for placement shall not be granted if the record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children, or for a crime involving violence, including human trafficking, sex trafficking, rape, sexual assault, or homicide, but not including other physical assault or battery, or if there is a felony conviction for physical assault, battery, or a drug-related offense committed within the past 5 years.

(v-2) Prior to final approval for placement of a child with a foster or adoptive parent, the Department shall check its child abuse and neglect registry for information concerning prospective foster and adoptive parents, and any adult living in the home. If any prospective foster or adoptive parent or other adult living in the home has resided in another state in the preceding 5 years, the Department shall request a check of that other state's child abuse and neglect registry.

(v-3) Prior to the final approval of final placement of a related child in a certified relative caregiver home as defined in Section 2.37 of the Child Care Act of 1969, the Department shall ensure that the background screening meets the standards required under subsection (c) of Section 3.4 of the Child Care Act of 1969.

(v-4) Prior to final approval for placement of a child with a relative, as defined in Section 4d of this Act, who is not a licensed foster parent, has declined to seek approval to be a certified relative caregiver, or was denied approval as a certified relative caregiver, the Department shall:

(i) check the child abuse and neglect registry for information concerning the prospective relative caregiver and any other adult living in the home. If any prospective relative caregiver or other adult living in the home has resided in another state in the preceding 5 years, the Department shall request a check of that other state's child abuse and neglect registry; and

(ii) conduct a criminal records background check of the prospective relative caregiver and all other adults living in the home, including fingerprint-based checks of national crime information databases. Final approval for placement shall not be granted if the record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children, or for a crime involving violence, including human trafficking, sex trafficking, rape, sexual assault, or homicide, but not including other physical assault or battery, or if there is a felony conviction for physical assault, battery, or a drug-related offense committed within the past 5 years; provided however, that the Department is empowered to grant a waiver as the Department may provide by rule, and the Department approves the request for the waiver based on a comprehensive evaluation of the caregiver and household members and the conditions relating to the safety of the placement.

No later than July 1, 2025, the Department shall adopt rules or revise existing rules to effectuate the changes made to this subsection (v-4). The rules shall outline the essential elements of each form used in the implementation and enforcement of the provisions of this amendatory Act of the 103rd General Assembly.

(w) (Blank).

(x) The Department shall conduct annual credit history checks to determine the financial history of children placed under its guardianship pursuant to the Juvenile Court Act of 1987. The Department shall conduct such credit checks starting when a youth in care turns 12 years old and each year thereafter for the duration of the guardianship as terminated pursuant to the Juvenile Court Act of 1987. The Department shall determine if financial exploitation of the child's personal information has occurred. If financial exploitation appears to have taken place or is presently ongoing, the Department shall notify the proper law enforcement agency, the proper State's Attorney, or the Attorney General.

(y) Beginning on July 22, 2010 (the effective date of Public Act 96-1189), a child with a disability who receives residential and educational services from the Department shall be eligible to receive transition services in accordance with Article 14 of the School Code from the age of 14.5 through age 21, inclusive, notwithstanding the child's residential services arrangement. For purposes of this subsection, "child with a disability" means a child with a disability as defined by the federal Individuals with Disabilities Education Improvement Act of 2004.

(z) The Department shall access criminal history record information as defined as "background information" in this subsection and criminal history record information as defined in the Illinois Uniform

Conviction Information Act for each Department employee or Department applicant. Each Department employee or Department applicant shall submit the employee's or applicant's fingerprints to the Illinois State Police in the form and manner prescribed by the Illinois State Police. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Illinois State Police and the Federal Bureau of Investigation criminal history records databases. The Illinois State Police shall charge a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. The Illinois State Police shall furnish, pursuant to positive identification, all Illinois conviction information to the Department of Children and Family Services.

For purposes of this subsection:

"Background information" means all of the following:

(i) Upon the request of the Department of Children and Family Services, conviction information obtained from the Illinois State Police as a result of a fingerprint-based criminal history records check of the Illinois criminal history records database and the Federal Bureau of Investigation criminal history records database concerning a Department employee or Department applicant.

(ii) Information obtained by the Department of Children and Family Services after performing a check of the Illinois State Police's Sex Offender Database, as authorized by Section 120 of the Sex Offender Community Notification Law, concerning a Department employee or Department applicant.

(iii) Information obtained by the Department of Children and Family Services after performing a check of the Child Abuse and Neglect Tracking System (CANTS) operated and maintained by the Department.

"Department employee" means a full-time or temporary employee coded or certified within the State of Illinois Personnel System.

"Department applicant" means an individual who has conditional Department full-time or part-time work, a contractor, an individual used to replace or supplement staff, an academic intern, a volunteer in Department offices or on Department contracts, a work-study student, an individual or entity licensed by the Department, or an unlicensed service provider who works as a condition of a contract or an agreement and whose work may bring the unlicensed service provider into contact with Department clients or client records.

(aa) The changes made to this Section by this amendatory Act of the 104th General Assembly are declarative of existing law and are not a new enactment.

(Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21; 102-1014, eff. 5-27-22; 103-22, eff. 8-8-23; 103-50, eff. 1-1-24; 103-546, eff. 8-11-23; 103-605, eff. 7-1-24; 103-1061, eff. 7-1-25.)

Section 10. The Child Care Act of 1969 is amended by changing Section 3.4 as follows:

(225 ILCS 10/3.4)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 3.4. Standards for certified relative caregiver homes.

(a) No later than July 1, 2025, the Department shall adopt rules outlining the standards for certified relative caregiver homes, which are reasonably in accordance with the national consortium recommendations and federal law and rules, and consistent with the requirements of this Act. The standards for certified relative caregiver homes shall: (i) be different from licensing standards used for non-relative foster family homes under Section 4; (ii) align with the recommendation of the U.S. Department of Health and Human Services' Administration for Children and Families for implementation of Section 471(a)(10), 471(a)(11), and 471(a)(20) and Section 474 of Title IV-E of the Social Security Act; (iii) be no more restrictive than, and reasonably in accordance with, national consortium recommendations; and (iv) address background screening for caregivers and other household residents and assessing home safety and caregiver capacity to meet the identified child's needs.

A guiding premise for certified relative caregiver home standards is that foster care maintenance payments for every relative, starting upon placement, regardless of federal reimbursement, are critical to ensure that the basic needs and well-being of all children in relative care are being met. If an agency places a child in the care of a relative, the relative must immediately be provided with adequate support to care for that child. The Department shall review foster care maintenance payments to ensure that children receive the same amount of foster care maintenance payments whether placed in a certified relative caregiver home or a licensed foster family home.

In developing rules, the Department shall solicit and incorporate feedback from relative caregivers. No later than 60 days after the effective date of this amendatory Act of the 103rd General Assembly, the

Department shall begin soliciting input from relatives who are currently or have recently been caregivers to youth in care to develop the rules and procedures to implement the requirements of this Section. The Department shall solicit this input in a manner convenient for caregivers to participate, including without limitation, in-person convenings at after hours and weekend venues, locations that provide child care, and modalities that are accessible and welcoming to new and experienced relative caregivers from all regions of the State. The rules shall outline the essential elements of each form used in the implementation and enforcement of the provisions of this amendatory Act of the 103rd General Assembly.

(b) In order to assess whether standards are met for a certified relative caregiver home under this Section, the Department or a licensed child welfare agency shall:

(1) complete the home safety and needs assessment and identify and provide any necessary concrete goods or safety modifications to assist the prospective certified relative caregiver in meeting the needs of the specific child or children being placed by the Department, in a manner consistent with Department rule;

(2) assess the ability of the prospective certified relative caregiver to care for the physical, emotional, medical, and educational needs of the specific child or children being placed by the Department using the protocol and form provided through national consortium recommendations; and

(3) using the standard background check form established by rule, complete a background check for each person seeking certified relative caregiver approval and any other adults living in the home as required under this Section.

(c) The Department or a licensed child welfare agency shall conduct the following background screening investigation for every prospective certified relative caregiver and adult resident living in the home:

(1) a name-based State, local, or tribal criminal background check, and as soon as reasonably possible, initiate a fingerprint-based background check;

(2) a review of this State's Central Registry and registries of any state in which an adult household member has resided in the last 5 years, if applicable to determine if the person has been determined to be a perpetrator in an indicated report of child abuse or neglect; and

(3) a review of the sex offender registry.

No home may be a certified relative caregiver home if any prospective caregivers or adult residents in the home refuse to authorize a background screening investigation as required by this Section. Only information and standards that bear a reasonable and rational relation to the caregiving capacity of the certified relative caregiver and adult member of the household and overall safety provided by residents of that home shall be used by the Department or licensed child welfare agency.

In approving a certified relative caregiver home in accordance with this Section, if an adult has a criminal record, the Department or licensed child welfare agency shall thoroughly investigate and evaluate the criminal history of the adult and, in so doing, include an assessment of the adult's character and, in the case of the prospective certified relative caregiver, the impact that the criminal history has on the prospective certified relative caregiver's ability to parent the child; the investigation should consider the type of crime, the number of crimes, the nature of the offense, the age of the person at the time of the crime, the length of time that has elapsed since the last conviction, the relationship of the crime to the ability to care for children, the role that adult will have with the child, and any evidence of rehabilitation. In accordance with federal law, a home shall not be approved if the record of the prospective certified relative caregiver's background screening reveals: (i) a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children ~~crimes against a child~~, including child pornography, or for a crime involving violence, including human trafficking, sex trafficking, ~~of~~ rape, sexual assault, or homicide, but not including other physical assault or battery; or (ii) a felony conviction in the last 5 years for physical assault, battery, or a drug-related offense.

If the Department is contemplating denying approval of a certified relative caregiver home, the Department shall provide a written notice in the prospective certified relative caregiver's primary language to each prospective certified relative caregiver before the Department takes final action to deny approval of the home. This written notice shall include the specific reason or reasons the Department is considering denial, list actions prospective certified relative caregivers can take, if any, to remedy such conditions and the timeframes in which such actions would need to be completed, explain reasonable supports that the Department can provide to assist the prospective certified relative caregivers in taking remedial actions and how the prospective certified relative caregivers can request such assistance, and provide the recourse prospective certified relative caregivers can seek to resolve disputes about the Department's findings. The

Department shall provide prospective certified relative caregivers reasonable opportunity pursuant to rulemaking to cure any remediable deficiencies that the Department identified before taking final action to deny approval of a certified relative caregiver home.

If conditions have not been remedied after a reasonable opportunity and assistance to cure identified deficiencies has been provided, the Department shall provide a final written notice explaining the reasons for denying the certified relative caregiver home approval and the reconsideration process to review the decision to deny certification. The Department shall not prohibit a prospective certified relative caregiver from being reconsidered for approval if the prospective certified relative caregivers are able to demonstrate a change in circumstances that improves deficient conditions.

Documentation that a certified relative caregiver home meets the required standards may be filed on behalf of such homes by a licensed child welfare agency, by a State agency authorized to place children in foster care, or by out-of-state agencies approved by the Department to place children in this State. For documentation on behalf of a home in which specific children are placed by and remain under supervision of the applicant agency, such agency shall document that the certified relative caregiver home, responsible for the care of related specific children therein, was found to be in reasonable compliance with standards prescribed by the Department for certified relative caregiver homes under this Section. Certification is applicable to one or more related children and documentation for certification shall indicate the specific child or children who would be eligible for placement in this certified relative caregiver home.

Information concerning criminal convictions of prospective certified relative caregivers and adult residents of a prospective certified relative caregiver home investigated under this Section, including the source of the information, State conviction information provided by the Illinois State Police, and any conclusions or recommendations derived from the information, shall be offered to the prospective certified relative caregivers and adult residents of a prospective certified relative caregiver home, and provided, upon request, to such persons prior to final action by the Department in the certified relative caregiver home approval process.

Any information concerning criminal charges or the disposition of such criminal charges obtained by the Department shall be confidential and may not be transmitted outside the Department, except as required or permitted by State or federal law, and may not be transmitted to anyone within the Department except as needed for the purpose of evaluating standards for a certified relative caregiver home or for evaluating the placement of a specific child in the home. Information concerning a prospective certified relative caregiver or an adult resident of a prospective certified relative caregiver home obtained by the Department for the purposes of this Section shall be confidential and exempt from public inspection and copying as provided under Section 7 of the Freedom of Information Act, and such information shall not be transmitted outside the Department, except as required or authorized by State or federal law, including applicable provisions in the Abused and Neglected Child Reporting Act, and shall not be transmitted to anyone within the Department except as provided in the Abused and Neglected Child Reporting Act, and shall not be transmitted to anyone within the Department except as needed for the purposes of evaluating homes. Any employee of the Department, the Illinois State Police, or a licensed child welfare agency receiving confidential information under this Section who gives or causes to be given any confidential information concerning any criminal convictions or child abuse or neglect reports involving a prospective certified relative caregiver or an adult resident of a prospective certified relative caregiver home shall be guilty of a Class A misdemeanor unless release of such information is authorized by this Section or Section 11.1 of the Abused and Neglected Child Reporting Act.

The Department shall permit, but shall not require, a prospective certified relative caregiver who does not yet have eligible children placed by the Department in the relative's home to commence the process to become a certified relative caregiver home for a particular identified child under this Section before a child is placed by the Department if the prospective certified relative caregiver prefers to begin this process in advance of the identified child being placed. No later than July 1, 2025, the Department shall adopt rules delineating the process for re-assessing a certified relative caregiver home if the identified child is not placed in that home within 6 months of the home becoming certified.

(d) The Department shall ensure that prospective certified relative caregivers are provided with assistance in completing the steps required for approval as a certified relative caregiver home, including, but not limited to, the following types of assistance:

(1) completing forms together with the relative or for the relative, if possible;

(2) obtaining court records or dispositions related to background checks;

(3) accessing translation services;

(4) using mobile fingerprinting devices in the home, and if mobile devices are unavailable, providing assistance scheduling appointments that are accessible and available at times that fit the household members' schedules, providing transportation and child care to allow the household members to complete fingerprinting appointments, and contracting with community-based fingerprinting locations that offer evening and weekend appointments;

(5) reimbursement or advance payment for the prospective certified relative caregiver to help with reasonable home maintenance to resolve critical safety issues in accordance with Department rulemaking; and

(6) purchasing required safety or comfort items such as a car seat or mattress.

(e) Orientation provided to certified relative caregivers shall include information regarding:

(1) caregivers' right to be heard in juvenile court proceedings;

(2) the availability of the advocacy hotline and Office of the Inspector General that caregivers may use to report incidents of misconduct or violation of rules by Department employees, service providers, or contractors;

(3) the Department's expectations for caregiving obligations including, but not limited to, specific requirements of court orders, critical incident notifications and timeframes, supervision for the child's age and needs, out-of-state travel, and consent procedures;

(4) assistance available to the certified relative caregivers, including child care, respite care, transportation assistance, case management, training and support groups, kinship navigator services, financial assistance, and after hours and weekend 24 hours, 7 days a week emergency supports, and how to access such assistance;

(5) reasonable and prudent parenting standards; and

(6) permanency options.

Orientation shall be provided in a setting and modality convenient for the residents of the certified relative caregiver home, which shall include the option for one-on-one sessions at the residence, after business hours, and in the primary language of the caregivers. Training opportunities shall be offered to the residents of the certified relative caregiver home, but shall not be a requirement that delays the certified relative caregiver home approval process from being completed.

The Department or licensed child welfare agency may provide support groups and development opportunities for certified relative caregivers, and take other steps to support permanency, such as offering voluntary training, or concurrent assessments of multiple prospective certified relative caregivers to determine which may be best suited to provide long-term permanency for a particular child. However, these support groups and development opportunities shall not be requirements for prospective certified relative caregiver homes or delay immediate placement and support to a relative who satisfies the standards set forth in this Section.

(f) All child welfare agencies serving relative and certified relative caregiver homes shall be required by the Department to have complaint policies and procedures that shall be provided in writing to prospective and current certified relative caregivers and residents of prospective and current certified relative caregiver homes, at the earliest time possible. The complaint procedure shall allow residents of prospective and current certified relative caregiver homes to submit complaints 7 days a week and complaints shall be reviewed by the Department within 30 days of receipt. These complaint procedures must be filed with the Department within 6 months after the effective date of this amendatory of the 103rd General Assembly.

No later than July 1, 2025, the Department shall revise any rules and procedures pertaining to eligibility of certified relative caregivers to qualify for State and federal subsidies and services under the guardianship and adoption assistance program and remove any requirements that exceed the federal requirements for participation in these programs or supports to ensure that certified relative caregiver homes are deemed eligible for permanency options, such as adoption or subsidized guardianship, if the child is unable to safely return to the child's parents. The rules shall outline the essential elements of each form used in the implementation and enforcement of the provisions of this amendatory Act of the 103rd General Assembly.

The Department shall submit any necessary State plan amendments necessary to comply with this Section and to ensure Title IV-E reimbursement eligibility under Section 671(a)(20)(A-B) of the Social Security Act can be achieved expediently. The Department shall differentiate expenditures related to certified relative caregivers from licensed care placements to provide clarity in expenditures of State and federal monies for certified relative caregiver supports.

(Source: P.A. 103-1061, eff. 7-1-25.)

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

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

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

On motion of Senator Cervantes, **House Bill No. 1864** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1864

AMENDMENT NO. 1 . Amend House Bill 1864 on page 4, by replacing lines 9 through 12 with the following:

"(2) a dental care provider works less than 16 hours per week and is a solo practitioner."; and

on page 4, line 13, by replacing "(4)" with "(3)".

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

On motion of Senator Edly-Allen, **House Bill No. 2521** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 2521

AMENDMENT NO. 1 . Amend House Bill 2521 by replacing everything after the enacting clause with the following:

"Section 5. The Interscholastic Athletic Organization Act is amended by adding Section 1.30 as follows:

(105 ILCS 25/1.30 new)

Sec. 1.30. Licensing of game officials.

(a) The Illinois High School Association shall be responsible for licensing all game officials as defined in subsection (b) of Section 22-80 of the School Code.

(b) Each applicant for licensure under this Section is required, as a condition of licensure, to authorize a fingerprint-based criminal history records check to determine if such applicant has been convicted of any disqualifying, enumerated criminal or drug offenses as set forth in Section 21B-80 of the School Code. The applicant shall submit his or her fingerprints to the Illinois State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information prescribed by the Illinois State Police. Such fingerprints shall be transmitted through a livescan fingerprint vendor licensed by the Department of Financial and Professional Regulation. The fingerprints submitted under this Section shall be checked against the Illinois State Police criminal history databases prior to their submission to the Federal Bureau of Investigation criminal history record databases, now and hereafter filed, including, but not limited to, civil, criminal, and latent fingerprint databases. The Illinois State Police shall charge applicants a fee for conducting the criminal history records check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the records check. The Illinois State Police shall furnish, pursuant to positive identification, records of State convictions and shall forward the national criminal history record information to the Illinois High School Association. Any information obtained by the Illinois High School Association may only be disseminated as authorized by law.

(c) The Illinois High School Association shall perform a check of the Statewide Sex Offender Database and the Statewide Murderer and Violent Offender Against Youth Database, as authorized by the

Sex Offender Community Notification Law and the Murderer and Violent Offender Against Youth Community Notification Law, for each applicant for licensure under this Section. The check of these databases must be conducted by the Illinois High School Association's Executive Director or the Executive Director's designee once every 5 years that an applicant remains licensed by the Illinois High School Association.

(d) Pending full check clearance under subsections (b) and (c), a prospective game official must be supervised at all times by an individual who has received full check clearance under subsections (b) and (c).".

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

On motion of Senator Morrison, **House Bill No. 2586** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Curran, **House Bill No. 3281** having been printed, was taken up and read by title a second time.

Senator Curran offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 3281

AMENDMENT NO. 1 . Amend House Bill 3281 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Domestic Violence Act of 1986 is amended by changing Section 304 as follows:

(750 ILCS 60/304) (from Ch. 40, par. 2313-4)

Sec. 304. Assistance by law enforcement officers.

(a) Whenever a law enforcement officer has reason to believe that a person has been abused, neglected, or exploited by a family or household member, the officer shall immediately use all reasonable means to prevent further abuse, neglect, or exploitation, including:

(1) Arresting the abusing, neglecting, and exploiting party, if ~~where~~ appropriate. However, if the alleged offender is a juvenile, then the officer, based on the totality of the circumstances and using the Adolescent Domestic Battery Typology Tool, may choose not to arrest the juvenile and instead may divert the juvenile or may assist the juvenile and the juvenile's family in finding alternative placement. In any situation in which law enforcement does not make an arrest under this Act, the officer shall forward the report of the incident to the State's Attorney's office for review;

(2) If there is probable cause to believe that particular weapons were used to commit the incident of abuse, subject to constitutional limitations, seizing and taking inventory of the weapons;

(3) Accompanying the victim of abuse, neglect, or exploitation to his or her place of residence for a reasonable period of time to remove necessary personal belongings and possessions;

(4) Offering the victim of abuse, neglect, or exploitation immediate and adequate information (written in a language appropriate for the victim or in Braille or communicated in appropriate sign language), which shall include a summary of the procedures and relief available to victims of abuse under subsection (c) of Section 217 and the officer's name and badge number;

(5) Providing the victim with one referral to an accessible service agency;

(6) Advising the victim of abuse about seeking medical attention and preserving evidence (specifically including photographs of injury or damage and damaged clothing or other property); and

(7) Providing or arranging accessible transportation for the victim of abuse (and, at the victim's request, any minors or dependents in the victim's care) to a medical facility for treatment of injuries or to a nearby place of shelter or safety; or, after the close of court business hours, providing or arranging for transportation for the victim (and, at the victim's request, any minors or dependents in the victim's care) to the nearest available circuit judge or associate judge so the victim may file a petition for an emergency order of protection under subsection (c) of Section 217. When a victim of abuse chooses to leave the scene of the offense, it shall be presumed that it is in the best interests of any minors or dependents in the victim's care to remain with the victim or a person designated by the victim, rather than to remain with the abusing party.

(b) Whenever a law enforcement officer does not exercise arrest powers or otherwise initiate criminal proceedings, the officer shall:

(1) Make a police report of the investigation of any bona fide allegation of an incident of abuse, neglect, or exploitation and the disposition of the investigation, in accordance with subsection (a) of Section 303;

(2) Inform the victim of abuse neglect, or exploitation of the victim's right to request that a criminal proceeding be initiated where appropriate, including specific times and places for meeting with the State's Attorney's office, a warrant officer, or other official in accordance with local procedure; and

(3) Advise the victim of the importance of seeking medical attention and preserving evidence (specifically including photographs of injury or damage and damaged clothing or other property).

(c) Except as provided by Section 24-6 of the Criminal Code of 2012 or under a court order, any weapon seized under subsection (a)(2) shall be returned forthwith to the person from whom it was seized when it is no longer needed for evidentiary purposes.

(Source: P.A. 97-1150, eff. 1-25-13.)

Section 99. Effective date. This Act takes effect 90 days after becoming law.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Cunningham, **House Bill No. 3200** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Loughran Cappel, **House Bill No. 3446** was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Child Welfare.

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

AMENDMENT NO. 2 TO HOUSE BILL 3446

AMENDMENT NO. 2 . Amend House Bill 3446 by replacing everything after the enacting clause with the following:

"Section 5. The Child Care Act of 1969 is amended by adding Sections 9.1d, 9.1e, and 9.1f as follows:

(225 ILCS 10/9.1d new)

Sec. 9.1d. Public list of qualified courses.

(a) As used in this Section, "institution of higher education" means any publicly or privately operated university, college, or community college in this State that offers degrees or certificates in early childhood or related coursework or similar degrees or certificates beyond the secondary school level. "Institution of higher education" includes a public, private, non-profit, or for-profit university, college, or community college authorized by the Board of Higher Education or the Community College Board to offer degrees or certificates in early childhood or related coursework or similar degrees or certificates beyond the secondary school level online, via correspondence, or physically in this State to an individual in this State.

(b) No later than January 1, 2027, the Department of Early Childhood, in collaboration with the Community College Board, the Board of Higher Education, and the Department of Children and Family Services, shall publish on its website and regularly update, at least once per year, a comprehensive list of college early childhood courses that qualify toward the attainment of the required qualifications under 89 Ill. Adm. Code 407.130 and 407.140 for early childhood teachers and directors.

(c) To help the Department of Early Childhood determine whether an institution of higher education's early childhood college courses meet the requirements of 89 Ill. Adm. Code 407.130 and 407.140, each institution of higher education shall submit, in the form and manner prescribed by the Department of Early Childhood, information about the courses.

(d) The Department of Early Childhood may adopt rules to implement this Section.

(225 ILCS 10/9.1e new)

Sec. 9.1e. Public list of qualified courses; qualification and impartial oversight review process.

(a) As used in this Section, "institution" has the meaning given to that term in Section 9.1d.

(b) No later than January 1, 2027, the Department of Early Childhood, in consultation with stakeholders, including, but not limited to, the Illinois Community College Board, the Board of Higher Education, and, until January 1, 2027, the Department of Children and Family Services, shall create a process to verify early childhood courses that qualify toward the attainment of the required qualifications under 89 Ill. Adm. Code 407.130 and 407.140 for early childhood teachers and directors.

(c) As part of the development of the process established under this Section, the Department of Early Childhood shall seek input and feedback from established child care providers, Early Childhood Access Consortium for Equity member institutions, early child care and education advocates, early childhood program students, and other stakeholders.

(d) The process established under this Section shall include the following elements, which also shall be posted on the Department of Early Childhood's website:

(1) criteria for the inclusion of college courses offered by State-based and out-of-state institutions on the course list;

(2) criteria for the removal of courses from the course list;

(3) a requirement that the removal of a course from the course list shall not negatively impact any early childhood teacher or director or early childhood teacher or director applicant who has taken or is currently enrolled in the course;

(4) a notification plan for (i) the distribution of the course list and (ii) any updates to all licensed child care centers in this State;

(5) an impartial oversight review process for courses deemed ineligible for the attainment of the required qualifications for an early childhood teacher or director; and

(6) a process for establishing eligibility requirements for college courses not on the course list.

(e) The Department of Early Childhood may adopt rules to implement this Section.

(225 ILCS 10/9.1f new)

Sec. 9.1f. Public list of qualified courses; training for applicable State staff.

(a) Applicable State staff must be trained on the use of the course list established under Section 9.1e, the prohibitions for the course list, and the impartial oversight review process under Section 9.1e.

(b) The Department of Early Childhood may adopt rules to implement this Section.".

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

On motion of Senator Halpin, **House Bill No. 3493** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **House Bill No. 3638** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3638

AMENDMENT NO. 1 . Amend House Bill 3638 by replacing everything after the enacting clause with the following:

"Section 5. The Workplace Transparency Act is amended by changing Sections 1-5, 1-10, 1-15, 1-20, 1-25, 1-30, 1-35, and 1-40 as follows:

(820 ILCS 96/1-5)

Sec. 1-5. Purpose. This State has a compelling and substantial interest in securing individuals' freedom from unlawful discrimination and harassment in the workplace. This State also recognizes the right of parties to freely contract over the terms, privileges and conditions of employment as they so choose. The purpose of this Act is to ensure that all parties to a contract for the performance of services understand and agree to the mutual promises and consideration therein, and to protect the interest of this State in ensuring all workplaces are free of unlawful discrimination, ~~and~~ harassment, and violations of State or federal employment laws.

(Source: P.A. 101-221, eff. 1-1-20.)

(820 ILCS 96/1-10)

Sec. 1-10. Application.

(a) This Act does not apply to any collective bargaining agreements ~~contracts~~ that are entered into in and subject to the Illinois Public Labor Relations Act or the National Labor Relations Act. If there is a conflict between any valid and enforceable collective bargaining agreement and this Act, the collective bargaining agreement controls.

(b) This Act shall have no effect on the determination of whether an employment relationship exists for the purposes of other State or federal laws, including, but not limited to, the Illinois Human Rights Act, the Workers' Compensation Act, the Unemployment Insurance Act, and the Illinois Wage Payment and Collection Act.

(c) This Act applies to contracts entered into, modified, or extended on or after the effective date of this Act.

(Source: P.A. 101-221, eff. 1-1-20.)

(820 ILCS 96/1-15)

Sec. 1-15. Definitions. As used in this Act:

"Employee" has the same meaning as set forth in Section 2-101 of the Illinois Human Rights Act. "Employee" includes "nonemployees" as defined in Section 2-102 of the Illinois Human Rights Act.

"Employer" has the same meaning as set forth in Section 2-101 of the Illinois Human Rights Act.

"Mutual condition of employment or continued employment" means any contract, agreement, clause, covenant, or waiver negotiated between an employer and an employee or prospective employee in good faith for consideration in order to obtain or retain employment.

"Prospective employee" means a person seeking to enter an employment contract with an employer.

"Settlement agreement" means an agreement, contract, or clause within an agreement or contract entered into between an employee, prospective employee, or former employee and an employer to resolve a dispute or legal claim between the parties that arose or accrued before the settlement agreement was executed.

"Termination agreement" means a contract or agreement between an employee and an employer terminating the employment relationship.

"Unlawful employment practice" means any practice made unlawful that is ~~form of unlawful discrimination, harassment, or retaliation that is~~ actionable under Article 2 of the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, or any other ~~related~~ State or federal rule or law governing employment, including those that are ~~is~~ enforced by the Illinois Department of Human Rights, Illinois Department of Labor, Illinois Labor Relations Board, ~~or the~~ Equal Employment Opportunity Commission, United States Department of Labor, Occupational Safety and Health Administration, or National Labor Relations Board.

"Unilateral condition of employment or continued employment" means any contract, agreement, clause, covenant, or waiver an employer requires an employee or prospective employee to accept as a non-negotiable material term in order to obtain or retain employment.

(Source: P.A. 101-221, eff. 1-1-20.)

(820 ILCS 96/1-20)

Sec. 1-20. Reporting of allegations. No contract, agreement, clause, covenant, waiver, or other document shall prohibit, prevent, or otherwise restrict an employee, prospective employee, or former employee from (1) reporting any allegations of unlawful conduct to federal, State, or local officials for investigation, including, but not limited to, alleged criminal conduct or unlawful employment practices, or (2) engaging in concerted activity to address work-related issues.

(Source: P.A. 101-221, eff. 1-1-20.)

(820 ILCS 96/1-25)

Sec. 1-25. Conditions of employment or continued employment.

(a) Any agreement, clause, covenant, or waiver that is a unilateral condition of employment or continued employment and has the purpose or effect of preventing an employee or prospective employee from making truthful statements or disclosures about alleged unlawful employment practices or engaging in protected concerted activity to address work-related issues is against public policy, void to the extent it prevents such statements or disclosures, and severable from an otherwise valid and enforceable contract under this Act.

(b) Any agreement, clause, covenant, or waiver that is a unilateral condition of employment or continued employment and requires the employee or prospective employee to waive, arbitrate, or otherwise

diminish any existing or future claim, right, or benefit related to an unlawful employment practice to which the employee or prospective employee would otherwise be entitled under any provision of State or federal law, including that which purports to shorten the applicable statute of limitation, apply non-Illinois law to an Illinois employee's claim, or require a venue outside of Illinois to adjudicate an Illinois employee's claim, is against public policy, void to the extent it denies an employee or prospective employee a substantive or procedural right or remedy related to alleged unlawful employment practices, and severable from an otherwise valid and enforceable contract under this Act.

(c) Any agreement, clause, covenant, or waiver that is a mutual condition of employment or continued employment may include provisions that would otherwise be against public policy as a unilateral condition of employment or continued employment, but only if the agreement, clause, covenant, or waiver is in writing, demonstrates actual, knowing, and bargained-for consideration from both parties, and acknowledges the right of the employee or prospective employee to:

(1) report any good faith allegation of unlawful employment practices to any appropriate federal, State, or local government agency enforcing discrimination laws;

(2) report any good faith allegation of criminal conduct to any appropriate federal, State, or local official;

(3) participate in a proceeding related to unlawful employment practices, including any litigation brought by any federal, State, or local government agency or any other person who alleges that the employer has violated any State, federal, or local law, regulation, or rule ~~with any appropriate federal, State, or local government agency enforcing discrimination laws~~;

(4) make any truthful statements or disclosures required by law, regulation, or legal process; ~~and~~

(5) request or receive confidential legal advice; and ~~.~~

(6) engage in concerted activity to address work-related issues.

(d) Failure to comply with the provisions of subsection (c) shall establish a rebuttable presumption that the agreement, clause, covenant, or waiver is a unilateral condition of employment or continued employment that is governed by subsection (a) or (b).

(e) Nothing in this Section shall be construed to prevent an employee or prospective employee and an employer from negotiating and bargaining over the terms, privileges, and conditions of employment.

(Source: P.A. 101-221, eff. 1-1-20; 102-558, eff. 8-20-21.)

(820 ILCS 96/1-30)

Sec. 1-30. Settlement or termination agreements.

(a) An employee, prospective employee, or former employee and an employer may enter into a valid and enforceable settlement or termination agreement that includes promises of confidentiality related to alleged unlawful employment practices, other than concerted activity related to workplace conditions, so long as:

(1) confidentiality is the documented preference of the employee, prospective employee, or former employee and is mutually beneficial to both parties;

(2) the employer notifies the employee, prospective employee, or former employee, in writing, of his or her right to have an attorney or representative of his or her choice review the settlement or termination agreement before it is executed;

(3) there is valid, bargained for consideration in exchange for the confidentiality separate from any consideration that is provided in exchange for a release of claims;

(4) the settlement or termination agreement does not waive any claims of unlawful employment practices that accrue after the date of execution of the settlement or termination agreement;

(5) the settlement or termination agreement is provided, in writing, to the parties to the prospective agreement and the employee, prospective employee, or former employee is given a period of 21 calendar days to consider the agreement before execution, during which the employee, prospective employee, or former employee may sign the agreement at any time, knowingly and voluntarily waiving any further time for consideration; ~~and~~

(6) unless knowingly and voluntarily waived by the employee, prospective employee, or former employee, he or she has 7 calendar days following the execution of the agreement to revoke the agreement and the agreement is not effective or enforceable until the revocation period has expired; and ~~.~~

(7) any promises of confidentiality by the employee, prospective employee, or former employee expire within 5 years from the date that the employee, prospective employee, or former employee

disclosed the alleged unlawful employment practice that is the subject of confidentiality under this Section.

(b) An employer may not unilaterally include any clause in a settlement or termination agreement that prohibits the employee, prospective employee, or former employee from making truthful statements or disclosures regarding unlawful employment practices or unilaterally include any clause in a settlement or termination agreement that states that the promises of confidentiality are the preference of the employee.

(c) Failure to comply with the provisions of this Section shall render any promise of confidentiality related to alleged unlawful employment practices against public policy void and severable from an otherwise valid and enforceable agreement.

(d) Nothing in this Section shall be construed to prevent a mutually agreed upon settlement or termination agreement from waiving or releasing the employee, prospective employee, or former employee's right to seek or obtain any remedies relating to an unlawful employment practice claim that occurred before the date on which the agreement is executed.

(e) An employee or former employee and an employer may enter into a valid and enforceable settlement or termination agreement that prevents the employee or former employee from working or from applying to work for the employer in the future if the provision expires within 7 years.

(Source: P.A. 101-221, eff. 1-1-20.)

(820 ILCS 96/1-35)

Sec. 1-35. Consequential damages, costs, ~~Costs~~ and attorney's fees. An employee, prospective employee, or former employee shall be entitled to consequential damages, in addition to reasonable attorney's fees and costs incurred in challenging a contract for violation of this Act upon a final, non-appealable action in favor of the employee, prospective employee, or former employee on the question of the validity and enforceability of the contract or defending an action for breach of a confidentiality agreement pursuant to this Act.

(Source: P.A. 101-221, eff. 1-1-20.)

(820 ILCS 96/1-40)

Sec. 1-40. Right to testify. Notwithstanding any other law to the contrary, any agreement, clause, covenant, or waiver, settlement agreement, or termination agreement that waives the right of an employee, prospective employee, or former employee to testify in an administrative, legislative, arbitral, or judicial proceeding, including a deposition taken in connection with any of the proceedings, concerning alleged criminal conduct or alleged unlawful employment practices on the part of the other party to the employment contract, settlement agreement, or termination agreement, or on the part of the party's agents or employees, when the employee, prospective employee, or former employee has been required or requested to attend the proceeding pursuant to a court order, subpoena, or written request from an administrative agency or the legislature, is void and unenforceable under the public policy of this State. This Section is declarative of existing law.

(Source: P.A. 101-221, eff. 1-1-20.)".

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

At the hour of 1:04 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 1:08 o'clock p.m., the Senate resumed consideration of business.
Senator Koehler, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its May 15, 2025 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution No. 258

The foregoing resolution was placed on the Senate Calendar.

At the hour of 1:09 o'clock p.m., Senator Murphy, presiding.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Fine, **Senate Bill No. 1697** 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 1697

AMENDMENT NO. 1 . Amend Senate Bill 1697, on page 8, lines 3 and 4, by deleting "before July 1, 2026 and".

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. 2508** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2509** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2510** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2511** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2512** having been printed, was taken up, read by title a second time and ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Walker, **House Bill No. 742** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 1075** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1075

AMENDMENT NO. 1 . Amend House Bill 1075 by replacing everything after the enacting clause with the following:

"Section 5. The State Commemorative Dates Act is amended by changing the Section 1 as follows:

(5 ILCS 490/1) (from Ch. 1, par. 3051-1)

Sec. 1. Short title. This Act may be cited as the ~~the~~ State Commemorative Dates Act.

(Source: P.A. 87-272.)".

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

On motion of Senator Harmon, **House Bill No. 1312** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1312

AMENDMENT NO. 1 . Amend House Bill 1312 by replacing everything after the enacting clause with the following:

"Section 5. The State Commemorative Dates Act is amended by changing the Section 1 as follows:

(5 ILCS 490/1) (from Ch. 1, par. 3051-1)

Sec. 1. Short title. This Act may be cited as the ~~the~~ State Commemorative Dates Act.

(Source: P.A. 87-272.)".

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

On motion of Senator Edly-Allen, **House Bill No. 1367** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 1437** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1437

AMENDMENT NO. 1 . Amend House Bill 1437 by replacing everything after the enacting clause with the following:

"Section 5. The State Treasurer Act is amended by changing Section 0.01 as follows:

(15 ILCS 505/0.01) (from Ch. 130, par. 0.01)

Sec. 0.01. Short title. This Act may be cited as the ~~the~~ State Treasurer Act.

(Source: P.A. 86-1324.)".

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

On motion of Senator Harmon, **House Bill No. 1697** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1697

AMENDMENT NO. 1 . Amend House Bill 1697 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois State Police Law of the Civil Administrative Code of Illinois is amended by changing Section 2605-1 as follows:

(20 ILCS 2605/2605-1)

Sec. 2605-1. Article short title. This Article 2605 of the ~~the~~ Civil Administrative Code of Illinois may be cited as the Illinois State Police Law (formerly the Department of State Police Law).

(Source: P.A. 102-538, eff. 8-20-21.)".

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

On motion of Senator Harmon, **House Bill No. 1700** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1700

AMENDMENT NO. 1 . Amend House Bill 1700 by replacing everything after the enacting clause with the following:

"Section 5. The Deposit of State Moneys Act is amended by changing Section 0.01 as follows:
(15 ILCS 520/0.01) (from Ch. 130, par. 19m)
Sec. 0.01. Short title. This Act may be cited as the ~~the~~ Deposit of State Moneys Act.
(Source: P.A. 86-1324.)".

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

On motion of Senator Villivalam, **House Bill No. 1806** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1806

AMENDMENT NO. 1 . Amend House Bill 1806 on page 2, by replacing lines 2 through 20 with the following:

""Artificial intelligence" has the meaning given to that term in Section 2-101 of the Illinois Human Rights Act."; and

on page 7, line 2, by deleting "systems"; and

on page 7, line 4, by replacing "an artificial intelligence system" with "artificial intelligence".

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

On motion of Senator Harmon, **House Bill No. 1823** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1823

AMENDMENT NO. 1 . Amend House Bill 1823 by replacing everything after the enacting clause with the following:

"Section 5. The Juvenile Court Act of 1987 is amended by changing Section 5-130 as follows:
(705 ILCS 405/5-130)
Sec. 5-130. Excluded jurisdiction.
(1)(a) The ~~The~~ definition of delinquent minor under Section 5-120 of this Article shall not apply to any minor who at the time of an offense was at least 16 years of age and who is charged with: (i) first degree murder, (ii) aggravated criminal sexual assault, or (iii) aggravated battery with a firearm as described in Section 12-4.2 or subdivision (e)(1), (e)(2), (e)(3), or (e)(4) of Section 12-3.05 where the minor personally discharged a firearm as defined in Section 2-15.5 of the Criminal Code of 1961 or the Criminal Code of 2012.

These charges and all other charges arising out of the same incident shall be prosecuted under the criminal laws of this State.

(b)(i) If before trial or plea an information or indictment is filed that does not charge an offense specified in paragraph (a) of this subsection (1) the State's Attorney may proceed on any lesser charge or charges, but only in Juvenile Court under the provisions of this Article. The State's Attorney may proceed on a lesser charge if before trial the minor defendant knowingly and with advice of counsel waives, in writing, the minor's right to have the matter proceed in Juvenile Court.

(ii) If before trial or plea an information or indictment is filed that includes one or more charges specified in paragraph (a) of this subsection (1) and additional charges that are not specified in that paragraph, all of the charges arising out of the same incident shall be prosecuted under the Criminal Code of 1961 or the Criminal Code of 2012.

(c)(i) If after trial or plea the minor is convicted of any offense covered by paragraph (a) of this subsection (1), then, in sentencing the minor, the court shall sentence the minor under Section 5-4.5-105 of the Unified Code of Corrections.

(ii) If after trial or plea the court finds that the minor committed an offense not covered by paragraph (a) of this subsection (1), that finding shall not invalidate the verdict or the prosecution of the minor under the criminal laws of the State; however, unless the State requests a hearing for the purpose of sentencing the minor under Chapter V of the Unified Code of Corrections, the Court must proceed under Sections 5-705 and 5-710 of this Article. To request a hearing, the State must file a written motion within 10 days following the entry of a finding or the return of a verdict. Reasonable notice of the motion shall be given to the minor or the minor's counsel. If the motion is made by the State, the court shall conduct a hearing to determine if the minor should be sentenced under Chapter V of the Unified Code of Corrections. In making its determination, the court shall consider among other matters: (a) whether there is evidence that the offense was committed in an aggressive and premeditated manner; (b) the age of the minor; (c) the previous history of the minor; (d) whether there are facilities particularly available to the Juvenile Court or the Department of Juvenile Justice for the treatment and rehabilitation of the minor; (e) whether the security of the public requires sentencing under Chapter V of the Unified Code of Corrections; and (f) whether the minor possessed a deadly weapon when committing the offense. The rules of evidence shall be the same as if at trial. If after the hearing the court finds that the minor should be sentenced under Chapter V of the Unified Code of Corrections, then the court shall sentence the minor under Section 5-4.5-105 of the Unified Code of Corrections.

(2) (Blank).

(3) (Blank).

(4) (Blank).

(5) (Blank).

(6) (Blank).

(7) The procedures set out in this Article for the investigation, arrest and prosecution of juvenile offenders shall not apply to minors who are excluded from jurisdiction of the Juvenile Court, except that minors under 18 years of age shall be kept separate from confined adults.

(8) Nothing in this Act prohibits or limits the prosecution of any minor for an offense committed on or after the minor's 18th birthday even though the minor is at the time of the offense a ward of the court.

(9) If an original petition for adjudication of wardship alleges the commission by a minor 13 years of age or over of an act that constitutes a crime under the laws of this State, the minor, with the consent of the minor's counsel, may, at any time before commencement of the adjudicatory hearing, file with the court a motion that criminal prosecution be ordered and that the petition be dismissed insofar as the act or acts involved in the criminal proceedings are concerned. If such a motion is filed as herein provided, the court shall enter its order accordingly.

(10) If, prior to August 12, 2005 (the effective date of Public Act 94-574), a minor is charged with a violation of Section 401 of the Illinois Controlled Substances Act under the criminal laws of this State, other than a minor charged with a Class X felony violation of the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act, any party including the minor or the court sua sponte may, before trial, move for a hearing for the purpose of trying and sentencing the minor as a delinquent minor. To request a hearing, the party must file a motion prior to trial. Reasonable notice of the motion shall be given to all parties. On its own motion or upon the filing of a motion by one of the parties including the minor, the court shall conduct a hearing to determine whether the minor should be tried and sentenced as a delinquent minor under this Article. In making its determination, the court shall consider among other matters:

(a) The age of the minor;

(b) Any previous delinquent or criminal history of the minor;

(c) Any previous abuse or neglect history of the minor;

(d) Any mental health or educational history of the minor, or both; and

(e) Whether there is probable cause to support the charge, whether the minor is charged through accountability, and whether there is evidence the minor possessed a deadly weapon or caused serious bodily harm during the offense.

Any material that is relevant and reliable shall be admissible at the hearing. In all cases, the judge shall enter an order permitting prosecution under the criminal laws of Illinois unless the judge makes a finding based on a preponderance of the evidence that the minor would be amenable to the care, treatment,

and training programs available through the facilities of the juvenile court based on an evaluation of the factors listed in this subsection (10).

(11) The changes made to this Section by Public Act 98-61 apply to a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61).

(Source: P.A. 103-22, eff. 8-8-23.)".

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

On motion of Senator Harmon, **House Bill No. 1832** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1832

AMENDMENT NO. 1 . Amend House Bill 1832 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Section 405-1 as follows:

(20 ILCS 405/405-1)

Sec. 405-1. Article short title. This Article 405 of the ~~the~~ Civil Administrative Code of Illinois may be cited as the Department of Central Management Services Law.

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

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

On motion of Senator Porfirio, **House Bill No. 1859** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1859

AMENDMENT NO. 1 . Amend House Bill 1859 by replacing everything after the enacting clause with the following:

"Section 5. The Public Community College Act is amended by adding Section 3-29.28 as follows:

(110 ILCS 805/3-29.28 new)

Sec. 3-29.28. Use of artificial intelligence in instruction.

(a) As used in this Section, "artificial intelligence" has the same meaning given to the term in Section 2-101 of the Illinois Human Rights Act.

(b) Each board shall require the faculty member who teaches a course to be an individual who meets the qualifications set forth in 23 Ill. Adm. Code 1501.303(f) and any other applicable rules adopted by the State Board. A course may not, in lieu of a faculty member, use artificial intelligence as the sole source of instruction for students.

(c) Nothing in this Section shall be construed to prohibit a faculty member from using artificial intelligence to augment course instruction.".

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

On motion of Senator Harmon, **House Bill No. 1863** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1863

AMENDMENT NO. 1 . Amend House Bill 1863 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Public Health Act is amended by changing Section 1.1 as follows:

(20 ILCS 2305/1.1) (from Ch. 111 1/2, par. 21.1)
Sec. 1.1. Short title. This Act may be cited as the ~~the~~ Department of Public Health Act.
(Source: P.A. 86-1324.)".

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

On motion of Senator Harmon, **House Bill No. 1927** having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 1927
AMENDMENT NO. 1 . Amend House Bill 1927 by replacing everything after the enacting clause with the following:

"Section 5. The Open Space Lands Acquisition and Development Act is amended by changing Section 1 as follows:
(525 ILCS 35/1) (from Ch. 85, par. 2101)
Sec. 1. This Act shall be known and ~~and~~ may be cited as the Open Space Lands Acquisition and Development Act.
(Source: P.A. 83-722.)".

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

On motion of Senator Harmon, **House Bill No. 1928** having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 1928
AMENDMENT NO. 1 . Amend House Bill 1928 by replacing everything after the enacting clause with the following:

"Section 5. The State Commemorative Dates Act is amended by changing the Section 1 as follows:
(5 ILCS 490/1) (from Ch. 1, par. 3051-1)
Sec. 1. Short title. This Act may be cited as the ~~the~~ State Commemorative Dates Act.
(Source: P.A. 87-272.)".

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

On motion of Senator Harmon, **House Bill No. 2335** having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2335
AMENDMENT NO. 1 . Amend House Bill 2335 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 1-100 as follows:
(625 ILCS 5/1-100) (from Ch. 95 1/2, par. 1-100)
Sec. 1-100. Short Title. This Act may be cited as the ~~the~~ Illinois Vehicle Code.
Portions of this Act may likewise be cited by a short title as follows:
Chapters 2, 3, 4 and 5: the Illinois Vehicle Title & Registration Law.
Chapter 6: the Illinois Driver Licensing Law.
Chapter 7: the Illinois Safety and Family Financial Responsibility Law.
Chapter 11: the Illinois Rules of the Road.
Chapter 12: the Illinois Vehicle Equipment Law.
Chapter 13: the Illinois Vehicle Inspection Law.

Chapter 14: the Illinois Vehicle Equipment Safety Compact.
Chapter 15: the Illinois Size and Weight Law.
Chapter 17: the Illinois Highway Safety Law.
Chapter 18a: the Illinois Commercial Relocation of Trespassing Vehicles Law.
Chapter 18b: the Illinois Motor Carrier Safety Law.
Chapter 18c: the Illinois Commercial Transportation Law.
Chapter 18d: The Illinois Commercial Safety Towing Law.
(Source: P.A. 95-562, eff. 7-1-08.)".

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

On motion of Senator Harmon, **House Bill No. 2371** having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2371
AMENDMENT NO. 1 . Amend House Bill 2371 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 1 as follows:
(215 ILCS 5/1) (from Ch. 73, par. 613)
Sec. 1. Short title. This Act shall be known and ~~and~~ may be cited as the Illinois Insurance Code.
(Source: P.A. 96-328, eff. 8-11-09.)".

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

On motion of Senator Harmon, **House Bill No. 2423** having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2423
AMENDMENT NO. 1 . Amend House Bill 2423 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-1 as follows:
(305 ILCS 5/5-1) (from Ch. 23, par. 5-1)
Sec. 5-1. Declaration of purpose. It is the ~~the~~ purpose of this Article to provide a program of essential medical care and rehabilitative services for persons receiving basic maintenance grants under this Code and for other persons who are unable, because of inadequate resources, to meet their essential medical needs.
Preservation of health, alleviation of sickness, and correction of disabling conditions for persons requiring maintenance support are essential if they are to have an opportunity to become self-supporting or to attain a greater capacity for self-care. For persons who are medically indigent but otherwise able to provide themselves with a livelihood, it is of special importance to maintain their incentives for continued independence and preserve their limited resources for ordinary maintenance needs to prevent their total or substantial dependency.
(Source: P.A. 99-143, eff. 7-27-15.)".

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

On motion of Senator Harmon, **House Bill No. 2568** having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2568
AMENDMENT NO. 1 . Amend House Bill 2568 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Trust Code is amended by changing Section 101 as follows:
(760 ILCS 3/101)
Sec. 101. Short title. This Act may be cited as the ~~the~~ Illinois Trust Code.
(Source: P.A. 101-48, eff. 1-1-20.)".

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

On motion of Senator Ventura, **House Bill No. 2726** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 2755** having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2755
AMENDMENT NO. 1 . Amend House Bill 2755 by replacing everything after the enacting clause with the following:

"Section 5. The State Commemorative Dates Act is amended by changing the Section 1 as follows:
(5 ILCS 490/1) (from Ch. 1, par. 3051-1)
Sec. 1. Short title. This Act may be cited as the ~~the~~ State Commemorative Dates Act.
(Source: P.A. 87-272.)".

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

On motion of Senator Harmon, **House Bill No. 2771** having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2771
AMENDMENT NO. 1 . Amend House Bill 2771 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Food, Drug and Cosmetic Act is amended by changing Section 1 as follows:
(410 ILCS 620/1) (from Ch. 56 1/2, par. 501)
Sec. 1. This Act shall be known and ~~and~~ may be cited as the Illinois Food, Drug and Cosmetic Act.
(Source: Laws 1967, p. 959.)".

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

On motion of Senator Harmon, **House Bill No. 2785** having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2785
AMENDMENT NO. 1 . Amend House Bill 2785 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Credit Union Act is amended by changing Section 6 as follows:
(205 ILCS 305/6) (from Ch. 17, par. 4407)
Sec. 6. Fiscal Year. The ~~The~~ fiscal year of each credit union organized under this Act shall end on December 31 of each year.
(Source: P.A. 81-329.)".

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

On motion of Senator Stadelman, **House Bill No. 2849** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Harriss, **House Bill No. 2863** was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Energy and Public Utilities.

The following amendment was offered in the Committee on Energy and Public Utilities, adopted and ordered printed:

AMENDMENT NO. 2 TO HOUSE BILL 2863

AMENDMENT NO. 2 . Amend House Bill 2863 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by changing Section 9-210.5 as follows:

(220 ILCS 5/9-210.5)

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

Sec. 9-210.5. Valuation of water and sewer utilities.

(a) In this Section:

"Disinterested" means that the person directly involved (1) is not a director, officer, or an employee of the large public utility or the water or sewer utility or its direct affiliates or subsidiaries for at least 12 months before becoming engaged under this Section; (2) shall not derive a material financial benefit from the sale of the water or sewer utility other than fees for services rendered, and (3) shall not have a member of the person's immediate family, including a spouse, parents or spouse's parents, children or spouses of children, or siblings and their spouses or children, be a director, officer, or employee of either the large public utility or water or sewer utility or the water or sewer utility or its direct affiliates or subsidiaries for at least 12 months before becoming engaged under this Section or receive a material financial benefit from the sale of the water or sewer utility other than fees for services rendered.

"District" means a service area of a large public utility whose customers are subject to the same rate tariff.

"Large public utility" means an investor-owned public utility that:

(1) is subject to regulation by the Illinois Commerce Commission under this Act;

(2) regularly provides water or sewer service to more than 15,000 customer connections;

(3) provides safe and adequate service; and

(4) is not a water or sewer utility as defined in this subsection (a).

"Next rate case" means a large public utility's first general rate case after the date the large public utility acquires the water or sewer utility where the acquired water or sewer utility's cost of service is considered as part of determining the large public utility's resulting rates.

"Prior rate case" means a large public utility's general rate case resulting in the rates in effect for the large public utility at the time it acquires the water or sewer utility.

"Utility service source" means the water or sewer utility or large public utility from which the customer receives its utility service type.

"Utility service type" means water utility service or sewer utility service or water and sewer utility service.

"Water or sewer utility" means any of the following:

(1) a public utility that regularly provides water or sewer service to 6,000 or fewer customer connections;

(2) a water district, including, but not limited to, a public water district, water service district, or surface water protection district, or a sewer district of any kind established as a special district under the laws of this State that regularly provides water or sewer service;

(3) a waterworks system or sewerage system established under the Township Code that regularly provides water or sewer service; or

(4) a water system or sewer system owned by a municipality that regularly provides water or sewer service; and

(5) any other entity that is not a public utility that regularly provides water or sewer service.

(b) Notwithstanding any other provision of this Act, a large public utility that acquires a water or sewer utility may request that the Commission use, and, if so requested, the Commission shall use, the procedures set forth under this Section to establish the ratemaking rate base of that water or sewer utility at the time when it is acquired by the large public utility.

(c) If a large public utility elects the procedures under this Section to establish the rate base of a water or sewer utility that it is acquiring, then 3 appraisals shall be performed. The average of these 3 appraisals shall represent the fair market value of the water or sewer utility that is being acquired. The appraisals shall be performed by 3 appraisers approved by the Commission's Executive Director or designee and engaged by either the water or sewer utility being acquired or by the large public utility. Each appraiser shall be engaged on reasonable terms approved by the Commission. Each appraiser shall be a disinterested person licensed as a State certified general real estate appraiser under the Real Estate Appraiser Licensing Act of 2002.

Each appraiser shall:

(1) be sworn to determine the fair market value of the water or sewer utility by establishing the amount for which the water or sewer utility would be sold in a voluntary transaction between a willing buyer and willing seller under no obligation to buy or sell;

(2) determine fair market value in compliance with the Uniform Standards of Professional Appraisal Practice;

(3) engage one disinterested engineer who is licensed in this State, and who may be the same engineer that is engaged by the other appraisers, to prepare an assessment of the tangible assets of the water or sewer utility, which is to be incorporated into the appraisal under the cost approach;

(4) request from the manager of the Accounting Department, if the water or sewer utility is a public utility that is regulated by the Commission, a list of investments made by the water or sewer utility that had been disallowed previously and that shall be excluded from the calculation of the large public utility's rate base in its next rate case; and

(5) return their appraisal, in writing, to the water or sewer utility and large public utility in a reasonable and timely manner.

If the appraiser cannot engage an engineer, as described in paragraph (3) of this subsection (c), within 30 days after the appraiser is engaged, then the Commission's Executive Director or designee shall recommend the engineer the appraiser should engage. The Commission's Executive Director or designee shall provide his or her recommendation within 30 days after he or she is officially notified of the appraiser's failure to engage an engineer and the appraiser shall promptly work to engage the recommended engineer. If the appraiser is unable to negotiate reasonable engagement terms with the recommended engineer within 15 days after the recommendation by the Commission's Executive Director or designee, then the appraiser shall notify the Commission's Executive Director or designee and the process shall be repeated until an engineer is successfully engaged.

(d) The lesser of (i) the purchase price or (ii) the fair market value determined under subsection (c) of this Section shall constitute the rate base associated with the water or sewer utility as acquired by and incorporated into the rate base of the district designated by the acquiring large public utility under this Section, subject to any adjustments that the Commission deems necessary to ensure such rate base reflects prudent and useful investments in the provision of public utility service. The reasonable transaction and closing costs incurred by the large public utility shall be treated consistent with the applicable accounting standards under this Act. The total amount of all of the appraisers' fees to be included in the transaction and closing costs shall not exceed the greater of $15,000 or 5% of the appraised value of the water or sewer utility being acquired. This rate base treatment shall not be deemed to violate this Act, including, but not limited to, any Sections in Articles VIII and IX of this Act that might be affected by this Section. Any acquisition of a water or sewer utility that affects the cumulative base rates of the large public utility's existing ratepayers in the tariff group into which the water or sewer utility is to be combined by less than (1) 2.5% at the time of the acquisition for any single acquisition completed under this Section or (2) 5% for all acquisitions completed under this Section before the Commission's final order in the next rate case shall not be deemed to violate Section 7-204 or any other provision of this Act.

In the Commission's order that approves the large public utility's acquisition of the water or sewer utility, the Commission shall issue its decision establishing (1) the ratemaking rate base of the water or sewer utility; (2) the district or tariff group with which the water or sewer utility shall be combined for

ratemaking purposes, if such combination has been proposed by the large public utility; and (3) the rates to be charged to customers in the water or sewer utility.

(e) If the water or sewer utility being acquired is owned by the State or any political subdivision thereof, then the water or sewer utility must inform the public of the terms of its acquisition by the large public utility by (1) holding a public meeting prior to the acquisition and (2) causing to be published, in a newspaper of general circulation in the area that the water or sewer utility operates, information about the public meeting being held prior to the acquisition, ~~a notice setting forth~~ the terms of the water or sewer utility's ~~its~~ acquisition by the large public utility, and options that shall be available to assist customers to pay their bills after the acquisition. The water or sewer utility being acquired shall provide a notice 30 days prior to the public meeting to customers who will be affected by the acquisition. The notice shall be sent to the customers in the same manner as the customers' monthly bills, either by mail or electronically, but shall be delivered on a page separate from the bill itself and written in no less than 12-point font. The notice shall include (i) information about the public meeting being held prior to the acquisition, (ii) information on the public body that will make the decision regarding the sale of the water or sewer utility, and (iii) if available, an estimate of the capital investment needs of the water or sewer utility being acquired and a statement stating that customer rates may change in the future due to the capital investment needs.

(f) The large public utility may recommend the district or tariff group of which the water or sewer utility shall, for ratemaking purposes, become a part after the acquisition, or may recommend a lesser rate for the water or sewer utility. If the large public utility recommends a lesser rate, it shall submit to the Commission its proposed rate schedule and the proposed final tariff group for the acquired water or sewer utility. The Commission's approved district or tariff group or rates shall be consistent with the large public utility's recommendation, unless such recommendation can be shown to be contrary to the public interest.

(g) From the date of acquisition until the date that new rates are effective in the acquiring large public utility's next rate case, the customers of the acquired water or sewer utility shall pay the approved then-existing rates of the district or tariff group as ordered by the Commission, or some lesser rates as recommended by the large public utility and approved by the Commission under subsection (f); provided, that, if the application of such rates of the large public utility to customers of the acquired water or sewer utility using 54,000 gallons annually results in an increase to the total annual bill of customers of the acquired water or sewer utility, exclusive of fire service or related charges, then the large public utility's rates charged to the customers of the acquired water or sewer utility shall be uniformly reduced, if any reduction is required, by the percent that results in the total annual bill, exclusive of fire services or related charges, for the customers of the acquired water or sewer utility using 54,000 gallons being equal to 1.5% of the latest median household income as reported by the United States Census Bureau for the most applicable community or county. For each customer of the water or sewer utility with potable water usage values that cannot be reasonably obtained, a value of 4,500 gallons per month shall be assigned. These rates shall not be deemed to violate this Act including, but not limited to, Section 9-101 and any other applicable Sections in Articles VIII and IX of this Act. The Commission shall issue its decision establishing the rates effective for the water or sewer utility immediately following an acquisition in its order approving the acquisition.

(h) In the acquiring large public utility's next rate case, the water or sewer utility and the district or tariff group ordered by the Commission and their costs of service may be combined under the same rate tariff. This rate tariff shall be based on allocation of costs of service of the acquired water or sewer utility and the large public utility's district or tariff group ordered by the Commission and utilizing a rate design that does not distinguish among customers on the basis of utility service source or type. This rate tariff shall not be deemed to violate this Act including, but not limited to, Section 9-101 of this Act. In the acquiring large public utility's 2 rate cases after an acquisition, but in no subsequent rate case, the large public utility may file a rate tariff for a water or sewer utility acquired under this Section that establishes lesser rates than the district or tariff group into which the water or sewer utility is to be combined. Those lesser rates shall not be deemed to violate Section 7-204 or any other provision of this Act if they affect the cumulative base rates of the large public utility's existing rate payers in the district or tariff by less than 2.5%.

(i) Any post-acquisition improvements made by the large public utility in the water or sewer utility shall accrue a cost for financing set at the large public utility's determined rate for allowance for funds used during construction, inclusive of the debt, equity, and income tax gross up components, after the date on which the expenditure was incurred by the large public utility until the investment has been in service for a 4-year period or, if sooner, until the time the rates are implemented in the large public utility's next rate case.

Any post-acquisition improvements made by the large public utility in the water or sewer utility shall not be depreciated for ratemaking purposes from the date on which the expenditure was incurred by the

large public utility until the investment has been in service for a 4-year period or, if sooner, until the time the rates are implemented in the large public utility's next rate case.

(j) This Section shall be exclusively applied to large public utilities in the voluntary and mutually agreeable acquisition of water or sewer utilities. Any petitions filed with the Commission related to the acquisitions described in this Section, including petitions seeking approvals or certificates required by this Act, shall be deemed approved unless the Commission issues its final order within 11 months after the date the large public utility filed its initial petition. This Section shall only apply to utilities providing water or sewer service and shall not be construed in any manner to apply to electric corporations, natural gas corporations, or any other utility subject to this Act.

(k) Nothing in this Section shall prohibit a party from declining to proceed with an acquisition or be deemed as establishing the final purchase price of an acquisition.

(l) In the Commission's order that approves the large utility's acquisition of the water or sewer utility, the Commission shall address each aspect of the acquisition transaction for which approval is required under the Act.

(m) Any contractor or subcontractor that performs work on a water or sewer utility acquired by a large public utility under this Section shall be a responsible bidder as described in Section 30-22 of the Illinois Procurement Code. The contractor or subcontractor shall submit evidence of meeting the requirements to be a responsible bidder as described in Section 30-22 to the water or sewer utility. Any new water or sewer facility built as a result of the acquisition shall require the contractor to enter into a project labor agreement. The large public utility acquiring the water or sewer utility shall offer employee positions to qualified employees of the acquired water or sewer utility.

(n) This Section is repealed on June 1, 2028.

(Source: P.A. 102-149, eff. 1-1-22.)".

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

On motion of Senator Harmon, **House Bill No. 2949** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 2949

AMENDMENT NO. 1 . Amend House Bill 2949 by replacing everything after the enacting clause with the following:

"Section 5. The State Commemorative Dates Act is amended by changing the Section 1 as follows:

(5 ILCS 490/1) (from Ch. 1, par. 3051-1)

Sec. 1. Short title. This Act may be cited as the ~~the~~ State Commemorative Dates Act.

(Source: P.A. 87-272.)".

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

On motion of Senator Harmon, **House Bill No. 2967** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 2967

AMENDMENT NO. 1 . Amend House Bill 2967 by replacing everything after the enacting clause with the following:

"Section 5. The Preventing Sexual Violence in Higher Education Act is amended by changing Section 1 as follows:

(110 ILCS 155/1)

Sec. 1. Short title. This Act may be cited as the ~~the~~ Preventing Sexual Violence in Higher Education Act.

(Source: P.A. 99-426, eff. 8-21-15.)".

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

On motion of Senator Cunningham, **House Bill No. 2977** having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2977

AMENDMENT NO. 1 . Amend House Bill 2977 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by adding Section 11-6.1.5 as follows:
(65 ILCS 5/11-6.1.5 new)

Sec. 11-6.1.5. Minimum funding requirements for ambulances, fire engines, and other vehicles used to provide emergency services. A municipality must set aside 10% of the funds the municipality receives from private insurers as direct payment for ambulance or fire services provided by the municipality. The municipality may only use the funds for purchasing or maintaining ambulances, fire engines, and other vehicles used to provide emergency services. Nothing in this Section applies to funds received through (i) public health programs, including, but not limited to, Medicaid and Medicare or (ii) reimbursement for liability claims, settlements, or judgments, including payments from excess insurers or self-insurance reserves.".

AMENDMENT NO. 2 TO HOUSE BILL 2977

AMENDMENT NO. 2 . Amend House Bill 2977 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by adding Section 11-6.1.5 as follows:
(65 ILCS 5/11-6.1.5 new)

Sec. 11-6.1.5. Minimum funding requirements for ambulances, fire engines, and other vehicles used to provide emergency services. A municipality with a population of more than 500,000 must set aside 10% of the funds the municipality receives from private insurers as direct payment for ambulance or fire services provided by the municipality. The municipality may use the set-aside funds only for purchasing or maintaining ambulances, fire engines, and other vehicles used to provide emergency services. Nothing in this Section applies to funds received through (i) public health programs, including, but not limited to, Medicaid and Medicare, or (ii) reimbursements for liability claims, settlements, or judgments, including payments from excess insurers or self-insurance reserves.".

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

On motion of Senator Cunningham, **House Bill No. 2978** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 3019** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3019

AMENDMENT NO. 1 . Amend House Bill 3019 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Dental Practice Act is amended by changing Section 1 as follows:
(225 ILCS 25/1) (from Ch. 111, par. 2301)
(Section scheduled to be repealed on January 1, 2026)

Sec. 1. Short title. This Act may be cited as the ~~the~~ Illinois Dental Practice Act.
(Source: P.A. 86-1475.)".

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

On motion of Senator Harmon, **House Bill No. 3065** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3065

AMENDMENT NO. 1 . Amend House Bill 3065 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 34-1 as follows:

(105 ILCS 5/34-1) (from Ch. 122, par. 34-1)

Sec. 34-1. Application of article; Definitions. This Article applies only to cities having a population exceeding 500,000.

"Trustees", when used in this Article, means the ~~the~~ Chicago School Reform Board of Trustees created by this amendatory Act of 1995 and serving as the governing board of the school district organized under this Article beginning with its appointment on or after the effective date of this amendatory Act of 1995 and continuing until June 30, 1999 or the appointment of a new Chicago Board of Education as provided in Section 34-3, whichever is later.

"Board", or "board of education" when used in this Article, means: (i) the Chicago School Reform Board of Trustees for the period that begins with the appointment of the Trustees and that ends on the later of June 30, 1999 or the appointment of a new Chicago Board of Education as provided in Section 34-3; and (ii) the new Chicago Board of Education from and after June 30, 1999 or from and after its appointment as provided in Section 34-3, whichever is later.

Except during the period that begins with the appointment of the Chicago School Reform Board of Trustees on or after the effective date of this amendatory Act of 1995 and that ends on the later of June 30, 1999 or the appointment of a new Chicago Board of Education as provided in Section 34-3: (i) the school district organized under this Article may be subject to further limitations imposed under Article 34A; and (ii) the provisions of Article 34A prevail over the other provisions of this Act, including the provisions of this Article, to the extent of any conflict.

(Source: P.A. 89-15, eff. 5-30-95.)".

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

On motion of Senator Harmon, **House Bill No. 3193** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3193

AMENDMENT NO. 1 . Amend House Bill 3193 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 15-101 as follows:

(40 ILCS 5/15-101) (from Ch. 108 1/2, par. 15-101)

Sec. 15-101. Creation of system. A retirement system is created to provide retirement annuities and ~~and~~ other benefits for employees, as defined in this Article, and their dependents.

The system shall be known and may be cited as State Universities Retirement System. All the business of the system shall be transacted in that name.

(Source: P.A. 83-1440.)".

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

On motion of Senator Harmon, **House Bill No. 3374** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3374

AMENDMENT NO. 1 . Amend House Bill 3374 by replacing everything after the enacting clause with the following:

"Section 5. The Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997 is amended by changing Section 6-2 as follows:

(20 ILCS 687/6-2)

(Section scheduled to be repealed on December 31, 2025)

Sec. 6-2. Findings and intent. The ~~The~~ General Assembly finds and declares that it is desirable to obtain the environmental quality, public health, and fuel diversity benefits of developing new renewable energy resources and clean coal technologies for use in Illinois and to lower the cost of renewable energy resources and clean coal resources provided to utility consumers. The General Assembly finds and declares that the benefits of electricity from renewable energy resources and clean coal technologies accrue to the public at large, thus consumers and electric utilities and alternative retail electric suppliers share an interest in developing and using a significant level of these environmentally preferable resources in the State's electricity supply portfolio. The General Assembly finds and declares that encouraging energy efficiency will improve the environmental quality and public health in the State of Illinois.

(Source: P.A. 90-561, eff. 12-16-97.)".

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

On motion of Senator Harmon, **House Bill No. 3438** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3438

AMENDMENT NO. 1 . Amend House Bill 3438 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 1-100 as follows:

(625 ILCS 5/1-100) (from Ch. 95 1/2, par. 1-100)

Sec. 1-100. Short Title. This Act may be cited as the ~~the~~ Illinois Vehicle Code.

Portions of this Act may likewise be cited by a short title as follows:

Chapters 2, 3, 4 and 5: the Illinois Vehicle Title & Registration Law.

Chapter 6: the Illinois Driver Licensing Law.

Chapter 7: the Illinois Safety and Family Financial Responsibility Law.

Chapter 11: the Illinois Rules of the Road.

Chapter 12: the Illinois Vehicle Equipment Law.

Chapter 13: the Illinois Vehicle Inspection Law.

Chapter 14: the Illinois Vehicle Equipment Safety Compact.

Chapter 15: the Illinois Size and Weight Law.

Chapter 17: the Illinois Highway Safety Law.

Chapter 18a: the Illinois Commercial Relocation of Trespassing Vehicles Law.

Chapter 18b: the Illinois Motor Carrier Safety Law.

Chapter 18c: the Illinois Commercial Transportation Law.

Chapter 18d: The Illinois Commercial Safety Towing Law.

(Source: P.A. 95-562, eff. 7-1-08.)".

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

On motion of Senator Ventura, **House Bill No. 3489** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 3508** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3508

AMENDMENT NO. 1 . Amend House Bill 3508 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Low-Level Radioactive Waste Management Act is amended by changing Section 1 as follows:

(420 ILCS 20/1) (from Ch. 111 1/2, par. 241-1)

Sec. 1. This Act shall be known and ~~and~~ may be cited as the "Illinois Low-Level Radioactive Waste Management Act".

(Source: P.A. 83-991.)".

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

On motion of Senator Villa, **House Bill No. 3637** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3637

AMENDMENT NO. 1 . Amend House Bill 3637 on page 171, by replacing lines 17 through 23 with the following:

"(h) If a drug had been approved by the U.S. Food and Drug Administration before January 1, 2025, the revocation of approval of the drug by the U.S. Food and Drug Administration after that date shall not cause it to be deemed an adulterated drug in violation of this Act if the drug is recommended for use by the World Health Organization, even if the drug's labeling reflects prior approval that is no longer in effect, so long as the drug's labeling was true and accurate at the time of its manufacture. This subsection (h) is inoperative on and after January 1, 2035.".

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

On motion of Senator Harmon, **House Bill No. 3654** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3654

AMENDMENT NO. 1 . Amend House Bill 3654 by replacing everything after the enacting clause with the following:

"Section 5. The Open Space Lands Acquisition and Development Act is amended by changing Section 1 as follows:

(525 ILCS 35/1) (from Ch. 85, par. 2101)

Sec. 1. This Act shall be known and ~~and~~ may be cited as the Open Space Lands Acquisition and Development Act.

(Source: P.A. 83-722.)".

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

On motion of Senator Harmon, **House Bill No. 3657** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3657

AMENDMENT NO. 1 . Amend House Bill 3657 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 13-101 as follows:
(40 ILCS 5/13-101) (from Ch. 108 1/2, par. 13-101)
Sec. 13-101. Creation of Fund. In each sanitary district organized under the ~~the~~ Metropolitan Water Reclamation District Act, a Sanitary District Employees' and Trustees' Annuity and Benefit Fund shall be created, set apart, maintained and administered, in the manner prescribed in this Article for the benefit of the employees herein designated and their beneficiaries. Beginning January 1, 1992, the Fund shall be known as the Metropolitan Water Reclamation District Retirement Fund.
(Source: P.A. 87-794.)".

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

On motion of Senator Harmon, **House Bill No. 3662** having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 3662

AMENDMENT NO. 1 . Amend House Bill 3662 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 1-1001 as follows:
(55 ILCS 5/1-1001) (from Ch. 34, par. 1-1001)
Sec. 1-1001. Short title. This Act shall be known and ~~and~~ may be cited as the Counties Code.
(Source: P.A. 97-1154, eff. 1-25-13.)".

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

On motion of Senator Harmon, **House Bill No. 3790** having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 3790

AMENDMENT NO. 1 . Amend House Bill 3790 by replacing everything after the enacting clause with the following:

"Section 5. The State Commemorative Dates Act is amended by changing the Section 1 as follows:
(5 ILCS 490/1) (from Ch. 1, par. 3051-1)
Sec. 1. Short title. This Act may be cited as the ~~the~~ State Commemorative Dates Act.
(Source: P.A. 87-272.)".

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

On motion of Senator Loughran Cappel, **House Bill No. 3851** having been printed, was taken up and read by title a second time.
The following amendments were offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 3851

AMENDMENT NO. 1 . Amend House Bill 3851 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 27-23.7 as follows:
(105 ILCS 5/27-23.7)
Sec. 27-23.7. Bullying prevention.

(a) The General Assembly finds that a safe and civil school environment is necessary for students to learn and achieve and that bullying causes physical, psychological, and emotional harm to students and interferes with students' ability to learn and participate in school activities. The General Assembly further finds that bullying has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, using drugs and alcohol, sexual harassment, and sexual violence. Because of the negative outcomes associated with bullying in schools, the General Assembly finds that school districts, charter schools, and non-public, non-sectarian elementary and secondary schools should educate students, parents, and school district, charter school, or non-public, non-sectarian elementary or secondary school personnel about what behaviors constitute prohibited bullying.

Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, physical appearance, socioeconomic status, academic status, pregnancy, parenting status, homelessness, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in all school districts, charter schools, and non-public, non-sectarian elementary and secondary schools. No student shall be subjected to bullying:

(1) during any school-sponsored education program or activity;

(2) while in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities;

(3) through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment; or

(4) through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by a school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item (4) applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred and does not require a district or school to staff or monitor any nonschool-related activity, function, or program.

(a-5) Nothing in this Section is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the United States Constitution or under Section 3 of Article I of the Illinois Constitution.

(b) In this Section:

"Artificial intelligence" has the meaning given to that term in the Digital Voice and Likeness Protection Act.

"Bullying" includes "cyber-bullying" and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

(1) placing the student or students in reasonable fear of harm to the student's or students' person or property;

(2) causing a substantially detrimental effect on the student's or students' physical or mental health;

(3) substantially interfering with the student's or students' academic performance; or

(4) substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying, as defined in this subsection (b), may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, posting or distributing sexually explicit images, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

"Cyber-bullying" means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. "Cyber-bullying" includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as

the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of bullying in this Section. "Cyber-bullying" also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of bullying in this Section. Beginning with the 2026-2027 school year, "cyber-bullying" also includes the posting or distribution of an unauthorized digital replica by electronic means if the positing or distribution creates any of the effects enumerated in the definition of "bullying" in this Section.

"Digital replica" has the meaning given to that term in the Digital Voice and Likeness Protection Act.

"Policy on bullying" means a bullying prevention policy that meets the following criteria:

(1) Includes the bullying definition provided in this Section.

(2) Includes a statement that bullying is contrary to State law and the policy of the school district, charter school, or non-public, non-sectarian elementary or secondary school and is consistent with subsection (a-5) of this Section.

(3) Includes procedures for promptly reporting bullying, including, but not limited to, identifying and providing the school e-mail address (if applicable) and school telephone number for the staff person or persons responsible for receiving such reports and a procedure for anonymous reporting; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

(4) Consistent with federal and State laws and rules governing student privacy rights, includes procedures for informing parents or guardians of all students involved in the alleged incident of bullying within 24 hours after the school's administration is made aware of the students' involvement in the incident and discussing, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures. The school shall make diligent efforts to notify a parent or legal guardian, utilizing all contact information the school has available or that can be reasonably obtained by the school within the 24-hour period.

(5) Contains procedures for promptly investigating and addressing reports of bullying, including the following:

(A) Making all reasonable efforts to complete the investigation within 10 school days after the date the report of the incident of bullying was received and taking into consideration additional relevant information received during the course of the investigation about the reported incident of bullying.

(B) Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.

(C) Notifying the principal or school administrator or his or her designee of the report of the incident of bullying as soon as possible after the report is received.

(D) Consistent with federal and State laws and rules governing student privacy rights, providing parents and guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

(6) Includes the interventions that can be taken to address bullying, which may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.

(7) Includes a statement prohibiting reprisal or retaliation against any person who reports an act of bullying and the consequences and appropriate remedial actions for a person who engages in reprisal or retaliation.

(8) Includes consequences and appropriate remedial actions for a person found to have falsely accused another of bullying as a means of retaliation or as a means of bullying.

(9) Is based on the engagement of a range of school stakeholders, including students and parents or guardians.

(10) Is posted on the school district's, charter school's, or non-public, non-sectarian elementary or secondary school's existing, publicly accessible Internet website, is included in the student handbook, and, where applicable, posted where other policies, rules, and standards of conduct are currently posted in the school and provided periodically throughout the school year to students and

faculty, and is distributed annually to parents, guardians, students, and school personnel, including new employees when hired.

(11) As part of the process of reviewing and re-evaluating the policy under subsection (d) of this Section, contains a policy evaluation process to assess the outcomes and effectiveness of the policy that includes, but is not limited to, factors such as the frequency of victimization; student, staff, and family observations of safety at a school; identification of areas of a school where bullying occurs; the types of bullying utilized; and bystander intervention or participation. The school district, charter school, or non-public, non-sectarian elementary or secondary school may use relevant data and information it already collects for other purposes in the policy evaluation. The information developed as a result of the policy evaluation must be made available on the Internet website of the school district, charter school, or non-public, non-sectarian elementary or secondary school. If an Internet website is not available, the information must be provided to school administrators, school board members, school personnel, parents, guardians, and students.

(12) Is consistent with the policies of the school board, charter school, or non-public, non-sectarian elementary or secondary school.

(13) Requires all individual instances of bullying, as well as all threats, suggestions, or instances of self-harm determined to be the result of bullying, to be reported to the parents or legal guardians of those involved under the guidelines provided in paragraph (4) of this definition.

"Restorative measures" means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school, and (vii) increase student accountability if the incident of bullying is based on religion, race, ethnicity, or any other category that is identified in the Illinois Human Rights Act.

"School personnel" means persons employed by, on contract with, or who volunteer in a school district, charter school, or non-public, non-sectarian elementary or secondary school, including without limitation school and school district administrators, teachers, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

"Unauthorized digital replica" means the use of a digital replica of an individual without the consent of the depicted individual.

(c) (Blank).

(d) Each school district, charter school, and non-public, non-sectarian elementary or secondary school shall create, maintain, and implement a policy on bullying, which policy must be filed with the State Board of Education. The policy on bullying shall be based on the State Board of Education's template for a model bullying prevention policy under subsection (h) and shall include the criteria set forth in the definition of "policy on bullying". The policy or implementing procedure shall include a process to investigate whether a reported act of bullying is within the permissible scope of the district's or school's jurisdiction and shall require that the district or school provide the victim with information regarding services that are available within the district and community, such as counseling, support services, and other programs. School personnel available for help with a bully or to make a report about bullying shall be made known to parents or legal guardians, students, and school personnel. Every 2 years, each school district, charter school, and non-public, non-sectarian elementary or secondary school shall conduct a review and re-evaluation of its policy and make any necessary and appropriate revisions. No later than September 30 of the subject year, the policy must be filed with the State Board of Education after being updated. The State Board of Education shall monitor and provide technical support for the implementation of policies created under this subsection (d). In monitoring the implementation of the policies, the State Board of Education shall review each filed policy on bullying to ensure all policies meet the requirements set forth in this Section, including ensuring that each policy meets the 13 ~~12~~ criterion identified within the definition of "policy on bullying" set forth in this Section.

If a school district, charter school, or non-public, non-sectarian elementary or secondary school fails to file a policy on bullying by September 30 of the subject year, the State Board of Education shall provide a written request for filing to the school district, charter school, or non-public, non-sectarian elementary or

secondary school. If a school district, charter school, or non-public, non-sectarian elementary or secondary school fails to file a policy on bullying within 14 days of receipt of the aforementioned written request, the State Board of Education shall publish notice of the non-compliance on the State Board of Education's website.

Each school district, charter school, and non-public, non-sectarian elementary or secondary school may provide evidence-based professional development and youth programming on bullying prevention that is consistent with the provisions of this Section.

(e) This Section shall not be interpreted to prevent a victim from seeking redress under any other available civil or criminal law.

(f) School districts, charter schools, and non-public, non-sectarian elementary and secondary schools shall collect, maintain, and submit to the State Board of Education non-identifiable data regarding verified allegations of bullying within the school district, charter school, or non-public, non-sectarian elementary or secondary school. School districts, charter schools, and non-public, non-sectarian elementary and secondary schools must submit such data in an annual report due to the State Board of Education no later than August 15 of each year starting with the 2024-2025 school year through the 2030-2031 school year. The State Board of Education shall adopt rules for the submission of data that includes, but is not limited to: (i) a record of each verified allegation of bullying and action taken; and (ii) whether the instance of bullying was based on actual or perceived characteristics identified in subsection (a) and, if so, lists the relevant characteristics. The rules for the submission of data shall be consistent with federal and State laws and rules governing student privacy rights, including, but not limited to, the federal Family Educational Rights and Privacy Act of 1974 and the Illinois School Student Records Act, which shall include, without limitation, a record of each complaint and action taken. The State Board of Education shall adopt rules regarding the notification of school districts, charter schools, and non-public, non-sectarian elementary and secondary schools that fail to comply with the requirements of this subsection.

(g) Upon the request of a parent or legal guardian of a child enrolled in a school district, charter school, or non-public, non-sectarian elementary or secondary school within this State, the State Board of Education must provide non-identifiable data on the number of bullying allegations and incidents in a given year in the school district, charter school, or non-public, non-sectarian elementary or secondary school to the requesting parent or legal guardian. The State Board of Education shall adopt rules regarding (i) the handling of such data, (ii) maintaining the privacy of the students and families involved, and (iii) best practices for sharing numerical data with parents and legal guardians.

(h) By January 1, 2024, the State Board of Education shall post on its Internet website a template for a model bullying prevention policy.

(i) The Illinois Bullying and Cyberbullying Prevention Fund is created as a special fund in the State treasury. Any moneys appropriated to the Fund may be used, subject to appropriation, by the State Board of Education for the purposes of subsection (j).

(j) Subject to appropriation, the State Superintendent of Education may provide a grant to a school district, charter school, or non-public, non-sectarian elementary or secondary school to support its anti-bullying programming. Grants may be awarded from the Illinois Bullying and Cyberbullying Prevention Fund. School districts, charter schools, and non-public, non-sectarian elementary or secondary schools that are not in compliance with subsection (f) are not eligible to receive a grant from the Illinois Bullying and Cyberbullying Prevention Fund.

(Source: P.A. 102-197, eff. 7-30-21; 102-241, eff. 8-3-21; 102-813, eff. 5-13-22; 102-894, eff. 5-20-22; 103-47, eff. 6-9-23.)

Section 99. Effective date. This Act takes effect July 1, 2026.".

AMENDMENT NO. 2 TO HOUSE BILL 3851

AMENDMENT NO. 2 . Amend House Bill 3851 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 27-23.7 as follows:

(105 ILCS 5/27-23.7)

Sec. 27-23.7. Bullying prevention.

(a) The General Assembly finds that a safe and civil school environment is necessary for students to learn and achieve and that bullying causes physical, psychological, and emotional harm to students and

interferes with students' ability to learn and participate in school activities. The General Assembly further finds that bullying has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, using drugs and alcohol, sexual harassment, and sexual violence. Because of the negative outcomes associated with bullying in schools, the General Assembly finds that school districts, charter schools, and non-public, non-sectarian elementary and secondary schools should educate students, parents, and school district, charter school, or non-public, non-sectarian elementary or secondary school personnel about what behaviors constitute prohibited bullying.

Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, physical appearance, socioeconomic status, academic status, pregnancy, parenting status, homelessness, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in all school districts, charter schools, and non-public, non-sectarian elementary and secondary schools. No student shall be subjected to bullying:

(1) during any school-sponsored education program or activity;

(2) while in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities;

(3) through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment; or

(4) through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by a school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item (4) applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred and does not require a district or school to staff or monitor any nonschool-related activity, function, or program.

(a-5) Nothing in this Section is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the United States Constitution or under Section 3 of Article I of the Illinois Constitution.

(b) In this Section:

"Artificial intelligence" has the meaning given to that term in the Digital Voice and Likeness Protection Act.

"Bullying" includes "cyber-bullying" and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

(1) placing the student or students in reasonable fear of harm to the student's or students' person or property;

(2) causing a substantially detrimental effect on the student's or students' physical or mental health;

(3) substantially interfering with the student's or students' academic performance; or

(4) substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying, as defined in this subsection (b), may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, posting or distributing sexually explicit images, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

"Cyber-bullying" means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. "Cyber-bullying" includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of bullying in this Section. "Cyber-bullying" also includes the distribution by

electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of bullying in this Section. Beginning with the 2026-2027 school year, "cyber-bullying" also includes the posting or distribution of an unauthorized digital replica by electronic means if the posting or distribution creates any of the effects enumerated in the definition of "bullying" in this Section.

"Digital replica" has the meaning given to that term in the Digital Voice and Likeness Protection Act.

"Policy on bullying" means a bullying prevention policy that meets the following criteria:

(1) Includes the bullying definition provided in this Section.

(2) Includes a statement that bullying is contrary to State law and the policy of the school district, charter school, or non-public, non-sectarian elementary or secondary school and is consistent with subsection (a-5) of this Section.

(3) Includes procedures for promptly reporting bullying, including, but not limited to, identifying and providing the school e-mail address (if applicable) and school telephone number for the staff person or persons responsible for receiving such reports and a procedure for anonymous reporting; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

(4) Consistent with federal and State laws and rules governing student privacy rights, includes procedures for informing parents or guardians of all students involved in the alleged incident of bullying within 24 hours after the school's administration is made aware of the students' involvement in the incident and discussing, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures. The school shall make diligent efforts to notify a parent or legal guardian, utilizing all contact information the school has available or that can be reasonably obtained by the school within the 24-hour period.

(5) Contains procedures for promptly investigating and addressing reports of bullying, including the following:

(A) Making all reasonable efforts to complete the investigation within 10 school days after the date the report of the incident of bullying was received and taking into consideration additional relevant information received during the course of the investigation about the reported incident of bullying.

(B) Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.

(C) Notifying the principal or school administrator or his or her designee of the report of the incident of bullying as soon as possible after the report is received.

(D) Consistent with federal and State laws and rules governing student privacy rights, providing parents and guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

(6) Includes the interventions that can be taken to address bullying, which may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.

(7) Includes a statement prohibiting reprisal or retaliation against any person who reports an act of bullying and the consequences and appropriate remedial actions for a person who engages in reprisal or retaliation.

(8) Includes consequences and appropriate remedial actions for a person found to have falsely accused another of bullying as a means of retaliation or as a means of bullying.

(9) Is based on the engagement of a range of school stakeholders, including students and parents or guardians.

(10) Is posted on the school district's, charter school's, or non-public, non-sectarian elementary or secondary school's existing, publicly accessible Internet website, is included in the student handbook, and, where applicable, posted where other policies, rules, and standards of conduct are currently posted in the school and provided periodically throughout the school year to students and faculty, and is distributed annually to parents, guardians, students, and school personnel, including new employees when hired.

(11) As part of the process of reviewing and re-evaluating the policy under subsection (d) of this Section, contains a policy evaluation process to assess the outcomes and effectiveness of the policy that includes, but is not limited to, factors such as the frequency of victimization; student, staff, and family observations of safety at a school; identification of areas of a school where bullying occurs; the types of bullying utilized; and bystander intervention or participation. The school district, charter school, or non-public, non-sectarian elementary or secondary school may use relevant data and information it already collects for other purposes in the policy evaluation. The information developed as a result of the policy evaluation must be made available on the Internet website of the school district, charter school, or non-public, non-sectarian elementary or secondary school. If an Internet website is not available, the information must be provided to school administrators, school board members, school personnel, parents, guardians, and students.

(12) Is consistent with the policies of the school board, charter school, or non-public, non-sectarian elementary or secondary school.

(13) Requires all individual instances of bullying, as well as all threats, suggestions, or instances of self-harm determined to be the result of bullying, to be reported to the parents or legal guardians of those involved under the guidelines provided in paragraph (4) of this definition.

"Restorative measures" means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school, and (vii) increase student accountability if the incident of bullying is based on religion, race, ethnicity, or any other category that is identified in the Illinois Human Rights Act.

"School personnel" means persons employed by, on contract with, or who volunteer in a school district, charter school, or non-public, non-sectarian elementary or secondary school, including without limitation school and school district administrators, teachers, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

"Unauthorized digital replica" means the use of a digital replica of an individual without the consent of the depicted individual.

(c) (Blank).

(d) Each school district, charter school, and non-public, non-sectarian elementary or secondary school shall create, maintain, and implement a policy on bullying, which policy must be filed with the State Board of Education. The policy on bullying shall be based on the State Board of Education's template for a model bullying prevention policy under subsection (h) and shall include the criteria set forth in the definition of "policy on bullying". The policy or implementing procedure shall include a process to investigate whether a reported act of bullying is within the permissible scope of the district's or school's jurisdiction and shall require that the district or school provide the victim with information regarding services that are available within the district and community, such as counseling, support services, and other programs. School personnel available for help with a bully or to make a report about bullying shall be made known to parents or legal guardians, students, and school personnel. Every 2 years, each school district, charter school, and non-public, non-sectarian elementary or secondary school shall conduct a review and re-evaluation of its policy and make any necessary and appropriate revisions. No later than September 30 of the subject year, the policy must be filed with the State Board of Education after being updated. The State Board of Education shall monitor and provide technical support for the implementation of policies created under this subsection (d). In monitoring the implementation of the policies, the State Board of Education shall review each filed policy on bullying to ensure all policies meet the requirements set forth in this Section, including ensuring that each policy meets the 13 ~~12~~ criterion identified within the definition of "policy on bullying" set forth in this Section.

If a school district, charter school, or non-public, non-sectarian elementary or secondary school fails to file a policy on bullying by September 30 of the subject year, the State Board of Education shall provide a written request for filing to the school district, charter school, or non-public, non-sectarian elementary or secondary school. If a school district, charter school, or non-public, non-sectarian elementary or secondary school fails to file a policy on bullying within 14 days of receipt of the aforementioned written request, the

State Board of Education shall publish notice of the non-compliance on the State Board of Education's website.

Each school district, charter school, and non-public, non-sectarian elementary or secondary school may provide evidence-based professional development and youth programming on bullying prevention that is consistent with the provisions of this Section.

(e) This Section shall not be interpreted to prevent a victim from seeking redress under any other available civil or criminal law.

(f) School districts, charter schools, and non-public, non-sectarian elementary and secondary schools shall collect, maintain, and submit to the State Board of Education non-identifiable data regarding verified allegations of bullying within the school district, charter school, or non-public, non-sectarian elementary or secondary school. School districts, charter schools, and non-public, non-sectarian elementary and secondary schools must submit such data in an annual report due to the State Board of Education no later than August 15 of each year starting with the 2024-2025 school year through the 2030-2031 school year. The State Board of Education shall adopt rules for the submission of data that includes, but is not limited to: (i) a record of each verified allegation of bullying and action taken; and (ii) whether the instance of bullying was based on actual or perceived characteristics identified in subsection (a) and, if so, lists the relevant characteristics. The rules for the submission of data shall be consistent with federal and State laws and rules governing student privacy rights, including, but not limited to, the federal Family Educational Rights and Privacy Act of 1974 and the Illinois School Student Records Act, which shall include, without limitation, a record of each complaint and action taken. The State Board of Education shall adopt rules regarding the notification of school districts, charter schools, and non-public, non-sectarian elementary and secondary schools that fail to comply with the requirements of this subsection.

(g) Upon the request of a parent or legal guardian of a child enrolled in a school district, charter school, or non-public, non-sectarian elementary or secondary school within this State, the State Board of Education must provide non-identifiable data on the number of bullying allegations and incidents in a given year in the school district, charter school, or non-public, non-sectarian elementary or secondary school to the requesting parent or legal guardian. The State Board of Education shall adopt rules regarding (i) the handling of such data, (ii) maintaining the privacy of the students and families involved, and (iii) best practices for sharing numerical data with parents and legal guardians.

(h) By January 1, 2024, the State Board of Education shall post on its Internet website a template for a model bullying prevention policy.

(i) The Illinois Bullying and Cyberbullying Prevention Fund is created as a special fund in the State treasury. Any moneys appropriated to the Fund may be used, subject to appropriation, by the State Board of Education for the purposes of subsection (j).

(j) Subject to appropriation, the State Superintendent of Education may provide a grant to a school district, charter school, or non-public, non-sectarian elementary or secondary school to support its anti-bullying programming. Grants may be awarded from the Illinois Bullying and Cyberbullying Prevention Fund. School districts, charter schools, and non-public, non-sectarian elementary or secondary schools that are not in compliance with subsection (f) are not eligible to receive a grant from the Illinois Bullying and Cyberbullying Prevention Fund.

(Source: P.A. 102-197, eff. 7-30-21; 102-241, eff. 8-3-21; 102-813, eff. 5-13-22; 102-894, eff. 5-20-22; 103-47, eff. 6-9-23.)

Section 99. Effective date. This Act takes effect July 1, 2026.".

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

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Fine moved that **Senate Resolution No. 258**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Fine moved that Senate Resolution No. 258 be adopted.

The motion prevailed.

And the resolution was adopted.

CELEBRATION OF LIFE RESOLUTION CONSENT CALENDAR

SENATE RESOLUTION NO. 305

Offered by Senator Tracy and all Senators:
Mourns the passing of Dwayne Charles "D.D." Fischer.

SENATE RESOLUTION NO. 306

Offered by Senator Koehler and all Senators:
Mourns the death of Hattie Mae Green.

SENATE RESOLUTION NO. 307

Offered by Senator Koehler and all Senators:
Mourns the death of Henry Rakoff, Ph.D.

SENATE RESOLUTION NO. 309

Offered by Senator Anderson and all Senators:
Mourns the death of John M. Blachinsky of Kewanee.

SENATE RESOLUTION NO. 310

Offered by Senators Faraci - Rose and all Senators:
Mourns the death of Eldon L. Quick of Rantoul.

SENATE RESOLUTION NO. 314

Offered by Senator E. Harriss and all Senators:
Mourns the passing of Steven Terry "Steve" Slemer of Glen Carbon.

SENATE RESOLUTION NO. 316

Offered by Senator McClure and all Senators:
Mourns the death of Catherine "Katie" Kronmiller Huther, formerly of Springfield.

SENATE RESOLUTION NO. 317

Offered by Senator McClure and all Senators:
Mourns the passing of Jane Elisabeth (Shears) Emerson of Divernon.

The Chair moved the adoption of the Resolutions Consent Calendar.
The motion prevailed, and the resolutions were adopted.

CONGRATULATORY RESOLUTION CONSENT CALENDAR

SENATE RESOLUTION NO. 217

Offered by Senator Collins:

Recognizes the exemplary service of Officer Anthony J. Rouba, especially for his experience in the line of duty during the 2012 NATO Summit.

SENATE RESOLUTION NO. 221

Offered by Senator Harmon:

Congratulates James O'Shea on the occasion of his retirement as Police Chief of the River Forest Police Department (RFPD). Thanks him for his 30 years of service and dedication to the Village of River Forest.

SENATE RESOLUTION NO. 222

Offered by Senator Feigenholtz:
Congratulates Heather Way Kitzes on her accomplishments and contributions.

SENATE RESOLUTION NO. 224

Offered by Senator Ventura:

Congratulates the Joliet Area Historical Museum on being named Museum of the Year by the Illinois Association of Museums.

SENATE RESOLUTION NO. 226

Offered by Senator Ventura:

Congratulates Madi Lave of Lockport on her successful bowling career at Joliet Junior College.

SENATE RESOLUTION NO. 228

Offered by Senator Ellman:

Congratulates the Naperville Fire Department on its 150 years of service. Commends all individuals who have served and are currently serving the Naperville Fire Department for their commitment to the safety of their community and the residents of the City of Naperville. Honors all firefighters who have perished in the line of service to the Naperville Fire Department, recognizing their ultimate sacrifice while protecting their community.

SENATE RESOLUTION NO. 231

Offered by Senator Fine:

Congratulates Police Chief Schenita Stewart of the Evanston Police Department on being named the 2025 Police Chief of the Year by the Illinois Association of Chiefs of Police (ILACP). Thanks her for her service to the residents of Evanston and Cook County.

SENATE RESOLUTION NO. 242

Offered by Senator Murphy:

Congratulates John Patrick Collins on the occasion of his 90th birthday on May 7, 2025. Wishes him many more happy years.

SENATE RESOLUTION NO. 249

Offered by Senator Halpin:

Congratulates the Channel Cat on its 30th anniversary in providing critical passenger ferryboat service to the Quad Cities. Acknowledges Executive Director Kathy Wine of River Action and CEO/Managing Director Jeff Nelson of MetroLINK for their leadership, innovation, and commitment to the Mississippi River and the Quad Cities riverfronts.

SENATE RESOLUTION NO. 254

Offered by Senator Ellman:

Congratulates Oswald's Pharmacy on its 150th anniversary. Acknowledges its deep-rooted history, its unwavering commitment to the health and well-being of the Naperville community, and its significant contribution to the fabric of Illinois' small businesses.

SENATE RESOLUTION NO. 266

Offered by Senator Hunter:

Congratulates Lucretia Rutherford on her graduation from Jackson State University.

SENATE RESOLUTION NO. 275

Offered by Senator Ellman:

Congratulates Anderson's Bookshop on achieving its 150th anniversary. Acknowledges its enduring legacy as a cornerstone of the Naperville and surrounding communities, its unwavering commitment to promoting literacy and a love of books, and its significant contributions as a true community partner.

SENATE RESOLUTION NO. 276

Offered by Senator Morrison:

Congratulates Anne Flanigan Bassi on the occasion of her retirement as Moraine Township Supervisor. Thanks her for her years of public service to Moraine Township, the City of Highland Park, the

City of Highwood, and Lake County.

SENATE RESOLUTION NO. 290

Offered by Senator Belt:

Recognizes Reginald Edwin Petty on his service as a trailblazing advocate for civil rights. Wishes him continued success in his endeavors.

The Chair moved the adoption of the Resolutions Consent Calendar.

The motion prevailed, and the resolutions were adopted.

PRESENTATION OF RESOLUTION

Senator Villa offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE JOINT RESOLUTION NO. 40

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the Senate adjourns on Thursday, May 15, 2025, it stands adjourned until Tuesday, May 20, 2025, or until the call of the President; and when the House of Representatives adjourns on Friday, May 16, 2025, it stands adjourned until Tuesday, May 20, 2025, or until the call of the Speaker.

The motion prevailed.

And the resolution was adopted.

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

ANNOUNCEMENT

The Chair announced that the deadline for filing Floor Amendments to House Bills is tomorrow, Friday, May 20, 2025.

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Hollman, Clerk:

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

SENATE BILL NO. 1953

A bill for AN ACT concerning local government.

Passed the House, May 15, 2025.

JOHN W. HOLLMAN, Clerk of the House

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 3050

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 2264

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

Amendment No. 1 to House Bill 3248

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

Amendment No. 1 to Senate Bill 1449

At the hour of 1:40 o'clock p.m., pursuant to **Senate Joint Resolution No. 40**, the Chair announced that the Senate stands adjourned until Tuesday, May 20, 2025, at 12:00 o'clock p.m., or until the call of the President.